This letter on the Post's editorial approving the reversal of Judge Hoffman in the Chicago Conspiracy Case, the editorial and all comment I've seen lose sight of the central fact, which is not from the administration's point of view the cost or the freeing of the defendants but the law it was seeking to validate. Thus this was not a defeat for the administration of those seeking to drive the country into a more authoritarian stance. It was for them a vert real victory. This law was ruled Constitutional, and that was their real objective. It is the objective of the law, too. That is why these defendants were selected rather than, say, bombthrowers, for the initial test of the law. Pretty much the same seems to be true in the Ellsberg case. Except for a few vindictive ones, I don't think anyone really has as his real objective putting Ellsberg and Russo in jail. And in all of the turmoil since the cae of The Pentagon Papers got before the first grand jury, nobody mentions that it has been followed by a whittling away of the traditional rights of the press by Nixonite prosecutors and Nixonite judges whose ultimate judges with be the Nixonian Supreme Court. All of this is repression the objective of which is a more authoritarian society. HW 12.13.72

Post 12/8/72

Judge Hoffman Reversed

As the parents of one of the "Chicago 7" we are deeply appreciative of your editorial—"Judge Hoffman Reversed." (Washington Post, Nov. 25.)

You write—"It was a trial that should never have taken place, tried by a judge who should never have tried it, prosecuted by an attorney who should never have prosecuted it, and it flowed from events which need never have occurred in the first place." How true! We would only add—to stop a war that should never have started.

This trial was a tragedy as you point out. In addition to the reasons you mention because it cost the defendants nearly a million dollars and the taxpayers at least as much. Even more serious is the anguish suffered by the families and friends of the defendants, not to mention what it did to the defendants. In addition it immobilized those who were making progress in arousing the conscience of America against this horrible war.

Hundreds of thousands of people have been killed since this trial began. It is possible that the government feels that it won since obviously its purpose in indicting these men was to stop their efforts to arouse public opinion against this war. From this point of view the government had some success.

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