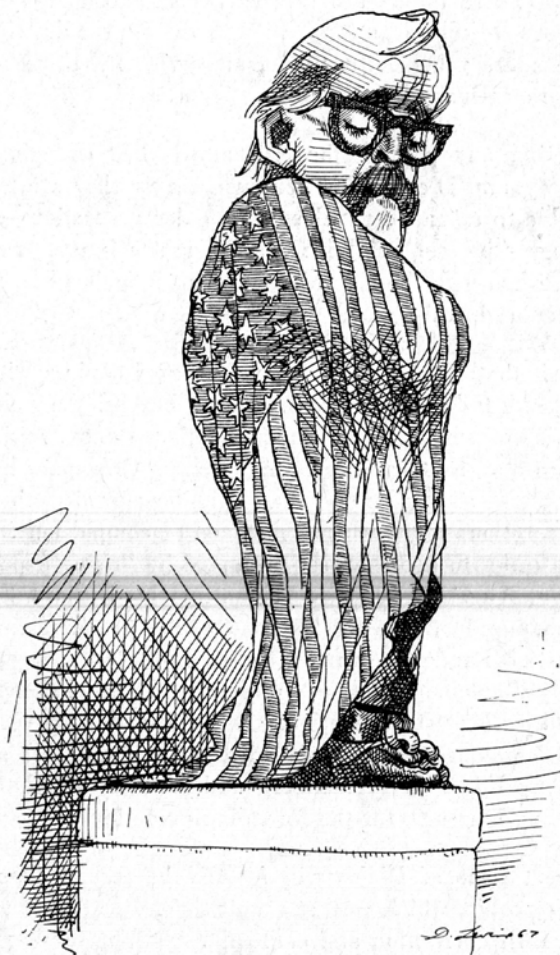


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**C** caught **I** n the **A** ct

## How the Cold Warriors Would Use Our Youth

The CIA's corruption of college students is merely one nail in the elaborate coffin our Cold Warriors are knocking together for the younger generation.

Other elements include the political use of the draft and collusion between academic administrators and civil servants in compiling dossiers on students, not to mention governmental subversion of the students' professors. These things are touched upon in the essays in this issue by Professors Dowd, Parkinson, and Wilson. On the drawing board is the Wirtz-McNamara scheme for universal service by 18-year-olds, reported here by Editor Hinckle of *Ramparts*.

Corrupting any part of the citizenry is bad enough, but offending against the young is especially heinous because they are less experienced and less able to defend themselves than older generations—and of course because they represent our hope for a brighter future. Some fight back effectively, often with the help of decent elders, as has Pfc. Petrick according to a report in this issue.

I submit that the U.S. view of youth is of a piece with the Johnson braintrust's attitude toward lesser breeds beyond the pale of affluence: paternalistic contempt. For instance, William Bundy, Assistant Secretary of State for Far Eastern Affairs and former CIA man, has argued that "free methods" are a luxury that only developed nations can afford, whereas the others must accept "methods of compulsion . . . at least for a time" in order to avoid unrest prompted by "rising expectations." (See *The Nation*, Aug. 16, 1965, for comments by Richard F. Hamilton on Bundy's chapter in *Goals for Americans*, 1960.) This smacks of an investigation of Pandora's Box, a coffee house on Sunset Strip in Los Angeles, by Councilman Potter: "With all these people congregating there, it provided an explosive situation. It could have been very bad if somebody had started something. Luckily, nobody did." (I am indebted to an article by Edgar Z. Friedenberg and Anthony Bernhard in *The New York Review*, March 9, for the foregoing quotation.)

The next issue of *Rights* will feature the second class citizenship of our young people, which weakens their defenses in their already unequal contest against corruption and contempt.

J. M. P.



# SOME ENCOUNTERS WITH THE CULTURALLY FREE

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Conor Cruise O'Brien

In 1963, *Encounter* issued a commemorative anthology entitled *Encounters* to mark its tenth year of publication. I reviewed this in the *New Statesman*. My review, *Journal de Combat*, may be found in my book *Writers and Politics* (Pantheon Books). In the review I questioned certain rash assertions made by Sir Denis Brogan in his preface to this anthology, in which he claimed that *Encounter*, from its foundation, has been a *journal de combat*, an organ of protest against the *trahison des clercs*. I pointed out that the political side of *Encounter* was consistently designed to support the policy of the United States Government: "One of the basic things about *Encounter* is supposed to be its love of liberty; it was love of liberty that brought together, we are told, the people who, in the Congress of Cultural Freedom, sponsored *Encounter*. Love of whose liberty? This is conditioned—as it would be for a communist, but in reverse—by the overall political conflict. Great vigilance is shown about oppression in the communist world; apathy and in consequence largely prevail where the oppression is non-communist or anti-communist. This generalization needs to be qualified. Silence about oppression has been, if possible, total where the oppressors were believed to be identified with the interests of the United States. Thus the sufferings of Cubans under Batista evoked no comment at the time from the organ of those lovers of liberty, well informed though they undoubtedly are. For Nicaragua, Guatemala, South Vietnam and South Korea the same held good. The Negro problem—that is, the problem of the oppression of Negroes in large areas of the United States today—was consistently played down until quite recently, when the news made it impossible to play it down in the old way."

At the time I wrote this review, I knew nothing of any connection between the C.I.A. and *Encounter*. This is significant at the present stage, because the present line of defense of the Congress for Cultural Freedom and *Encounter* is that, though indeed—as they now admit—they were taking money from the C.I.A. this did not affect their policy which remained entirely independent and exactly what it purported to be. It is interesting therefore that a critic, analyzing the *content* of *Encounter*, and not concerned with the sources of its finance, should have reached the conclusion that its policy was to support the American side in the cold war. That is to say, that even if we grant that the policy was independently formed, it was none the less exactly what the C.I.A. must be presumed to have wanted it to be. This happy coincidence could, of course, come about without any pressure whatever on the editor, if the editor responsible for the political side of the magazine had been originally hand-picked by the C.I.A. Mr. Braden has told us that in fact one of the editors of *Encounter* was 'an agent' of the C.I.A.

On 27th April, 1966, *The New York Times*, in the course of its series of articles on the Central Intelligence Agency, stated that the C.I.A. "has supported anti-communist but liberal organizations, such as the Congress for Cultural Freedom and some of their newspapers and magazines. *En-*

counter magazine was for a long time, though it is not now, one of the indirect beneficiaries of C.I.A. funds."

There followed a letter, signed by four people, including Arthur Schlesinger Jr., paying tribute to the 'independence' of the Congress for Cultural Freedom and implying, without explicitly saying so, that it was highly improbable that this paragon of independence could have been supported by the C.I.A. Mr. Schlesinger has subsequently admitted, in the course of a television debate with me on the 30th April, that he knew when he was in the Government that the C.I.A. was subsidizing the Congress. The letter which he signed, following *The New York Times* story, was designed to give the contrary impression and to mislead the public. Messrs. Stephen Spender, Irving Kristol and Melvyn Lasky also wrote to *The New York Times* declaring that they had no knowledge of any indirect benefactions. Mr. Lasky has recently been quoted as admitting that he knew of these benefactions in 1963. It follows that in signing this letter he, like Mr. Schlesinger, was seeking to mislead the public.

*The New York Times* did not withdraw its original statement, but said that it had implied no reflection on the independence etc. of those concerned.

In my Homer Watt lecture to the alumni of New York University on 19th May, 1966, on the subject of *The Writer and the Power Structure*, I mentioned *The New York Times* revelations and made some further comments on *Encounter*, including the following: "In a skillfully-executed politico-cultural operation of the *Encounter* type, the writing specifically required by the power structure was done by people who, as writers, were of the third or fourth rank but who were, as the Belgians used to say about Moise Tshombe, *compréhensifs*, that is, they could take a hint. But the beauty of the operation, in every sense, was that writers of the first rank, who had no interest at all in serving the power structure, were induced to do so unwittingly. Over the years the magazine, shrewdly edited, adequately financed and efficiently distributed, attracted many writers who hardly noticed, or did not think it important, that this forum was not quite an open forum, that its political acoustics were a little odd, that the sonorities at the eastern end were of a quite different character from the western ones. Thus writers of high achievement and complete integrity were led unconsciously to validate, through their collaboration, the more purposeful activities of lesser writers who in turn were engaged in a sustained and consistent political activity in the interests—and as it now appears at the expense—of the power structure in Washington."

Excerpts from this lecture, including the passages about *Encounter*, were published in *Book Week*, copies of which were distributed to the delegates to the P.E.N. Congress in July. In this way delegates from countries where *The New York Times* does not normally circulate, were made aware for the first time of what *The New York Times* said.

In the following month, *Encounter* published in their *Column* section signed 'R,' an attack on my character and writing. This was linked to quotations from my Homer Watt lecture and the article sought to convey the impression that the charge that *Encounter* had been indirectly financed by the C.I.A. was so ludicrous as only to be understandable as an obsessive delusion of a much-flawed personality. The article stated, quite falsely, that I had described my own activities in Katanga as those of "a Machia-

velli of peace." From his own false statement about what I was alleged to have said, the writer then made some rapid deductions about my character, concluding that I regarded myself as theoretically licensed to engage in all forms of mendacity, duplicity, betrayal and bad faith. By a notable exercise in Freudian projection, he also charged me with being "a politico-cultural Joe McCarthy."

The *New Statesman* offered me space to reply to this attack and I submitted my draft reply to them. At this stage one of the editors of *Encounter* telephoned the *New Statesman* to say that if they published a reply by me and if that reply contained (as in fact it did) a quotation of *The New York Times* statement about *Encounter* and the C.I.A., then *Encounter* would sue the *New Statesman*. The *New Statesman* therefore, quite naturally, hesitated about publishing my reply. I then consulted my own lawyers in Dublin, who advised me that the *Encounter* article itself was in fact 'very libellous.' It was open to me to sue either in Dublin—where I had a residence—or in England. As some of the British mass-circulation newspapers during the Congo crisis had used language about me somewhat similar to that used about me in the *Column* article, I had some reason to fear that members of a British jury might be prejudiced against me. I therefore decided to proceed in Dublin.

Meanwhile through friends and acquaintances, who were in touch with people connected with *Encounter*, a number of verbal warnings began to come through. The channels included a member of the *Encounter* staff with whom I was on friendly terms, an Irish diplomat, an Irish professor, an English professor, a colleague in New York University and a lady connected with a left-wing periodical. The warnings—which the people who were in touch with me certainly passed on in good faith—made the following picture:

The article in question was not just the effusion of a particular contributor, but had been carefully planned and weighed. The editors of *Encounter* and other senior people connected with the magazine, had sat round a table and considered the wording of the article very carefully, fully conscious that I might seek to come back at them in some way. They were actually hoping that I would sue them. If I did so, I would be falling into a trap. They had a 'thick dossier' on me containing evidence of "financial transactions," "both in Africa and in New York" and of my "past political associations." If I took them into court, all this would come out and I would be ruined, so in my own interest. . . .

The first step in the proceedings was a demand on my part, through my lawyers, for an apology for the libel they had published. (I decided to ignore the various slanders subsequently circulated, both because their exact provenance was difficult to determine and because they would be automatically discredited by a favorable outcome on the libel issue.) In refusing this apology, *Encounter's* lawyers—mocking the defense of "gratified privilege"—stated that I had given currency to the "false assertion" made about them by *The New York Times*—i.e. the statement that they had been in receipt of indirect benefactions by the C.I.A. The lawyers must be presumed to have acted on the instructions of their clients. According to his own subsequent admission, one of the principals, Melvyn Lasky, already knew that the assertion which his lawyers stigmatized as false was completely true.

The case was set for hearing in Dublin in February, 1967. As this date came nearer, *Encounter* began to make the first tentative overtures for a settlement. In refusing any settlement not based on a full apology by them, I indicated that, in view of the rumors and warnings referred to above, I could not possibly back down even if I wished to—which I did not—without appearing to confirm that I had reason to fear an appearance in court. They then offered, instead of a straight apology, a kind of joint statement in which I would say that I intended no aspersions on their integrity and they would say that they intended none on mine. I refused this.

At this stage they entered no defense in Dublin, letting it be known that they did not regard themselves as bound to defend outside Great Britain. Judgment was accordingly awarded against them by default in the High Court in Dublin on the 14th February and a hearing before a jury to determine the amount of damages was set for 3rd May. At this stage it looked as though, while heavy damages would probably be awarded in my favor, there would be no way either of collecting these or my own costs as *Encounter* had little or no assets within the jurisdiction and—for reasons indicated above—it would be hazardous to pursue them in England. However, by a timely stroke of fortune, it was during this period that—following the disclosures in *Ramparts* magazine—the whole ramifications of the C.I.A. politico-cultural operation, involving the Congress for Cultural Freedom and *Encounter*, “surfaced” in the United States press so thoroughly that denials were no longer possible. In these circumstances, and as their original adumbrated defense had been based on stigmatizing as a “false assertion” something that was now known to be true, I felt that it would no longer be hazardous for me to proceed against them if necessary in Britain. Accordingly I informed people whom I

“The Mysterious Stranger—”



knew to be in touch with them that if they did not honor whatever award a Dublin jury would make in my favor, I would immediately institute proceedings against them in Britain. At this point they briefed counsel in Dublin and on 3rd May their counsel read out the following statement in the High Court:

"An article was published in the August issue of *Encounter* concerning the standards which Dr. Conor Cruise O'Brien employs as a writer and a critic and his actions as an official of the United Nations in the Congo. We acknowledge that this article contained imputations against the character and integrity of Dr. O'Brien which were unwarranted and we wish unreservedly to withdraw them and to apologize to Dr. O'Brien for having made them. We further acknowledge that Dr. O'Brien, as a writer and critic and whilst serving the United Nations, has always maintained the highest standards of personal integrity and we regret that the article we published should have made charges against his integrity which were without justification.

"The joint editors have agreed to publish their apology in the next issue of *Encounter* and have agreed to indemnify Dr. O'Brien in respect of his costs and expenses in relation to these proceedings and to pay an appropriate sum to a charity to be nominated by him."

Subsequent events, including the resignation of Messrs. Spender and Kermode—who had not been privy to the C.I.A. connection—and the retention in office of Melvyn J. Lasky, who had been privy to it—are well known.

