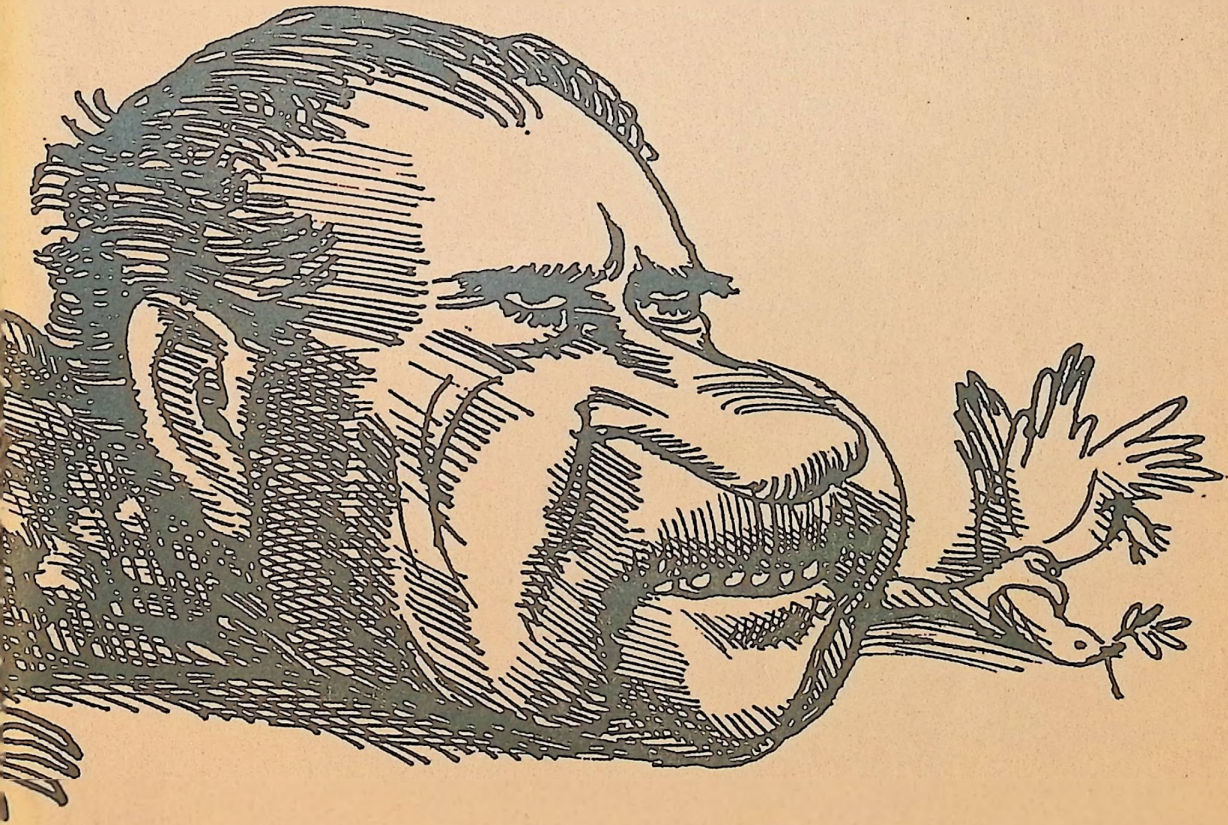


The  
Bill of Rights  
Journal

December 1969



\$1

THE BILL OF RIGHTS JOURNAL VOL. II, DECEMBER 1969

James Aronson, Editor

Robert Schwartz, Chairman

*Published by the National Emergency Civil Liberties Committee  
25 East 26th Street, New York, N. Y. 10010. Tel.: (212) MU 3-8120*

Corliss Lamont, Chairman

Leonard B. Boudin, General Counsel

Eleanor Brussel, Vice Chairman

John M. Pickering, Vice Chairman

Henry di Suvero, Director

Edith Tiger, Assistant Director

John H. Scudder, Treasurer

Sidney J. Gluck, Secretary

Clark Foreman, Director Emeritus

EXECUTIVE COMMITTEE

James Aronson, N. Y.  
Bernard Brightman, N. J.  
Ernest R. Chanes, N. Y.  
John M. Dolan, N. Y.  
Douglas Dowd, N. Y.  
Rabbi Robert E. Goldberg, Conn.  
Lewis J. Graham, N. Y.  
Prof. David Haber, N. Y.

Sanford M. Katz, N. Y.  
Sandra Levinson, N. Y.  
Herman Liveright, Pa.  
William Meyers, N. Y.  
Prof. Mary Mothersill, N. Y.  
Russ Nixon, N. Y.  
Leon Quat, N. Y.

Harry I. Rand, N. Y.  
Louis L. Redding, Del.  
Nathan Schwerner, N. Y.  
John Simon, N. Y.  
I. Philip Sipsier, N. Y.  
Morton Stavis, N. Y.  
Peter Weiss, N. Y.

NATIONAL COUNCIL

Henry Abrams, N. Y.  
Mrs. Donna Allen, D.C.  
John Atlee, N. Y.  
Stringfellow Barr, Cal.  
Margaret Boe Birns, N. Y.  
Paul R. Booth, Ill.  
Mrs. Elizabeth Boyden, Mass.  
Mrs. Anne Braden, Ky.  
Robert S. Browne, N. J.  
Jane J. Buchenholz, N. Y.  
Kenneth Cloke, Cal.  
Mrs. Aleine A. Cohen, Md.  
Robert S. Cohen, Mass.  
Lawrence Cole, N. Y.  
Charles W. Collins, N. Y.  
Edward U. Condon, Colo.  
Robert Cover, N. Y.  
Joseph H. Crown, N. Y.  
Ossie Davis, N. Y.  
Hubert T. Delany, N. Y.  
David Dellinger, N. Y.  
Earl B. Dickerson, Ill.  
Benjamin Dreyfus, Cal.  
Eugene G. Eisner, N. Y.  
Thomas I. Emerson, Conn.  
Jason Epstein, N. Y.  
Shirley Fingerhood, N. Y.  
Moe Fishman, N. Y.  
Laurent B. Frantz, Cal.  
Stephen H. Fritchman, Cal.  
Charles R. Garry, Cal.  
Maxwell Geismar, N. Y.  
Daniel S. Gillmor, N. Y.  
Allen Ginsberg, N. Y.

Sidney J. Gluck, N. Y.  
Ira Gollobin, N. Y.  
Richard Grossman, N. Y.  
Charles V. Hamilton, N. Y.  
James Haughton, N. Y.  
Tom Hayden, Cal.  
Warren Hinckle III, Cal.  
Chester E. Hodgson, N. Y.  
Mrs. Edna Ruth Johnson, Fla.  
Gloria Joseph, N. Y.  
Erich Kahler, N. J.  
Jeffry Kaplow, N. Y.  
Mrs. Blanche Katz, N. Y.  
Mrs. Barbara Kay, N. J.  
Robert W. Kenny, Cal.  
Mrs. Rockwell Kent, N. Y.  
Arthur Kinoy, N. Y.  
Paul Krassner, N. Y.  
William Kunstler, N. Y.  
Edward H. Lamb, Ohio  
Paul Lehmann, N. H.  
Oliver S. Loud, Ohio  
Jonathan W. Lubell, N. Y.  
Conrad J. Lynn, N. Y.  
Curtis MacDougall, Ill.  
Carey McWilliams, N. Y.  
Broadus Mitchell, N. Y.  
Howard Moore, Jr., Ga.  
W. Edward Morgan, Ariz.  
Philip Morrison, Mass.  
Stewart Mott, N. Y.  
Anatol Murad, Sask., Can.  
Jack Newfield, N. Y.  
Claire Nichtern, N. Y.

Harvey O'Connor, R. I.  
Grace Paley, N. Y.  
Sidney M. Peck, Ohio  
Eleanor Jackson Piel, N. Y.  
Victor Rabinowitz, N. Y.  
David Rein, D.C.  
Dennis Robert, N. Y.  
Mrs. Esther Rowland, Pa.  
Mrs. Samuel Sacher, N. Y.  
Mrs. Marjorie Schell, N. Y.  
Robert J. Schwartz, N. Y.  
Donald Shaffer, N. Y.  
Jeffrey D. Shero, N. Y.  
Mrs. A. W. Simkins, S. C.  
Dr. Benjamin Spock, N. Y.  
Michael Standard, N. Y.  
Andrew Stapp, N. Y.  
I. F. Stone, D.C.  
Paul Sweezy, N. Y.  
Stanley Swerdlow, N. Y.  
Moe L. Tandler, N. Y.  
Suzanne Thalberg, Ill.  
Dale Tussing, N. Y.  
Olive Van Horn, N. Y.  
Bruce C. Waltzer, La.  
Palmer Weber, N. Y.  
David Wesley, Cal.  
John Wilhelm, Conn.  
Frank Wilkinson, Cal.  
Henry Willcox, Conn.  
H. H. Wilson, Pa.  
Francis D. Wormath, Utah  
Jose Yglesias, N. Y.  
Sidney Zion, N. Y.

---

THE BILL OF RIGHTS JOURNAL

---

VOLUME II      DECEMBER 1969

CONTENTS

James Aronson: Who said Spiro who?.....	Page 2
Corliss Lamont: It all began in the Yard.....	5
Julius Lester: A lesson in communication.....	8
Wilfred Burchett: The view from Vietnam.....	11
Alexander L. Crosby: A farewell to pigs.....	16
Gregory H. Finger: Now is the time for all.....	21
Henry Kahn, M.D.: The doctors who care.....	24
Anne Braden: Peel away the layers.....	27
Joe Mulloy: The Appalachia story.....	31
Leonard B. Boudin: The Battle of Back Bay.....	33
Citizens for the Bill of Rights.....	40

ABOUT THE ARTISTS

OLIVER W. HARRINGTON, one of the few great living American political and social cartoonists, was Bronx-born, Harlem-raised, and educated (in more ways than one) at the National Academy of Design and the Yale Art School (where the gym and pool were off limits to him because he was black). Since 1951 he has been living in France and Germany, and has contributed work to *Krokodil* (USSR), the *African Review* (Ghana), *Das Magazin* (GDR) and *Freedomways* (USA). He is the creator of Bootsie, the famous character who has delighted two generations of readers of the *Chicago Defender* ("When you see me laughin', I'm laughin' to keep from cryin'") and other papers. Several of his drawings in this issue appeared first in the *Daily World*, for which Harrington is a regular contributor. Our gratitude to the editors of the *Daily World* for their permission to reprint the drawings.

WALTER ILLER, who draws in line and color both, is the creator of the drawing on the front and back cover of this issue. His savagely humorous cartoons punctured many of the pages of the *National Guardian* in its early years. A show of Iller's paintings was held recently in New York at the Art Works Gallery.

# Who said Spiro who?

IT WAS DAVID DELLINGER who said in Washington November 15 that Spiro Agnew was the Richard Nixon of the Nixon Administration. And several hundreds of thousands of our effete snobs laughed right down to us inadequate soles on the dank turf of the meadow on all sides of the Washington Monument.

The laughter was rueful and reflective for many who had been anointed by the sword of the House Committee on Un-American Activities (or the McCarthy Committee, or the Senate Internal Security subcommittee — take your pick). It was more rueful for the young black militants, the draft resisters, the streets-for-peace youngsters, sentenced to death or to long terms in prison, according to the post-McCarthy way of doing things, or for those sitting in jail without hope of meeting the obscene bond set by the automatons on high benches who are more and more resembling Lord Jeffrey and his Bloody Assizes of the late 17th century.

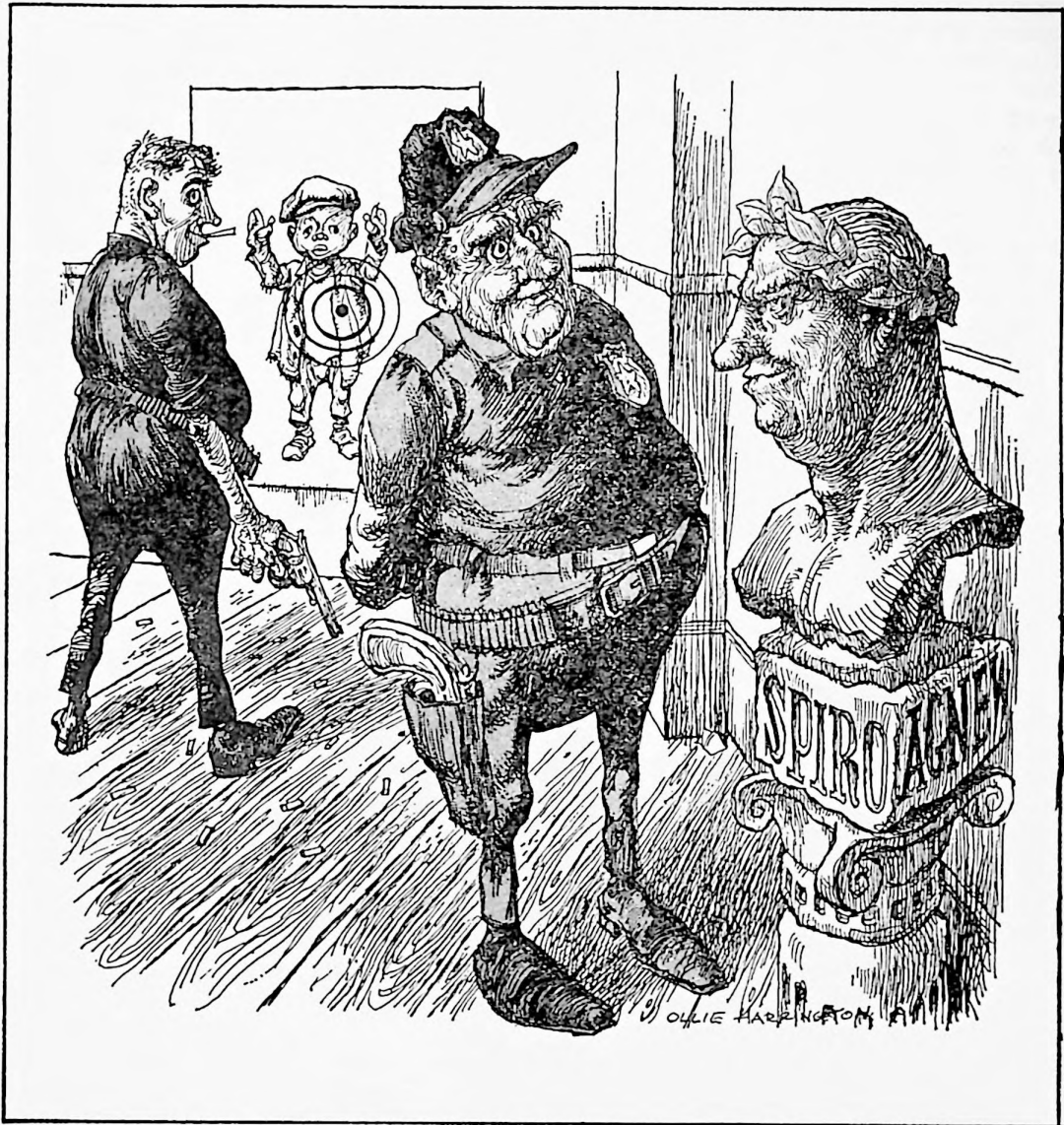
There is hollow laughter down the halls of time as that sincere, tilted Nixon head, attached to a shoulder attached to a mechanical arm, pumps out the message that no one in the country is striving more diligently than he to end the war. Older hands recall this same figure boring in with John Foster Dulles and Admiral Radford on President-General Eisenhower to drop one teeny atomic bomb on Indo-China so that Dien Bien Phu would not have been in vain. The bomb was not dropped because the French were spent and bewildered, the British were aghast at the idea, and Eisenhower had the sav-

ing grace of an old soldier's caution.

