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Foreword

Since this book will appear during a Presidential campaign, the publishers have requested a brief listing of the reasons for my own particular challenge to the President.

As a junior member of Congress from a suburban district in California, favored with a lovely wife, four healthy children, a good house, and reasonable prospects for employment back home as a lawyer after leaving government service, there would seem to be little reason to make any challenge at all to a political system which bestows on a member of Congress the greatest of privileges and benefits.

There could be no more rewarding work than that of the careful legislative craftsmanship required in Congress to end the war in Vietnam, the seniority system in Congress, and racial discrimination. It was my hope to participate for some years in this challenging work and in the development of new national policies in land use and environmental protection. I would like nothing better than to continue to serve in the House of Representatives where both the greatest need and the greatest opportunity exist for competent making of laws that will set and implement new national goals and priorities, as well as simplify the overwhelmingly complex structure of tax laws and overlapping bureaucracy which has evolved in recent times and now threatens to crush us with its weight and complexity.

Why then the challenge?

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Those reasons are fairly simple.

The nation is in peril because of a deepening loss of faith.

Restoration of faith should therefore be our primary goal—at every level of government, and by all elements of government. Under our constitutional system, there are five such elements of government, the Executive, the Congress, the Courts, the Press and finally the People themselves. All five elements of the system operate on faith and need faith.

A restoration of faith requires truth, a candor and truthfulness on the part of those who lead, a willingness to admit a mistake when it occurs and to respect truth even when it is embarrassing.

Recent administrations have forgotten this commitment to truth. Concealment, deception and news management are commonplace, and the examples are legion: the Vietnam War, bombing in Laos, the supersonic transport, now even the labor unemployment figures and crime statistics, where there has been deliberate concealment or deception.

Congress cannot do its job without the facts on both sides of an issue. And we aren't getting them from this Administration. Time and time again, the White House has claimed that an adverse fact or report is "an internal document" which it wouldn't be "useful" to provide to the Congress. President Nixon's refusal to release the Garwin Report on the supersonic transport, for example, may have cost the United States dearly, inasmuch as Congress approved appropriations without ever seeing that vital, authoritative report, which happened to be adverse to the SST. We finally killed the program last spring after having appropriated over \$400 million for it in 1969 and 1970.

An atomic test at Amchitka, the killing of sheep by nerve gas in Utah, even the nomination of Supreme Court Justices, are routinely accompanied by concealment and deception from the White House.

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If truth in and by government is essential to a renewed faith in government, I know of no better way than to raise the issue in a Republican primary, via the traditional process of the ballot box.

I feel increasing dismay over the untruthfulness and immorality of some of the President's key policies, particularly with respect to Vietnam, the political involvement with the courts, the political use of selective law enforcement by the Justice Department and, perhaps most of all, the slowdown in civil-rights enforcement pursuant to the so-called "Southern Strategy."

It is unconscionable that we continue to use airpower to destroy villages and peasants in Laos and Cambodia as well as Vietnam; that we sponsor and finance the repression, torture and denial of due process which are commonplace practices of the Thieu regime.

It is incredible that a President who was himself a lawyer should nominate G. Harrold Carswell, a self-proclaimed racist, to the Supreme Court, comment on the guilt of an accused (Charles Manson) before trial, interfere without legal authority in the appellate judicial process (Lieutenant Calley), and suggest "minimal compliance" with Supreme Court decisions he found it politically beneficial to disagree with (*Swann*). The law of the land demands his respect as much as it demands that of the people he governs.

It is immoral for a President to pursue, for political benefit, a "Southern Strategy"—where, in order to diminish the political aspirations of a George Wallace and a Ronald Reagan, the Administration within six weeks of taking office pulled federal registrars out of thirty-two counties in Mississippi and for two and a half years refused to send registrars back there, despite receipt of petitions entitling, under law, black people to have federal registrars.

Nixon struck a body blow at the moral leadership for

Southern school integration by withdrawing federal funds for school buses and abandoning his own HEW-Justice Department plan for integration in Austin, Texas; he struck another blow at housing integration by using the inflammatory term "forced integration" as a step which his Administration would not pursue in the suburbs. All these affronts fall into a common pattern—the sacrifice of truth and honorable purpose for political expediency.