*Professor O'Brien is Regents Professor and Schweitzer Professor of the Humanities at New York University.*

## THE CIA AND THE USA

Douglas F. Dowd

How many articles, letters, and ultimately books and doctoral dissertations have been or will be written on the recent and awkward revelations of the role played by the CIA in American life, one doesn't know. What is already apparent, however, is that not everyone is shocked, some are not surprised, more than a few are pleased; and that if anything has emerged as king, it is confusion. Both the criticisms and the support for what has been revealed are given for reasons not easy to dignify with words; nor, after one has stopped tittering at Goldwater's complaint that the pork barrel should have rolled in another direction, is it easy to find someone who makes more sense than Goldwater—given the facts.

The facts are, of course, ugly enough; so much so that it would now seem easier to compile a list of those who have not, than those who have, received help from the CIA, directly or indirectly. Is it more heinous that student groups, or labor groups, or business groups, or newspaper and radio groups, or political groups, or whatever kinds of groups, have



been aided by the CIA? A study of the facts is of no help to answer that question, nor is that question, or most of the questions that have been raised in this connection, likely to tell us anything we need to know.

The CIA infection may be compared to a plague; and to analyze, or to prevent plagues, one must have a sense of their origins. It is the origins of the present scandal, not its symptoms, that are badly in need of discussion. And those origins go deeply back in time, and into the nature of American society. Here I can no more than try to suggest, no more than tentatively, the lines along which one must think of the *affaire*, if we are to come to grips with it, overcome what it stands for.

It is tempting to trace the origins of this whole sickness to the beginnings of the Cold War, as Archibald MacLeish has done. Indeed, such an analysis would take us far—if not far enough—toward an explanation of the manner in which Americans have victimized themselves and been victimized. Some of that will be brought out below, but before doing so, one must declare that the Cold War is but one particular set of layers of the onion we call America, and that the underlying layers must also be examined. One must, in other words, find an explanation of why and how Americans—students, labor leaders (and followers), journalists, politicians, and anyone else one might care to mention—accepted with such indecent haste the premises and the propositions of the Cold War.

Some of us are old enough to remember Churchill's Fulton, Missouri declaration of war, in 1946, and the Truman Doctrine that came yapping on its heels in 1947. When those dice were cast, it may also be remembered, the vast majority of Americans went blithely on their way toward their ingrained conception of the *summum bonum*; to wit, their own backyards, in which to accumulate the latest models of one thing or another. A minority paid attention to what had been announced; and embraced it. A small minority within the minority, if for varying reasons, seeing the possibilities and the necessity for a different kind of world, and having had enough of the smell of burning flesh, took on the task of being Cassandra, Jesus Christ, and some kind of social Corbusier at one and the same time. By the 1950's their voices were fewer, and they were crying in the wilderness—in and out of jails, jobs, money, friends. McCarthy died; McCarthyism triumphed.

McCarthyism triumphed? Not at all, one hears. After all, is it not true that today, in the midst of a vicious, deepening, widening, frightful,



and vital war that hundreds of thousands of Americans (whose numbers and voices rise every day) have voiced ever more vocal protests, and without significant repression? That is true. It is also true that just yet the process of protest, though it may have slowed down the war (and may not have), has affected neither the bulk of the American people nor the Administration's determination to follow its own nose. It has, one could say, allowed the war to take on a certain dignity it might otherwise lack: Does not the protest allow the Johnson Administration to say, perhaps even to believe, that this war is being fought by a free country, a country that could in no sense of the term be called militaristic, let alone fascist? And how have these two strange bedfellows—dirty war and freedom of protest—come to live together?

### **Why McCarthyism Has Prevailed**

I believe it is because there has been one vital element missing in the protest, the element that would give it real power and that would, at the same time and for the same reasons, make it a real threat to the Administration. It lacks organization, and it lacks a set of positive purposes. (Lest there be any confusion on the standpoint from which this is written, let me say that I have been and will remain a part of the protest movement.) The organization and purposes which the protest movement is lacking are the measure of the success of McCarthyism; as the latter is a measure of the grave weaknesses of America as regards the need for social understanding and action as a response to that understanding.

What McCarthyism killed in America was not hard to kill; it had always been weak. That is, those who would fight for social decency had always (let us look back no farther than 1900, however) been few in number, and temporary in attachment. More than that, those on what we could call the Left in America had, like other Americans, a simplistic view of what could be done, even of what had to be done. But I do not wish here to point the finger at the Left, which was, at least, Left. It is the history, the attitudes, the behavior, of the overwhelming American majority—indifferent, conservative, self-seeking—that helps both to explain the inadequacies in number and outlook of the Left, and the readiness with which almost any measure to stifle or sidetrack necessary social change has been adopted in America. Is it necessary here to point to the generally sordid behavior of the American trade union movement—before, during, or after World War I and World War II, with the exception of some laudable efforts during the 'Thirties? Has the American press ever been seriously concerned with social health, except in those exceptional instances that prove the rule? Apart from a moment or two, in a place or two, have American college students been noted for searching inquiries about their society? (I recall well the uses to which students at Berkeley were put during the labor struggles in the San Francisco Bay Area in the 'Thirties.) To shorten the list of questions, have those who today are revealed as beneficiaries of the CIA much displayed in the past a tendency to decline opportunities for personal benefit because they have found reasons to be offended in terms of larger purposes?

If there has been a thread of continuity in the exclamations of shock

concerning the CIA revelations, it has been a thread that spells out the word "IMAGE" where that word in turn has had reference to whether or not we will be able to carry out our national purposes as well or as easily in the future as in the past. Here and there a whisper, but no audible voice has questioned our purposes. As a society we are on, or over, the edge of having accepted something we have been pleased to believe we reject; namely, that the ends justify the means. That would be frightening enough; but to accept that timeworn doctrine for ends that defy decency, reason, and hope—when, that is, they are intelligible—is, for Americans, to have strutted onto a new stage, in street dress. Gone will be the costumes of innocence that dressed the American experiment of fond memory; the lessons of the CIA rhubarb will be: play the hard and fast and dirty game according to the rules of such games, grow up to harsh realities; the lesson will be, don't change the game, change the rhetoric. Nothing lost save honor.

### **Is There Hope for the Future?**

For the vast majority, that kind of future will not much differ from the past, for the vast majority of Americans will pay as little attention to the future as they have to the past. For that sentient minority that embraced the Cold War there will be found ways to embrace whatever waits around the corner. But there remains the minority within the minority; and one may hope that some members of the larger minority, some members also of what in earlier days would have become a part of the vast majority but seem now less inclined to do so (I speak of some of the young, the black, the poor) will, because what was once no more than a possibility has now emerged as an ugly reality, will look and work for serious alternatives.

If serious alternatives are to be developed, they must be developed by serious people; and seriousness means much time, thought, effort, and potential sacrifice—all that, if for no better reason than that just going along, doing nothing, also implies for all of us disasters that will consume more than time, thought, and effort. What the CIA matter means is not something new, but the outcome of something very old in America. The CIA matter is one sign on a path that we have been on for many decades. Many of us in America have hoped we were on a rather different path which, though it was not beautiful, one could take. Some of us have long believed that a much different path must be sought—uphill, through thick undergrowths, winding, tortuous, but promising, promising some combination of western ideals and resources that America could be the first to realize in practice, the first, even, to try. If the CIA revelations have shown anything, they have shown how far away from even seeking that more promising path we have been; for they have shown that the very groups in our society who might have been expected to shoulder part of the load, help find the way, have in fact sold themselves—not to the highest, but to the first, bidder.

The outlook thus is gloomy. But there is some cheer to be taken, and it is this: It should now be crystal clear that America will not be made into a decent society on the occasional weekend when one has nothing else

to do. There may be no hope at all of emerging from the poisoned bog of Vietnam, domestic hate, bitterness, and know-nothing-ism; if there is hope, it resides in the work that will be done by those who see the task for the forbidding thing that it is, who devote themselves to the work of organization, study, and discipline that social change now, and always, requires; who learn not just the discipline, but the patience, that democracy requires; who learn to work with others who are not quite perfect, and who do not see one as being quite perfect. If the work is to be done that must be done, it will be done by those hard-headed idealists who recognize the staggering dimensions of the task; and it is the sole virtue of the CIA fiasco that it has helped some to see some of those dimensions.

*Professor Dowd, a member of the Economics Department at Cornell University and of the ECLC National Council, is spending this year at the Johns Hopkins University Bologna Center.*

## **The Cold War (not the CIA) Corrupts Us**

**Thomas Parkinson**

Certain complaints about the CIA backing of NSA seem to me unwarranted. The CIA was not corrupting innocent youth but the most sophisticated and knowledgeable college students. It was not playing upon naiveté but upon greed and opportunism. The really sad thing about the entire dismal matter is that the students knew better; or if they did not know better, then American higher education is in worse shape than anyone had suspected.

Perhaps it is, and perhaps the actions of the students are explicable by the models established for them by their professors and their institutions of higher learning. Universities allow the FBI to inspect student records without the student's permission. They hand over the membership lists of student political organizations to HUAC. They dummy up and refuse to fight lies with facts when a right-wing governor mangles their budget. Their chief administrative officers swallow insults and political interference without resigning because after all, if I didn't, somebody else would, and think of the good I can do with my power. Is it any wonder that students in positions of influence should do the same thing, with such models of conduct to follow? The authors of the *Ramparts* article talk with amazement of the naiveté of the students who wanted to collaborate with the liberal wing of the CIA. I hope this amazement is mock or I shall have to place *Ramparts* among the gullible—how do they think this country is run? The students were following the pattern of sophisticated realism that they had learned in their colleges and homes. And let's remember that these students were all draft-deferred because with money or with brains they had effectively purchased a substitute to fight a war that most of the students hate with a consuming passion. Every student in this country who has a draft deferment because of his student status is purchasing a substitute and sending him off to kill and be killed in the most immoral (and illegal) war in the country's history. So if he is asked to take a little dirty money from the CIA, what's corrupt about that?

It is extremely difficult to find clean money in this country, and the general moral taint of the Cold War obscures most human energy in some way or other. If educators are to face squarely the issues raised by this scandal (there is no other word for it), they must face the basic fact that they have done little to prepare students for a world so morally complex as ours. Instead of railing at the CIA, which is after all simply performing a function that we all acquiesce in, that is, fighting the Cold War, educators should take a long hard look at, should immerse themselves in, Noam Chomsky's "The Responsibility of Intellectuals." (This article appeared in the Feb. 23 issue of *The New York Review of Books*.—Ed.) Even if they do so, most educators will not recognize themselves there. Chomsky's essay is not satirical but factual; it still fits Swift's dictum that "Satire is as a glass in which the beholder can see every face but his own."

Speaking in the narrowest professional terms, the Cold War in general and the Vietnam War in particular have destroyed the freedom of an entire generation of college students and the will to resist bigotry and lies of their professors. There are honorable exceptions to the general tone of indifference, neglect, greed, and opportunism that afflicts the academy as it does the entire country. Perhaps the revelations about the CIA which are important because symptomatic and trivial when viewed against the entire process of life and education in this country, will make at least a few educators reconsider what they are doing. We train people to make money rather well. We don't train them to spend it properly. And obviously we don't train them to smell it, though they seem able to scent it.



I suspect that very few American educators are willing to look closely at their lives. They can mouth Socratic platitudes about the unexamined life not being worth living but are more ready to accept Conrad's factual observation that some things won't bear close inspection. The entire relation between the intellectual structure of this country and the military structure is the basic question raised by the CIA's following out its defined intentions. In effect the entire academic world of the United States has become, willy-nilly, politicized. My own reaction is to recognize that fact and drop the nonsense about the autonomy of universities, their freedom from politics, and to say simply and overtly that university life and civic life know no boundaries. Students and professors can either take and defend political positions with knowledge and integrity or be taken over by a kind of politics that will destroy entirely all our freedoms, including academic freedom. We should be grateful to the CIA for making that clear to us.

*Professor Parkinson, a member of the English Department at the University of California (Berkeley), is a well known champion of academic freedom.*



# A Nation Dedicated to Counter-Revolution

H. H. Wilson

It seems to me that the real corruption revealed recently about CIA operations and, apart from some details, this has been known for a long time, is that people who took CIA money, or USIA funds were not innocents. They had their hands out. The fact is that many academic social scientists and their graduate students, with notable and talented exceptions, have been panting to live like coupon clippers, advertising executives, and the important corporation types who "meet payrolls." They have made it. To hell with the role of scholars and universities as independent observers, if not critics, of the culture and society. They did not tailor their opinions and actions to CIA specifications simply because of the source of the funds. Probably most of the individuals involved in these revelations accepted the premises of the Cold War and the official dogmas of Communism as total evil. After all it was one of our great contemporary historians who admitted that he lied in giving out to the *New York Times* the "cover story" on the Bay of Pigs. It might be useful to his students now to know when, in the classroom, he is the "historian" and when an apologist for the Establishment he obviously hopes to rejoin. You probably remember his contribution as a premature exponent of McCarthyism when in horrified outrage he denounced distinguished American scholars who dared suggest that we had to learn to live with the Soviet Union.

Who wants to wager on the number of "scholars" who will be called on the carpet by their peers, or the university administrators, for "conduct unbecoming a scholar"? Do you remember when our pundits and academic bureaucrats were profoundly concerned about the professors who were alleged to be subject to Communist Party "discipline"? Incidentally, where was Sidney ("Heresy Yes, Conspiracy No") Hook in this current rhubarb? Perhaps he was auditing the books, philosophically, for the Congress of Cultural Freedom.

It seems to me that the real point of this story is the total and complete documentation of the extent to which the universities and the "scholars" have been cut in on the racket society—and they were not seduced. The hallmark of a corrupt society is its inability to recognize corruption. To paraphrase John Jay Chapman, one need not mind corruption, but one must cry out at people whose minds are so befuddled that they do not know corruption when they see it. This is a corrupt society because its every operative value undercuts the official and loudly proclaimed belief in individual integrity, the freedom of our institutions from government supervision and control, and the virtue of our conception that final power rests with "the people." At least the Germans and the Russians did not deceive themselves with public relations double-talk and did not suffer from Anglo-Saxon hypocrisy. As Eugene Groves, president of NSA, said the organization always tried to maintain "an integrity as the representative of the highest aspirations of the American student community." I rather like the thought of one of our more profound moral leaders, Barry Goldwater, expressing bitterness that the CIA only cor-

rupted "left-wing" organizations. What a pity the CIA didn't grasp the possibilities in the department store field. That a nation of chronological adults could stomach President Johnson's discussion of non-escalation in his recent press conference without mass regurgitation is perhaps a sufficient commentary on the "State of the Nation."

