

World/national news

Nixon proposes end to most draft deferments

WASHINGTON (AP) — Only medical students will be eligible for college deferments under the Nixon administration proposals to eliminate draft inequities.

After a specified date, no other student entering college can claim a draft deferment on the basis of education.

However, a sophomore, junior, or senior with an existing draft deferment when the new rules go into effect will be permitted to complete his undergraduate schooling.

Affects all categories

This is the thinking of Pentagon officials who have been shaping the Administration's proposals to do away with draft deferments in the student, occupational, and parental categories.

Secretary of Defense Melvin Laird said last weekend President Nixon "wants to move in the direction so that all young people are treated equally and fairly."

Proposed measures to carry out this objective will be reviewed by the National Security Council and laid before the Senate Armed Services Committee next month with indications the administration will put them into effect as soon as possible. Just when this will be is still uncertain.

New ones not granted

Officials said young men having occupational and parental deferments at the time the more stringent rules take hold will be allowed to retain them.

But, as in the case of student deferments, no new ones will be granted.

Unlike the student deferment, which officials say will permit ex-

ceptions for pre-medical students, there appears to be no prospect of any further deferments for job or family reasons, except where hardship might be involved.

Job deferments have been heavy in the field of teaching, police, and fire department work.

GIs to fill jobs

Authorities expect community needs can be filled adequately by former servicemen and no special deferments will be required in these areas.

The same reasoning applies to hard skill jobs in the mechanical and technical fields, it was said.

As the United States scales down its commitment in Vietnam and simultaneously reduces the overall size of the armed forces, fewer and fewer young men will be required for the draft. The Pentagon expects the draft will take about 225,000 young men this year, a drop of 65,000 from 1969. The level should go down even further in 1971.

ROTC to benefit

Some Pentagon experts believe the virtual elimination of student deferments may indirectly help the flagging ROTC program with some students possibly enrolling as a hedge against the draft interrupting their schooling.

Authorities say provisions may be made for allowing young freshmen who enter college before they are 19 to finish that first college year. However, they would then have to report for military service.

Laird has stressed the new system will keep draft deferments in effect for medical and hardship reasons.

AUCKLAND, New Zealand (AP)—Police pushed back about 500 demonstrators Thursday at Vice-president Spiro Agnew's downtown hotel. Eight were arrested.

The touring vice-president's motorcade entered the hotel's exit driveway at the other end of the block and most of the demonstrators did not know he had arrived until he was inside.

It was the largest anti-American protest of Agnew's 11-nation Asian tour, which he winds up in Auckland. He returns to Washington Monday via Honolulu.

The police said they turned out more than 200 men nearly a third of Auckland's force — to contain the demonstration who chanted, "Go home Yank" and waved Viet Cong and swastika-

painted American flags outside the hotel.

Those arrested were charged with insulting the police, resisting arrest, using obscene language and disorderly conduct.

Leaders of the protest said they would maintain a vigil outside the hotel throughout Agnew's 42-hour stay.

Prime Minister Keith Holyoake greeted Agnew and his wife on their arrival from Australia and took them to the summer residence of Gov. Gen. Sir Arthur Perrick for a brief meeting.

The only other event on Agnew's schedule Thursday was a hotel reception.

Anti-draft groups sue for equal radio-TV air time

By PHILIP HAGER
The Los Angeles Times

SAN FRANCISCO—The radio announcer, in suitably deep and authoritative tones, would read the following spot announcement:

"Attention, all men of draft age. What are you planning to do about the draft? It is not generally known, but the selective service law does provide many deferments to which you may be entitled. If the army is not your bag, and you feel you may be eligible for a deferment, do something about it now. Phone 642-1431 for free information . . ."

Three antiwar organizations have sought time for just such announcements on radio and television stations here, threatening to appeal to the federal communications commission and the courts should the stations not comply.

WAR MORE DEADLY THAN SMOKING

The attorney who represents the antiwar organizations, Donald Jelinek of Berkeley, explains:

"Who would have thought five years ago that you'd ever be watching antimoking announcements on television? And war is far more important and far more serious than cigaret smoking."

The three antiwar groups (Women for Peace, the GI Assn., and the Resistance) are basing their appeal for antimilitary advertisements on the

1967 ruling by the FCC requiring stations carrying cigaret ads to also carry anticigaret announcements.

"Under the FCC fairness doctrine, stations that present one side of the controversial issue must provide a reasonable opportunity for the opposing side," Jelinek notes.

VIETNAM WAR IMMORAL

"We're saying that contrary to World War II, the Vietnam war is immoral and not in the interest of the country—that it's not worth sacrificing your health and life and compromising moral principles for."

In all, the anti-war groups last month petitioned 27 radio and television stations here, all of whom they allege broadcast free recruitment advertisements urging young men to join the Army, Navy, Marines or Air Force, with no mention of the availability of deferments from the draft.

NO SPOTS RUN YET

So far, 15 stations have replied, none of them agreeing to run antiwar announcements. Some of these have replied that their news departments sufficiently provide the "other side" of the controversy.

If the stations refuse to run the announcements, and Jelinek concedes most will, the antiwar groups will take their case to the FCC and then, if necessary to federal court.

Justice on trial along with Chicago Seven

By RICHARD T. COOPER
The Los Angeles Times

CHICAGO—After more than three months of sound and fury filling 10,000 pages of transcript, the Conspiracy Seven trial has become a troubling monument to the frailties of justice.

The trial, involving seven antiwar leaders accused of conspiracy to incite riots at the 1968 Democratic National Convention, has posed an elementary test for any criminal justice system: its capacity to deal fairly with defendants who scorn it.

