

A beginning against crime

By WILLIAM F. BUCKLEY Jr.

It is a commonplace that the liberals have discovered crime, indeed one would think, to observe the candidates for mayor of New York, that it was the only issue. Mr. John Lindsay, the mayor of New York, was prominently identified with those who disdained any cure for crime except through social therapies ranging from Head Start to anti-pollution. When a month ago Mr. Lindsay addressed the police of New York and said "there can be no higher priority than the safety of the city's citizens in their homes and on the streets of their neighborhood" he was greeted with a tumultuous ovation, the first he ever got from policemen. And all the candidates to succeed Mr. Lindsay, without exception, have stressed the need to do something about crime. What?

Mr. Anthony Lewis of the New York Times has written plaintively that the accent placed by such as Nelson Rockefeller and Richard Nixon on stiff sentences isn't really on the point. His reasoning is that experience shows that a long sentence does not deter, that only the reasonable certainty of punishment

deters. He fails however to point out that although a long sentence does not deter — which is quite true — it does remove a particular individual from the scene.

Prisons do not as a general rule rehabilitate. They are leisurely incarceration centers. If a drug pusher is going to resume drug pushing when he gets back on the streets, why then it makes a lot of sense to keep him off the streets, which is the reasoning of President Nixon and Governor Rockefeller, never mind for the moment the highly persuasive arguments against mandatory life sentences.

Unfortunately, Mr. Lewis was not particularly resourceful in suggesting what should be done to assure punishment, though he was obliging enough to spare us the routine recriminations against war, racism, and materialism. Neither have the candidates for mayor of New York been specific, into which vacuum I introduce these reforms.

Early this year Governor Rockefeller suggested a constitutional amendment that would alter the method of creating judges in New York state. The courts, as everyone knows, are a part of the problem, and it is desirable to elevate the quality of

the men who preside over these courts. Since 1846, New York, like most other states, has elected its judges instead of appointing them, as is done, for instance, in Connecticut and Massachusetts.

The trouble with elected judges is that in order to commend themselves to the politicians who decide whether to nominate them, it is frequently necessary to do the kind of thing lawyers of quality are unwilling to do. There is a lot of routine denunciation of people who get to be ambassadors in virtue of their contributions to national political parties, not enough of people who get to be judges as a result of their contributions to local political parties; yet a bad judge can do a lot more harm these days than a bad ambassador.

The so-called Missouri Plan stipulates that judges should be appointed by the Governor but must be selected from a roster of men compiled by various professional organizations whose job it is to comb the lawyers' ranks for quality. Such a reform in New York is quite simply overdue and would substantially invigorate an effective judicial arm.

And let the reformers commit them-

selves on the so-called "exclusionary rule." That rule, effected by the Warren Court in 1961 by a slender majority of 5 to 4, has had the effect of turning many trials into investigations not into the guilt or innocence of the defendant, but the legality or illegality of the methods by which he was apprehended. For generations it was accepted that even tainted evidence could be considered by the jury, on the theory, as one Justice put it, that the question ought to be — Is the man guilty, not, Did the constable err.

One New York judge, recently retired, complained that criminal prosecution takes now nine to ten times as long as it did before the advent of the exclusionary rule. Protests against that rule would unquestionably result, in due course, in redirecting the issue to the Supreme Court. There is little doubt that the current court would reverse the previous decision, using the devastating argument of Justice Harlan in his dissent in 1961.

Here then two modest points by the advocacy of which the candidates for mayor (and for other political offices) can put up their earnest money on the question of law and order.

President Nixon's Neo-Volsteaders

By GARY WILLS

Sanity has a way of breaking in, as the breakdown of Prohibition shows. It is happening, even now, with the marijuana laws. Last year, eleven states decriminalized its possession and use. Six others are considering that move.

And this is only the overt side of the changes going. Fewer police arrest, prosecutors prosecute, and judges condemn to harsh sentences. It is a victory of the yawn. Dogs get tired of chasing car tires.

But President Nixon will not give up as long as there is one more vote to squeeze from the neo-Volsteaders. He keeps growling and barking at every mention of a car tire — which makes his last proposal to Congress a dangerous one.

He wants to merge six federal agencies having to do with drugs in a supermanhunt organization to crack down on the drug trade "worldwide." Even on its own terms, the plan suggests many problems. Why, for instance, take over routine drug checks from the Customs Bureau? Special surveillance is possible, working with the Bureau — but this new agency would move its own people in on a permanent basis, even to duplicate housekeeping-type checks.

But the real problem with the plan is its single dependence on presidential initiative. In other areas, Mr. Nixon criticizes "centralized government." But now he wants a super drug force to growl and show how serious he is to the voters.