One may hazard the guess that none of the institutions or organizations, or individuals shown to be recipients of undercover funds will suffer any diminution of prestige. Has Michigan State had difficulty in recruiting more faculty members or graduate students? One notes that Governor Rockefeller has appointed "five leading educators" to advise him on how the state can help "to preserve the strength and vitality" of private colleges. Along with McGeorge Bundy he included Dr. John A. Hannah, president of Michigan State University. Does *Encounter* find itself hard pressed to recruit learned contributors? Is it not the case that the academic community was relieved, and let off the hook, by the Katzenbach committee's report to the President? (What a farce, incidentally, to have an Administration committee examine the Administration's policy!) All the furor of the past few weeks amounts to less than the ripples of a stone tossed in a murky pool. After all this is the same academic community that groveled before McCarthy, whose presidents authorize turning over lists of student organizations to the House Committee on Un-American Activities. A few years ago it was reported that John Powell, Yale University security officer, was compiling dossiers on students and faculty. What was the result? He was appointed an associate dean. Recently, at a meeting of International Security Conference, according to the *Yale Daily News* "he suggested universities should hire experienced security officers, give them a 'free hand' in working with outside law enforcement agencies, and grant them power to make 'crucial decisions which can affect the entire university'." It is unlikely that the professorial recruiters for the CIA will lack candidates among graduate and undergraduate students. And of course the CIA is making a pass at foreign scholars as well. Even as a tax payer I can't help hoping that thesefortunates take the money cynically so they too may participate in the affluence of the "Great Society."

The basic point about the CIA is not that it operates independently, though it undoubtedly often does at the tactical level, but that its overall policy and strategy reflects the determination of the United States Government to allow no social revolutions which might challenge American interests. No controls over such an organization are likely to be effective so long as the United States is dedicated to conducting espionage and counter-revolutionary action throughout the world. As President Johnson told the GIs at Camp Stanley, Korea: "Don't forget, there are only 200 million of us in the world of three billion. They want what we've got and we're not going to give it to them." There is little justification for condemning the CIA when the fundamental outlines of its policies and operations are approved by the highest ranking political leaders. As Mr. C. L. Sulzberger of the *New York Times* said, "It is naive to support a Central Intelligence Agency while asking it not to do its job." If this means the corruption of our scholars and universities it is a small price to pay for the affluence and togetherness of the Great Society.

One of the bright spots in this series of revelations is the awareness of the joy we must be bringing to all the cloak and dagger operatives of other nations. It must be a gala frolic of hysterical laughter as they see documented the ineptness and stupidity of our computerized snoopers. As James Reston consoles us, "we must not really be such a wicked people, because we run these secret conspiracies so clumsily."

*Professor Wilson, a member of the Department of Politics at Princeton University, was one of the founders of the Emergency Civil Liberties Committee.*



# MR. ORWELL, MEET MR. WIRTZ

Warren Hinckle

Though Mr. Willard Wirtz, the Secretary of Labor, has enjoyed a reasonably functional but undistinguished career in that post, he delivered a speech last month that automatically qualified him as presidential timber for 1984.

The secretary suggested that every youth in the nation be required to register at the age of 18 with an "opportunity board" which would channel him, like through a carrot sorter, into some form of military service, education or employment.

Mr. Wirtz suggested that the program would be socially constructive and more popular than "going to Nazareth" to register for the census and that therefore there would be no need for compulsion against deviant and non-conforming 18-year-olds. On the other hand, he warned, "... the affording of this opportunity warrants the insistence on the obligation to use it."

We would have thought Mr. Wirtz had merely blown his mind were it not for that fact that his Orwellian suggestion fits a pattern of recent pronouncements by aging New Frontiersmen.

Not the least of these is Secretary of Defense McNamara, a man who considers himself a liberal and whom many Washington liberals consider a progressive. Mr. McNamara, who has already suggested the feasibility of some form of universal military training, but with options for the squeamish for a stint in the Job Corps or Forest Corps, recently announced that the Armed Services would begin lowering mental and physical standards for acceptance into that compulsory profession as part of a "humanitarian" salvage system for lower income and minority youth.

Mr. McNamara termed "inequity" the prospect that these underprivileged kids might otherwise be denied the educational, moral and vocational opportunities that the Armed Forces could provide them.

If all this sounds to you suspiciously like the seeds of a movement to utilize the coercive military system to cope with burgeoning social problems and to head off social unrest, we suspect you are right.

What may be the official rationale for this trend among Kennedy-style liberals came, bang-bang after McNamara and Wirtz, in a pernicious article in the *New Republic* by the former New Frontier brain truster, Mr. Daniel Moynihan.

Mr. Moynihan's thesis was that the day had passed for popular movements, the civil rights movement and anti-poverty movements among them, to force effective national reforms. Now the injured and oppressed of society must hand over their causes to the more sophisticated "professional reformer."

Such a "professional reformer," (and presumably Mr. Moynihan would, if pressed, include himself in that select group), would be quick to see, for instance, the opportunities that the Selective Service System affords for social change.

One of the most effective ways for Negroes to make it in this society, Mr. Moynihan suggested, is the Army way. The sight of Negroes fighting in Vietnam, he said, "may be the single most important psychological event in race relations in the 1960's," since "acquiring a reputation for military valor is one of the oldest known routes to social equality."

Mr. Moynihan is enough of a serious intellectual to openly admit the logical extension of his position: "Expectations of what can be done in America are receding. Very possibly our best hope is seriously to use the Armed Forces as a socializing experience for the poor."

### **The "New Pragmatism"**

This is the new, tough, liberal pragmatism: Any political program, or even populist uprising, that might suggest any change in the social priorities of society is Utopian and hopeless. There can be no really equalizing legal opportunities for the Negro or the poor. The practical and close-at-hand solution is the military, which has the advantage of working. Isn't it working in Vietnam? Isn't the Defense Department the biggest institution in America?

Frankly, this scares the hell out of us.

Every totalitarian society has found social purpose to justify its militarism. The Germans, after all, argued that Nazism ended unemployment.

The amazingly easy adjustment of liberal intellectuals like Mr. Moynihan to the failure of this democracy to cope with its social problems is disturbing, indeed; the tendency of these same intellectuals to look to the massive military establishment for the answers that their own programs have been unable to provide is thoroughly frightening.

It is perhaps predictably within the essential plurality of this society that such a proto-figure as the conservative governor of California, Mr. Ronald Reagan, should rise unexpectedly in the cause of sanity on this issue. Mr. Reagan, sounding more like Robert Taft or Arthur Vandenberg than the former star of *Bedtime for Bonzo*, expressed his opposition to peacetime draft and suggested that voluntary enlistment should be able to provide the necessary military manpower. This, he said, was the patriotic way.

We feel no more comfortable with the ultimate extension of Mr. Reagan's argument about patriotism than we are with Mr. Moynihan and Mr. Wirtz's position about extended and less selective national service.

But we do not feel it is in the best of interest of this society to give the Defense Department, which already has established close to a stranglehold on American life, any new domestic missions. Soldiers, after all, have been known to become crusaders.

*Mr. Hinckle is President and chief executive officer of Ramparts, the magazine that disclosed CIA support of NSA, and a member of the ECLC National Council.*



## **NO FIRST AMENDMENT FOR FIRST AMERICANS**

**Robert Burnett**

On April 13th a chartered bus entered Rosebud Reservation in South Dakota to take 35 Indian people to New York City for the purpose of participating in the rally to Stop The War in Viet Nam, sponsored by Spring Mobilization Committee.

Two FBI agents, a Bureau of Indian Affairs officer, and a City Marshal began questioning and intimidating those who were to take the trip and due to the intimidation and lies, only 7 out of the 35 chose to remain in the group to make the trip.

Such accusations as "the participants were to march with niggers" and that this was "nothing but a nigger March," and "had nothing to do with Indians" made these people choose to remain on the Reservation and not participate.

Those remaining went out on the Reservation and gathered others, and on the way, picked up others in Winner, South Dakota; making a total of 19. These people proceeded to New York and did participate in the parade and rally, and two of them appeared on the speaker's platform in front of the United Nations headquarters.

On Sunday, April 16th, the bus driver was instructed by Robert Burnett to meet him on the Ellipse in Washington, D.C. for the purpose of picketing and performing Indian dances to protest the graft and corruption taking place throughout Indian affairs. The bus did proceed to Washington and was parked on Pennsylvania Avenue, but not at the agreed meeting place because FBI agents gave the driver contrary instructions. Therefore, Robert Burnett and the participating Sioux Indians never did make connections and later learned, by information from those on the bus, that a police sergeant was fully aware that the bus was in Washington and that Robert Burnett was waiting for said bus on the Ellipse.

That evening, Mr. Burnett frantically tried to locate the bus by contacting the police departments of three States and requested an all-points bulletin, specifically to locate the bus in order to try to insure the safety of the Indian people of South Dakota. The police departments refused to cooperate and it was not until the arrival of the bus back in South Dakota that Mr. Burnett learned of the safety of those involved.

Mr. Burnett immediately proceeded back to S.D. by car and upon talking to the various people involved, learned just what took place in Washington, D.C. and the part the FBI and Federal Park Police had played in the separation of the chartered bus and Mr. Burnett. This separation was deliberately carried out.

Upon returning home, Mr. Burnett was advised by those who took part in the rally in New York, that all were to be arrested as soon as Mr. Burnett returned to the Reservation. This threat was made by Tribal officials, Office of Economic Opportunity officials, and Federal officials. But it was never carried out.

Up to this very day (May 11, 1967) we have been receiving continuous pressure from the FBI agents—even some people who had not parti-

cipated. They too have been questioned simply because of the similarity of their names.

These FBI agents have been using older models of automobiles in order to conceal their presence on the Reservation. We are fully aware of their movements, and of the questioning and intimidation of individuals.

The American Indian Civil Rights Council headed by Robert Burnett is in the process of documenting these facts by securing tape recordings and affidavits from the participants and others who have been intimidated. Affidavits will also be secured from people who were witnesses to the scene on the Reservation.

Among these witnesses are businessmen, a minister, and other citizens who are highly indignant at such action of the Federal Government.

It is the opinion of Robert Burnett that these acts took place solely for the purpose of keeping the American Indian out of a very touchy international issue because of the impact the American Indian has internationally, as most people in the world believe that almost all the Indians are extinct, and have no knowledge of the fact that approximately 15,000 Indian men are fighting in Viet Nam at present.

*Mr. Burnett is Director of the  
American Indian Civil Rights Council  
Mission, South Dakota*



## **G.I. Insists He Can Oppose War While Carrying Out His Duties**

An Army draftee is insisting that while carrying out his military duties he has a right to express his views and to distribute literature opposing the Vietnam war to his fellow soldiers.

Leonard B. Boudin, counsel for the Emergency Civil Liberties Committee, said that the Army had dropped a threat of possible court-martial against Pfc. Howard Petrick, a 21-year-old Trotskyist, when the legal aid group moved to defend him.

Mr. Boudin said the case was a test of the extent to which a drafted citizen "retains his First Amendment right to express his views orally and in writing, even though those views might be contrary to the policies of the United States Government."

If the Army wants "a monolithic force that agrees not only to obey orders but to like to do it, then it should have a volunteer force," Mr. Boudin argued.

### **"Basic Freedoms" Upheld**

In Washington, Col. Edward Comer, Army spokesman, said, "A man doesn't lose his basic freedoms just because he goes into military service." Any charges in any case, Colonel Comer said, would depend on the nature and circumstances of a statement and whether it sought to incite action.

At Fort Hood, Tex., where Private Petrick is stationed, a spokesman at post headquarters would only say that "there are no charges nor any investigation pending under the Uniform Code of Military Justice" against Private Petrick. It confirmed that Army Capt. Paul Weinberg had been designated as defense counsel if need be.

Mr. Boudin said the Army had initially questioned Private Petrick for hours April 1 on his return from the national convention of the Young Socialist Alliance in Detroit. He said the draftee was a member of the alliance and the Socialist Workers Party. Both are Trotskyist groups, supporting the worldwide Communist appeal sponsored by the late Leon Trotsky.

Thereafter, the draftee asked the Emergency Civil Liberties Committee to provide him with its lawyers, Victor Rabinowitz and Mr. Boudin, "in the case of infringements of my constitutional rights as a citizen in the United States Army."

Mr. Boudin said that Captain Weinberg had told Private Petrick that he believed there was a possibility of court-martial. In a separate letter, according to Mr. Boudin, Private Petrick wrote that he was "opposed to the Vietnam war."

### **Discussions with G.I.'s**

"Since induction in July, 1966," the draftee's letter went on, "I have exercised my constitutional rights of free speech and thought by discussing the war and politics with fellow G.I.s."

"I have given reading material on many political subjects to other G.I.s who were interested—just as G.I.s with contrary political views have done.

"I have diligently fulfilled my duties as a soldier, never disobeyed an order and have excelled in some areas. Prior to this time never has there been any disciplinary action taken against me."

Mr. Boudin said that Private Petrick, who is from Minneapolis, had been active in the Minnesota Committee to End the War in Vietnam and had been arrested last June 25 on a charge of peddling without a license a publication called "Bring the Troops Home Now Newsletter."

He was inducted July 13 while the charge was pending. At the induction center he refused to sign a statement about whether he had ever been affiliated with a list of organizations cited by the Attorney General under the Federal employee-security program.

In Washington, Colonel Comer said that draftees refusing to sign this statement had been accepted into service, although after an investigation in each case.

Mr. Boudin said that after induction, the Minneapolis arrest charge had been dropped after a commanding officer wrote that the young man was in good standing in the Army.

—From *The New York Times*, April 6, 1967



## You and the FBI

The Emergency Civil Liberties Committee has received many letters and telephone calls from people who have been visited by agents of the Federal Bureau of Investigation. These people indicated confusion about their obligations to their government and about their rights as citizens.

Since we believe that the average person as a rule does not know his duties or his rights concerning FBI interrogation, we offer this general information for those to whom it may be helpful.

You may feel, as many people do, that you have a moral obligation as a citizen to supply any governmental agency with all of the facts which would be helpful in a given situation, *provided* that neither your rights nor those of others are being violated. It is even possible that the inquiry concerns the application for government employment of someone with whom you are acquainted.