At the same time, this is the first court test of the federal antiriot conspiracy statute, a law so broadly drafted that some legal experts fear it may be used to stifle dissent.

And the fact that several defendants are nationally prominent militants has given unusual weight to the legal maxim that justice "must not only be done but must be seen to have been done."

If young activists across the country conclude their leaders have been "railroaded," the cost in greater militancy and distrust could outweigh any benefits the government might get from convictions.

ALL ON TRIAL

Thus it was inevitable that the proceedings here before U.S. Dist. Court Judge Julius Hoffman would place on trial not only the seven protestors and their causes, but also the government, the court and "the system" itself.

From the beginning, the government has employed a style of invective against defense lawyers and their clients.

Within the first hour of the opening session Sept. 24, during legal arguments over the absence of several defense counsels, U.S. Attorney Thomas Foran angrily shouted that the counsels' behavior was "so incredibly irresponsible and unprofessional it would be unbelievable if it was not consistent with so much of their conduct."

Prosecutors also have appeared several times to be ridiculing defendants before the jury—mispronouncing their names, for example, even weeks after the trial had begun and the correct pronunciations had been explained repeatedly.

Unusual concern with security has further intruded on the customary judicial atmosphere. As many as 20 U.S. Marshals are stationed inside the courtroom every day and large numbers of police are deployed outside the building whenever pro-defense demonstrations are held.

SEARCHES CONDUCTED AT DOOR

Spectators and some members of the defense staff are searched as they enter the courtroom. All persons visiting any office in the federal building must explain themselves to police; purses, briefcases and packages are examined.

The defense has protested the "armed camp" atmosphere.

In the view of many observers, Judge Hoffman has often appeared as antagonistic as the government. He has lectured defense attorneys William Kunsler of New York and Leonard Weinglass of Newark, N.J., on legal technicalities and interpreted their legal motions as personal attacks.

Like the prosecutors, Hoffman has often mispronounced names of defendants and their lawyers. David Dellinger has been referred to as "Mr. Dillinger" and "Mr. Derringer." Weinglass often is called "Weintraub" by the judge.

DEFENSE LAWYERS BELITTLED

While Hoffman has praised and defended the government lawyers, he has spoken to defense lawyers in ways they consider belittling.

During an early session, Weinglass thanked a prospective juror for admitting bias. Hoffman rebuked him. "We

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don't do that here," the judge said, "maybe they do in Newark."

On another occasion Weinglass routinely told a witness to take his time examining a document before testifying about it. Hoffman snapped at Weinglass, "I'm to have nothing to say about how much time? You will decide that? Please don't try to take over the court."

Among lawyers in the federal courts here, Hoffman is considered a master of trial law but also a partisan for the government. "He uses technicalities to maneuver people," an experienced trial lawyer said recently.

The unconventional, irreverent nature of the defendants obviously has offended the 74-year-old jurist.

Several times Hoffman has spoken from the bench on the painfulness of his experience in the trial. "I don't deserve to be called what I was called," he said once, "I can't do anything about it but I don't deserve it."

"RACIST PIG"

Unquestionably the court has been treated with contempt. Hoffman has been called by several defendants such things as a "racist pig," a "Fascist," and a "liar."

If their experiences in the courtroom have reduced the defendants' restraint, it is also true that most of them were convinced from the beginning that they would be convicted in something akin to the Soviet show trials.

Accordingly, at least some defendants decided to use the proceedings to expose what they consider the system's corruption. The trial was seen as a new opportunity to carry the gospel of revolt to young people.

They have flaunted their beards and boots, read their underground newspapers and comic books in court and laughed aloud at judge and prosecutor.

Technically, the seven are accused of joining together with the intent to promote a riot at the convention and with committing various overt acts, including interstate travel, to further that intent.

In his opening statement to the jury, Assistant U.S. Attorney Richard Schultz said the defendants had carried out the alleged plan in three stages:

First, he said, the unpopularity of the Vietnam war was used to assemble thousands of protestors in Chicago during the August convention.

Then, the mass of demonstrators was encouraged to view city police with hostility and was conditioned to resist the authorities.

Finally, Schultz asserted, the defendants planned to create situations in which the preconditioned crowd would confront policemen, refuse to obey them and thus make violence inevitable.

Under the provisions of conspiracy law, the government need not prove all defendants were involved in, or even knew about, all parts of the plan.

EACH RESPONSIBLE FOR ALL ACTS

Once the trial judge decides prima facie evidence has been presented that a conspiracy did exist, each defendant becomes responsible for the acts of every other defendant.

Judge Hoffman made this determination near the end of the government's case.

More than 50 witnesses testified for the government, with most of the critical testimony coming from police undercover agents or paid informers.

In cross-examining government witnesses, defense lawyers sought to emphasize the financial dependence of paid informers and the potential bias of police agents.

Defendants acknowledge they promoted and led demonstrations during the convention but they dispute the testimony of agents who say the seven plotted disruption. Violence erupted or was provoked by police and city officials who refused to recognize the right to protest, the defense asserts.

JURY MUST DECIDE

Films, recordings and the testimony of many government witnesses have shown that Davis and other march leaders frequently urged demonstrators to avoid violence.

The prosecution contends, however, that these public statements were meant only to mask the leaders' true purpose.

The jury, in the end, must choose between two versions of history: The government's view of convention disorders as a radical plot and the defendants' assertion that repressive officials collided with ordinary citizens exercising their constitutional rights.

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