The search for heroin and its pushers should be urged on with all dispatch. But a pre-emption of the search by a force dependent on federal policy would be crippled by the need to observe irrelevant federal commitments.

Even if the drug cops might want (as they probably would) to disregard marijuana, they would have to waste time going through some time-consuming motions to back up the President's "expressions of concern." A force directed by an administration that cannot talk sense on this problem is not very likely to act sensibly, is it?

The force would also be handicapped by Nixon's determination to be uselessly "tough" for the sake of votes. The force would have to act on the assumption that things like the mandatory life sentence for pushers are the only way to cope with the

problem, though many legal and penology experts question this.

In short, it would be harder and harder for sanity to break in on a force doing all the federal drug-chasing in the name of

Nixon policy. While our cops chased tire wheels, who would have time to stop the heroin trade?

Congress, which likes to pretend it can fight back against the President, is going

along meekly with this new proposal. Senator Ribicoff, head of the relevant subcommittee, thinks it is a good idea! Too bad the heroin trade is not as acquiescent as the Congress.

Letters

For Jackson-Sanchez

It is refreshing to see a ticket for ASUO Executive that makes a little common sense; the Jackson-Sanchez ticket.

I have no doubt that by the end of the campaign most of the perennial politicians will have absolved themselves of any association with past regimes. Paige has distinguished herself with an effective tenure as an administrative assistant. It is to her credit that she did her job with dispatch and relatively little fanfare, a welcome quality.

She appreciates the realities of University politics with a minimum of rhetoric. Similarly her running mate, Richard Sanchez maintains a calm, practical approach to some of the real issues, i.e. the SEP programs. Instead of having a "me-too" team, Jackson and Sanchez are intelligent individuals, each with something to contribute. I hope the students have the presence of mind to elect them.

Joshua Marquis
Junior, political science

For Parrish-Vernon

A very important student body election is coming up on the 17th and 18th of this month. The people that are chosen for president and vice president will have to be people that will hold out for a 50 percent representation for students in any kind of a co-governance arrangement with the faculty.

The Parrish-Vernon ticket ranks this task to be of highest importance in the upcoming year and have vowed not to bow to President Clark's 10 percent scheme. Vote for Parrish and Vernon to insure equal representation on any co-governance with the faculty.

Ross M. Lienhart
Jr. Business

For Marshall — Fitzpatrick

I urge your support of Doug Marshall and Cathy Fitzpatrick in the upcoming ASUO elections.

Their background and experience qualify them as the most logical choice for the ASUO executive positions.

In my opinion, they will do an excellent job of seeing that all segments of the University community are adequately represented. Their approach strikes me as sound and mature.

David Larry
(1973 Lane Co. Sheriff Candidate)
(White Bird Bld. of Dir.)
(Project Newgate)

For Murray-Garrett

What do we propose to do? First we propose to lower your incidental fee tax. Secondly, we propose to start a public opinion poll which will give you the opportunity to voice your demands as to how the incidental fees will be allocated among other issues.

Third, we plan a preliminary study on building a geodesic ASUO concert hall to seat 10,000 students. Fourth we plan a faculty review system to give the student an accurate idea of what a class is like before he signs up for it. We plan massive public relations efforts.

More importantly we plan to return the credibility that the ASUO has lost. As you may have noticed, by Monday April 9 we were the only candidates who had done any overt campaigning. We had set up a recycling center for campaign literature.

We had canvassed apartments, married student housing, College Inn, campus among others. No other candidacy cares enough about you to put out the effort to campaign. Instead they rely on special interest blocks to carry them through. We have no special interests — only you the typical apoliticals. We are the only can-

didates to offer a program with substance. The others rely on co-governance as their phony issue. We will produce for you 16 hours a day. They won't.

The extent of their campaigns shows the level of leadership potential quite well. Please Vote.

Darrell Murray and Kirby Garrett

After having reviewed and personally talked with many of the candidates for ASUO President and Vice-President, we feel that the best candidates are Greg Leo and Debbie Barnett. They are the best qualified leaders for the students as well as the best representatives to the University community.

They are outstanding because they're not that typical third floor politician. What they are is: experienced, personable, realistic, open-minded, and above all fair. After years of ineffective politics they represent a new beginning for students at the University of Oregon. They bring with them knowledge as administrators and put it forth in an honest, straightforward way.

We support Debbie and Greg in their ideas and programs and most of all their methods to reach their short and long range goals. We feel a confidence and trust in them representing our needs as students.

Unlike others, they have avoided the trap of overidealization. When Debbie and Greg make decisions, in any capacity, they are well thought out and realistic. Electing Greg Leo and Debbie Barnett will benefit the university as well as every student personally.

Tom Smith
Interfraternity Coun. Pres.
Junior, Liberal Arts

Laurie Farmer
Panhellenic President
Junior, English