However, you frequently do not know the purpose of the inquiry, and the inquirer will rarely tell you in advance. Therefore, it is important for you to know that you are under no *legal* obligation to talk to representatives of the FBI or of any other governmental agency, unless you have been subpoenaed. The FBI, unlike courts and grand juries, does not have the power of subpoena and of compulsory examination. You may decline an invitation to visit FBI agents or to receive them in your home or office.

Unfortunately, at the present time many FBI inquiries appear to be concerned with political associations rather than with obtaining facts for constructive purposes of criminal investigation. The very nature of political inquiries means that many of the questions will be of the sort which no citizen is, or should be, required to answer. The protections afforded to you by the Bill of Rights as interpreted by the Supreme Court in recent as well as earlier decisions are as available to you in such an interview as they would be in open court or before a Congressional body. If you have any doubts as to the FBI's questions you may refuse to answer until your attorney has been consulted, or you may insist on having your attorney present during the interview. You may also ask to have the questions put in writing.

In determining your responsibility to answer questions, remember that there are no off-the-record conversations with the FBI. The agent in



question is under a duty to make some report of his interrogation or interview. He may, possibly, be recording the conversation without your knowledge. Be most careful to be accurate. For the obvious reasons of civic duty, morality and personal safety, do not answer questions if you do not have personal knowledge of the facts. False statements, although made orally and not under oath, may be the basis for a criminal prosecution.

Finally, the use of investigative power by governmental agencies to intimidate or threaten is expressly forbidden by law. We suggest that you report any attempt at intimidation to the Emergency Civil Liberties Committee.

### **EMERGENCY CIVIL LIBERTIES COMMITTEE**

**421 7th Ave. New York City OXford 5-2863**



## CONGRESSIONAL COMMITTEES' STAFF MAY BE SUED FOR DAMAGES

The U.S. Supreme Court held on May 15, 1967 that although a member of Congress may not be sued the Counsel for a committee may. The unanimous decision of the Court was in the case of the Southern Conference Educational Fund and its former director, Dr. James Dombrowski, who are suing for \$500,000 damages against Senator Eastland and Mr. Sourwine for conspiring with Louisiana officials to rob records from Dr. Dombrowski's office, home and car.

The Louisiana raids had been declared illegal and the records ordered returned, but Mr. Sourwine acting under a subpoena that he said was authorized by Senator Eastland took the records across the Mississippi State Line and had them published by the Senate Internal Security Subcommittee in Washington.

This is, of course, just one of the heinous atrocities which congressional committees have committed in recent years but the decision offers some protection for the future. The case of S.C.E.F. and Dr. Dombrowski is being handled by attorneys William Kunstler and Arthur Kinoy of New York and Milton Brenner of New Orleans.

## SELLING PRIVACY

New York State is now selling the names and addresses of 6,400,000 motor vehicle owners to a marketing service. This is all duly legal—it was authorized by the Legislature in 1959 under section 202 of the Vehicle and Traffic Law—and it will net the state some \$86,000, which will be a great help in balancing its \$4-billion budget.

It is also, as Corliss Lamont has pointed out, an outrageous violation of privacy. If Mr. Lamont fails in his suit in Federal court to have the practice declared unconstitutional, the next Legislature would be well advised to repair its earlier error and put a stop to this sale of names.

*Editorial in The New York Times, May 21, 1967*

(Actually N. Y. State assistant Attorney General Sattler stated at the hearing that it cost the State more to prepare the list than the State got selling it.)

## WAVE OF LOYALTY OATHS

The announcement by the Department of State that no one needs to take oath to get a passport (although it is still on the application form) is just one example of the gradual emergence of the country from the oath-plague of the '50's.

When the U.S. Supreme Court in July, 1966 ruled against the loyalty oath requirement of the Directors Guild of America it carried on the trend set in its historic decision in April, 1966 invalidating the Arizona teachers oath. Then, in January, 1967 the loyalty oath provisions of New York's Feinberg Law were declared unconstitutional by the U.S. Supreme Court.

In January of 1966 the Administration in Washington had already conceded that the loyalty oath provision in the Medicare Law was unconstitutional.

Reactionaries continue to press for more oaths, but the resistance to date is bearing good fruit.

## DRAFT CASES

Muhammed Ali was rushed to the courts in striking contrast to the slow pace of the Administration in many other cases. Geoffrey Conklin refused in December, 1965 on grounds of conscience to report for induction. Antonio Fargas declined to report in 1966 on the ground that his appeal for conscientious objection had been illegally refused. Both are E.C.L.C. test cases, but neither has yet been tried.

Pvt. Bruce F. Robertson was arrested in Fort Devens, Mass. when he refused to bear arms. He had applied and been accepted as a medic, after being drafted, and he thought this would exempt him from the necessity of bearing arms. When he was told to bear arms he refused. He appealed to E.C.L.C. for help and in the negotiations with the Army that followed he was granted 1-AO status which does not require arms.

## CHURCHMAN MAGAZINE REGAINS TAX EXEMPTION

The Internal Revenue Service, claiming that *The Churchman*, probably the oldest religious publication in the country, was not a church publication entitled to tax exemption, notified the magazine editor, the Rev. Guy Emery Shipler, that the magazine was being removed from their favored list.

Dr. Shipler appealed to ECLC for help and with the aid of Michael Standard, an attorney aware of the ways of IRS, ECLC notified the IRS of a decision to litigate the matter in the courts. After two years of negotiation the IRS reversed itself, saying:

*"Based on further review of your activities, it has been decided that you are entitled to exemption under the provision of Section 501, and our letter of Aug. 3, 1965, in which we proposed to revoke your exempt status, should be disregarded."*

## CHALLENGE TO REWORDED PLEDGE OF ALLEGIANCE

The inclusion of the words "under God" in the pledge of allegiance used in most schools throughout the country has been challenged by Mr. and Mrs. Richard Smith of Redding, California on behalf of their two daughters who attend the public high school in that city. ECLC is sponsoring the test of the state law requiring such a pledge.

The American Humanist Association at its annual meeting on April 29 passed the following resolution:

WHEREAS the American Humanist Association has always supported the separation of church and state as guaranteed in the First Amendment of the United States Constitution;

AND WHEREAS this principle is violated by the inclusion of the words "under God" in the Pledge of Allegiance to the Flag, which all students in American public schools are obliged to recite so phrased;

THEREFORE BE IT RESOLVED that the American Humanist Association support the suit of Richard E. Smith, a member of this organization, and his two daughters against the officers of the Enterprise High School of Redding, California, to eliminate the phrase "under God" from the Pledge of Allegiance as a violation of the U.S. Constitution.

## The Right to Privacy

Dr. Corliss Lamont instituted a law suit in the United States District Court for the Southern District of New York to enjoin the Commissioner of Motor Vehicles from selling lists of the owners of automobiles to R. L. Polk & Co. and others pursuant to Sec. 202(3) of the Vehicle and Traffic Law. This law authorizes the Commissioner of Motor Vehicles to sell such lists to "the highest responsible bidder." In the present case, R. L. Polk & Co., also named as a defendant, was the highest bidder and secured the current lists. The suit is a test sponsored by ECLC.

Dr. Lamont instituted this action on behalf of himself and all other motor vehicle owners on the ground that the statute and the actions taken under it constitute an invasion of privacy of motor vehicle owners, resulting in their being flooded with advertising materials and junk mail and merchandising solicitation by telephone and in person.

Dr. Lamont said that the purpose of registration under N. Y. Vehicle and Traffic Law was to protect the public against the theft of automobiles and to facilitate recovery in accident cases. The action under attack, Sec. 202(3), has no legitimate purpose and sacrifices the privacy of the individual so that the state can secure additional funds and private companies can flood unwilling recipients with advertising and crank mail.

Dr. Lamont has written and published books and pamphlets of public interest, on such subjects as civil liberties, foreign relations, philosophy and war and peace. He is chairman of the Emergency Civil Liberties Committee which has instituted this case as a test case.

Dr. Lamont was also the plaintiff in *Lamont v. The Postmaster General* in which the U.S. Supreme Court on May 24, 1965, declared unconstitutional a provision of the Postal Service and Federal Employees Salary Act, placing limitations upon the receipt of so-called "communist political propaganda." A unanimous Supreme Court declared the statute to be in violation of the First Amendment.

With respect to the case, Dr. Lamont stated:

*"This case seeks to vindicate what Mr. Justice Brandeis described in 1928 as the 'right to be let alone.' As he said: 'To protect that right every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment.'"*

Governmentally approved invasions of the right of privacy constitute a major problem in today's society. It is presently the subject of a congressional committee investigation as well as of Supreme Court consideration in the areas of bugging and wiretapping. Dr. Lamont stated:

*"It is important that the citizen protect this right of privacy wherever it is threatened. The present suit is brought not only for myself but for all other motor vehicle owners who do not wish the government to be turned into an instrumentality of business."*

## DON'T FORGET THE FIRST

*The following statement was adopted by the National Council of the Emergency Civil Liberties Committee at its meeting on May 13, 1967.*

"Let's forget the First Amendment," said Congressman Hébert of Louisiana during hearings on the draft for the war in Vietnam. *The New York Times* in an article on May 6, 1967 also reported that "Mr. Hébert was backed in his questioning by Representative L. Mendel Rivers, Democrat of South Carolina, the chairman, and Representative Alton Lennon, Democrat of North Carolina. No one on the committee took issue with Mr. Hébert . . ."

The same article quotes the chief counsel of the Armed Services Committee, which was conducting the hearings, as saying, "This is the committee that controls the destiny of every youth in America."

No government likes to be criticized. That is why our ancestors insisted that the right to speak out be plainly guaranteed in the Constitution. No exception is made for time of war, declared or undeclared.

Truth in the marketplace of ideas may not peacefully triumph over error if the latter is secretly subsidized by government agents. Just as government subsidized industry is not on an equally competitive basis with strictly private enterprise, so the clandestine government financing of books, lecturers, mass media, committees and paid hecklers can cloak official propaganda and make it less possible for the truth to be discovered.

The appeal that the end justifies the means is a recurring phenomenon in the history of lost freedoms. There have always been Congressmen who would balance ends they seek against violations of the Constitution which they have sworn to uphold. We condemn such political immorality.

The present attempt of warmakers to blame advocates of peace for the death of our youth and the destruction of the people of Vietnam is the kind of governmental doubletalk that threatens democracy. We must meet further attempts to silence dissent by continuing to speak, write and act freely. When the dissenter fears to dissent democracy dies.

Therefore,

(1) We shall continue to defend and affirm the Constitutional rights of those who are being prosecuted or persecuted for dissent of government policies, including those who dissent to President Johnson's Vietnam policy.

(2) We shall continue to oppose, and work for the abolition of, congressional committees which harass those dissenters.

(3) We shall oppose present government subsidy (as exemplified by the C.I.A.) of political activities and propaganda at home or abroad. We welcome and solicit further exposure of such government practice.

(4) The problem of such subsidies is not merely that of secrecy nor is the problem merely one of direct channeling of government funds to politically active groups. Even if the government subsidies are open subsidies made to a private foundation or private foundations whether or not the government is represented on such foundation boards, and even if such a foundation or foundations decided to give money to politically autonomous private groups without strings attached, the problem of fair treatment of minority political opinion in disagreement with government policy remains. Guarantees for minority opinion analogous to the equal time and fairness doctrine of the Federal Communications Commission, must be written into the subsidy program, lest our democratic process of freedom of speech become seriously distorted by the proposed program.



## VICTORY IN LOSS OF NATIONALITY TEST CASE

An American citizen whose nationality had been threatened by the State Department because he joined the Canadian Army, has now had his passport returned to him. The Emergency Civil Liberties Committee today announced a letter from the State Department that their Board of Review "has reconsidered the case in light of the evidence submitted."

Robert Charles Mote entered the Canadian Army in 1953. In 1966 the State Department issued a "certificate of loss of nationality." That action was challenged by the ECLC General Counsel, Leonard B. Boudin. It was in response to Mr. Boudin's challenge that the certificate of loss of nationality was vacated.

Mr. Mote is at present residing in Luxembourg, and the State Department reports that it has authorized the American Embassy at Luxembourg "to issue a full passport to him."

In an earlier case brought by the Emergency Civil Liberties Committee, that of Dr. Joseph Henry Cort, the Supreme Court in 1965 held invalid a law which allowed the State Department to take away citizenship without a trial.

## LEWIS J. GRAHAM NEW ECLC SECRETARY

At the annual meeting of the National Council of ECLC 92 members were reelected and 9 new members were elected. Dr. Corliss Lamont was reelected Chairman and Mrs. Eleanor Brussel and John M. Pickering were reelected Vice-Chairmen. Lewis J. Graham, prominent accountant of New York, was elected Secretary to succeed Mrs. Esther Rowland who resigned. John H. Scudder was reelected Treasurer.

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The new members of the Council are:

Prof. Robert Browne of Fairleigh-Dickinson College

Kenneth Cloke, Executive Secretary of the National Lawyers Guild

Moe Fishman of the Veterans of the Abraham Lincoln Brigade

Prof. Jeffrey Kaplow of Columbia University

William Kunstler, New York attorney

Sandra Levinson, instructor at City College of New York

W. Edward Morgan, attorney in Phoenix, Arizona

Nathan Schwerner, New York businessman

John Simon, publisher in New York

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## G.I. FIGHTS FOR HIS BASIC RIGHTS

Andrew Stapp is a draftee stationed at Fort Sill, Oklahoma. He characterizes himself as an independent socialist, and prior to his induction into the Army was active in protests against the war in Vietnam. He was arrested at a peace demonstration in Washington D. C. and prior to his induction into the Army an investigation into his "loyalty" was made by Army Intelligence.

Induction into the Army did not change his views about the war and he continued to read radical literature and to discuss the war with his friends at Fort Sill, Oklahoma, the camp to which he was assigned. Last September, a quantity of literature in his possession was confiscated by his superior officers, over his strenuous protest. Last month a further demand was made by Pvt. Stapp's lieutenant for additional reading matter he had collected. Stapp refused to turn over the material or to unlock the locker in which it was kept. The lieutenant broke the lock open with a pickax, confiscated the literature. Shortly after Pvt. Stapp was charged with violation of Article 90 of the Uniform Military Code; the specific charge was that he had refused to obey a lawful order of an officer. Stapp contended that the order was not lawful since it was a preliminary to the confiscation of his private property.

The reading matter confiscated included the Autobiography of Malcolm X; Marx's Value, Price and Profit; Baran and Sweezy's Monopoly Capital, and many issues of The Worker, The Militant, Ramparts, I. F. Stone's Weekly, The National Guardian, and other publications which had taken an editorial position in opposition to the war.