Eisenhower is dead, Nixon is sitting in his chair, and the war goes on. It goes on in Vietnam and in the streets of America, and it will go on for as long as it is possible for a Richard Nixon to be elected President of the United States. Yet, lest anyone have any regrets about not voting for President in November 1968, let the mind's eye fix on the vignette, just before the October Moratorium, of Hubert Humphrey sitting with Nixon in the White House endorsing the President's course on Vietnam, as Nixon gives a mocking V-sign for the cameras. Remember also that Hubert Humphrey was the Lyndon Johnson of the Johnson Administration. Lyndon who?

What is most remarkable about official America is how little its character changes. Joe McCarthy is dead, and Harry Truman (who sponsored the loyalty-security program in 1949) is in his mumblage. But there is nevertheless uncovered in the year of our Lord 1969 a blacklist in the Department of Health, Education, and Welfare. Wires are being tapped all over, persons are stopped and frisked, and legislation is being pushed to revive the Smith Act, and backstop it with a new Internal Security Act.

Spiro Agnew denounces the television networks for their allegedly selected and biased presentation of the news, and Dean Burch, Nixon's new chairman of the Federal Communications Commission, calls the heads of the networks personally to ask for transcripts of all commentaries following Nixon's November 3 speech summoning to arms "the silent majority." Don't read anything



*"Hey, Chief, you never told me you was a art lover!"*

into the request, says Barry Goldwater's former campaign manager, fingering his blackjack. You know how it is: The Boss just likes to know what people are saying about him, as any President would.

Does the criticism extend to newspapers as well, and does it not impinge on the freedom of the press? Why, no, says Herbert Klein, the White House communications coordinator (who once edited a dreadful newspaper in San Diego): Nobody in Washington would dream of interfering with the free ex-

ercise thereof. But it would be just dandy, he says, fingering a knife in his belt, if the newspapers of the nation would take a good hard look at themselves before Spiro Agnew got around to it.

But before you can say "Aganostopoulos," the Vice President has sped on the Chautauqua circuit from Des Moines to Birmingham (Yahoooo!) not only to take a hard look at the *Washington Post* and the *New York Times*, but to make up the papers for the over-

worked editors. The time is past, says Agnew, when these conglomerates can claim immunity from criticism and comment. No longer will there be a naive belief in their neutrality. Down from the ivory tower into the marketplace of debate (Yahooool).

Many of Agnew's comments about the communications media are valid: Conglomerates are gobbling up the newspapers, television, and radio stations, and forests of newsprint (but Agnew of course is silent about conglomerates like the *Chicago Tribune* and *New York Daily News*, and the Copley and Gannett chains, which ardently support the Nixon Administration). A broad extension of the right of expression for diversity of opinion is urgently needed (but for the opponents of national policy, not for the proponents who have both surfeit access and right of response). Newspaper publishers have notoriously rejected "outside" criticism as non-professional, while refusing to examine themselves (but Dr. Agnew's prescriptions will not cure the existing ills of the press).

Nixon and Agnew know exactly what they are doing. By threat of indirect control and pressure, they are accomplishing what they cannot do by legislation. Basically, the men who control the communications media endorse the same goal as Nixon and Agnew — the preservation of the status quo. Behind the barrage of virtuous statements about the inviolability of the First Amendment and the sanctity of an editor's prerogative, they bend backward to the straining point to prove how fair they are — and thereby increase the already lopsided balance in favor of the status quo. When the mission has been accomplished, the Administration will let up on the pressure, to a degree, and the communications media will pronounce a famous victory for free men everywhere. But the apparatus is always at the ready in Washington for reapplication.

The point is clear: The degree to which the communications industry as a whole has become a voluntary arm

of government is great. Eisenhower, Kennedy and Johnson all sought to make it greater. Under Nixon, master witch-hunter, there is a grave danger to freedom of the press — just as there is a clear and present danger to freedom of assembly, freedom of expression, and there will be a danger to freedom of religion if treasonable preachers continue to open their pulpits to the reading of the names of the war dead in Vietnam.

All the Liberty Bell editorials tolling in the *Washington Post* and the *New York Times* will not be worth the paper they're printed on if the publishers and the heads of the networks do not respond to and reflect the increasing protest of the people against the erosion of the Bill of Rights — and the free exercise thereof.

The danger is not only to the chances for peace, and the right of the black people, of the poor, of the minorities to first-class citizenship (and the right of self-determination within the generous framework of our asserted democracy). The danger is to all Americans — silent or vocal, advantaged or disadvantaged — except for a select few.

Spiro Agnew is a slicked-up incendiary whose role is not to absorb the lightning bolts heading for Nixon, but to dispatch them for Nixon. In truth, Richard Nixon is the Richard Nixon of the Nixon Administration. He is a super-clerk who has served his apprenticeship extraordinarily well, set up as manager of the shop to do the bidding of those who selected and outfitted him for the job. Under the American system, this is primarily the role of any President elected by a major party.

As the year 1969 draws to a close, the powers behind the Presidency have deliberately shifted to a more sinister course because the opposition to awfulness within the United States has grown alarmingly. This is a stark fact for all Americans of good will to absorb and face up to as a new decade opens. The events of the last months indicate that the battle has finally been joined — and that the opposition will not retreat.

## It all began in the Yard

**M**Y FIRST BIG BATTLE for free speech occurred 45 years ago, when I was a senior at Harvard College. As chairman of the Undergraduate Committee of the Harvard Union, I initiated a campaign to have the Union enliven its lecture program by inviting Eugene V. Debs, William Z. Foster and Scott Nearing to speak. The Governing Board of the Union, controlled by faculty members and alumni, reacted with alarm to these proposals, and they were turned down *in toto*. But the controversy stirred up by these suggestions, and the accompanying newspaper publicity, did induce the Union to adopt a somewhat more liberal program of speakers.

After graduation from Harvard in 1924, civil liberties became a major interest for me. The defense of the Bill of Rights seemed to me one of the most important social functions for the concerned citizen; and working out the intricate problems involved in that defense proved a constant intellectual stimulus and challenge. In 1932 I was elected to the Board of Directors of the American Civil Liberties Union and remained a member for 22 years.

With the outbreak of World War II in 1939, I was among those who fought most vigorously against the Board's

tendency to compromise basic ACLU principles. I stuck to my position as the nationwide witch-hunt against the Communists gathered momentum, and my stand aroused increasing anger in the anti-Communist bloc on the Board. This bloc finally forced me out in November 1953 by persuading the Board to rescind my renomination. Using a blackmail tactic, they threatened to resign unless I were dropped. My doom at the ACLU was sealed two months earlier, in September 1953, when Senator Joseph McCarthy subpoenaed me to appear before his Senate Subcommittee on Government Operations. The ACLU, in theory, supported my refusal to answer, on First Amendment grounds, most of McCarthy's questions. In actuality the Board was extremely embarrassed by my stand and feared some kind of contamination by association.

In August 1954, McCarthy induced the United States Senate to cite me for contempt of Congress. My challenge to McCarthy was a high point in my long campaign for civil liberties. My lawyer, Philip Wittenberg, in a brilliant argument, pressed for dismissal of the indictment on the ground that the McCarthy Committee had disregarded the First Amendment, and had indeed gone beyond its Congressional scope in questioning me at all. Federal Judge Edward Weinfeld ruled in my favor on Mr. Wittenberg's second point. The Government dropped the case in September 1956 when a United States Appeals Court unanimously affirmed the Weinfeld decision. It was one of the great moments of my life when I heard the news of this victory over McCarthy.

Shortly after I left the ACLU Board,

---

DR. CORLISS LAMONT, chairman of the NECLC since 1965, taught philosophy at Columbia for 15 years, and served on the ACLU board of directors for 22 years. He is the author of *The Philosophy of Humanism* and *Freedom Is As Freedom Does*, among other books, and editor of the widely acclaimed *The Trial of Elizabeth Gurley Flynn by the American Civil Liberties Union*.

---

I began a close working association with the Emergency Civil Liberties Committee, which had been founded at the height of the post-war red scare and the McCarthy madness. I became Vice-Chairman of ECLC in 1955, and Chairman in 1965. The word "Emergency" has been retained, as the word "National" has been added, in the name because the crisis in civil liberties obviously has continued and has reached another peak because of the Vietnam war.

I entered the courts again in 1963 with an action against the United States Postmaster General to prevent him from enforcing a Congressional statute that clearly violated the Bill of Rights. This law directed the United States Post Office to screen for "Communist political propaganda" all second- and third-class mail from foreign countries and to destroy it unless the addressee returned a postcard saying he

*The GI Civil Liberties Defense Committee expresses thanks for NECLC's contribution to preserve and extend GI constitutional rights.*

Box 35, Old Chelsea Sta.  
New York, N. Y. 10011  
Tel: (212) 243-4775

**FREEDOM:  
PROMISE & MENACE**

by SCOTT NEARING

A Critique of the Cult of Freedom

*A book which challenges the basic theoretical assumptions of the American Way of Life*

Clothbound 208 pages \$3.50  
Paperbound \$1.50

Social Science Institute,  
Harborside, Maine

wanted it. Again, an outstanding lawyer — Leonard B. Boudin — handled my case. As General Counsel of the ECLC, which sponsored the suit, he carried my appeal to the United States Supreme Court. In May 1965 the Supreme Court handed down a unanimous (8-0) decision in my favor and declared the statute in question unconstitutional because it violated the First Amendment. It was the first time in the history of the Court that it had struck down a federal law as unconstitutional on First Amendment grounds.

I had told my wife that if I ever won a civil liberties case in the United States Supreme Court, it would be time for me to retire from the fray. But in 1965 the struggle for freedom in the United States was still at a crucial stage — and as interesting and exciting as ever. Besides, I was a Chairman of ECLC. So I decided to keep on with my civil liberties activities and, far from retiring, perhaps am going to find myself involved for the duration.

The most satisfying thing about working to preserve and extend the Bill of Rights, for me, is that all good causes, all vital movements, are served thereby. It is a dangerous folly to say that civil liberties is "old hat" or "irrelevant." Whether the issue is international peace and disarmament, the ending of America's war of aggression in Vietnam, the establishment of racial equality in every sphere, population control and family planning, the conservation of nature, a greater voice for students in educational institutions, or replacing capitalism with a socialist economy—whatever the issue, freedom of expression is an absolute necessity to get your message across. Yet while civil liberties helps everyone who seeks to participate in public affairs, in itself it is not a guarantee for the success of any project or cause. It simply gives individuals and groups of varying economic, political, and social viewpoints their best opportunity to win over a majority of the people. And that is basic to any struggle.



All honor to  
the NECLC legal staff  
who can always be found  
wherever the defense  
of Justice and Freedom  
requires them.

BERTHE AND CHARLES SMALL

JULIUS LESTER

## Lesson in communication

ONE OF THE BASIC foundations of any modern society is the ability of its people to communicate with each other. In contemporary society it is of course impossible for such communication to take place to any great extent on an individual level. Thus, a communications media exists to transmit various kinds of information to people, no matter how far apart or disparate the people may be. It is through the communications media that we know most of what we know about each other, what we know about the world, and what others and the world know about us. It is therefore obvious that the communications media has an enormous influence in our lives.

It takes only a quick glance at the communications media in America to realize that even though the Constitution guarantees freedom of expression, the political and economic system defines the limits and content of the information which is communicated. Freedom of speech thereby becomes, for all practical purposes, non-existent. New York City, for example, has only three daily newspapers. Each paper has its own staff of reporters and analysts,

---

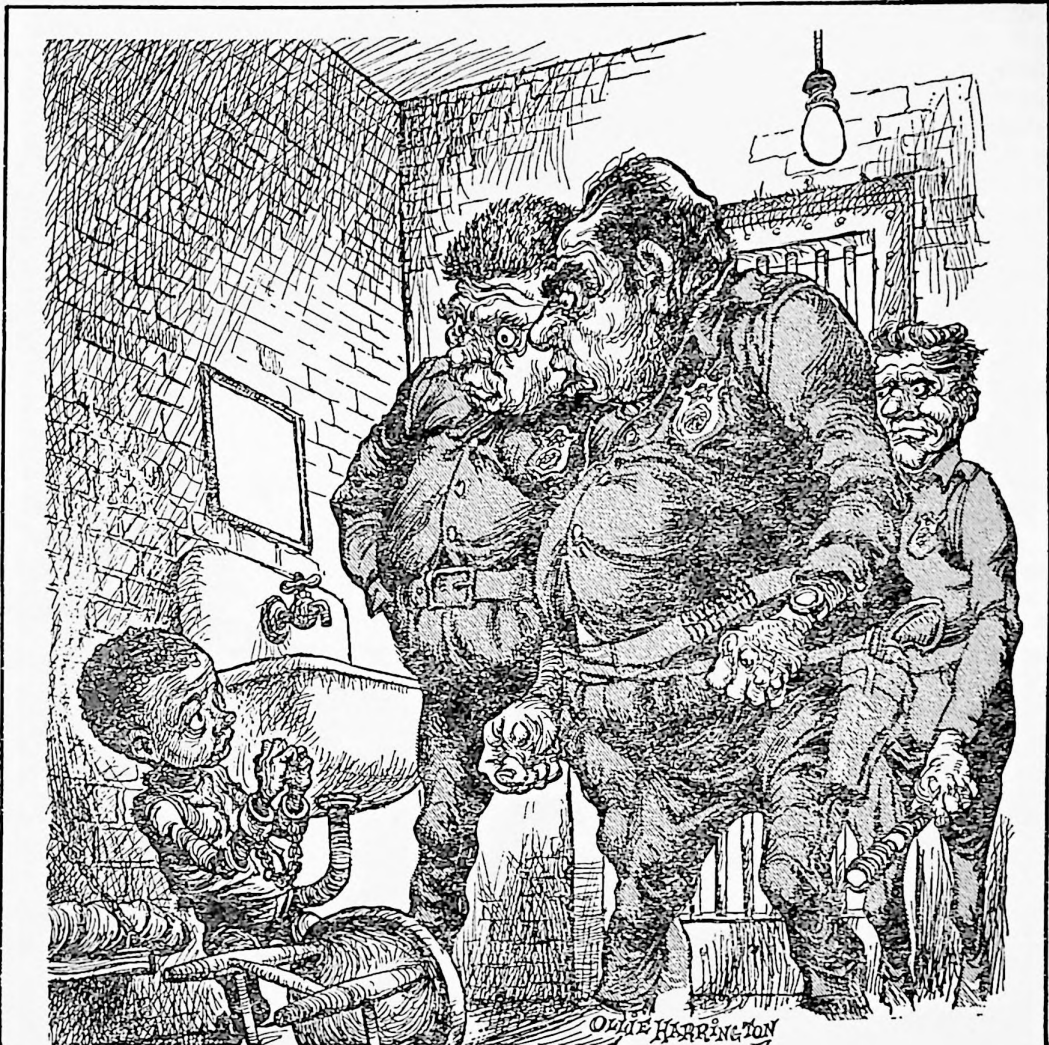
JULIUS LESTER, a former SNCC organizer in the South, is the author of *Look Out Whitey! Black Power's Gon' Get Your Mamal*, *To Be a Slave*, and the just-published *Search for the New Land*. He is completing an anthology of the work of W. E. B. Du Bois. Lester is also a skilled photographer, a composer and singer.

---

but each subscribes to one of the two major wire news services, or both. There is, therefore, an unavoidable uniformity of information printed by each. In the rest of the country, where newspapers do not have the resources of a paper like the *Times* (although some do subscribe to the *Times* news service), it is obvious that the majority of Americans receive their basic information about other people in America from one wire service, or at most two.

America has only three television networks. Three! And among the three, there is no difference in content, only a difference in quality and style of presenting that content. Further, the content of these television networks (and newspapers, etc.) is determined largely by those who pay for the presentation—the sponsors and advertisers. The sponsor is interested in a vehicle to exhibit his product. He is not interested in ideas, freedom of speech, or any kind of real communication; and because his money determines what is broadcast, what is broadcast is generally of a quality that defies description, e.g. *The Flying Nun*. Thus, the economic system controls communications, a control which the communications media has never seen fit to challenge.