I had great hopes for President Nixon when he took office. I tried to support him as long as I could. As late as 1970, I ranked in the highest sixteen percent of Republican Congressmen in support of his positions, despite my opposition to his position on the war, the ABM, the SST and the Timber Supply Act, and his attempt to gut the Voting Rights Act. I had been partially impressed by his inaugural speech—that we should lower our voices, that he would bring us together.

Unfortunately, the 1970 campaign turned out to be a classic appeal to the worst in America. Characterization of a vote for Democratic Senators Albert Gore, Gale McGee and John V. Tunney, as "a vote for anarchy" was a despicable tactic unworthy of an American President. Preying on people's fear, hate and anger seemingly has become a trademark of the Nixon-Agnew-Mitchell leadership.

Why not choose instead to appeal to people's good will, faith and hope? Why not end the killing in Southeast Asia? Is "pride and prestige as guarantor of the Saigon government" worth killing Laotians and Cambodians? Is keeping George Wallace from winning the electoral votes of Alabama, Mississippi and Louisiana worth setting back for years the final achievement of racial equality and equal opportunity—after over a century of effort and painful progress? Is it justifiable to conceal the facts of what we are

actually doing in Laos and Vietnam in order to achieve an allegedly "honorable" peace or "a generation of peace"?

LIKE OTHER Americans, I trusted President Nixon when he said he had a plan to end the war. Even prior to his election he had told my friend and colleague Donald W. Riegle, Jr., of Michigan, "You know, Don, if I'm elected we'll end this war in six months."

I would not have challenged the President, had it not been for the gradual realization that his plan to *end* the war in Vietnam actually involved a drive to *win* the war, that his true belief was reflected in an off-the-cuff comment: "I'm not going to be the first President to lose a war."

The evolution of the President's policy—and perhaps his isolation from the views of antiwar Republicans—is reflected in a series of letters I sent him, commencing shortly after the 1968 election and continuing for two and a half years, during which over twenty thousand Americans were killed and our airpower devastated hundreds of villages in Laos, Cambodia and Vietnam. All of these letters were unanswered. The first, written in March of 1969, included the following:

I have taken the liberty of imposing on your time only because I believe the solution to the Viet Nam problem to be of such paramount importance that even a junior Congressman should not hesitate to communicate with his President when there is fear that one view is not reaching you.

In Viet Nam, we are wrong. We were wrong in thinking we could build a new nation to serve our own purposes. We were wrong in thinking we could win, or that we can yet win.

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Viet Nam is one country, not two. In my judgment the elements of terrain, history, culture, geography and human resources are just not present in a mixture which will permit a Saigon-based government to *ever* control the area called South Viet Nam.

I, therefore, ask you to consider the merits of a public announcement admitting that we made a mistake in Americanizing this conflict in 1965, and that we intend to commence withdrawal in the near future.

Both you and the United States are big enough to admit past mistakes. I suggest that the credibility this will establish in the minds of our own people is far more valuable than the credibility we will lose abroad and which Mr. Kissinger has urged as requiring our continued involvement in Viet Nam. . . .

There was no response from the President.

In September 1969 Congressman Riegle and I visited for a second time at the White House with Mr. Kissinger, the President's top adviser. We had originally called on him shortly after President Nixon took office to express our hope for an early end to the Asian involvement. At that time he had asked us if we would be "patient" for about sixty days; the President did indeed have a plan to end the war, he said; by September no such plan had been invoked. I asked Mr. Kissinger, "Has your plan to end the war worked?" He answered, "No, it has not worked. We are now working on another plan."