Private Stapp's trial before a summary court-martial took place on June 1. His attorney was David Rein, representing the Emergency Civil Liberties Committee, to which Stapp had applied for assistance. He was found guilty and sentenced to 45 days at hard labor; a reduction in grade (involving also a reduction in pay) and forfeiture of a month's pay.

The result was not unexpected. It is difficult enough to get even civilian trial courts to recognize rights of free speech and to expect recognition of such rights from an Army officer would not be reasonable. However, the Supreme Court has recognized that a citizen does not lose his constitutional rights when he enters the Army, and the ECLC urged that his First Amendment rights can't be infringed merely because he is in the armed forces. The ECLC has authorized the institution of proceedings in the United States courts to secure a review of the holding of the court-martial.

The court-martial proceeding against Stapp aroused a great deal of interest not only at Fort Sill but throughout the country, and press coverage, including TV, spread the news rather widely. At Fort Sill, Stapp is only one of a group of soldiers who are persistent and vocal in their opposition to the war. A group of them, including Stapp, sent a telegram of support two weeks ago to Captain Howard B. Levy, the medical officer at Fort Jackson whose court-martial proceeding is now under way.

It will be noted that, in the Stapp case, the Army sought to avoid the constitutional issue by charging Stapp with refusal to obey an order, rather than with reading forbidden literature. The Stapp case is but the latest involving opposition to the war by men in the armed forces. The ECLC is also representing Howard Patrick at Ford Hood, Texas, who has also been threatened with disciplinary action because the Army disapproved his reading habits.

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**421 Seventh Avenue, New York, N. Y. 10001**

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## How the Cold Warriors Would Use Our Youth

The CIA's corruption of college students is merely one nail in the elaborate coffin our Cold Warriors are knocking together for the younger generation.

Other elements include the political use of the draft and collusion between academic administrators and civil servants in compiling dossiers on students, not to mention governmental subversion of the students' professors. These things are touched upon in the essays in this issue by Professors Dowd, Parkinson, and Wilson. On the drawing board is the Wirtz-McNamara scheme for universal service by 18-year-olds, reported here by Editor Hinckle of *Ramparts*.

Corrupting any part of the citizenry is bad enough, but offending against the young is especially heinous because they are less experienced and less able to defend themselves than older generations—and of course because they represent our hope for a brighter future. Some fight back effectively, often with the help of decent elders, as has Pfc. Petrick according to a report in this issue.

I submit that the U.S. view of youth is of a piece with the Johnson braintrust's attitude toward lesser breeds beyond the pale of affluence: paternalistic contempt. For instance, William Bundy, Assistant Secretary of State for Far Eastern Affairs and former CIA man, has argued that "free methods" are a luxury that only developed nations can afford, whereas the others must accept "methods of compulsion . . . at least for a time" in order to avoid unrest prompted by "rising expectations." (See *The Nation*, Aug. 16, 1965, for comments by Richard F. Hamilton on Bundy's chapter in *Goals for Americans*, 1960.) This smacks of an investigation of Pandora's Box, a coffee house on Sunset Strip in Los Angeles, by Councilman Potter: "With all these people congregating there, it provided an explosive situation. It could have been very bad if somebody had started something. Luckily, nobody did." (I am indebted to an article by Edgar Z. Friedenberg and Anthony Bernhard in *The New York Review*, March 9, for the foregoing quotation.)

The next issue of *Rights* will feature the second class citizenship of our young people, which weakens their defenses in their already unequal contest against corruption and contempt.

J. M. P.

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## SOME ENCOUNTERS WITH THE CULTURALLY FREE

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Conor Cruise O'Brien

In 1963, *Encounter* issued a commemorative anthology entitled *Encounters* to mark its tenth year of publication. I reviewed this in the *New Statesman*. My review, *Journal de Combat*, may be found in my book *Writers and Politics* (Pantheon Books). In the review I questioned certain rash assertions made by Sir Denis Brogan in his preface to this anthology, in which he claimed that *Encounter*, from its foundation, has been a *journal de combat*, an organ of protest against the *trahison des clercs*. I pointed out that the political side of *Encounter* was consistently designed to support the policy of the United States Government: "One of the basic things about *Encounter* is supposed to be its love of liberty; it was love of liberty that brought together, we are told, the people who, in the Congress of Cultural Freedom, sponsored *Encounter*. Love of whose liberty? This is conditioned—as it would be for a communist, but in reverse—by the overall political conflict. Great vigilance is shown about oppression in the communist world; apathy and in consequence largely prevail where the oppression is non-communist or anti-communist. This generalization needs to be qualified. Silence about oppression has been, if possible, total where the oppressors were believed to be identified with the interests of the United States. Thus the sufferings of Cubans under Batista evoked no comment at the time from the organ of those lovers of liberty, well informed though they undoubtedly are. For Nicaragua, Guatemala, South Vietnam and South Korea the same held good. The Negro problem—that is, the problem of the oppression of Negroes in large areas of the United States today—was consistently played down until quite recently, when the news made it impossible to play it down in the old way."

At the time I wrote this review, I knew nothing of any connection between the C.I.A. and *Encounter*. This is significant at the present stage, because the present line of defense of the Congress for Cultural Freedom and *Encounter* is that, though indeed—as they now admit—they were taking money from the C.I.A. this did not affect their policy which remained entirely independent and exactly what it purported to be. It is interesting therefore that a critic, analyzing the content of *Encounter*, and not concerned with the sources of its finance, should have reached the conclusion that its policy was to support the American side in the cold war. That is to say, that even if we grant that the policy was independently formed, it was none the less exactly what the C.I.A. must be presumed to have wanted it to be. This happy coincidence could, of course, come about without any pressure whatever on the editor, if the editor responsible for the political side of the magazine had been originally hand-picked by the C.I.A. Mr. Braden has told us that in fact one of the editors of *Encounter* was 'an agent' of the C.I.A.

On 27th April, 1966, *The New York Times*, in the course of its series of articles on the Central Intelligence Agency, stated that the C.I.A. "has supported anti-communist but liberal organizations, such as the Congress for Cultural Freedom and some of their newspapers and magazines. *En-*

counter magazine was for a long time, though it is not now, one of the indirect beneficiaries of C.I.A. funds."

There followed a letter, signed by four people, including Arthur Schlesinger Jr., paying tribute to the 'independence' of the Congress for Cultural Freedom and implying, without explicitly saying so, that it was highly improbable that this paragon of independence could have been supported by the C.I.A. Mr. Schlesinger has subsequently admitted, in the course of a television debate with me on the 30th April, that he knew when he was in the Government that the C.I.A. was subsidizing the Congress. The letter which he signed, following *The New York Times* story, was designed to give the contrary impression and to mislead the public. Messrs. Stephen Spender, Irving Kristol and Melvyn Lasky also wrote to *The New York Times* declaring that they had no knowledge of any indirect benefactions. Mr. Lasky has recently been quoted as admitting that he knew of these benefactions in 1963. It follows that in signing this letter he, like Mr. Schlesinger, was seeking to mislead the public.

*The New York Times* did not withdraw its original statement, but said that it had implied no reflection on the independence etc. of those concerned.

In my Homer Watt lecture to the alumni of New York University on 19th May, 1966, on the subject of *The Writer and the Power Structure*, I mentioned *The New York Times* revelations and made some further comments on *Encounter*, including the following: "In a skillfully-executed politico-cultural operation of the *Encounter* type, the writing specifically required by the power structure was done by people who, as writers, were of the third or fourth rank but who were, as the Belgians used to say about Moise Tshombe, *compréhensifs*, that is, they could take a hint. But the beauty of the operation, in every sense, was that writers of the first rank, who had no interest at all in serving the power structure, were induced to do so unwittingly. Over the years the magazine, shrewdly edited, adequately financed and efficiently distributed, attracted many writers who hardly noticed, or did not think it important, that this forum was not quite an open forum, that its political acoustics were a little odd, that the sonorities at the eastern end were of a quite different character from the western ones. Thus writers of high achievement and complete integrity were led unconsciously to validate, through their collaboration, the more purposeful activities of lesser writers who in turn were engaged in a sustained and consistent political activity in the interests—and as it now appears at the expense—of the power structure in Washington."

Excerpts from this lecture, including the passages about *Encounter*, were published in *Book Week*, copies of which were distributed to the delegates to the P.E.N. Congress in July. In this way delegates from countries where *The New York Times* does not normally circulate, were made aware for the first time of what *The New York Times* said.

In the following month, *Encounter* published in their *Column* section signed 'R,' an attack on my character and writing. This was linked to quotations from my Homer Watt lecture and the article sought to convey the impression that the charge that *Encounter* had been indirectly financed by the C.I.A. was so ludicrous as only to be understandable as an obsessive delusion of a much-flawed personality. The article stated, quite falsely, that I had described my own activities in Katanga as those of "a Machia-

## G.I. FIGHTS FOR HIS BASIC RIGHTS

Andrew Stapp is a draftee stationed at Fort Sill, Oklahoma. He characterizes himself as an independent socialist, and prior to his induction into the Army was active in protests against the war in Vietnam. He was arrested at a peace demonstration in Washington D. C. and prior to his induction into the Army an investigation into his "loyalty" was made by Army Intelligence.

Induction into the Army did not change his views about the war and he continued to read radical literature and to discuss the war with his friends at Fort Sill, Oklahoma, the camp to which he was assigned. Last September, a quantity of literature in his possession was confiscated by his superior officers, over his strenuous protest. Last month a further demand was made by Pvt. Stapp's lieutenant for additional reading matter he had collected. Stapp refused to turn over the material or to unlock the locker in which it was kept. The lieutenant broke the lock open with a pickaxe, confiscated the literature. Shortly after Pvt. Stapp was charged with violation of Article 90 of the Uniform Military Code; the specific charge was that he had refused to obey a lawful order of an officer. Stapp contended that the order was not lawful since it was a preliminary to the confiscation of his private property.

The reading matter confiscated included the Autobiography of Malcolm X; Marx's *Value, Price and Profit*; Baran and Sweezy's *Monopoly Capital*, and many issues of *The Worker*, *The Militant*, *Ramparts*, *I. F. Stone's Weekly*, *The National Guardian*, and other publications which had taken an editorial position in opposition to the war.

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## VICTORY IN LOSS OF NATIONALITY TEST CASE

An American citizen whose nationality had been threatened by the State Department because he joined the Canadian Army, has now had his passport returned to him. The Emergency Civil Liberties Committee today announced a letter from the State Department that their Board of Review "has reconsidered the case in light of the evidence submitted."

Robert Charles Mote entered the Canadian Army in 1953. In 1966 the State Department issued a "certificate of loss of nationality." That action was challenged by the ECLC General Counsel, Leonard B. Boudin. It was in response to Mr. Boudin's challenge that the certificate of loss of nationality was vacated.

Mr. Mote is at present residing in Luxembourg, and the State Department reports that it has authorized the American Embassy at Luxembourg "to issue a full passport to him."

In an earlier case brought by the Emergency Civil Liberties Committee, that of Dr. Joseph Henry Cort, the Supreme Court in 1965 held invalid a law which allowed the State Department to take away citizenship without a trial.

## LEWIS J. GRAHAM NEW ECLC SECRETARY

At the annual meeting of the National Council of ECLC 92 members were reelected and 9 new members were elected. Dr. Corliss Lamont was reelected Chairman and Mrs. Eleanor Brussel and John M. Pickering were reelected Vice-Chairmen. Lewis J. Graham, prominent accountant of New York, was elected Secretary to succeed Mrs. Esther Rowland who resigned. John H. Scudder was reelected Treasurer.

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The new members of the Council are:

Prof. Robert Browne of Fairleigh-Dickinson College

Kenneth Cloke, Executive Secretary of the National Lawyers Guild

Moe Fishman of the Veterans of the Abraham Lincoln Brigade

Prof. Jeffrey Kaplow of Columbia University

William Kunstler, New York attorney

Sandra Levinson, instructor at City College of New York

W. Edward Morgan, attorney in Phoenix, Arizona

Nathan Schwerner, New York businessman

John Simon, publisher in New York

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velli of peace." From his own false statement about what I was alleged to have said, the writer then made some rapid deductions about my character, concluding that I regarded myself as theoretically licensed to engage in all forms of mendacity, duplicity, betrayal and bad faith. By a notable exercise in Freudian projection, he also charged me with being "a politico-cultural Joe McCarthy."

The *New Statesman* offered me space to reply to this attack and I submitted my draft reply to them. At this stage one of the editors of *Encounter* telephoned the *New Statesman* to say that if they published a reply by me and if that reply contained (as in fact it did) a quotation of *The New York Times* statement about *Encounter* and the C.I.A., then *Encounter* would sue the *New Statesman*. The *New Statesman* therefore, quite naturally, hesitated about publishing my reply. I then consulted my own lawyers in Dublin, who advised me that the *Encounter* article itself was in fact 'very libellous.' It was open to me to sue either in Dublin—where I had a residence—or in England. As some of the British mass-circulation newspapers during the Congo crisis had used language about me somewhat similar to that used about me in the *Column* article, I had some reason to fear that members of a British jury might be prejudiced against me. I therefore decided to proceed in Dublin.

Meanwhile through friends and acquaintances, who were in touch with people connected with *Encounter*, a number of verbal warnings began to come through. The channels included a member of the *Encounter* staff with whom I was on friendly terms, an Irish diplomat, an Irish professor, an English professor, a colleague in New York University and a lady connected with a left-wing periodical. The warnings—which the people who were in touch with me certainly passed on in good faith—made the following picture:

The article in question was not just the effusion of a particular contributor, but had been carefully planned and weighed. The editors of *Encounter* and other senior people connected with the magazine, had sat round a table and considered the wording of the article very carefully, fully conscious that I might seek to come back at them in some way. They were actually hoping that I would sue them. If I did so, I would be falling into a trap. They had a 'thick dossier' on me containing evidence of "financial transactions," "both in Africa and in New York" and of my "past political associations." If I took them into court, all this would come out and I would be ruined, so in my own interest. . . .

The first step in the proceedings was a demand on my part, through my lawyers, for an apology for the libel they had published. (I decided to ignore the various slanders subsequently circulated, both because their exact provenance was difficult to determine and because they would be automatically discredited by a favorable outcome on the libel issue.) In refusing this apology, *Encounter's* lawyers—mocking the defense of "gratified privilege"—stated that I had given currency to the "false assertion" made about them by *The New York Times*—i.e. the statement that they had been in receipt of indirect benefactions by the C.I.A. The lawyers must be presumed to have acted on the instructions of their clients. According to his own subsequent admission, one of the principals, Melvyn Lasky, already knew that the assertion which his lawyers stigmatized as false was completely true.