Everyone suffers by this situation. Blacks suffer because it is impossible for them to be presented in an honest, open and non-hostile atmosphere over the media, e.g. TV coverage of the Poor People's Campaign, or the Rap Brown-as-madman stereotype. Whites suffer because they are deliberately misin-



*“ . . . and did you voluntarily accept a free, hot meal from known Black Panthers at 9 a.m., September 9, nineteen hun’ert an’ sixty-nine?”*

formed about every issue and make evaluations and judgments on the basis of that misinformation.

In reaction to this situation, there exists the alternative media—the radical and underground press. In the electronic media, the National Educational Television Network, supported by foundations and by large industrial enterprises, presents an alternative to the three networks. NET, however, consistently avoids sharp controversy in its programming and thus insures its existence. In the field of radio, there are few stations independent of the economic controls which inhibit the Estab-

lishment media and which consistently offer controversial programming. Of these the most important group is the Pacifica Foundation, which operates stations KPFK in Los Angeles, KPFA in Berkeley and WBAI in New York. It has been investigated by Congressional committees for “communist infiltration” and is once again facing Congressional inquiry.

It was on a Pacifica station, WBAI-FM in New York, that a so-called anti-Semitic poem was read last winter. The poem, written by a black junior high school student, was read on the air by a black teacher on my regular weekly

program, "The Great Proletarian Cultural Revolution." I was aware, of course, that the reading of the poem would precipitate a controversy; but I thought that the social value implicit in the poem was to demonstrate the reaction of black students to the devastating and vicious strikes by the United Federation of Teachers against the New York City schools in the fall of 1968. Another reason for having the poem read is implicit in the purpose of my show, which is to give the blacks of New York City open and free access to the airwaves in an uncensored and respectful atmosphere. It is a sad commentary on the communications media that my program is the only regular radio program in the New York City area which reflects and speaks to the black community about political concerns.

There was, of course, a reaction to the poem, but the reaction was not hysterical or unreasonable—at least not on the part of those who had heard the original broadcast. This was clear from the phone calls I took over the air in the two following weeks, and from my mail. Indeed, there was no controversy until three weeks after the broadcast when the *New York Times* reported that the UFT was filing charges against WBAI for allowing the poem to be read. For some three weeks after that story appeared, WBAI was deluged with hate mail. Complaints were filed with the FCC (the station's license finally was renewed, but not until long after all other stations in the New York area had been granted their renewals). There were demands that the station be closed or that I be fired. My life was threatened several times a day for two weeks, and the FBI informed me that they had evidence of a plot to kidnap me.

GRAFF PAINTING  
AND DECORATING  
5297 So. Pebblecreek Rd.  
Birmingham, Mich. 48010

The station and I survived, but only because we refused to be frightened out of fulfilling our respective functions. Few people came forward to defend the station's right *and* responsibility to broadcast such programs as mine. The overwhelming cry was that the station be silenced because it had shouldered the responsibility of honestly trying to communicate the feelings and ideas of blacks to whites. Many, if not most, of those who demanded that I be fired or the station closed were people who have through the years upheld the concept of freedom of speech. Yet when something was said with which they violently disagreed, they were willing to see freedom of speech murdered, and even to assist in the murder.

President Nixon recently appointed Barry Goldwater's former campaign manager, Dean Burch, to head the Federal Communications Commission. That is enough to let us know that the life of a WBAI will be threatened during the Nixon years for the very reason that a station like WBAI and the radical and underground press have become a threat to the Nixon Administration. Yet there are Constitutional provisions which guarantee the existence of alternative media. If WBAI can be attacked by liberals, as it was, for actually carrying out the function which all radio stations *should* be carrying out but do not, and if WBAI cannot get its license renewed, then the underground and radical press will be endangered also.

Belief in freedom of speech does not imply the right to limit freedom when that freedom is exercised to say something which may offend. Freedom of speech transcends political beliefs and political ideologies and it must be defended, no matter how it may be exercised. This was the real story of the WBAI "anti-Semitic poem episode." Unfortunately, the lesson was lost on the very people who say that they have learned the lesson.

# The view from Vietnam

FOR A SHORT ANSWER as to how the Vietnamese evaluate the protest movement in the United States, I could quote two remarks. One, by a high-ranking DRV (North Vietnam) government officer whose job it is to follow and evaluate such events, was made to me in Hanoi, in mid-October 1969, just as results and reactions to the October 15 Moratorium were pouring in.

"For us," he said, "it is confirmation of the correctness of our own position. The breadth and the depth of the support for the Moratorium shows that the American people are against Nixon's position for 'mutual withdrawal' and support our position of 'unconditional withdrawal.' They have understood that this position is in the true interests of the American and Vietnamese people. We hope that the world peace movement and the socialist countries will support our position more strongly than ever now they see that this is accepted by such wide sections of the American public. The success of these demonstrations shows also that in the long run our policy of clemency towards POWs and friendship for the American people bears fruit and gets across to the broad masses."

The other remark was by Ambassador Xuan Thuy, who heads the DRV delegation to the Paris peace talks. At the

October 23 session, replying to comments from Washington and Saigon that the Vietnamese were setting too much store by a growing U.S. anti-war movement ending the war, Xuan Thuy commented:

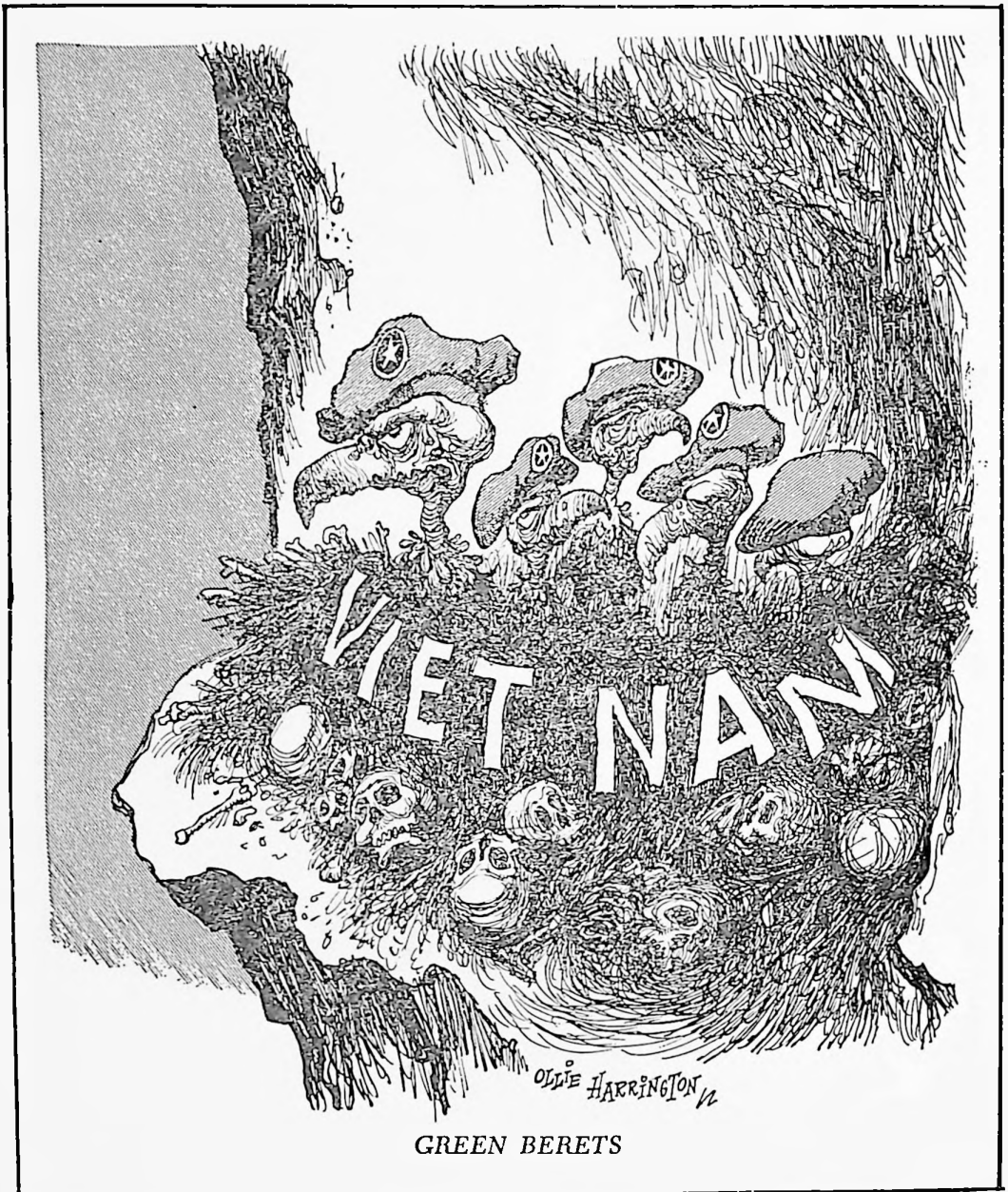
"They are greatly mistaken. We Vietnamese people always rely firstly, and above all, on our own strength. At the same time we appreciate such just activities and will strengthen our solidarity with all our friends. We are grateful for activities supporting our cause, from wherever they may come. This is the attitude of a people enriched by an age-old culture. . . . As for those Americans who hope for, and demand, a rapid end to the war in Vietnam and the repatriation of all GIs . . . the whole of progressive humanity follows their activities with warm sympathy, deep admiration and unreserved support and approval."

When the protest movement first started to make itself heard, many American well-wishers (and some others who I suspect were from the psychological warfare services) pleaded with me to warn the Vietnamese leaders not to place their hopes in such activities. The anti-war movement represented a tiny, insignificant section of U.S. public opinion, they said. Such solemn warnings, repeated ad nauseum, caused me some wry amusement. In my discussions with DRV and National Liberation Front leaders, it was I who had perhaps exaggerated the importance of the protest movement in the early days, drawing attention to it and the potential involved, every chance I had. The reaction, at the very highest level, was approximately the following:

---

WILFRED G. BURCHETT, native-born Australian, is a veteran war correspondent—he was the first reporter in Hiroshima following the atomic devastation there. His reports on the war in Vietnam, appearing in the U.S. in the *Guardian*, are perhaps the most perceptive published. The author of several books on Korea, and on Southeast Asia, he is presently living in Paris.

---



GREEN BERETS

"We realize the protest movement in the U.S. is important. Many friends tell us that it is something without precedent. But we understand that there are objective reasons why it can never be as strong as, for instance, the movement in France during the anti-French resistance war. We consider the movement important, we watch it closely, but it is more important for the American people than for us. We must rely

first and foremost on our own strength. Only what happens in Vietnam can be decisive, not what happens in the U.S. If a strong radical movement in the U.S. can be crystallized around the protest movement, so much the better. It is our international duty to help such a movement. It is in the best interests of the Vietnamese and the American people. Support for such a protest is in line with our consistent stand on in-

ternationalism and solidarity between the masses in an oppressor country and oppressed peoples.

"We welcome the protest movement and will do everything to support it, but we can never consider it a decisive element in victory, though it could have an influence on shortening the war."

On the eve of the October 15 Moratorium I attended a meeting in Hanoi, presided over by Hoang Minh Giam, the DRV's Minister of Culture, who is also president of the Vietnam-America Solidarity Committee. Representatives of half a dozen organizations — trade unions, women, youth, religious, and others — expressed their appreciation for the protest movement in the U.S. and reiterated what has always been the position of the DRV leaders: the Vietnamese people have no quarrel with the American people and have been educated to differentiate between an aggressor government and its people. Whenever I criticized the exaggerated repetition of "U.S. imperialism" and "U.S. imperialists" in official documents, it was always explained: "This is because we don't want to identify the American people with their imperialist bosses." This is not a propaganda trick or hypocrisy. It is the long-range, internationalist line of the Vietnam revolution, laid down by Ho Chi Minh from the very first days of his own political activity.

When I visited Vietnam for the first time — at the beginning of the battle of Dien Bien Phu — I was astounded at the diversion of effort to persuade the Vietnamese people that the French people were "good"; it was only the French colonialists who were "bad."

In a less civilized country, or one with a less internationalist-oriented leadership, one could have expected a great whipping up of anti-French sentiment as the great decisive battle against French colonialism was shaping up. But it was not so then with the French, nor is it so today with the Americans. Despite the fact that American planes have destroyed virtually everything in a material sense built up by the people in the North after their victory over French colonialism, and

much more as well, inflicting untold suffering on the Vietnamese people, the conscious effort is made to stress that the American people are "good" and it is their imperialist bosses who are "bad."

If the results of the autumn protest movement are well publicized in Vietnam — in the NLF-controlled areas in the South as well as in the North—this is more as confirmation of the correctness of Ho Chi Minh's brand of internationalism, in which the Vietnamese people have been educated, than with any idea of selling the idea that the USA is about to collapse from within.

The policy towards the French people in the past has paid handsome dividends. Friendly relations between the two countries have never ceased to develop despite the bitter war. This reaches up into all levels, even into official cooperation in cultural, scientific, and economic affairs. This could be the case also with the U.S., once Washington decides to let the Vietnamese people settle their own affairs and deals with North and South Vietnam as sovereign, independent states. The fact that the American people, through their protest movements, will have helped to bring about such a situation is something that will never be forgotten by the Vietnamese people and their leadership. It is the protesters who save the U.S. honor, as far as the Vietnamese people are concerned.

The DRV government officer quoted at the beginning of this article dealt also with what he called the "community of views" now existing between the protest movement and the Vietnamese people. The protesters now see that the withdrawal of U.S. troops is the way to safeguard national honor; to avoid further sacrifices of the lives of American youth, to halt spiralling living costs. For the Vietnamese people it means the chance to apply real self-determination, which can only be real when occupation troops are withdrawn; to bring about peace based on real independence. He considered that the unprecedented broad support for the Moratorium was due to an awakening of the public conscience in the U.S.,

the main factor of which was general disillusionment over Nixon's unfulfilled election promises and the perspectives of indefinite prolongation of a war in which no vital U.S. interests were at stake.

Obviously there is tremendous sympathy all over Vietnam for the struggle of the Afro-American people, as this is so clearly identifiable with their own struggle. The ordinary people are not well versed in the complexities of the left or progressive forces in the U.S., and those whose job it is to study such matters are mystified by the contradiction between the potential — as shown by the enormous support for the Moratorium — and the reality — as shown by the lack of cohesion and leadership of the progressive forces.

The Vietnamese people are used to united front tactics where issues between the various components are

fought out at organizational level on the basis of struggle and compromise until unity is reached on a minimum program which can then be presented to the broad public. They are not used to factional issues being fought out in public, with the demoralizing effect which public displays of disunity create and the implicit invitation to government agencies to move in to capitalize on and develop the resultant confusion.

The American scene is watched more closely than ever in Vietnam, not only for short-term effects on the war, not only for long-range effects on post-war relations between the U.S. and two mutually friendly Vietnams, but also because of the deep sympathy for the people of the U.S., the truest representatives of whom they feel they have come to know and appreciate during the development of the protest struggle.

## GREETINGS TO THE NECLC

Phyllis Byrne Cox, Cambridge, Mass.

◦

Ira Morris, Rozay-en-Brie, France

◦

Mr. and Mrs. Samuel Perlman, Brooklyn, N. Y.

◦

H. Zachary Marks, Miami Beach, Fla.



A must book for all radicals and progressives  
—now in a popular-priced paperback edition.

# The Trial of Elizabeth Gurley Flynn by the American Civil Liberties Union

The complete stenographic transcript publicly revealed for the first  
time—edited and with an explanatory introduction by eye-witness

**CORLISS LAMONT**

**BERTRAND RUSSELL** says: "A fascinating and tragic case. . . I commend this book in the hope that it will remind the present generation of what they owe to those such as Dr. Lamont who have fought bravely for civil liberty."