On December 23, 1969, I again attempted to communicate with the President. By this time the streets of America's towns and cities had reverberated to the cries of antiwar demonstrators reflecting a deep national dissatisfaction with government foreign policy. While these protests had been overwhelmingly peaceful and had enjoyed the support of

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Americans from all stations of life, some clashes between peace marchers and police or National Guard troops had occurred. The national mood was increasingly angry; the potential for a very real and damaging internal explosion existed. Mr. Nixon had not helped the tensions by saying, after the October Peace Moratorium that year, that he would not be influenced by antiwar protests. Certainly he further inflamed a large number of Americans when—in a scene later shown on television—he referred passionately to peace demonstrators as "a bunch of bums."

In mid-December the President wrote to the House and Senate leadership asking Congress to vote for balanced tax reforms and lesser domestic expenditures in order to combat inflation. This made sense to me, but it seemed also that we should consider the tremendous cost of the war in balancing the need for fiscal responsibility. I wrote the President on December 23:

You have said nothing, Mr. President, about the reduction in expenditures which only you have the power to accomplish by ordering a more rapid disengagement in Viet Nam.

The transfer of one division from combat in Viet Nam into a training status at home results in a spending reduction of approximately \$1.5 billion each year. The withdrawal of three divisions accomplishes the same result that you feel Congress should accomplish by cutting back appropriations for education, water pollution, and the elderly Social Security recipient.

I respectfully suggest that congressional action in these fields has properly represented American public opinion and national priorities. Congress has acted on the assumption that the American people now put a higher

priority on [these matters] than on preserving a permanent division of Viet Nam.

The pursuit of an accelerated withdrawal should have at least as salutary an effect on our domestic economy and stability as the congressional actions which you have requested.

Again there was no response.

By the spring of 1970, America had become even more angry, more divided, more impatient. College campuses were particularly restless. The war had been expanded into Cambodia, with the curious Doublespeak pronouncement that widening the war would somehow help to wind it down. At Kent State University in Ohio, National Guardsmen fired point-blank into protesting students, killing four of them. I felt that Interior Secretary Walter J. Hickel's famous letter to the President on the subject in early May was the finest document the Administration produced up to that time. It remains so now, in my opinion, even though in large measure it cost a fine man his job. I had written a similar letter to President Nixon on May 7:

Shortly after you took office, I wrote you a letter suggesting that the former Administration's Viet Nam policy was mistaken and that it might be well to admit our past mistakes.

I would like to again respectfully suggest that you consider the possibility of admitting that America and its presidents are capable of making mistakes and have done so.

A national war policy requires three things: military strength, the willingness of our people to pay the cost, and the willingness of our young men to fight. Is it not apparent to you that we have lost the latter two?

Your recent remarks and those of the Vice-President on the campus situation are bringing this country perilously close to revolution, because it appears to our young people that you do not *care* about them, nor have you been willing to *listen* to them.

The young have a legitimate complaint. *They* are the ones asked to fight in a war in which they do not believe, against people they do not hate. Their friends and older brothers are being killed and maimed. In their view and in mine, tank commanders and air strikes destroying Vietnamese and Cambodian villages have little relevance to any ideological battle between freedom and Communism. The plain fact, Mr. President, is that nothing you or the government can do is going to convince our young people that American purposes in this war are justified or that they should participate in the continued killing. Your policy of "no defeat, no humiliation" may have been justified in the 1950s and 1960s, but it is counterproductive today. Our first priority must be to reestablish the faith of our people in government. As a Republican who has tried to support your honesty and innovation in our new domestic programs, I plead with you to abandon your intransigent attitude on Viet Nam.

I respectfully request, Mr. President, that you do three things. (1) Let the students of America know that you have listened to them. (2) Let them know you and this Administration care about their thinking. (3) Order a continuing withdrawal of U.S. troops from the Asian continent, with all troops to be withdrawn by June 30, 1971.

Again no answer was forthcoming. On August 12, 1970, I wrote the President again, calling attention to a letter Mr. Nixon had received in July from forty American officers

about to go to Vietnam. The young officers had written the President, in part:

We are being asked to lead others who are unconvinced into a war in which really few of us believe. This leaves us with nothing but survival—"kill or be killed"—as a motivation to perform our missions. But if this is the only thing we have to keep us going, then those who force us into this position—the military, the leadership of this country—are perceived by many soldiers to be almost as much our enemies as the Viet Cong and the NVA. . . . In your speeches and news conferences you often contrast the disaffection of the American student protestors with the devotion and patriotism of our soldiers in Vietnam. We want you to know that in many cases those "protestors and troublemakers" are our younger brothers and friends and girlfriends and wives. We share many common causes with them. Please get this country out of Vietnam before we, too, become completely disaffected. . . .