The case was set for hearing in Dublin in February, 1967. As this date came nearer, *Encounter* began to make the first tentative overtures for a settlement. In refusing any settlement not based on a full apology by them, I indicated that, in view of the rumors and warnings referred to above, I could not possibly back down even if I wished to—which I did not—without appearing to confirm that I had reason to fear an appearance in court. They then offered, instead of a straight apology, a kind of joint statement in which I would say that I intended no aspersions on their integrity and they would say that they intended none on mine. I refused this.

At this stage they entered no defense in Dublin, letting it be known that they did not regard themselves as bound to defend outside Great Britain. Judgment was accordingly awarded against them by default in the High Court in Dublin on the 14th February and a hearing before a jury to determine the amount of damages was set for 3rd May. At this stage it looked as though, while heavy damages would probably be awarded in my favor, there would be no way either of collecting these or my own costs as *Encounter* had little or no assets within the jurisdiction and—for reasons indicated above—it would be hazardous to pursue them in England. However, by a timely stroke of fortune, it was during this period that—following the disclosures in *Ramparts* magazine—the whole ramifications of the C.I.A. politico-cultural operation, involving the Congress for Cultural Freedom and *Encounter*, “surfaced” in the United States press so thoroughly that denials were no longer possible. In these circumstances, and as their original adumbrated defense had been based on stigmatizing as a “false assertion” something that was now known to be true, I felt that it would no longer be hazardous for me to proceed against them if necessary in Britain. Accordingly I informed people whom I

“The Mysterious Stranger—”



## DON'T FORGET THE FIRST

The following statement was adopted by the National Council of the Emergency Civil Liberties Committee at its meeting on May 13, 1967.

“Let’s forget the First Amendment,” said Congressman Hébert of Louisiana during hearings on the draft for the war in Vietnam. *The New York Times* in an article on May 6, 1967 also reported that “Mr. Hébert was backed in his questioning by Representative L. Mendel Rivers, Democrat of South Carolina, the chairman, and Representative Alton Lennon, Democrat of North Carolina. No one on the committee took issue with Mr. Hébert . . .”

The same article quotes the chief counsel of the Armed Services Committee, which was conducting the hearings, as saying, “This is the committee that controls the destiny of every youth in America.”

No government likes to be criticized. That is why our ancestors insisted that the right to speak out be plainly guaranteed in the Constitution. No exception is made for time of war, declared or undeclared.

Truth in the marketplace of ideas may not peacefully triumph over error if the latter is secretly subsidized by government agents. Just as government subsidized industry is not on an equally competitive basis with strictly private enterprise, so the clandestine government financing of books, lecturers, mass media, committees and paid hecklers can cloak official propaganda and make it less possible for the truth to be discovered.

The appeal that the end justifies the means is a recurring phenomenon in the history of lost freedoms. There have always been Congressmen who would balance ends they seek against violations of the Constitution which they have sworn to uphold. We condemn such political immorality.

The present attempt of warmakers to blame advocates of peace for the death of our youth and the destruction of the people of Vietnam is the kind of governmental doubletalk that threatens democracy. We must meet further attempts to silence dissent by continuing to speak, write and act freely. When the dissenter fears to dissent democracy dies.

Therefore,

(1) We shall continue to defend and affirm the Constitutional rights of those who are being prosecuted or persecuted for dissent of government policies, including those who dissent to President Johnson’s Vietnam policy.

(2) We shall continue to oppose, and work for the abolition of, congressional committees which harass those dissenters.

(3) We shall oppose present government subsidy (as exemplified by the C.I.A.) of political activities and propaganda at home or abroad. We welcome and solicit further exposure of such government practice.

(4) The problem of such subsidies is not merely that of secrecy nor is the problem merely one of direct channeling of government funds to politically active groups. Even if the government subsidies are open subsidies made to a private foundation or private foundations whether or not the government is represented on such foundation boards, and even if such a foundation or foundations decided to give money to politically autonomous private groups without strings attached, the problem of fair treatment of minority political opinion in disagreement with government policy remains. Guarantees for minority opinion analogous to the equal time and fairness doctrine of the Federal Communications Commission, must be written into the subsidy program, lest our democratic process of freedom of speech become seriously distorted by the proposed program.



## The Right to Privacy

Dr. Corliss Lamont instituted a law suit in the United States District Court for the Southern District of New York to enjoin the Commissioner of Motor Vehicles from selling lists of the owners of automobiles to R. L. Polk & Co. and others pursuant to Sec. 202(3) of the Vehicle and Traffic Law. This law authorizes the Commissioner of Motor Vehicles to sell such lists to "the highest responsible bidder." In the present case, R. L. Polk & Co., also named as a defendant, was the highest bidder and secured the current lists. The suit is a test sponsored by ECLC.

Dr. Lamont instituted this action on behalf of himself and all other motor vehicle owners on the ground that the statute and the actions taken under it constitute an invasion of privacy of motor vehicle owners, resulting in their being flooded with advertising materials and junk mail and merchandising solicitation by telephone and in person.

Dr. Lamont said that the purpose of registration under N. Y. Vehicle and Traffic Law was to protect the public against the theft of automobiles and to facilitate recovery in accident cases. The action under attack, Sec. 202(3), has no legitimate purpose and sacrifices the privacy of the individual so that the state can secure additional funds and private companies can flood unwilling recipients with advertising and crank mail.

Dr. Lamont has written and published books and pamphlets of public interest, on such subjects as civil liberties, foreign relations, philosophy and war and peace. He is chairman of the Emergency Civil Liberties Committee which has instituted this case as a test case.

Dr. Lamont was also the plaintiff in *Lamont v. The Postmaster General* in which the U.S. Supreme Court on May 24, 1965, declared unconstitutional a provision of the Postal Service and Federal Employees Salary Act, placing limitations upon the receipt of so-called "communist political propaganda." A unanimous Supreme Court declared the statute to be in violation of the First Amendment.

With respect to the case, Dr. Lamont stated:

*"This case seeks to vindicate what Mr. Justice Brandeis described in 1928 as the 'right to be let alone.' As he said: 'To protect that right every unjustifiable intrusion by the Government upon the privacy of the individual, whatever the means employed, must be deemed a violation of the Fourth Amendment.'"*

Governmentally approved invasions of the right of privacy constitute a major problem in today's society. It is presently the subject of a congressional committee investigation as well as of Supreme Court consideration in the areas of bugging and wiretapping. Dr. Lamont stated:

*"It is important that the citizen protect this right of privacy wherever it is threatened. The present suit is brought not only for myself but for all other motor vehicle owners who do not wish the government to be turned into an instrumentality of business."*

knew to be in touch with them that if they did not honor whatever award a Dublin jury would make in my favor, I would immediately institute proceedings against them in Britain. At this point they briefed counsel in Dublin and on 3rd May their counsel read out the following statement in the High Court:

"An article was published in the August issue of *Encounter* concerning the standards which Dr. Conor Cruise O'Brien employs as a writer and a critic and his actions as an official of the United Nations in the Congo. We acknowledge that this article contained imputations against the character and integrity of Dr. O'Brien which were unwarranted and we wish unreservedly to withdraw them and to apologize to Dr. O'Brien for having made them. We further acknowledge that Dr. O'Brien, as a writer and critic and whilst serving the United Nations, has always maintained the highest standards of personal integrity and we regret that the article we published should have made charges against his integrity which were without justification.

"The joint editors have agreed to publish their apology in the next issue of *Encounter* and have agreed to indemnify Dr. O'Brien in respect of his costs and expenses in relation to these proceedings and to pay an appropriate sum to a charity to be nominated by him."

Subsequent events, including the resignation of Messrs. Spender and Kermode—who had not been privy to the C.I.A. connection—and the retention in office of Melvyn J. Lasky, who had been privy to it—are well known.

*Professor O'Brien is Regents Professor and Schweitzer Professor of the Humanities at New York University.*

## THE CIA AND THE USA

Douglas F. Dowd

How many articles, letters, and ultimately books and doctoral dissertations have been or will be written on the recent and awkward revelations of the role played by the CIA in American life, one doesn't know. What is already apparent, however, is that not everyone is shocked, some are not surprised, more than a few are pleased; and that if anything has emerged as king, it is confusion. Both the criticisms and the support for what has been revealed are given for reasons not easy to dignify with words; nor, after one has stopped tittering at Goldwater's complaint that the pork barrel should have rolled in another direction, is it easy to find someone who makes more sense than Goldwater—given the facts.

The facts are, of course, ugly enough; so much so that it would now seem easier to compile a list of those who have not, than those who have, received help from the CIA, directly or indirectly. Is it more heinous that student groups, or labor groups, or business groups, or newspaper and radio groups, or political groups, or whatever kinds of groups, have

been aided by the CIA? A study of the facts is of no help to answer that question, nor is that question, or most of the questions that have been raised in this connection, likely to tell us anything we need to know.

The CIA infection may be compared to a plague; and to analyze, or to prevent plagues, one must have a sense of their origins. It is the origins of the present scandal, not its symptoms, that are badly in need of discussion. And those origins go deeply back in time, and into the nature of American society. Here I can no more than try to suggest, no more than tentatively, the lines along which one must think of the *affaire*, if we are to come to grips with it, overcome what it stands for.

It is tempting to trace the origins of this whole sickness to the beginnings of the Cold War, as Archibald MacLeish has done. Indeed, such an analysis would take us far—if not far enough—toward an explanation of the manner in which Americans have victimized themselves and been victimized. Some of that will be brought out below, but before doing so, one must declare that the Cold War is but one particular set of layers of the onion we call America, and that the underlying layers must also be examined. One must, in other words, find an explanation of why and how Americans—students, labor leaders (and followers), journalists, politicians, and anyone else one might care to mention—accepted with such indecent haste the premises and the propositions of the Cold War.

Some of us are old enough to remember Churchill's Fulton, Missouri declaration of war, in 1946, and the Truman Doctrine that came yapping on its heels in 1947. When those dice were cast, it may also be remembered, the vast majority of Americans went blithely on their way toward their ingrained conception of the *summum bonum*; to wit, their own backyards, in which to accumulate the latest models of one thing or another. A minority paid attention to what had been announced; and embraced it. A small minority within the minority, if for varying reasons, seeing the possibilities and the necessity for a different kind of world, and having had enough of the smell of burning flesh, took on the task of being Cassandra, Jesus Christ, and some kind of social Corbusier at one and the same time. By the 1950's their voices were fewer, and they were crying in the wilderness—in and out of jails, jobs, money, friends. McCarthy died; McCarthyism triumphed.

McCarthyism triumphed? Not at all, one hears. After all, is it not true that today, in the midst of a vicious, deepening, widening, frightful,



## RIGHTS Notebook

### DRAFT CASES

Muhammed Ali was rushed to the courts in striking contrast to the slow pace of the Administration in many other cases. Geoffrey Conklin refused in December, 1965 on grounds of conscience to report for induction. Antonio Fargas declined to report in 1966 on the ground that his appeal for conscientious objection had been illegally refused. Both are E.C.L.C. test cases, but neither has yet been tried.

Pvt. Bruce F. Robertson was arrested in Fort Devens, Mass. when he refused to bear arms. He had applied and been accepted as a medic, after being drafted, and he thought this would exempt him from the necessity of bearing arms. When he was told to bear arms he refused. He appealed to E.C.L.C. for help and in the negotiations with the Army that followed he was granted 1-AO status which does not require arms.

### CHURCHMAN MAGAZINE REGAINS TAX EXEMPTION

The Internal Revenue Service, claiming that *The Churchman*, probably the oldest religious publication in the country, was not a church publication entitled to tax exemption, notified the magazine editor, the Rev. Guy Emery Shipler, that the magazine was being removed from their favored list.

Dr. Shipler appealed to ECLC for help and with the aid of Michael Standard, an attorney aware of the ways of IRS, ECLC notified the IRS of a decision to litigate the matter in the courts. After two years of negotiation the IRS reversed itself, saying:

*"Based on further review of your activities, it has been decided that you are entitled to exemption under the provision of Section 501, and our letter of Aug. 3, 1965, in which we proposed to revoke your exempt status, should be disregarded."*

### CHALLENGE TO REWORDED PLEDGE OF ALLEGIANCE

The inclusion of the words "under God" in the pledge of allegiance used in most schools throughout the country has been challenged by Mr. and Mrs. Richard Smith of Redding, California on behalf of their two daughters who attend the public high school in that city. ECLC is sponsoring the test of the state law requiring such a pledge.

The American Humanist Association at its annual meeting on April 29 passed the following resolution:

WHEREAS the American Humanist Association has always supported the separation of church and state as guaranteed in the First Amendment of the United States Constitution;

AND WHEREAS this principle is violated by the inclusion of the words "under God" in the Pledge of Allegiance to the Flag, which all students in American public schools are obliged to recite so phrased;

THEREFORE BE IT RESOLVED that the American Humanist Association support the suit of Richard E. Smith, a member of this organization, and his two daughters against the officers of the Enterprise High School of Redding, California, to eliminate the phrase "under God" from the Pledge of Allegiance as a violation of the U.S. Constitution.



## CONGRESSIONAL COMMITTEES' STAFF MAY BE SUED FOR DAMAGES

The U.S. Supreme Court held on May 15, 1967 that although a member of Congress may not be sued the Counsel for a committee may. The unanimous decision of the Court was in the case of the Southern Conference Educational Fund and its former director, Dr. James Dombrowski, who are suing for \$500,000 damages against Senator Eastland and Mr. Sourwine for conspiring with Louisiana officials to rob records from Dr. Dombrowski's office, home and car.

The Louisiana raids had been declared illegal and the records ordered returned, but Mr. Sourwine acting under a subpoena that he said was authorized by Senator Eastland took the records across the Mississippi State Line and had them published by the Senate Internal Security Subcommittee in Washington.

This is, of course, just one of the heinous atrocities which congressional committees have committed in recent years but the decision offers some protection for the future. The case of S.C.E.F. and Dr. Dombrowski is being handled by attorneys William Kunstler and Arthur Kinoy of New York and Milton Brenner of New Orleans.