**MANY A LIBERAL** will blush for shame on reading this on-the-record account of the stormy meeting in 1940 at which the Board of Directors of the American Civil Liberties Union, by a closely split vote, expelled Miss Flynn from the Board, primarily because she was a member of the Communist Party.

**A SALIENT FEATURE** of this timely book is the section compiled by Dr. Lamont (then a Board Member of ACLU and one of the participants at the trial) which presents the text of important exhibits and related documents, including ACLU's own 1939 pamphlet "Why We Defend Free Speech for Nazis, Fascists and Communists."

**READING THIS BOOK**, one wonders who was really on trial: Elizabeth Gurley Flynn or the American Civil Liberties Union itself?

**MAXWELL GEISMAR SAYS:** ". . . a historical document full of illumination, shame and scandal. . ."



Paperback Edition ..\$2.45  
Published by  
Monthly Review Press



Clothbound Edition ..\$5.95  
Published by Horizon Press

## HORIZON PRESS

Publishers of the Clothbound Edition.. \$5.95  
156 Fifth Avenue • New York 10010

## MONTHLY REVIEW PRESS

Publishers of the Paperback Edition.. \$2.45  
116 West 14th Street • New York 10011

ALEXANDER L. CROSBY

## A farewell to pigs

**T**HE ALIENATION of the police from the proletariat has become painfully obvious in recent years, especially to peace demonstrators, rebellious blacks, hippies, and others who do not act like successful young businessmen en route to a three-martini lunch. The widening gulf between the blue-coated and the blue-collared could become a national disaster, with no alleviation to be expected from a Nixonized Supreme Court. It is therefore necessary to examine the causes and determine what steps can be taken to cool the cops.

The basic difficulty is that the police are being worn down by confrontations beyond their experience and beyond their courage. It wasn't much trouble to control a pair of middle-aged women carrying signs saying that Leggett's Hosiery Mill was unfair to union labor, and no extraordinary bravery was required to manage the alcoholics in an American Legion parade.

But things are frighteningly different today. Dissident citizens by the tens of thousands have been on the streets demanding peace, civil rights, and more welfare payments. The Black Panthers have been feeding the poor, thus usurping one of the powers that government holds in reserve. In Berkeley, the subversionists have taken over the work of the park department, planting grass

---

ALEXANDER L. CROSBY, author, journalist, editor, pamphleteer, and publicist, has been a leading figure in the anti-war movement in the Authors Guild of America. A frequent contributor to the *Monthly Review*, he lives on a retired farm in Quakertown, Penn., where one of his main activities is ensuring the survival of wildlife during the winter months.

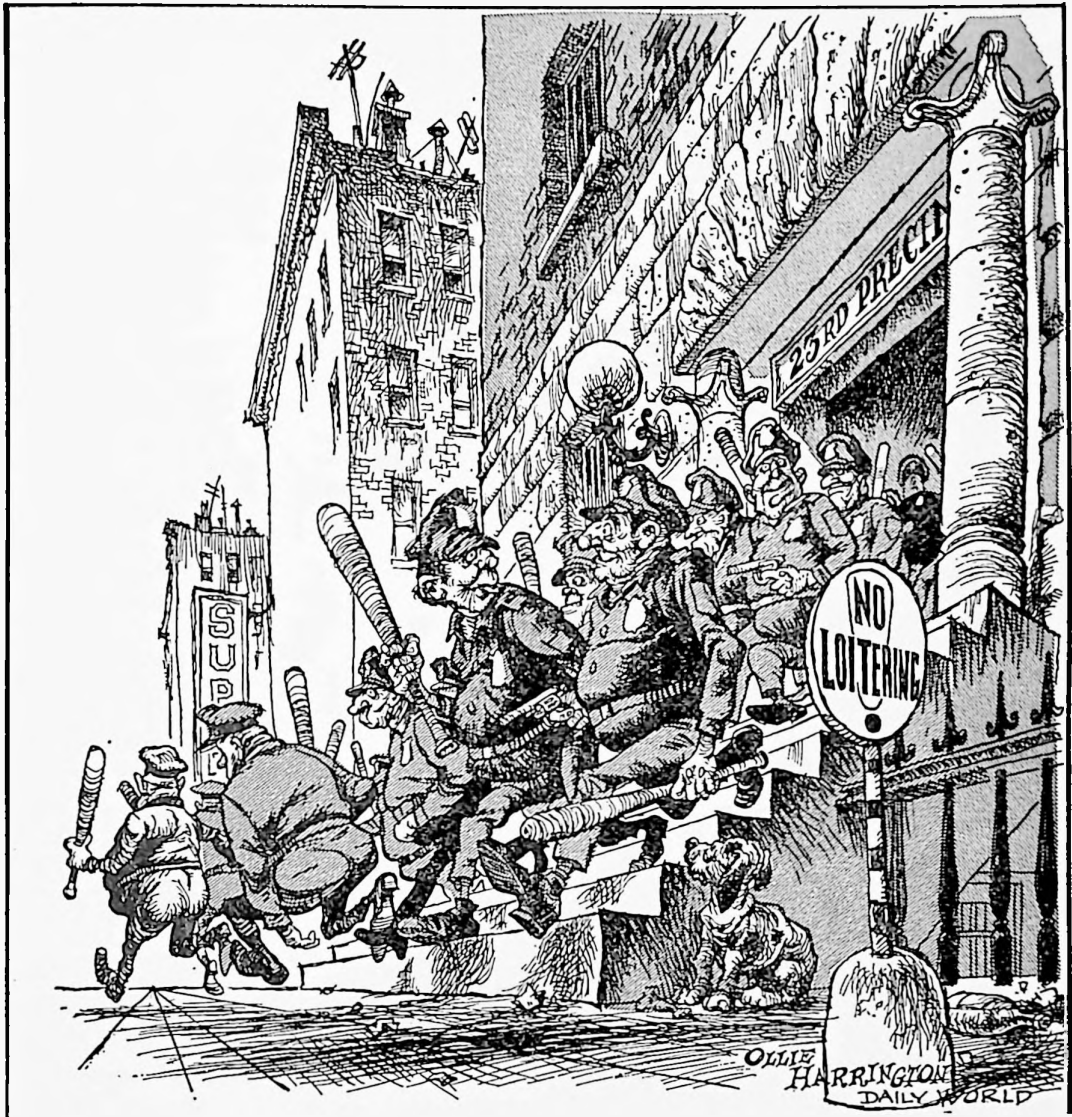
---

and trees where the ruling class had opted for a cyclone fence. In Harlem, the neighborhood moved into a huge block that had been cleared for a state office building.

Accustomed to busting ordinary people for ordinary reasons, the police now face a new breed of non-criminal types. The man who refuses to obey a lawful order may be Norman Mailer, while the tall and dignified gentleman on the wrong side of the barricade could be Dr. Benjamin Spock. How does a humble cop deal with a celebrity when a book-of-the-month selection and Leonard Boudin may be just around the corner? Ignorance makes a policeman edgy, and an edgy policeman is not the image of our friendly neighborhood guardian.

Worst of all, the police have lost a prime key to inner security: their exclusive privilege of name-calling. Anyone who isn't positive about his mother's chastity can always reassure himself by calling someone else a bastard. But today the police are being taunted with a variety of appellations covering every phase of their character and performance. And it just isn't true that "Sticks and stones will break my bones, but names will never harm me." Grave emotional damage is done to any person who is called a pig day after day after day. Forgetting his good manners, such a person is apt to lash out against his neighbor with whatever comes to hand, usually a nightstick or a gun.

It seems to me that the first essential in building a new relationship between police and public is to stop calling the pigs pigs. There are so many fundamental differences between the two ani-



*"Prowl car 39 thinks he has just seen a suspected black man carryin' what he imagines could be a concealed weapon!"*

mals that the cognomen is a misnomer. Who ever heard of a pig splitting the skull of a peace marcher? Or taking money from a prostitute or pimp? Or being deferential to the mayor of the world's greatest suidian abattoir? Furthermore, the slang use of pig for policeman was obsolete when *Webster's Unabridged* (second edition) was published in 1956, and all of us should eschew obsolescence in our dealings with an obsolete system.

The next step must be carefully planned fraternizing. Think slowly, dear reader, before you scorn this recommendation. For example, think what any cop would do if he came upon young people of both sexes, some of them stark naked, buying, selling, and smoking grass in a crowd of about 300,000. But the cops didn't do the normal thing at the Woodstock Music and Art Fair in Sullivan County, New York, last August. They left the young alone, and

one reason why they acted like human beings was that nobody was calling them pigs.

"They were the best kids I ever met in the world," one astonished policeman told a *New York Times* reporter. "When our police cars were getting stuck [in the mud] they even helped us get them out. It was really amazing. I think a lot of police here are looking at their attitudes."

What every policeman wants is a little show of affection. How easy — and how rewarding — it would be to comfort the cop! Activists in the large cities should form social committees in each block for the sole purpose of making policemen feel better. On hot summer days the uniformed men would be invited in for cookies and a refreshing draught of ginger ale. On cold winter nights hot chocolate would be poured.

When the social hour became well established, a few leftwing neighbors would be asked to drop in. The gatherings would soon become a study course, with lively discussions of articles in *Monthly Review*, *Ramparts*, and *New World Review*, and of books by Leo Huberman, Paul Sweezy, Harry Magdoff, Scott Nearing, Paul Baran, Eldridge Cleaver, Malcolm X, and other writers often overlooked in police circles. The result of these sessions would be a clear understanding of the defects in the greatest, richest, and most murderous nation on earth.

Another constructive policy would be direct assistance to the police in the execution of their assignments. For instance, the social committee could call on storekeepers during the Christmas season to collect the traditional honorarium for protection of their property. Receipts from each block would be pooled on a city-wide basis and distributed in equal amounts, accompanied by an educational leaflet.

The ideal situation will be obtained when the police are so well paid that honorariums won't be needed. Here is where the activists can be most effective. The block committees would

form a city-wide council with a slogan such as Higher Emoluments for Local Police (HELP). After the preliminary routine of petitions and delegations, the legions of HELP would march on City Hall to demand, say, a starting minimum of \$10,000 for a rookie patrolman, increasing to \$20,000 in 20 years. More than likely, these demands would not be met in full. But the generosity of the city councilmen would expand with the sight of a multitude of pickets exchanging friendly greetings with their neighborhood police, not one of whom would resort to a gentle shove or remonstrate over the use of 2x4s for picket signs.

Of course it would be necessary to screen all of the slogans lest some deviationist phraseology spoil the new harmony. It would be poor taste to carry a sign reading "FEED THE PIGS," even though it were humorously intended.

The pay raise victory would be celebrated with a huge ball. Tickets would be sold by the police alone, because of their long experience and far-ranging connections, but proceeds would be split with the activists, in recognition of their work for economic security among the uniformed men. The ball would become an annual custom, since the cops would always need HELP.

Once this pattern of collaboration became established in all of the principal cities, the setup for a revolutionary happening would be perfect. The educated police would be foremost allies in the seizure of government buildings, radio and television stations, newspapers, banks, public utilities, and liquor stores. Squad cars could carry activists to trouble spots, such as the home of Governor Reagan. The deployment of revolutionary platoons would be coordinated by police radio. Plainclothes specialists in subversion would round up those trying to undermine the new American way of life. At last the friendly neighborhood cop would be the man you would be proud to have your sister marry.

Compliments of

JOB LOT TRADING CO., INC.  
THE PUSHCART, INC.

140 Church Street

New York, N. Y. 10007

*EXCEPT YE BECOME AS LITTLE CHILDREN*

— Matthew 18:3

*I dreamed they told me, dad,  
I'd have to go to war  
and kill a child, for real,  
and maybe die  
and I asked WHY?*

*He never did me harm  
Why should I hurt him?  
And in my dream  
he smiled at me  
and I smiled back at him.*

*If they should tell you, dad,  
that you must go to war  
and kill a man, for real,  
and maybe die  
wouldn't you ask WHY?*

*EDITH SEGAL*

From Edith Segal's new collection *TAKE MY HAND*, Poems & Songs for Lovers & Rebels, Introduction by Ossie Davis, Drawings by Samuel Kamen. Dialog Publications, 32 Union Square, New York 10003, N. Y. Clothbound \$3.75, Paperback \$1.75. Add 25c for handling.



*SAMUEL KAMEN-67*

# Now is the time for all...

**B**LEAK ERA SEEN in Civil Liberties, said a headline in the *New York Times* on May 30, 1969. In the story, representatives of civil liberties organizations suggested that "the nation's civil liberties movement may be headed towards an impasse." Perhaps. Maybe the Supreme Court won't decide as many cases in our favor; maybe it will stop taking others. But I believe the outcome will rest not only with the Supreme Court but, perhaps more importantly, with the people and their awareness of repression.

While only lawyers can argue cases before the Supreme Court, laymen should take and are taking the lead in the fight to preserve and extend civil liberties. I cannot predict the results of the changes in the Supreme Court or the repressive policies of the Nixon administration but, based upon my experience with the Civil Liberties Legal Defense Fund (CLLDF) in the last two years, I feel that the base of public support for the guarantees of the Bill of Rights has been broadened:

- CLLDF was formed in January 1968 in response to the Spock indictments to deal primarily with Selective Service cases. During the Spock trial and appeal the need for CLLDF intensified. In response, CLLDF broadened its interests and activities, and is now handling all types of civil liberties

cases, and working as a coalition to promote cooperation among various groups.

- Dr. Spock, much sought after as a speaker during the trial and appeal, today receives even more requests — many from conservative universities. His lecture topic — "Dissent and Social Change" — stimulates the fight against repression; his fees go to CLLDF.

- Two Boston high school students were granted a temporary restraining order against their principal who sought to expel them for circulating an October 15 Moratorium petition. The judge was Francis Ford, who presided at the Spock trial.

- Support groups throughout the country are organizing citizens to attend the trials of draft resisters and other political defendants to show support.

- Other support groups have been formed to help anti-war GI's. Some do publicity, others organize with the GI's, still others support the coffee houses which provide service men and women with an off-post place to gather, and exchange ideas.