I thought this a moving letter, and a logical petition. In commenting on the young officers' attitude to President Nixon, I wrote that "to my way of thinking, both their letter and their willingness to go into combat represent the highest idealism an American can offer his country," and added:

. . . that aspect of "Vietnamization" which you presently espouse, the substitution of aerial firepower for infantry support, is *not* consistent with American idealism. If we are unwilling to ourselves die in a cause, we should not seek to substitute our impersonal bombs, napalm, and massive rapid-fire aerial gunboats for combat troops. This not only appears unworthy of us as leaders in the search for world peace; it also defeats the purpose of a counter-

insurgency effort where we are competing with indigenous communists for the loyalties of a peasant people. Our firepower and defoliation provide ample visible proof for the communist argument that Americans are indiscriminate in destroying people and property by the use of our advanced technology.

If I were a Vietnamese, Mr. President, and your firepower killed my mother, sister or child, you would have my undying enmity and desire for vengeance, no matter how sincerely you professed the need to save me from the evils of communism.

I believe that our past and present massive bombing in Cambodia, Laos and Viet Nam is insuring the ultimate success of nationalist forces in those countries which will share a lifelong, perhaps unspoken but very real, hatred and contempt for America and Americans. . . .

Again, no response.

On the few occasions when I briefly saw him at social functions or when Congressmen were called to the White House for one ceremonial event or another, or perhaps to receive a group briefing or exhortations in behalf of some favored Administration bill, the President had been cordial enough. He had not, however, referred in the slightest way to my expressions of concern; given the circumstance of our brief public encounters, I had no opportunity to raise the question.

I was reluctant to think that a Congressman who also was of the President's own political party, and who addressed him on the most crucial issue of the times, could not reach him. On May 10, 1971, I wrote to Mr. Nixon:

I would appreciate very much the opportunity to meet with you personally for a few minutes to discuss an al-

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ternative course in Southeast Asia from that expressed in your recent speeches.

If my suggestions are unacceptable or inappropriate in view of circumstances not publicly revealed at present, then perhaps our meeting might be helpful to you in giving you factual information ascertained from my recent visits to Viet Nam and Laos, as well as better informing me of the problems with which you are confronted.

At the very least, perhaps we can help each other to understand the differing views that remain to be reconciled in order to restore a common faith of Americans in their government and its leaders.

No response.

A Congressman—elected by 530,000 Americans, writing respectfully and seriously—could not obtain the courtesy of a response from his President.

There were other reasons for concern. In the early fall of 1970 Mr. Nixon invited a number of young Republican Congressmen to the White House for a breakfast discussion of election-year tactics. He said that private White House polls revealed that the two major concerns of Americans were crime in the streets and campus unrest. The President suggested that we as Republicans should concentrate our political speeches on crime and campus unrest. We should make it clear that we no longer would coddle or tolerate troublemaking dissenters; that the Democrats were “soft” on “law and order.”

President Nixon suggested that we should not “dema-gogue” these issues, but then paused and smiled slightly, and the inference was perfectly clear that we should do exactly that. The President himself did so on election eve, and in the wake of the election it became evident that the whole Republican national campaigning effort had been to

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prey on the divisive fears and prejudices of the American electorate—to appeal to the worst rather than the best instincts of the voter.

I firmly believe that it is this negative attitude of leadership—the doing and saying of what is politic rather than what is right coupled with the custom of concealment and deceit—that has caused the loss of faith which today so threatens the finest system of government ever devised.

I would rather give up my seat in Congress than stand by in acquiescence to these practices. In the words of Oliver Wendell Holmes, Jr.: “Sooner or later we shall fail, but meantime it is for us to fix our eyes upon the point to be stormed, and get there if we can.”