## SELLING PRIVACY

New York State is now selling the names and addresses of 6,400,000 motor vehicle owners to a marketing service. This is all duly legal—it was authorized by the Legislature in 1959 under section 202 of the Vehicle and Traffic Law—and it will net the state some \$86,000, which will be a great help in balancing its \$4-billion budget.

It is also, as Corliss Lamont has pointed out, an outrageous violation of privacy. If Mr. Lamont fails in his suit in Federal court to have the practice declared unconstitutional, the next Legislature would be well advised to repair its earlier error and put a stop to this sale of names.

*Editorial in The New York Times, May 21, 1967*

(Actually N. Y. State assistant Attorney General Sattler stated at the hearing that it cost the State more to prepare the list than the State got selling it.)

## WAVE OF LOYALTY OATHS

The announcement by the Department of State that no one needs to take oath to get a passport (although it is still on the application form) is just one example of the gradual emergence of the country from the oath-plague of the '50's.

When the U.S. Supreme Court in July, 1966 ruled against the loyalty oath requirement of the Directors Guild of America it carried on the trend set in its historic decision in April, 1966 invalidating the Arizona teachers oath. Then, in January, 1967 the loyalty oath provisions of New York's Feinberg Law were declared unconstitutional by the U.S. Supreme Court.

In January of 1966 the Administration in Washington had already conceded that the loyalty oath provision in the Medicare Law was unconstitutional.

Reactionaries continue to press for more oaths, but the resistance to date is bearing good fruit.

and vital war that hundreds of thousands of Americans (whose numbers and voices rise every day) have voiced ever more vocal protests, and without significant repression? That is true. It is also true that just yet the process of protest, though it may have slowed down the war (and may not have), has affected neither the bulk of the American people nor the Administration's determination to follow its own nose. It has, one could say, allowed the war to take on a certain dignity it might otherwise lack: Does not the protest allow the Johnson Administration to say, perhaps even to believe, that this war is being fought by a free country, a country that could in no sense of the term be called militaristic, let alone fascist? And how have these two strange bedfellows—dirty war and freedom of protest—come to live together?

## Why McCarthyism Has Prevailed

I believe it is because there has been one vital element missing in the protest, the element that would give it real power and that would, at the same time and for the same reasons, make it a real threat to the Administration. It lacks organization, and it lacks a set of positive purposes. (Lest there be any confusion on the standpoint from which this is written, let me say that I have been and will remain a part of the protest movement.) The organization and purposes which the protest movement is lacking are the measure of the success of McCarthyism; as the latter is a measure of the grave weaknesses of America as regards the need for social understanding and action as a response to that understanding.

What McCarthyism killed in America was not hard to kill; it had always been weak. That is, those who would fight for social decency had always (let us look back no farther than 1900, however) been few in number, and temporary in attachment. More than that, those on what we could call the Left in America had, like other Americans, a simplistic view of what could be done, even of what had to be done. But I do not wish here to point the finger at the Left, which was, at least, Left. It is the history, the attitudes, the behavior, of the overwhelming American majority—indifferent, conservative, self-seeking—that helps both to explain the inadequacies in number and outlook of the Left, and the readiness with which almost any measure to stifle or sidetrack necessary social change has been adopted in America. Is it necessary here to point to the generally sordid behavior of the American trade union movement—before, during, or after World War I and World War II, with the exception of some laudable efforts during the 'Thirties? Has the American press ever been seriously concerned with social health, except in those exceptional instances that prove the rule? Apart from a moment or two, in a place or two, have American college students been noted for searching inquiries about their society? (I recall well the uses to which students at Berkeley were put during the labor struggles in the San Francisco Bay Area in the 'Thirties.) To shorten the list of questions, have those who today are revealed as beneficiaries of the CIA much displayed in the past a tendency to decline opportunities for personal benefit because they have found reasons to be offended in terms of larger purposes?

If there has been a thread of continuity in the exclamations of shock

concerning the CIA revelations, it has been a thread that spells out the word "IMAGE" where that word in turn has had reference to whether or not we will be able to carry out our national purposes as well or as easily in the future as in the past. Here and there a whisper, but no audible voice has questioned our purposes. As a society we are on, or over, the edge of having accepted something we have been pleased to believe we reject; namely, that the ends justify the means. That would be frightening enough; but to accept that timeworn doctrine for ends that defy decency, reason, and hope—when, that is, they are intelligible—is, for Americans, to have strutted onto a new stage, in street dress. Gone will be the costumes of innocence that dressed the American experiment of fond memory; the lessons of the CIA rhubarb will be: play the hard and fast and dirty game according to the rules of such games, grow up to harsh realities; the lesson will be, don't change the game, change the rhetoric. Nothing lost save honor.

### Is There Hope for the Future?

For the vast majority, that kind of future will not much differ from the past, for the vast majority of Americans will pay as little attention to the future as they have to the past. For that sentient minority that embraced the Cold War there will be found ways to embrace whatever waits around the corner. But there remains the minority within the minority; and one may hope that some members of the larger minority, some members also of what in earlier days would have become a part of the vast majority but seem now less inclined to do so (I speak of some of the young, the black, the poor) will, because what was once no more than a possibility has now emerged as an ugly reality, will look and work for serious alternatives.

If serious alternatives are to be developed, they must be developed by serious people; and seriousness means much time, thought, effort, and potential sacrifice—all that, if for no better reason than that just going along, doing nothing, also implies for all of us disasters that will consume more than time, thought, and effort. What the CIA matter means is not something new, but the outcome of something very old in America. The CIA matter is one sign on a path that we have been on for many decades. Many of us in America have hoped we were on a rather different path which, though it was not beautiful, one could take. Some of us have long believed that a much different path must be sought—uphill, through thick undergrowths, winding, tortuous, but promising, promising some combination of western ideals and resources that America could be the first to realize in practice, the first, even, to try. If the CIA revelations have shown anything, they have shown how far away from even seeking that more promising path we have been; for they have shown that the very groups in our society who might have been expected to shoulder part of the load, help find the way, have in fact sold themselves—not to the highest, but to the first, bidder.

The outlook thus is gloomy. But there is some cheer to be taken, and it is this: It should now be crystal clear that America will not be made into a decent society on the occasional weekend when one has nothing else

question is under a duty to make some report of his interrogation or interview. He may, possibly, be recording the conversation without your knowledge. Be most careful to be accurate. For the obvious reasons of civic duty, morality and personal safety, do not answer questions if you do not have personal knowledge of the facts. False statements, although made orally and not under oath, may be the basis for a criminal prosecution.

Finally, the use of investigative power by governmental agencies to intimidate or threaten is expressly forbidden by law. We suggest that you report any attempt at intimidation to the Emergency Civil Liberties Committee.

### EMERGENCY CIVIL LIBERTIES COMMITTEE

421 7th Ave. New York City OXford 5-2863





## You and the FBI

The Emergency Civil Liberties Committee has received many letters and telephone calls from people who have been visited by agents of the Federal Bureau of Investigation. These people indicated confusion about their obligations to their government and about their rights as citizens.

Since we believe that the average person as a rule does not know his duties or his rights concerning FBI interrogation, we offer this general information for those to whom it may be helpful.

You may feel, as many people do, that you have a moral obligation as a citizen to supply any governmental agency with all of the facts which would be helpful in a given situation, *provided* that neither your rights nor those of others are being violated. It is even possible that the inquiry concerns the application for government employment of someone with whom you are acquainted.

However, you frequently do not know the purpose of the inquiry, and the inquirer will rarely tell you in advance. Therefore, it is important for you to know that you are under no *legal* obligation to talk to representatives of the FBI or of any other governmental agency, unless you have been subpoenaed. The FBI, unlike courts and grand juries, does not have the power of subpoena and of compulsory examination. You may decline an invitation to visit FBI agents or to receive them in your home or office.

Unfortunately, at the present time many FBI inquiries appear to be concerned with political associations rather than with obtaining facts for constructive purposes of criminal investigation. The very nature of political inquiries means that many of the questions will be of the sort which no citizen is, or should be, required to answer. The protections afforded to you by the Bill of Rights as interpreted by the Supreme Court in recent as well as earlier decisions are as available to you in such an interview as they would be in open court or before a Congressional body. If you have any doubts as to the FBI's questions you may refuse to answer until your attorney has been consulted, or you may insist on having your attorney present during the interview. You may also ask to have the questions put in writing.

In determining your responsibility to answer questions, remember that there are no off-the-record conversations with the FBI. The agent in

to do. There may be no hope at all of emerging from the poisoned bog of Vietnam, domestic hate, bitterness, and know-nothing-ism; if there is hope, it resides in the work that will be done by those who see the task for the forbidding thing that it is, who devote themselves to the work of organization, study, and discipline that social change now, and always, requires; who learn not just the discipline, but the patience, that democracy requires; who learn to work with others who are not quite perfect, and who do not see one as being quite perfect. If the work is to be done that must be done, it will be done by those hard-headed idealists who recognize the staggering dimensions of the task; and it is the sole virtue of the CIA fiasco that it has helped some to see some of those dimensions.

*Professor Dowd, a member of the Economics Department at Cornell University and of the ECLC National Council, is spending this year at the Johns Hopkins University Bologna Center.*

## The Cold War (not the CIA) Corrupts Us

Thomas Parkinson

Certain complaints about the CIA backing of NSA seem to me unwarranted. The CIA was not corrupting innocent youth but the most sophisticated and knowledgeable college students. It was not playing upon naiveté but upon greed and opportunism. The really sad thing about the entire dismal matter is that the students knew better; or if they did not know better, then American higher education is in worse shape than anyone had suspected.

Perhaps it is, and perhaps the actions of the students are explicable by the models established for them by their professors and their institutions of higher learning. Universities allow the FBI to inspect student records without the student's permission. They hand over the membership lists of student political organizations to HUAC. They dummy up and refuse to fight lies with facts when a right-wing governor mangles their budget. Their chief administrative officers swallow insults and political interference without resigning because after all, if I didn't, somebody else would, and think of the good I can do with my power. Is it any wonder that students in positions of influence should do the same thing, with such models of conduct to follow? The authors of the *Ramparts* article talk with amazement of the naiveté of the students who wanted to collaborate with the liberal wing of the CIA. I hope this amazement is mock or I shall have to place *Ramparts* among the gullible—how do they think this country is run? The students were following the pattern of sophisticated realism that they had learned in their colleges and homes. And let's remember that these students were all draft-deferred because with money or with brains they had effectively purchased a substitute to fight a war that most of the students hate with a consuming passion. Every student in this country who has a draft deferment because of his student status is purchasing a substitute and sending him off to kill and be killed in the most immoral (and illegal) war in the country's history. So if he is asked to take a little dirty money from the CIA, what's corrupt about that?



It is extremely difficult to find clean money in this country, and the general moral taint of the Cold War obscures most human energy in some way or other. If educators are to face squarely the issues raised by this scandal (there is no other word for it), they must face the basic fact that they have done little to prepare students for a world so morally complex as ours. Instead of railing at the CIA, which is after all simply performing a function that we all acquiesce in, that is, fighting the Cold War, educators should take a long hard look at, should immerse themselves in, Noam Chomsky's "The Responsibility of Intellectuals." (This article appeared in the Feb. 23 issue of *The New York Review of Books*.—Ed.) Even if they do so, most educators will not recognize themselves there. Chomsky's essay is not satirical but factual; it still fits Swift's dictum that "Satire is as a glass in which the beholder can see every face but his own."

Speaking in the narrowest professional terms, the Cold War in general and the Vietnam War in particular have destroyed the freedom of an entire generation of college students and the will to resist bigotry and lies of their professors. There are honorable exceptions to the general tone of indifference, neglect, greed, and opportunism that afflicts the academy as it does the entire country. Perhaps the revelations about the CIA which are important because symptomatic and trivial when viewed against the entire process of life and education in this country, will make at least a few educators reconsider what they are doing. We train people to make money rather well. We don't train them to spend it properly. And obviously we don't train them to smell it, though they seem able to scent it.

I suspect that very few American educators are willing to look closely at their lives. They can mouth Socratic platitudes about the unexamined life not being worth living but are more ready to accept Conrad's factual observation that some things won't bear close inspection. The entire relation between the intellectual structure of this country and the military structure is the basic question raised by the CIA's following out its defined intentions. In effect the entire academic world of the United States has become, willy-nilly, politicized. My own reaction is to recognize that fact and drop the nonsense about the autonomy of universities, their freedom from politics, and to say simply and overtly that university life and civic life know no boundaries. Students and professors can either take and defend political positions with knowledge and integrity or be taken over by a kind of politics that will destroy entirely all our freedoms, including academic freedom. We should be grateful to the CIA for making that clear to us.

*Professor Parkinson, a member of the English Department at the University of California (Berkeley), is a well known champion of academic freedom.*



"I have given reading material on many political subjects to other G.I.s who were interested—just as G.I.s with contrary political views have done.

"I have diligently fulfilled my duties as a soldier, never disobeyed an order and have excelled in some areas. Prior to this time never has there been any disciplinary action taken against me."

Mr. Boudin said that Private Petrick, who is from Minneapolis, had been active in the Minnesota Committee to End the War in Vietnam and had been arrested last June 25 on a charge of peddling without a license a publication called "Bring the Troops Home Now Newsletter."

He was inducted July 13 while the charge was pending. At the induction center he refused to sign a statement about whether he had ever been affiliated with a list of organizations cited by the Attorney General under the Federal employee-security program.

In Washington, Colonel Comer said that draftees refusing to sign this statement had been accepted into service, although after an investigation in each case.

Mr. Boudin said that after induction, the Minneapolis arrest charge had been dropped after a commanding officer wrote that the young man was in good standing in the Army.

—From *The New York Times*, April 6, 1967



## G.I. Insists He Can Oppose War While Carrying Out His Duties

An Army draftee is insisting that while carrying out his military duties he has a right to express his views and to distribute literature opposing the Vietnam war to his fellow soldiers.

Leonard B. Boudin, counsel for the Emergency Civil Liberties Committee, said that the Army had dropped a threat of possible court-martial against Pfc. Howard Petrick, a 21-year-old Trotskyist, when the legal aid group moved to defend him.

Mr. Boudin said the case was a test of the extent to which a drafted citizen "retains his First Amendment right to express his views orally and in writing, even though those views might be contrary to the policies of the United States Government."

If the Army wants "a monolithic force that agrees not only to obey orders but to like to do it, then it should have a volunteer force," Mr. Boudin argued.