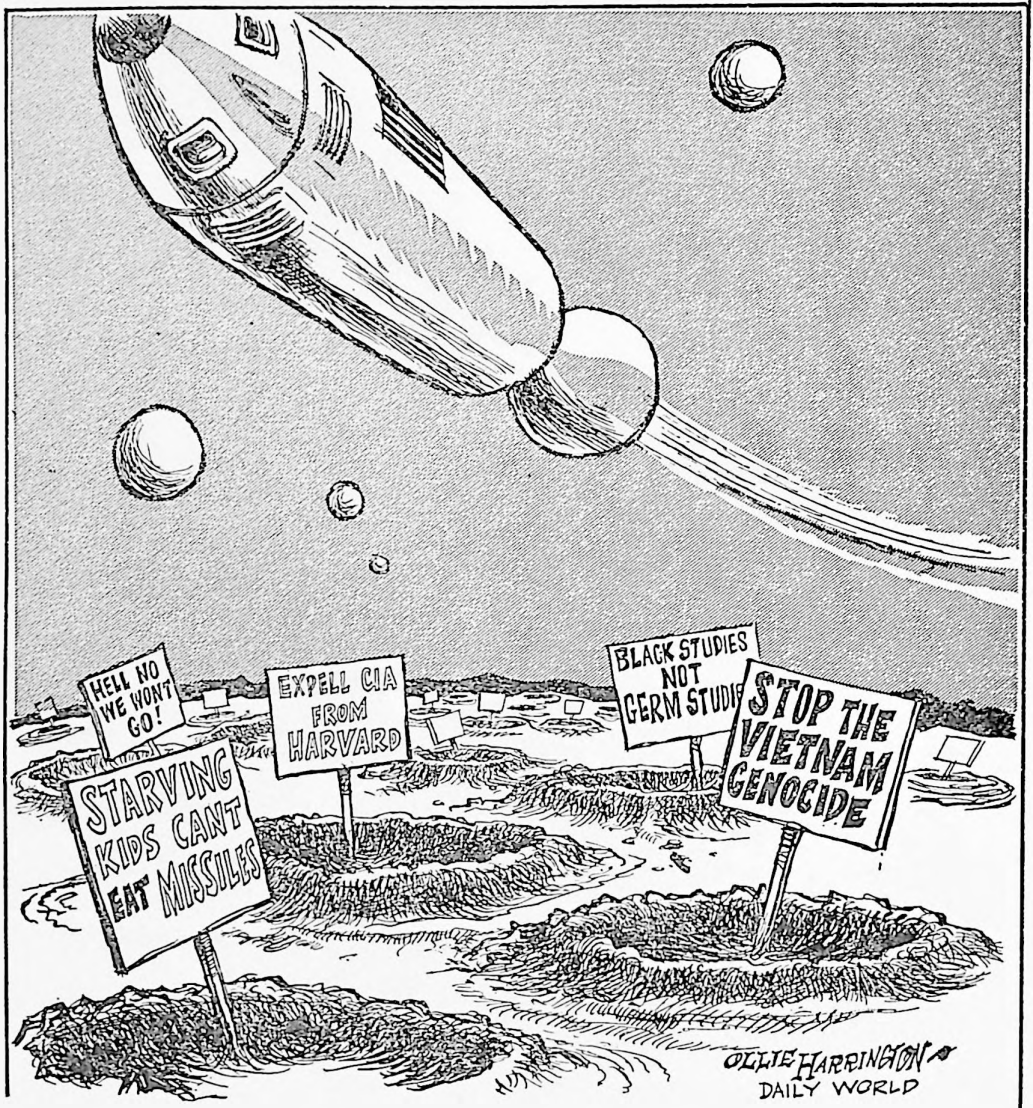
- The defendants in the Chicago Conspiracy trial openly invited concerned individuals to "join the Conspiracy," and held daily press briefings to keep the public informed about the trial.

- CLLDF helped organize the Southern Legal Action Movement (SLAM), which joins SCEF at the center of anti-repression activity. SLAM's membership consists of lawyers, law students, and movement organizers — the new breed of civil liberties activists. It deals with questions of constitutional rights and with the personal

---

GREGORY H. FINGER, a young veteran of the Mississippi voter registration drive of 1964, the Vietnam Summer anti-war campaign, and the National Conference for New Politics, is executive director of the Civil Liberties Legal Defense Fund, based in Cambridge, Mass. He is, among other things, an accomplished musician.

---



"Great Scott, Colonel, look! How in the hell did those damned students get here before us?"

and political realities of movement life. The SLAM summer institute in Montreat, N. C., held seminars on training para-professionals, preparing for political defenses, the myth of the neutrality of "the Law," and alternative roles of legal practice — problems of life style and livelihood.

The role of laymen in three key areas is being increasingly fulfilled: (1) As defendants and plaintiffs in litigation seeking to preserve and extend the Bill of Rights; (2) As supporters of civil

liberties organizations; (3) As a creative influence on lawyers and the practice of law in civil liberties cases.

But a fourth area is the education of the general public about repression and how to fight it — to point out the dual nature of justice in our society. I am reminded of Prof. Robert Browne's perceptive article in the 1968 *Bill of Rights Journal*. He wrote: "The current deterioration in civil liberties in America is, in a sense, more excruciating to white Americans than to black ones, for



blacks are accustomed to having their rights diluted or denied, whereas for whites it is a sometimes experience." What appears to white Americans as the onset of repression is a fact of life for blacks. We must wage a joint struggle against it.

And there are many who will join us, if we seek them out. When Judge Hoffman "acted out" at the Chicago Conspiracy trial, the legal profession and laymen alike were shocked. Most Americans, including the hundreds of thousands who protested on October 15 and November 15, believe that the courts are the incorruptible defenders of the Bill of Rights. We must show our fellow citizens just how vulnerable the courts can be. As part of this education, repressive legislation must be opposed by an organized and aroused citizenry, while it is still in the legislature. Only *after* losing there should we begin taking our fight to the courts.

Political pressure must be applied at all levels of government — local, state, and federal — for civilian review boards and community control of the police, and against stop-and-frisk laws, and wiretapping and repressive congressional committees. Of course the battles in the courts will go on, despite the character of Nixon's Supreme Court appointments. To assist all these efforts civil liberties organizations like CLLDF and NECLC must be supported.

The most important job for the layman today is organizing public support for the fight against repression, and the work is under way. How many federal

employees were made aware of this repression when the staff at the National Institute of Health had to go to court to obtain permission to use an NIH auditorium to hear Dr. Spock on October 15?

In this positive presentation, I am aware of the dangers ahead. The task of organizing is just beginning, but already the government is striking back with ruthless force. Conspiracy statutes are being used repeatedly by state and federal prosecutors to harass and intimidate activists. The day-to-day economic and political repression of blacks and poor people (e.g., in landlord-tenant courts) throughout the nation goes unreported. And this past year has seen over 3,000 indictments for Selective Service violations.

The layman must keep up the political pressure (including in the streets) if we are ever to achieve the social change necessary to guarantee universally the Bill of Rights.

### THE DAILY WORLD

The only Marxist daily newspaper in the United States salutes the work of the National Emergency Civil Liberties Committee in seeking to preserve the Bill of Rights as an indivisible right of all Americans. We invite readers of the Journal to take advantage of the special holiday season subscription to the Daily World—only \$10 for a full year's sub.

1 year \$10       6 mos. \$8

Students  1 year \$5     Weekend only \$5  
 Introductory offer • Three Months for \$2   
 Make check or money order payable to The  
 Daily World or to Long View Publishing  
 Co., Inc. Mail to P.O. Box 544, Old Chelsea  
 Sta., N. Y. C. 10011.

Address.....

City.....State.....Zip.....

Name.....

*In salute to the efforts  
 of NECLC to make the  
 Bill of Rights indivisible*

HERBERT R. WEINBERG

*Wantagh, N. Y.*

## The doctors who care

WILBUR COHEN, the New Deal Democrat who made good, told the *New York Times* this fall that he didn't recall hearing anything about blacklisting practices in the Department of Health, Education, and Welfare (HEW). Robert Finch, his Republican successor as Secretary of the Department, expressed surprise on national television that political blacklists might actually exist in HEW. Their innocent ignorance, if it can be believed, is outdone, however, by the modest silence of the hundreds of scientists and doctors whose names appear on those blacklists. In their typically quiet, self-effacing manner, almost every one of these intelligent men and women tacitly accepted the government's private finding that he was in some vague way unfit to participate in federal scientific advisory panels or hold a commission in the United States Public Health Service. Most of these blacklisted scientists and doctors are opposed to United States foreign policy and military practices. Many are outspokenly anti-racist. Some are a little too Marxian, others perhaps a little too Christian.

Why should such a group of talented intellectuals have been essentially silent

---

DR. HENRY KAHN is a first-year medical resident at the Boston City Hospital. A graduate of Harvard Medical School, he has been active in the Student Health Organizations, the Medical Committee for Human Rights, and the Medical Resistance Union. NECLC is supporting his lawsuit to obtain a commission in the United States Public Health Service.

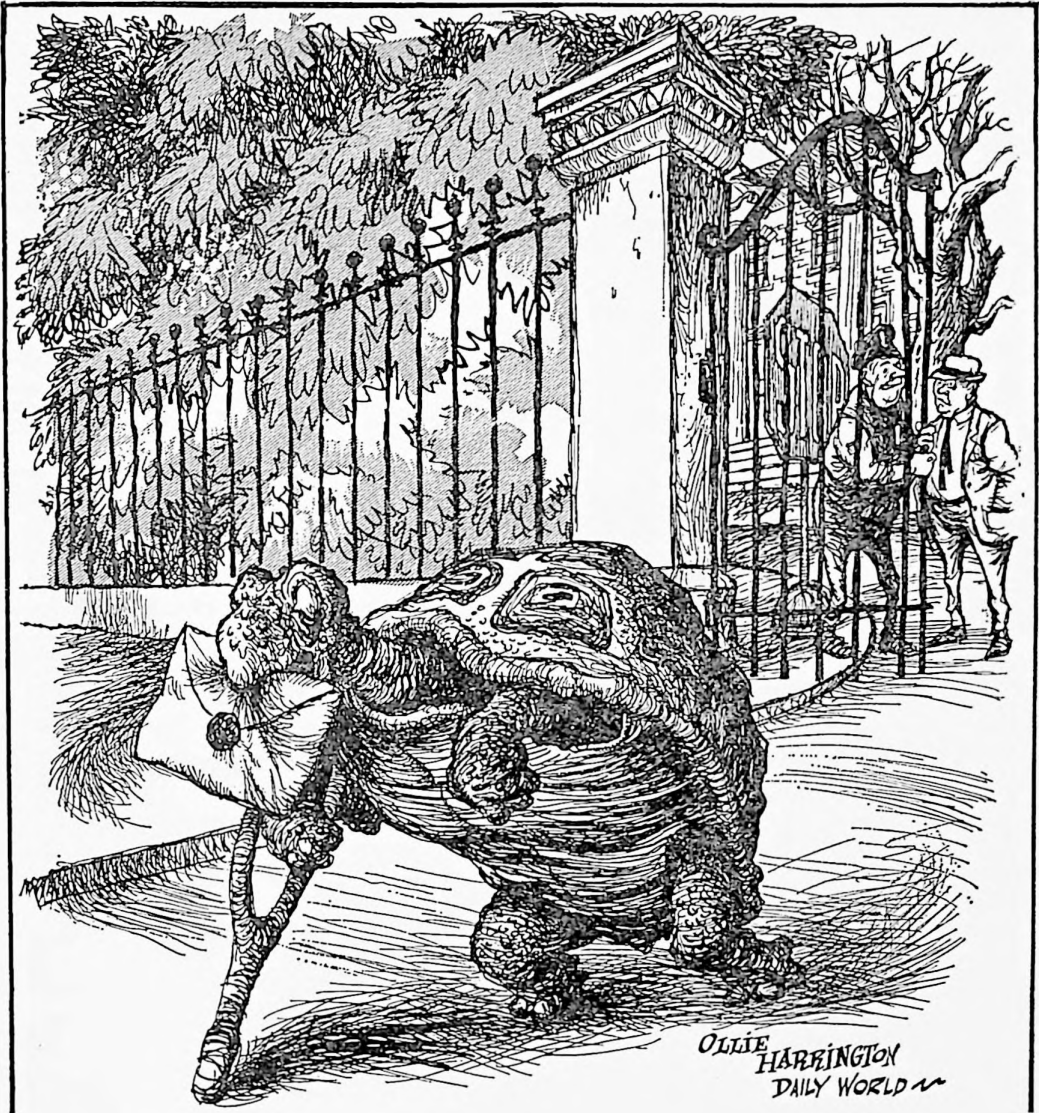
---

about the HEW blacklists which have been compiled and applied since the Department's founding in 1953? There are several reasons. Few of them have suffered personally or financially by being in political disfavor. Some continue to receive thousands of HEW dollars annually in direct support of their research activities and technical publications. Professional pride and prestige have rarely been at stake. Reputable journalistic sources<sup>o</sup> agree that the HEW blacklists include some of the most original scientific thinkers and most devoted clinicians, some university department chairmen, and some Nobel laureates.

It must have been obvious, however, to so many perceptive people that the same powerful forces which sponsored HEW have also produced J. Edgar Hoover, Lewis Hershey, and scores of interchangeable military-industrial leaders. Academic institutions have for many years implicitly recognized the unlikelihood that HEW would be allowed to depart radically from prevailing practices. Liberal deans and professors constantly warn students that their post-graduate effectiveness in dealing with the government would be at stake if they failed to "act professionally" or "speak responsibly." They mean, of course, "Keep your thoughts to yourself" or, perhaps, "Better have no thoughts at all" when it comes to the

---

<sup>o</sup> Articles by Bryce Nelson in *Science* (June 27 and July 18, 1969) and Richard D. Lyons in the *New York Times* (scattered throughout October 1969).



*"Sure, he's okay . . . top security rating. He's supposed to speed things up between the President and the Fair Employment Practices Commission."*

real world beyond science and technical medicine. With this traditional academic support, the bureaucrats in HEW can go on dreaming of a comfortable, fixed social order which may be disturbed just a bit from time to time by "responsible" Negro leaders or by occasional, inexplicable small cuts in research budgets. The government circus, Greatest on Earth, continues on its all-American circuit with Unquestioning Patriotism as ringmaster. So

long as Responsible Professionalism is permitted his accustomed place in the side show, all hands under the great tent are content.

But the leaders of HEW may soon have to contend with some larger perturbations. In the first year of the Nixon Administration, large numbers of scientists and doctors have discovered, or rediscovered, that they are also citizens — as capable as anyone else of political

expression, and subject to the same harassment as anyone else for their efforts. There is promise of a new, active professionalism which would mean political strength for progressive intellectuals, and a departure from their traditional alienation from social and political movements, as scientists and doctors reorienting their responsibility toward the larger society in which they live.

Not too long ago, only the lone voices of men like Albert Einstein and Linus Pauling spoke to the pressing issues of the day, but now there is an increasing volume of perceptive, often indignant social commentary from the traditional technical-scientific organizations. In contrast to the hoary, reactionary pronouncements from groups like the American Medical Association, there are now the sophisticated social and political statements from organizations like the Medical Committee for Human Rights, the Physicians Forum, and the Physicians for Social Responsibility. Within the bounds of their technical

competence, they address themselves to such issues as chemical-biological warfare, malnutrition, and the maldistribution of health-care services. Within their new-found confidence as concerned citizens, they are speaking out against the government's foreign policy, the draft, racial oppression, and distorted national priorities.

Perhaps most importantly, each new political effort by scientists and doctors seems to heighten their awareness of the power relationships in our society. To use a street-fighting analogy, progressive professionals are learning to recognize a barricade when they see one. Science faculties from coast to coast recently have taken unprecedented political stands against the war in Vietnam and the forces which brought it about.

Only months after a submissive surrender of a confidential list of names to a federal grand jury investigating the disturbances at the Chicago Democratic National Convention of 1968, the Medical Committee for Human Rights rallied to a vigorous and principled defense of its past national chairman, who had been subpoenaed by the House Committee on Un-American Activities (now the House Internal Security Committee). And more recently, as a testament to their own emerging political consciousness, scientists and physicians have "discovered" and publicly deplored the HEW blacklists. In October 1969, representatives of 27 major scientific, medical, and legal organizations met in Washington to establish a Task Force on HEW Clearance Practices.

For most of the organizations and individuals involved, this is a new field of battle. With each small victory there will come greater political understanding and bolder activism on the part of previously passive intellectuals. The scientists and physicians of America may well be on their way to a higher form of responsible professionalism.

*From friends at*

THE GROVE PRESS  
80 University Place  
New York, N. Y. 10003

---

**JOIN THE NECLC!**  
**FOR DETAILS, SEE P. 38**

---

## Peel away the layers

**L**EE OTIS JOHNSON is a young black man from Houston. He became active in the militant black movement in 1966, helped organize a SNCC chapter in Houston, led demonstrations of students demanding a greater voice in the affairs of black Texas Southern University and in support of community demands for removal of a garbage dump near TSU.

In 1967, when a disturbance shook the TSU campus and students were charged with inciting a riot, Johnson helped to spark a campaign in their support — exposing the action of hundreds of police who invaded the campus, fired guns, ransacked dormitories, and beat students.

Today, Johnson is in prison in Texas — on a 30-year sentence. The charge against him was that he sold one marijuana cigarette to a police agent.

There could not be one person in Houston, black or white, who thinks Johnson is really in prison because he sold a marijuana cigarette (if he did). His real “crime” obviously was that he spoke out against what he saw as injustice and organized people to stand up for their rights. In other words, he exercised his rights of free speech and assembly under the First Amendment to the U.S. Constitution.

I call attention to this case because it is a classic example of a trend we

must be aware of if we intend to fight the civil liberties issue of the early 1970s where it really matters.

The crucial free speech issues today are quite different in form from those of the 1950s. Then dissenters were being harassed and jailed all across the land, and the devices were clear-cut violations of the First Amendment — the Smith Act, congressional committees that inquired into speech and association, loyalty procedures. All of these were techniques that any civil libertarian could easily discern, if his vision was not blurred by fear.

Today, again, dissenters are being jailed all over the country, but the weapons are more subtle. Some of these cases are hardly known outside the communities in which they occur . . . perhaps *because* civil libertarians have not recognized them as free speech issues and fought about them.

One example which did receive national attention was the Rap Brown case. He was held in jail for weeks in 1968 on a charge of carrying a gun across a state line, but it was obvious the real reason the government wanted to put him away was that it did not like the speeches he was making.

A less well-known but similar case occurred in 1968 in Louisville. A black SNCC organizer, James Cortez, came to Louisville and made a speech protesting police brutality. Today, he is in Leavenworth prison with a five-year sentence, convicted on a charge of carrying a sawed-off shotgun across state lines (although the alleged gun was never taken out of a suitcase). Cortez denied the charge — but even if it were true, that's not why he is in prison.

---

ANNE BRADEN, co-director with her husband Carl of the Southern Conference Educational Fund, is the author of *The Wall Between* (Monthly Review Press), a book about black-white relationships in the South, and numerous pamphlets and articles. She has been involved in Southern freedom movements for 25 years.

---

In Gainesville, Fla., Charlie Monts, a black militant organizer, was convicted in 1969 on a charge of attempted rape in an obviously phoney case. In Memphis, in the summer of 1968, scores of Invaders, an organization of militant young blacks, were put out of action in jail on a variety of charges — from disorderly conduct to drugs.

The Southern Conference Educational Fund (SCEF) is now fighting the cases of two of its staff members in which the draft is being used as the subtle weapon to stifle free speech. One of these cases involves Joe Mulloy, a young white organizer who assisted people in the Kentucky mountains in their struggles against the coal operators. On the day after an effort to jail him on a sedition charge failed, he got an induction order from his draft board. The other case involves Walter Collins, a young black man who organized opposition to the Vietnam war in New Orleans, lost his student deferment although he was still in school, and got

an induction notice.

(Mulloy's draft board is the one that refused ministerial status to Muhammad Ali. Most recently, it reclassified as 1-A a Louisville black militant leader, 33 years old, with two dependent children. For a pamphlet with more details on the Mulloy-Collins cases, and amnesty petitions, write SCEF, 3210 W. Broadway, Louisville, Ky. 40211.)

In all these cases, and many unpublicized similar ones, the real "crime" was what the person was saying and what he was organizing.

Serious civil libertarians must learn to peel away the layers of hypocrisy that surround such cases and uncover the essential issue, which is free speech. If a person is jailed because he holds dissenting political views and organizes around them, that's a civil liberties case — no matter what the technical charge. And if he is white, there's another thing he must recognize in this period:

It is significant that all the cases I have cited, except that of Joe Mulloy, involve black people. White dissenters are doing fairly well these days as far as civil liberties go — much better than in the 1950s.

I myself am a living example of this. My husband and I have been charged with sedition twice in Kentucky. In the 1950s, it took us three years to win such a case; in 1967, we won a similar case and were released from jail in three days.

*Compliments of*

FRANK POLLATSEK

New York City

*Uphold*

the Bill of Rights

*with the*

MARY LERNER STORES

*Bronx, Westchester*

*Connecticut, Long Island*



*Sure, Chief, we got the whole damned ghetto bugged, an' no risk of newspaper goofs, like with Malcolm X and Martin Luther King."*

Highlander Folk School, run mostly by white dissenters, was closed by the state of Tennessee in the 1950s. Last year, Highlander's successor easily beat back similar efforts to destroy it. Dr. Spock and his white co-defendants won their cases on appeal. Seven white leaders of the anti-war movement are on trial for conspiracy in Chicago, but it was Bobby Seale who was bound and gagged, and sentenced to four years for contempt.

In almost any city you can name, black militants are in jail. The most blatant example is the nationwide attack on the Black Panthers. At last count, in the three-year period since they organized, 15 Panthers had been killed by police and 238 of their leaders jailed in 18 cities (33 leaders were still in jail under exorbitant bond or no bond), and eight of their offices had been raided — some more than once — by state, local, and federal authorities.



Drawing by Steven Gilbert/LNS

*"Parental discipline is the gateway to knowledge."*—Spiro T. Agnew

The brunt of the attack on free speech today is on the black militant movement — presumably because it poses the greatest threat to the status quo. Yet with some honorable exceptions (like the recent organization of Panther defense in Connecticut) white civil libertarians and white radicals have been strangely passive.

If we believe the classic civil libertarian assumption that freedom is indivisible, we'd best do something to change this situation. I believe that it was essentially the rise of the black movement in the late 1950s that broke the pall of McCarthyism and made it

possible for white dissenters to function again in this country. If the present government succeeds even temporarily in crushing militant spearheads of black dissent, white dissenters will have no chance of surviving the Nixon Administration.

To preserve freedom and civil liberties, we have to fight for them where the barricades are — that is, wherever the attack is heaviest at any moment. Today the barricades are at the attack on black movements — in the subtle form of assorted charges that can make life very confusing for classic civil libertarians who like their cases neat and very clean-cut.



# The Appalachia story

AT THE UNIVERSITY of Kentucky in 1964 I became involved in a student group beginning to work with the poor in nearby Appalachia. I spent my weekends that winter working with the mountain people, fixing dilapidated school houses, and tutoring youngsters. The "War on Poverty" was just beginning, and I soon dropped out of school and went to work full time.

After a year or so several of my co-workers and I began to realize the shortcomings of the poverty programs. We were treating the symptoms of the disease, not the cause. It was obvious that in Appalachia the cause of poverty and unemployment was unequal distribution of the tremendous coal wealth, and absentee ownership of 90 per cent of the valuable mineral rights. Because King Coal is the only major industry, it controls or strongly influences every aspect of the mountaineers' political and social existence.

One of the most glaring excesses of the industry in its quest for profits is strip mining—scraping off the top of a mountain to lay bare the upper seams of rich coal. Earth, trees and rock (called over-burden) are pushed over the mountainside, burying houses and gardens, polluting streams, and devastating the area. Under Kentucky law, the operator is not obliged to pay any compensation damage. Halting strip mining would be a giant step towards controlling the entire multi-billion dollar industry that flourishes in the midst of some of America's cruelest poverty and hardship.

Pike County, where my wife Karen and I lived, is the leading coal producing county in the nation. In the spring

and summer of 1967 we worked with local groups in Pike and other counties to help form a regional organization of people opposed to strip mining. That summer, one man in Pike forced a confrontation with the law by standing in front of a bulldozer about to strip above his home. His neighbors were there to back him up, and so were we.

After a month of confrontation on the mountain top and in the local courts, the Governor — forced to move by the tremendous publicity — suspended the operators' permit and ordered a halt to the mining. This was a great victory for the people. Perhaps for the first time since the heyday of the union organizing the people of the mountains had won a test of strength with the coal operators. This was potentially the beginning of a movement to reclaim the wealth of the region for the benefit of the people.

The operators knew this as well as we, and they moved quickly. After midnight on August 11, 1967 (eleven days after the victory), a sheriff's posse raided my home and the homes of two organizers for the Southern Conference Educational Fund (SCEF). Books, letters, and personal documents were seized, and five of us were charged with sedition — advocating the violent overthrow of the government. The leader of the raiding party was State's Attorney Thomas Ratliff — founder of the Coal Operators Association and a millionaire operator himself.

The sedition charge was clearly meant to stop the organizing and promote the interests of the operators — including Ratliff, who was running for lieutenant governor at the time. A spe-

cial panel of federal judges one month later found the sedition law unconstitutional, and all five of us went free.

My troubles, however, were far from over. The sedition law, with its 21-year sentence, was no longer a viable weapon against organizing. So the draft law was invoked to halt my work. Two weeks after the sedition arrest my appeal for a continuation of a 2-A (occupational deferment) classification was unanimously denied by the state board. That left me 1-A but temporarily ineligible because of my legal status.

Within a week after the sedition law was thrown out, the draft board ordered me to report for induction. They disregarded the fact that I was still under bond for 60 days, pending a possible appeal by the state, and that I still faced a lesser charge in Pike County. I was able to get the induction order canceled.

I then applied for conscientious objector status. The local board, which boasted it had never granted a CO status, refused even to consider the claim, thereby denying me any appeal within the system. An appeal could have taken up to a year, allowing me to continue organizing in the coal fields. The board issued a new induction order the same day.

I refused to step forward into the army and was tried, convicted, and given the maximum sentence of five years and a \$10,000 fine. (My Selective Service file contained a stock of newspaper clippings on my work in the

---

*The First Amendment means to me, however, that the only constitutional way our government can preserve itself is to leave its people the fullest possible freedom to praise, criticize, or discuss, as they see fit, all government policies and to suggest, if they desire, that even its most fundamental postulates are bad and should be changed. . . .*

—Justice Hugo Black

---

mountains.) The judge ordered me to pay the fine immediately as a condition to bail. My conviction has been upheld in the Appeals Court, and I am now petitioning the Supreme Court for a review.

My case, dragging on for nearly two years now, started with my efforts to help end poverty in the Appalachians. It is no different from many other cases of political repression, except that on the surface it may be a little less obvious.

The draft law is a more subtle kind of weapon but the effect is the same as that of a conspiracy charge — congressional investigations, false criminal actions, obstructing efforts to end poverty, racism, and war, and intimidation.

This suppression of political rights is a further symptom of the conditions we are working to end. Unless it is fought and stopped in every instance, the United States may easily become a police state. And my experience tells me we are well on the road toward becoming one.

FOR QUALITY PRINTING  
*Whether Leaflet or Book*  
ESTIMATES CHEERFULLY GIVEN  
**NEW UNION PRESS**

418 West 25 Street, New York, N. Y.  
(212) 243-6330

PAUL M. SWEEZY  
AND HARRY MAGDOFF  
*the editors of*  
MONTHLY REVIEW  
*in memoriam*  
LEO HUBERMAN  
(1903-1968)

# The Battle of Back Bay

*The comments below were excerpted from a longer article by Mr. Boudin which was published in the Harvard Civil Liberties-Civil Rights Law Review. The Law Review article commented not only on The Trial of Benjamin Spock, by Jessica Mitford (Knopf, 1969), but also on The Oppenheimer Case: Security on Trial, by Philip M. Stern (Harper & Row, 1969), and False Witness, by Melvin Rader (University of Washington Press, 1969), a university professor's own story of what happened to him as a result of a HUAC inquisition. Permission to reprint excerpts is gratefully acknowledged.*

\* \* \*

IT WOULD BE DIFFICULT to live in Cambridge and not have a good picture of the Spock trial; outside that area, those who depended upon the *New York Times* would have had a faint and quite erroneous idea of the case. Since Miss Mitford reports a trial in which I was one of defense counsel, I prefer to comment less on the book than on the matters raised primarily in the reviews of the book. I consider many of these thoughtful reviews, particularly those of Frank Donner and Professors Alan Dershowitz and Herbert L. Packer — regardless of my acceptance of all their conclusions — to be a tribute to

---

LEONARD B. BOUDIN, general counsel of NECLC and a partner in the firm of Rabinowitz, Boudin & Standard, has won several major victories in the courts, among them the reversal of the decision in the case of Dr. Benjamin Spock, the Kent-Briehl right-to-travel decision in the Supreme Court, and the reseating of Julian Bond in the Georgia legislature.

---

the provocative effect of Miss Mitford's book.

Dr. Spock and his four co-defendants were indicted on a single count of conspiracy under Section 12 of the Military Selective Service Act of 1967, to "counsel, aid and abet diverse Selective Service registrants to . . . refuse . . . service in the armed forces of the United States and all other duties required of registrants," and to fail to have in their possession registration certificates and notices of classification. It was also charged that the defendants

Congratulations to

JIM ARONSON

on the publication of his book, *The Press and the Cold War*, by Bobbs-Merrill & Co. in 1970 — and an expression of gratitude for his years of devotion to the cause of honest journalism.

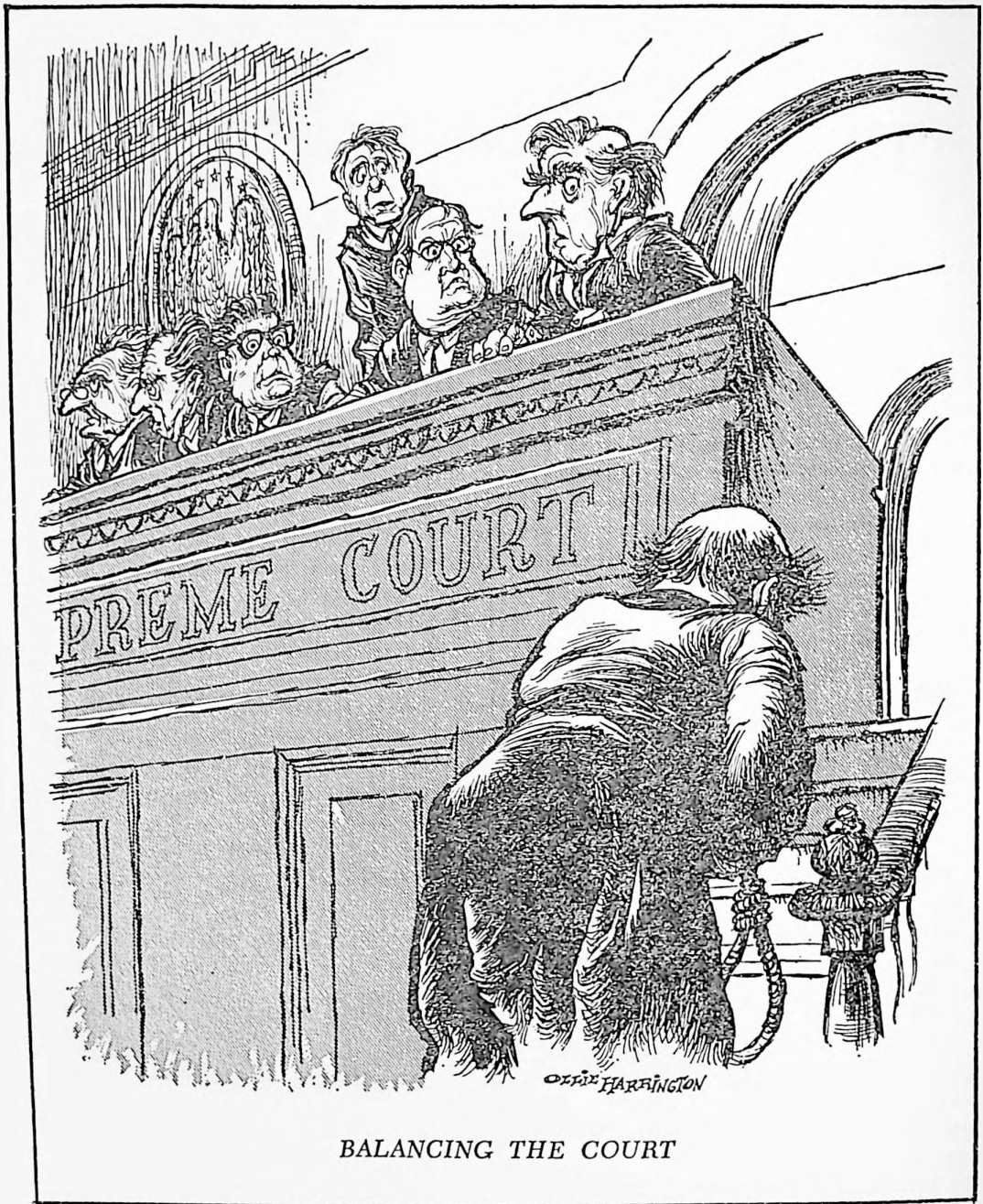
*Edith Tiger*

*Bob and Jo Schwartz*

*Sandy and Ann Berlin*

*Reggie and Morris Pearlmutter*

*Mary and Schroeder Boulton*



BALANCING THE COURT

had conspired to "hinder and interfere, by any means, with the administration of" the Act. The defendants, who for the most part were unacquainted with each other — were represented by separate counsel equally lacking in pre-trial acquaintance. The defendants lost their motions to dismiss the indictments,

as well as motions for bills of particulars, proceeded to a jury trial and, with one exception, Marcus Raskin, were convicted.