### "Basic Freedoms" Upheld

In Washington, Col. Edward Comer, Army spokesman, said, "A man doesn't lose his basic freedoms just because he goes into military service." Any charges in any case, Colonel Comer said, would depend on the nature and circumstances of a statement and whether it sought to incite action.

At Fort Hood, Tex., where Private Petrick is stationed, a spokesman at post headquarters would only say that "there are no charges nor any investigation pending under the Uniform Code of Military Justice" against Private Petrick. It confirmed that Army Capt. Paul Weinberg had been designated as defense counsel if need be.

Mr. Boudin said the Army had initially questioned Private Petrick for hours April 1 on his return from the national convention of the Young Socialist Alliance in Detroit. He said the draftee was a member of the alliance and the Socialist Workers Party. Both are Trotskyist groups, supporting the worldwide Communist appeal sponsored by the late Leon Trotsky.

Thereafter, the draftee asked the Emergency Civil Liberties Committee to provide him with its lawyers, Victor Rabinowitz and Mr. Boudin, "in the case of infringements of my constitutional rights as a citizen in the United States Army."

Mr. Boudin said that Captain Weinberg had told Private Petrick that he believed there was a possibility of court-martial. In a separate letter, according to Mr. Boudin, Private Petrick wrote that he was "opposed to the Vietnam war."

### Discussions with G.I.'s

"Since induction in July, 1966," the draftee's letter went on, "I have exercised my constitutional rights of free speech and thought by discussing the war and politics with fellow G.I.s."

## A Nation Dedicated to Counter-Revolution

H. H. Wilson

It seems to me that the real corruption revealed recently about CIA operations and, apart from some details, this has been known for a long time, is that people who took CIA money, or USIA funds were not innocents. They had their hands out. The fact is that many academic social scientists and their graduate students, with notable and talented exceptions, have been panting to live like coupon clippers, advertising executives, and the important corporation types who "meet payrolls." They have made it. To hell with the role of scholars and universities as independent observers, if not critics, of the culture and society. They did not tailor their opinions and actions to CIA specifications simply because of the source of the funds. Probably most of the individuals involved in these revelations accepted the premises of the Cold War and the official dogmas of Communism as total evil. After all it was one of our great contemporary historians who admitted that he lied in giving out to the *New York Times* the "cover story" on the Bay of Pigs. It might be useful to his students now to know when, in the classroom, he is the "historian" and when an apologist for the Establishment he obviously hopes to rejoin. You probably remember his contribution as a premature exponent of McCarthyism when in horrified outrage he denounced distinguished American scholars who dared suggest that we had to learn to live with the Soviet Union.

Who wants to wager on the number of "scholars" who will be called on the carpet by their peers, or the university administrators, for "conduct unbecoming a scholar"? Do you remember when our pundits and academic bureaucrats were profoundly concerned about the professors who were alleged to be subject to Communist Party "discipline"? Incidentally, where was Sidney ("Heresy Yes, Conspiracy No") Hook in this current rhubarb? Perhaps he was auditing the books, philosophically, for the Congress of Cultural Freedom.

It seems to me that the real point of this story is the total and complete documentation of the extent to which the universities and the "scholars" have been cut in on the racket society—and they were not seduced. The hallmark of a corrupt society is its inability to recognize corruption. To paraphrase John Jay Chapman, one need not mind corruption, but one must cry out at people whose minds are so befuddled that they do not know corruption when they see it. This is a corrupt society because its every operative value undercuts the official and loudly proclaimed belief in individual integrity, the freedom of our institutions from government supervision and control, and the virtue of our conception that final power rests with "the people." At least the Germans and the Russians did not deceive themselves with public relations double-talk and did not suffer from Anglo-Saxon hypocrisy. As Eugene Groves, president of NSA, said the organization always tried to maintain "an integrity as the representative of the highest aspirations of the American student community." I rather like the thought of one of our more profound moral leaders, Barry Goldwater, expressing bitterness that the CIA only cor-

rupted "left-wing" organizations. What a pity the CIA didn't grasp the possibilities in the department store field. That a nation of chronological adults could stomach President Johnson's discussion of non-escalation in his recent press conference without mass regurgitation is perhaps a sufficient commentary on the "State of the Nation."

One may hazard the guess that none of the institutions or organizations, or individuals shown to be recipients of undercover funds will suffer any diminution of prestige. Has Michigan State had difficulty in recruiting more faculty members or graduate students? One notes that Governor Rockefeller has appointed "five leading educators" to advise him on how the state can help "to preserve the strength and vitality" of private colleges. Along with McGeorge Bundy he included Dr. John A. Hannah, president of Michigan State University. Does *Encounter* find itself hard pressed to recruit learned contributors? Is it not the case that the academic community was relieved, and let off the hook, by the Katzenbach committee's report to the President? (What a farce, incidentally, to have an Administration committee examine the Administration's policy!) All the furor of the past few weeks amounts to less than the ripples of a stone tossed in a murky pool. After all this is the same academic community that groveled before McCarthy, whose presidents authorize turning over lists of student organizations to the House Committee on Un-American Activities. A few years ago it was reported that John Powell, Yale University security officer, was compiling dossiers on students and faculty. What was the result? He was appointed an associate dean. Recently, at a meeting of International Security Conference, according to the *Yale Daily News* "he suggested universities should hire experienced security officers, give them a 'free hand' in working with outside law enforcement agencies, and grant them power to make 'crucial decisions which can affect the entire university'." It is unlikely that the professorial recruiters for the CIA will lack candidates among graduate and undergraduate students. And of course the CIA is making a pass at foreign scholars as well. Even as a tax payer I can't help hoping that these fortunates take the money cynically so they too may participate in the affluence of the "Great Society."

The basic point about the CIA is not that it operates independently, though it undoubtedly often does at the tactical level, but that its overall policy and strategy reflects the determination of the United States Government to allow no social revolutions which might challenge American interests. No controls over such an organization are likely to be effective so long as the United States is dedicated to conducting espionage and counter-revolutionary action throughout the world. As President Johnson told the GIs at Camp Stanley, Korea: "Don't forget, there are only 200 million of us in the world of three billion. They want what we've got and we're not going to give it to them." There is little justification for condemning the CIA when the fundamental outlines of its policies and operations are approved by the highest ranking political leaders. As Mr. C. L. Sulzberger of the *New York Times* said, "It is naive to support a Central Intelligence Agency while asking it not to do its job." If this means the corruption of our scholars and universities it is a small price to pay for the affluence and togetherness of the Great Society.

culated. They too have been questioned simply because of the similarity of their names.

These FBI agents have been using older models of automobiles in order to conceal their presence on the Reservation. We are fully aware of their movements, and of the questioning and intimidation of individuals.

The American Indian Civil Rights Council headed by Robert Burnett is in the process of documenting these facts by securing tape recordings and affidavits from the participants and others who have been intimidated. Affidavits will also be secured from people who were witnesses to the scene on the Reservation.

Among these witnesses are businessmen, a minister, and other citizens who are highly indignant at such action of the Federal Government.

It is the opinion of Robert Burnett that these acts took place solely for the purpose of keeping the American Indian out of a very touchy international issue because of the impact the American Indian has internationally, as most people in the world believe that almost all the Indians are extinct, and have no knowledge of the fact that approximately 15,000 Indian men are fighting in Viet Nam at present.

*Mr. Burnett is Director of the  
American Indian Civil Rights Council  
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## NO FIRST AMENDMENT FOR FIRST AMERICANS

Robert Burnett

On April 13th a chartered bus entered Rosebud Reservation in South Dakota to take 35 Indian people to New York City for the purpose of participating in the rally to Stop The War in Viet Nam, sponsored by Spring Mobilization Committee.

Two FBI agents, a Bureau of Indian Affairs officer, and a City Marshal began questioning and intimidating those who were to take the trip and due to the intimidation and lies, only 7 out of the 35 chose to remain in the group to make the trip.

Such accusations as "the participants were to march with niggers" and that this was "nothing but a nigger March," and "had nothing to do with Indians" made these people choose to remain on the Reservation and not participate.

Those remaining went out on the Reservation and gathered others, and on the way, picked up others in Winner, South Dakota; making a total of 19. These people proceeded to New York and did participate in the parade and rally, and two of them appeared on the speaker's platform in front of the United Nations headquarters.

On Sunday, April 16th, the bus driver was instructed by Robert Burnett to meet him on the Ellipse in Washington, D.C. for the purpose of picketing and performing Indian dances to protest the graft and corruption taking place throughout Indian affairs. The bus did proceed to Washington and was parked on Pennsylvania Avenue, but not at the agreed meeting place because FBI agents gave the driver contrary instructions. Therefore, Robert Burnett and the participating Sioux Indians never did make connections and later learned, by information from those on the bus, that a police sergeant was fully aware that the bus was in Washington and that Robert Burnett was waiting for said bus on the Ellipse.

That evening, Mr. Burnett frantically tried to locate the bus by contacting the police departments of three States and requested an all-points bulletin, specifically to locate the bus in order to try to insure the safety of the Indian people of South Dakota. The police departments refused to cooperate and it was not until the arrival of the bus back in South Dakota that Mr. Burnett learned of the safety of those involved.

Mr. Burnett immediately proceeded back to S.D. by car and upon talking to the various people involved, learned just what took place in Washington, D.C. and the part the FBI and Federal Park Police had played in the separation of the chartered bus and Mr. Burnett. This separation was deliberately carried out.

Upon returning home, Mr. Burnett was advised by those who took part in the rally in New York, that all were to be arrested as soon as Mr. Burnett returned to the Reservation. This threat was made by Tribal officials, Office of Economic Opportunity officials, and Federal officials. But it was never carried out.

Up to this very day (May 11, 1967) we have been receiving continuous pressure from the FBI agents—even some people who had not parti-

One of the bright spots in this series of revelations is the awareness of the joy we must be bringing to all the cloak and dagger operatives of other nations. It must be a gala frolic of hysterical laughter as they see documented the ineptness and stupidity of our computerized snoopers. As James Reston consoles us, "we must not really be such a wicked people, because we run these secret conspiracies so clumsily."

*Professor Wilson, a member of the Department of Politics at Princeton University, was one of the founders of the Emergency Civil Liberties Committee.*



## MR. ORWELL, MEET MR. WIRTZ

Warren Hinckle

Though Mr. Willard Wirtz, the Secretary of Labor, has enjoyed a reasonably functional but undistinguished career in that post, he delivered a speech last month that automatically qualified him as presidential timber for 1984.

The secretary suggested that every youth in the nation be required to register at the age of 18 with an "opportunity board" which would channel him, like through a carrot sorter, into some form of military service, education or employment.

Mr. Wirtz suggested that the program would be socially constructive and more popular than "going to Nazareth" to register for the census and that therefore there would be no need for compulsion against deviant and non-conforming 18-year-olds. On the other hand, he warned, "... the affording of this opportunity warrants the insistence on the obligation to use it."

We would have thought Mr. Wirtz had merely blown his mind were it not for that fact that his Orwellian suggestion fits a pattern of recent pronouncements by aging New Frontiersmen.

Not the least of these is Secretary of Defense McNamara, a man who considers himself a liberal and whom many Washington liberals consider a progressive. Mr. McNamara, who has already suggested the feasibility of some form of universal military training, but with options for the squeamish for a stint in the Job Corps or Forest Corps, recently announced that the Armed Services would begin lowering mental and physical standards for acceptance into that compulsory profession as part of a "humanitarian" salvage system for lower income and minority youth.

Mr. McNamara termed "inequity" the prospect that these underprivileged kids might otherwise be denied the educational, moral and vocational opportunities that the Armed Forces could provide them.

If all this sounds to you suspiciously like the seeds of a movement to utilize the coercive military system to cope with burgeoning social problems and to head off social unrest, we suspect you are right.

What may be the official rationale for this trend among Kennedy-style liberals came, bang-bang after McNamara and Wirtz, in a pernicious article in the *New Republic* by the former New Frontier brain truster, Mr. Daniel Moynihan.

Mr. Moynihan's thesis was that the day had passed for popular movements, the civil rights movement and anti-poverty movements among them, to force effective national reforms. Now the injured and oppressed of society must hand over their causes to the more sophisticated "professional reformer."

Such a "professional reformer," (and presumably Mr. Moynihan would, if pressed, include himself in that select group), would be quick to see, for instance, the opportunities that the Selective Service System affords for social change.

One of the most effective ways for Negroes to make it in this society, Mr. Moynihan suggested, is the Army way. The sight of Negroes fighting in Vietnam, he said, "may be the single most important psychological event in race relations in the 1960's," since "acquiring a reputation for military valor is one of the oldest known routes to social equality."

Mr. Moynihan is enough of a serious intellectual to openly admit the logical extension of his position: "Expectations of what can be done in America are receding. Very possibly our best hope is seriously to use the Armed Forces as a socializing experience for the poor."

### The "New Pragmatism"

This is the new, tough, liberal pragmatism: Any political program, or even populist uprising, that might suggest any change in the social priorities of society is Utopian and hopeless. There can be no really equalizing legal opportunities for the Negro or the poor. The practical and close-at-hand solution is the military, which has the advantage of working. Isn't it working in Vietnam? Isn't the Defense Department the biggest institution in America?

Frankly, this scares the hell out of us.

Every totalitarian society has found social purpose to justify its militarism. The Germans, after all, argued that Nazism ended unemployment.

The amazingly easy adjustment of liberal intellectuals like Mr. Moynihan to the failure of this democracy to cope with its social problems is disturbing, indeed; the tendency of these same intellectuals to look to the massive military establishment for the answers that their own programs have been unable to provide is thoroughly frightening.

It is perhaps predictably within the essential plurality of this society that such a proto-figure as the conservative governor of California, Mr. Ronald Reagan, should rise unexpectedly in the cause of sanity on this issue. Mr. Reagan, sounding more like Robert Taft or Arthur Vandenberg than the former star of *Bedtime for Bonzo*, expressed his opposition to peacetime draft and suggested that voluntary enlistment should be able to provide the necessary military manpower. This, he said, was the patriotic way.

We feel no more comfortable with the ultimate extension of Mr. Reagan's argument about patriotism than we are with Mr. Moynihan and Mr. Wirtz's position about extended and less selective national service.

But we do not feel it is in the best of interest of this society to give the Defense Department, which already has established close to a stranglehold on American life, any new domestic missions. Soldiers, after all, have been known to become crusaders.

*Mr. Hinckle is President and chief executive officer of Ramparts, the magazine that disclosed CIA support of NSA, and a member of the ECLC National Council.*