The Court of Appeals for the First Circuit, Circuit Judge Frank Coffin dissenting, rejected the appellants' argument that a public manifesto, "The

Call to Resist Illegitimate Authority," could not be the basis for a conspiracy conviction. However . . . it found an absence of specific intent in the case of Dr. Benjamin Spock and Michael Ferber, and directed their acquittal.

It reversed the convictions of the remaining two appellants, Rev. William Sloane Coffin and Mitchell Goodman, on the ground that the trial judge had improperly submitted to the jury ten special questions to be answered with respect to each person found guilty . . . The Court of Appeals regarded this procedure as having "subtle and perhaps open, direct effect . . . upon the jury's ultimate conclusion." . . . The Court made significant reference to "the principle that the jury, as the conscience of the community, must be permitted to look at more than logic." These observations, with appropriate allusion to Anglo-American history, pose an interesting question as to the right of defense counsel to argue explicitly to the jury that it disregard the trial judge's charge.

The opinion of the Court of Appeals also held it improper to attribute to defendants in a First Amendment case remarks made by other speakers at a public meeting. The Court did not address itself to many other points made by appellate counsel . . .

Miss Mitford's book, which was extensively and generally favorably reviewed, dealt with the trial, not the

appeal. As one reviewer suggested, subsequent editions of the book should include the majority and dissenting opinions in the Court of Appeals. Conversely, one must recognize that a dramatic story of a political trial — such as this — gives a certain tone to the case which cannot be equalled by the briefs lawyers write. Recognizing that it is not evidence, that it expresses the sympathy of the author for the defendants' cause, it could bring the realities of life home to judges, just as it has done to the reviewers.

The best reviews — for the most part — were those by lawyers who agreed in varying degrees with Miss Mitford and then moved to the broader themes demanded by their expertise. Thus, Professor Dershowitz of the Harvard Law School, describing the prosecution as a "national disgrace," said, "Its genesis, its intended impact and the manner in which it was conducted were unworthy of the American system of justice."

*In memory of*

LEO HUBERMAN

A founder and co-editor  
of Monthly Review

*Journalist and teacher*

Long a member of the  
National Council of NECLC

*Compliments of*

A. J. HOFFMAN

Bedford, Massachusetts

Professor Dershowitz suggests that the prosecution would have had a better case if the defendants had been indicted for substantive crime alone and that the Government's method "actually weakened its chances of obtaining a final judgement of conviction." He suggests that a conspiracy indictment might have been selected because "that would have the greatest impact on discouraging organized opposition to the Vietnam war." There is much to be said for this thesis although no appellate defense counsel can be pleased with the thought that "by charging a conspiracy [the government] actually weakened its chances of obtaining a final judgment of conviction."

*Life* magazine selected as its reviewer Charles Rembar, a leading specialist in so-called obscenity litigation. He gives three answers to Miss Mitford's criticism that the lawyers were to blame

*We the undersigned faculty members, graduate fellows, technicians and other employees of the Rockefeller University wish to express our admiration and respect for Dr. Howard Levy who, at great personal cost, has reminded physicians and other learned men of their sacred obligation to humanity.*

Professor John M. Dolan  
 Robert Hambourger  
 Professor Jules Hirsch, M.D.  
 Dr. Patricia Johnson  
 Michael Jubien  
 Professor Gerald Manning  
 Marjorie McCarty  
 Professor George A. Miller  
 Professor Neal E. Miller  
 Richard Nagin  
 Dr. Marie Nyswander, M.D.  
 Professor Donald Pfaff  
 Rollin C. Richmond  
 Dr. Donald Robbins  
 Professor Robert Schwartz  
 Professor Sydney Shoemaker  
 Professor Philip Siekevitz  
 Dr. Arnold Stern, M.D.  
 Gloria Stern  
 Professor Bruce R. Voeller  
 Dr. Jonathan Winson

for the fact that some of the defense testimony was more equivocal than the pre-trial statements: first, "courts are scary places," second, "defendants, ready for direct assault, are spun around to face a bewildering charge of conspiracy," and third, most pleasing to trial lawyers, "it is the client, not the attorney, who makes the ultimate decision." . . .

Frank J. Donner, writing in the *Nation*, disagreed with Miss Mitford's view that the Spock indictment was the result of a "deal" with Selective Service Director Lewis Hershey, who was directing local boards to draft student opponents of the war. Mr. Donner makes a persuasive case for his view that "the initiative was taken by the White House, not by the Department of Justice, and that it was part of the Administration's repressive crackdown and sharp break with the Left-peace forces . . ." Basically in agreement with Professor Dershowitz, he notes that "[t]he decision to proceed on a shaky conspiracy charge in spite of the manifest risks of appellate reversal and the development at the trial of the theory that anyone who encouraged, aided or abetted the charged conspiracy . . . can only be explained in terms of the felt political need for a means of intimidating anti-war protesters on a broad scale."

Professor Packer of Stanford Law School also wonders "why the government chose to use the weapon of conspiracy" since "there was no [prior]

*In appreciation of NECLC's continuing work in defense of civil liberties.*

—Socialist Workers Party  
 —Young Socialist Alliance

judicial history of a direct confrontation between conspiracy and free speech" except for the distinguishable *Dennis* case. He agrees with Miss Mitford that a substantive charge would have permitted "a fighting chance of the confrontation sought by the defendants on the issue of the legality of the war and hence of the draft law." My own view is that, conceptually, the conspiracy charge gave a greater possibility to this confrontation.

It is a healthy, if not always a heart-warming experience for trial counsel to read a book about his case. For example, Professor Packer quotes what he correctly calls an "aborted" line of examination, and suggests that its purpose was to establish the individual character of the defendants' acts. Actually, my purposes were quite different — to establish either entrapment or governmental recognition of the lawfulness of the conduct involved. Obviously, if I failed to make it clear to the specialist in criminal law, what shall we say of its effect upon the jury?

John P. MacKenzie of the *Washington Post* was easily the best analyst of the case. Disagreeing with Miss Mitford on the jury's right to ignore the judge's charge, he says that "[w]hite Southern juries have understood the nullification principle for a century." He also takes issue with her stricture against political trials, noting that "[t]here will be political trials at least as long as there are political crimes."

• • •

There are too many threads that run through these books for comfort. National policy is still a standard sought to be imposed upon the individual citizen and, as we have just seen, upon radio and television networks. The passage of the Federal Communications Act's ban upon wiretapping in 1934, and its repeated admitted violations by the Government, has, not surprisingly, resulted in no criminal prosecutions. The loyalty-security program is unabated, as we see from black-listing revelations which include Nobel Prize winners. Conspiracy trials mushroom in the same fetid atmosphere as *The Labor*

*Injunction*, about which Felix Frankfurter and Nathan Greene so well wrote. Preventive detention, federal riot laws, proposed new security and passport legislation are all in the air.

There are many countervailing factors whose weight is difficult to assess. First, the experiences of the Cold War have taught us much of legislation, investigations, and courts. . . . Second, the Communism-war-espionage syndrome which affected the American people has lost its drive. It does make a difference whether a country is keyed for war or peace. Third, there is the disenchantment of two not completely congruent groups — intellectuals and young people.

Finally, the small select circle of civil liberties lawyers is giving way to an infinitely larger group of law students and young lawyers who, if properly trained, will balance the "new mood" of federal and state law enforcement agencies. They may even make major changes in the law as it is written, enforced and interpreted.

In recognition of  
NECLC's defense  
of young people

Bee and George Wolfe  
Tacoma Park, Maryland

---

## A single-minded goal

**T**HE CONSTITUTION of the United States, ratified in 1789, is the world's oldest charter of government. Two years later, the ten amendments which made up the Bill of Rights were put in effect.

The National Emergency Civil Liberties Committee was founded in 1951 for one objective: To reestablish the freedom guaranteed by the Constitution and the Bill of Rights. For eighteen years, the NECLC has pursued this single-minded goal, through test cases involving freedom of speech, press, religion and the right of people to assemble or to travel freely, to remain silent in the face of an inquisition, and—in the last years particularly—to refuse to fight in an illegal and immoral war.

Toward this end it has raised and spent hundreds of thousands of dollars in cases which have become landmark decisions. It has informed hundreds of thousands of citizens through its publications and meetings. All its funds come from the citizens of this country whose stake in the restoration of the Bill of Rights is paramount. If you are not already a member, we invite you to join. Individual membership is \$10; family, \$15; sustaining, \$25; cooperating, \$50; participating, \$100. Membership for students and servicemen is \$5. The monthly publication *Rights* is sent free to all members, as well as other pertinent publications during the year. Send your check or money order to:

*National Emergency Civil Liberties Committee  
25 East 26th St., New York, N. Y. 10010*

---

*Restriction of free thought  
and free speech is the most  
dangerous of all subversions.  
It is the one un-American act  
that could most easily defeat us.*

—Justice William O. Douglas, 1952

CONSOLIDATED WATER CONDITIONING CORP.  
213 EAST 27TH STREET  
NEW YORK CITY

*Ernest Chanes, President*



# The Antioch Review

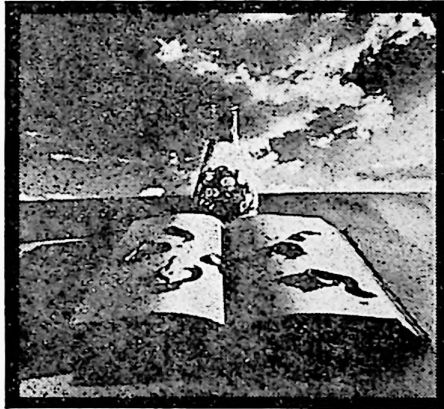
---

IS PLEASED TO ANNOUNCE  
THE APPOINTMENT OF  
MR. JAMES ARONSON  
AS A REGULAR COLUMNIST.

Mr. Aronson's column, "Mediations," will appear quarterly and will provide regular, selective critical analysis of the American and foreign press. His first column, appearing in the Fall issue, will be devoted to a discussion of the increasing incidence of demands by newspaper writers and editors for greater control of the editorial direction of their papers.

---

ALSO COMING FOR FALL:  
A SPECIAL ISSUE ON  
THE POLITICS OF SCHOLARSHIP



---

Martin Nicolaus on the American Sociological Ass'n. Paul Lauter & Archibald Alexander on the American Council on Education. Alan Wolfe on the American Political Science Ass'n. Robert Fogarty on Change Magazine. Richard Ohmann on the Modern Language Ass'n. Thomas Spiro on The Rise and Fall of the House of Science . . . and more.

THE ANTIOCH REVIEW

\$1.50 at newsstands or \$5.00 a year from  
The Antioch Press, Yellow Springs, Ohio 45387

---

*On this and the following pages are the names of lawyers, physicians, publishers, writers, and persons in all endeavors who have contributed through the Bill of Rights Journal to the work of the National Emergency Civil Liberties Committee.*

---

## LAWYERS

Robert Boehm, New York, N. Y.  
Leonard B. Boudin, New York, N. Y.  
Bouslog and Symonds, Honolulu, Hawaii  
Dorian Bowman, New York, N. Y.  
Harold I. Cammer, New York, N. Y.  
William B. Chereuas, Berkeley, Cal.  
Norman Dorsen, New York, N. Y.  
Pauline Epstein, Los Angeles, Cal.  
Marvin Feingold, Perth Amboy, N. J.  
Leopold and Esther S. Frankel, Paterson, N. J.  
Bernard Fromartz, Brooklyn, N. Y.  
Thelma C. Furry, Akron, Ohio  
Gerash & Kaiser, Denver, Colo.  
Gladstein, Andersen, Leonard & Sibbett, San Francisco, Cal.  
Bertram J. Glassner, Perth Amboy, N. J.  
Kristin B. Glen, New York, N. Y.  
Joan Goldberg, New York, N. Y.  
Ira Gollobin, New York, N. Y.  
Richard G. Green, New York, N. Y.  
Pearl M. Hart, Chicago, Ill.  
Neil H. Herring, Los Angeles, Cal.  
Richard W. Hudgins, Newport News, Va.  
H. Miles Jaffe, New York, N. Y.  
Renz L. Jennings, Phoenix, Ariz.  
Robert E. Juceam, Brooklyn, N. Y.  
Marvin M. Karpatkin, New York, N. Y.  
Rhoda H. Karpatkin, New York, N. Y.  
Samuel Korb, Brooklyn, N. Y.  
James L. Larson, Los Angeles, Cal.  
Reuben Lenske, Portland, Ore.  
Ben. G. Levy, Houston, Texas  
Richard Lipsitz, Buffalo, N. Y.  
Robert C. Littman, Newark, N. J.  
Harry J. Lohstroh, Walnut Creek, Cal.

Harry Lore, Philadelphia, Pa.  
Warren L. McConnico, Tulsa, Okla.  
John T. McTernan, Los Angeles, Cal.  
David Mandel, Perth Amboy, N. J.  
Herbert March, Los Angeles, Cal.  
Ben Margolis, Los Angeles, Cal.  
Martin B. Margulies, Bronx, N. Y.  
Carl Maxey, Spokane, Washington  
M. Claiborne Mebel, Westport, Conn.  
Irving Meyers, Chicago, Ill.  
W. Edward Morgan, Tuscon, Ariz.  
Barry Nakell, Los Angeles, Cal.  
Bruce M. Polichar, Los Angeles, Cal.  
John W. Porter, San Diego, Cal.  
Eugene Prosnitz, New York, N. Y.  
Victor Rabinowitz, New York, N. Y.  
Alexander E. Racolin, New York, N. Y.  
Harry I. Rand, New York, N. Y.  
D. Marcus Ranger, Dallas, Tex.  
Louis L. Redding, Wilmington, Del.  
David Rosenberg, New York, N. Y.  
David B. Rothstein, Chicago, Ill.  
Howard D. Sacks, Los Angeles, Cal.  
William H. Schaap, New York, N. Y.  
Ann M. Schenck, New York, N. Y.  
Moss K. Schenck, New York, N. Y.  
Arthur Schutzer, New York, N. Y.  
Sol Scope, Los Angeles, Cal.  
Jerome Seidel, Brooklyn, N. Y.  
Harold A. Sherman, Perth Amboy, N. J.  
William G. Smith, Los Angeles, Cal.  
N. L. Smokler, Ferndale, Mich.  
Michael Standard, New York, N. Y.  
Morton Stavis, Newark, N. J.  
Lewis M. Steel, New York, N. Y.  
Fay Stender, Berkeley, Cal.  
John E. Thorne, San Jose, Cal.  
Leon M. Waks, Paterson, N. J.  
Murray Weingartner, Perth Amboy, N. J.  
Elliott Wilk, New York, N. Y.  
Benedict Wolf, New York, N. Y.  
Jack Wysoker, Perth Amboy, N. J.

# DOCTORS

Leonard R. Barris, Montclair, N. J.  
Arthur Bauman, White Plains, N. Y.  
Frank Bisk, Far Rockaway, N. Y.  
Alan R. Bleich, New York, N. Y.  
Harry Bloch, Brooklyn, N. Y.  
Jacob Bleiberg, Verona, N. J.  
Dr. & Mrs. Henry Bryne, Brightwaters, N. Y.  
N. M. Buckley, New York, N. Y.  
Henry A. Callis, Washington, D. C.  
Emanuel Chusid, Mt. Vernon, N. Y.  
David J. Cohen, Philadelphia, Pa.  
Irving J. Crain, Great Neck, N. Y.  
Milton Dillon, Lake Success, N. Y.  
Albert Ehrlich, Fort Lee, N. J.  
Morris Factor, New York, N. Y.  
Bernard S. Feinberg, New York, N. Y.  
Murry Fenichel, Vineland, N. J.  
Lewis M. Fraad, New York, N. Y.  
Edward A. Friedman, Jr., Mt. Kisco, N. Y.  
Dr. & Mrs. M. Jack Frumin, Scarsdale, N. Y.  
Joseph Gennis, New Rochelle, N. Y.  
Sylvia L. Gennis, New Rochelle, N. Y.  
Jack L. Haber, Elmont, N. Y.  
Victor Halitsky, Dix Hills, N. Y.  
Tom Harper, White Plains, N. Y.  
John L. S. Holloman, Jr. New York, N. Y.  
I. N. Holtzman, Neponsit, N. Y.  
Irving Jaffe, New York, N. Y.  
Milton E. Jucovy, Great Neck, N. Y.  
Henry S. Kahn, Cambridge, Mass.  
Murray Kaslow, Englewood, N. J.  
Harry Katz, Paterson, N. J.  
Joseph Kessler, New York, N. Y.  
David B. Kimmelman, New York, N. Y.  
Harry Klein, New Haven, Conn.  
Paul Lavietes, New Haven, Conn.  
Walter J. Lear, Philadelphia, Pa.  
Nathaniel S. Lehrman, Roslyn, N. Y.  
Gerson T. Lesser, New York, N. Y.  
Herbert Levine, Middletown, Conn.  
Sidney, Lipton, Brooklyn, N. Y.  
Ben H. McConnell, Lakeland, Fla.  
Milton Malev, New York, N. Y.  
Josephine Martin, New York, N. Y.

Irving H. Mauss, Neponsit, N. Y.  
Jeremy P. Nahum, Newton, Mass.  
Bernard Nathanson, New York, N. Y.  
William Obrinsky, Staten Island, N. Y.  
Albert D. Parets, New York, N. Y.  
Norman Pleshette, New York, N. Y.  
Samuel J. Prigal, New York, N. Y.  
Anna Rand, Bronx, N. Y.  
Carl Rinzler, New York, N. Y.  
Victor H. Rosen, New York, N. Y.  
M. H. Samitz, Philadelphia, Pa.  
Elise W. Snyder, New York, N. Y.  
I. J. Rosenbaum, New York, N. Y.  
Herbert N. Schwartz, Hartford, Conn.  
Monroe Schneider, Brooklyn, N. Y.  
E. M. Shafarman, Detroit, Mich.  
William A. Shannon, Philadelphia, Pa.  
Sidney Vogel, New York, N. Y.  
Morris Wasserman, Brooklyn, N. Y.  
Maxwell N. Weisman, Baltimore, Md.  
Bernard L. Winter, Syosset, N. Y.  
Max Wishengrad, New York, N. Y.

## PUBLISHERS

Walter N. Jaffe, New York, N. Y.  
Mr. & Mrs. B. L. Mazel, New Rochelle, N. Y.  
John M. Pickering, Mill Valley, Cal.  
Mr. & Mrs. Stanley Romaine, Great Neck, N. Y.  
Joel Rothman, New York, N. Y.  
James J. Storrow Jr., New York, N. Y.  
Henry J. Wineberg, Evanston, Ill.

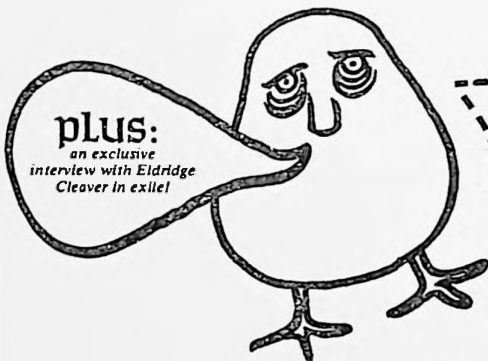


## The Up Your Tenth Anniversary Issue Of The Realist Editorial Giggy Trip

In 1958 a new magazine of satirical journalism was born with 600 gullible subscribers. Its circulation has since reached 100,000. But ringleader Paul Krassner, after a decade of personal and professional decadence, still edits *The Realist* as if he wanted to offend only those original 600 readers. You are invited to become a subscriber beginning with the special 10th Anniversary issue, which includes the following features:

- The Decline and Fall of the Yippie Empire
- I was a Judge in a Transvestite Beauty Contest and Witnessed the Corruption of Terry Southern
- Did Adolf Eichmann Practice Transcendental Meditation?
- How I Took an LSD Trip with Hugh Hefner and discovered the Message of Marshall McLuhan
- The Rise of Sirhan Sirhan in the Scientology Hierarchy
- The Night Columbia Students Didn't Take Over A Radio Station But the Cops Came Anyway
- An Example of Norman Mailer's Incurable Megalomania
- Why Lenny Bruce Started Using Dirty Words on Stage And What Was His Sex Life Really Like?
- Rosemerica's Baby—a comic strip on political witchcraft
- The Living Bra Is Dead in Atlantic City—or, Tomorrow Miss World
- Inside the House UnAmerican Activities Circus
- The Foreplay and Rape of Fillmore East Under The Anarchist Direction of the Living Theatre

# The Realist



**plus:**  
an exclusive  
interview with Eldridge  
Cleaver in exile!

*The Realist*, Dept. EC, 595 Broadway, N.Y., N.Y. 10012  
Please enter a subscription to *The Realist*, beginning with the 10th anniversary issue.

Enclosed is:  
 \$3 for 6 issues  
 \$5 for 12 issues  
 (Add \$1 for Canadian or foreign)

Name ..... Apt. ....  
 Address .....  
 City ..... State ..... Zip .....

# GENERAL

Nathan Albert, Philadelphia, Pa.  
Dean A. Allen, Psychologist, Amherst, Mass.  
Bernard Aisenberg, Engineer, Bronx, N. Y.  
Paul & Edith Atterman, W. Orange, N. J.  
M. H. Baker, Chemist, Minneapolis, Minn.  
Richard W. Baum, Elma, N. Y.  
Dorothy Berliner, Kew Gardens, N. Y.  
Angelica Boles, Nurse, Leonia, N. J.  
Jean Borden, Philadelphia, Pa.  
Boris S. Borshoff, Chef, Shorewood, Wisc.  
Mr. & Mrs. A. Braude, Sherman Oaks, Cal.  
Archie Brook, New York, N. Y.  
Harry J. Canter, San Francisco, Cal.  
Dr. John J. Coffey, Scientist, Watertown, Mass.  
Arthur Colen, Artist, Van Nuys, Cal.  
John B. Cooke, Film Maker, New York, N. Y.  
Phillip Robert Cruce, Houston, Tex.  
David S. Ecklein, Computer Prog., W. Newton Mass.  
Joan Ecklein, Sociologist, W. Newton, Mass.  
Joshua S. Epstein, Advertising, Woodmere, N. Y.  
Leonard Evelev, Businessman, Philadelphia, Pa.  
Mrs. M. D. Farlow, Realtor, Hobart, Ind.  
Betty Fast, Housewife, Yonkers, N. Y.  
Theodore Feinfeld, Executive, Rye, N. Y.  
Simon Fellner, Insurance, New York, N. Y.  
Richard Forrest, Student, New York, N. Y.  
Jean, Lisa & Bill Fox, New York, N. Y.  
Mrs. Sallie A. Franklin, Chicago, Ill.  
Mr. & Mrs. David Freedman, Englewood, N. J.  
Stephen Gardner, New York, N. Y.  
Arnold Ghinger, Jeweler, Yonkers, N. Y.  
Joseph Gladstone, Engineer, Teaneck, N. J.  
Ralph Glick, Accountant, New York, N. Y.  
David A. Goldberg, Insurance, New Haven, Conn.  
Mr. & Mrs. Louis Goldman, Brooklyn, N. Y.  
Jack Goldstein, Salesman, New York, N. Y.  
William Gordon, Social Worker, Portland, Oregon  
Stanley Graze, Businessman, Jamaica, N. Y.  
Mrs. A. L. Griffin, Quail Valley, Cal.  
Leo Gross, Scientist, Bayside, N. Y.  
Pauline & Joseph Gross, New York, N. Y.  
Lester Hayes, Union Rep., Spokane, Wash.  
E. C. Heinsen, Veterinarian, Port Clinton, Ohio  
Isidore M. Hofferma, Philadelphia, Pa.

Catherine L. Holper, Housewife, Gary, Ill.  
W. D. Houtz, Architect, Glendale, Cal.  
Dorothea Jameson Hurvich, Philadelphia, Pa.  
Leo M. Hurvich, Philadelphia, Pa.  
Tillie Janowitz, Belleville, N. J.  
Paul Jewell, Elizabeth, N. J.  
Herbert A. Jones, Business Manager, Atherton, Cal.  
Harry Kernes, C.S.R., Morrisville, Pa.  
Ashley King, Optician, New York, N. Y.  
Mr. & Mrs. Robert Lane, New Haven, Conn.  
Alfred Lawrence, New York, N. Y.  
Joseph Lerner, New York, N. Y.  
Seymour & Sadie Levy, Brooklyn, N. Y.  
Louis J. Lifshy, C.P.A., Brooklyn, N. Y.  
Mr. & Mrs. Sigmund Maitles, Motion Pictures, Encino, Cal.  
G. F. & Rose A. Markham, New York, N. Y.  
Joseph Marzell, Optician, Springfield, N. J.  
Mrs. Mary Morsanny, Rancher, Ryegate, Mont.  
Patricia Mysak, Student, New Brunswick, N. J.  
Irving Nebenzahl, Chicago, Ill.  
Fred J. Nebgen, Merchant, Belleville, Ill.  
Herbert Oser, Pharmacist, Philadelphia, Pa.  
L. Wayne Ostlund, Port Angeles, Wash.  
Mrs. Helen Padula, Social Worker, Woodstock, Md.  
Michael Parenti, Political Scientist, Urbana, Ill.  
Irving Perlman, Manager, San Francisco, Cal.  
Mrs. Charles Russell Peck, Housewife, Boston, Mass.  
Samuel Percely, So. Orange, N. J.  
Elias Picheny, Social Worker, Chicago, Ill.  
J. Rebelsky, Miami Beach, Fla.  
Artie D. Riggle, Postman, Sparks, Nev.  
Heather L. Ross, Economist, Princeton, N. J.  
Michael & Karen Rotkin, Students, Santa Cruz, Cal.  
Milly Basser Salwen, New York, N. Y.  
Steven L. Saperstein, Caseworker, Bronx, N. Y.  
Henry A. Sauter, Upper Nyack, N. Y.  
Fannie Schoelt, New York, N. Y.  
Sonia Schwartz, Philadelphia, Pa.  
Alvena V. Seckar, Artist, Pompton Lakes, N. J.  
Mr. & Mrs. J. Shill, Engineer, Ardsley, N. Y.  
Saul Silver, Businessman, Bristol, Conn.  
Harry E. Silverman, C.P.A., Mt. Vernon, N. Y.  
R. Conrad Smith, Jacksonville, Fla.  
Bill Sonin, Berkeley, Cal.  
Beatrice Stahl, New York, N. Y.  
Mrs. Joseph Stensky, Social Worker, Philadelphia, Pa.



Paul H. Stewart, Chemist, Rochester, N. Y.  
Harry K. Suss, Chicago, Ill.  
Stanley and Amy Swerdlow, Great Neck, N. Y.  
Nathan Tamarin, Insurance, Englewood, N. J.  
Joe A. Tolbert, Postman, Bristol, Va.  
Rosalind Trachtenberg, Social Worker, New York, N. Y.  
Sophie M. Wangro, New York, N. Y.  
Samuel Warshauer, Businessman, Tenafly, N. J.  
Letitia L. Weager, Redwood City, Cal.  
Herbert R. Weinberg, New York, N. Y.  
William B. Weinberger, C.P.A., New York, N. Y.  
Nathan Weintraub, Flushing, N. Y.  
Mr. & Mrs. Herbert Weissberg, Great Neck, N. Y.  
M. Ziesk, Optician, New York, N. Y.

## EDUCATORS

Dean S. Abel, Michigan City, Ind.  
Clyde R. Appleton, Cullowhee, N. C.  
Nettie and Paul Becker, Jamaica, N. Y.  
Scot Blue, New Brunswick, N. J.  
Dan I. Bolef, St. Louis, Mo.  
Alexander Brede, Walled Lake, Mich.  
Eleanor Brussel, New York, N. Y.  
Noam Chomsky, Lexington, Mass.  
Robert C. Coburn, Chicago, Ill.  
Bertram Cole, New Haven, Conn.  
Thomas J. Cottle, Urbana, Ill.  
Jerome Davis, Sandy Springs, Md.  
Ronald B. De Sousa, Toronto, Canada  
Thomas K. Goldstick, Evanston, Ill.  
Armen Haig, Los Angeles, Cal.  
Carmelita Hinton, Fleetwood, Pa.  
John Holt, Massachusetts  
Grace Horowitz, Brockport, N. Y.  
Peter Jones, Providence, R. I.  
Richard Kraut Chicago, Ill.  
Rudolph Lindenfeld, Staten Island, N. Y.  
Kenneth O. May, Toronto, Canada  
Alan Rhodes, Willoughby Hills, Ohio  
Sam Rosen, Durham, N. H.  
Thomas Seligman, New York, N. Y.  
Louise Pettibone Smith, Hartford, Conn.  
Randolph B. Smith, Belmont, Vt.  
Philippa Strum, New York, N. Y.  
Steve Strum, New York, N. Y.  
Isaac Thomas, Champaign, Ill.

# WRITERS

David Berger, New York, N. Y.  
Paul Corey, Sonoma, Cal.  
Franklin Folsom, Roosevelt, N. J.  
David B. Lord, Jacksonville, Fla.  
Albert Maltz, Los Angeles, Cal.  
Ira Morris, Rozay-en-Brie, France  
Jack Newfield, New York, N. Y.  
Richard M. Powell, Malibu, Cal.  
S. Rosenblatt, Brooklyn, N. Y.  
Theodor Rosebury, Chicago, Ill.  
Herman & Nina Schneider, New York, N. Y.  
Richard F. Sentner, Hyannis Port, Mass.  
David Wesley, Pasadena, Cal.

## NEW MASSES

*An Anthology of the Rebel Thirties*

Joseph North, ed.

*"This pertinent and brilliant anthology is an attempt to fill a vacuum in our whole concept of the 30s . . . I recommend it to all."*  
—Maxwell Geismar.

CLOTH \$7.50, PAPER \$3.25

## DANGEROUS SCOT

*The Life and Times of an American  
"Undesirable"*

by John Williamson

*A leading Communist and labor organizer tells of the great labor upsurge of the 30s, his subsequent imprisonment and deportation.*

CLOTH \$5.95, PAPER \$2.25

## THEODORE DREISER AND THE SOVIET UNION 1927-1945

by Ruth E. Kennell

*" . . . Invaluable to any complete study of this man who was one of our greatest novelists."—Publisher's Weekly.*

CLOTH \$7.50

## COMMUNIST COUNCILMAN FROM HARLEM

*Autobiographical Notes written in  
a Federal Penitentiary*

by Benjamin J. Davis

*Story of the first elected black City Councilman and Communist, written while a Smith Act prisoner in Terre Haute's jim-crow jail.*

CLOTH \$6.95, PAPER \$2.85

*Send for Free Complete List of Books in Print  
and*

*Books on Afro-American History and Freedom*

International Publishers

381 Park Avenue South, New York, N. Y. 10016





*"Like here, Mr. President: Matthew, 14th chapter, 25th verse . . . 'And HE walked on the sea, and the waves were still . . .'"*



*Drawing by Walter Iler*