

AFTER THE RIOTING during the 1968 Democratic National Convention in Chicago this reporter talked with one of the top-ranking men in the police hierarchy. Wasn't it perfectly evident, I asked, that so long as you had fearfully crowded prisons such as the Cook County Jail — really advanced schools for crime — you would get more and more crime in the streets?

He responded with a sardonic look and a question of his own: How many times do you think the voters of Chicago have turned down a bond issue to build a new jail? Whether it was two or three times, the voters had spoken out loud and clear.

That is the crux of the matter all across the country. Overcrowded, outmoded jails, inadequate salaries and training for police and correctional officers — the whole complex of a private war between the lawmen and those outside the pale of the laws. What Attica says, with the force of a thunderbolt, is that it may already be too late.

Certain despairing conclusions come out of that massacre. The black militants never apparently realized that the guns will in the last analysis always be in the hands of the Establishment, of law and order. The more they escalate their demands, as they were escalated in Attica, the more likely the guns will be used. The end result of the spiral, if it goes unchecked, will be the end of the comparatively free society we have known.

EVERY DECISION taken by authority is in one degree or another political, as was Gov. Nelson Rockefeller's decision against intervening personally at Attica. The intervention might have been futile, as he and others believed. Weighing the whole matter, without too much conscious cynicism, he may have concluded that majority opinion would be on the side of action at the end of four days rather than with the black revolutionaries who for the television audience kept repeating their fantastic demands.

Nevertheless, it is a stain on the Rockefeller record that will not soon be erased. Tom Wicker of The New York Times and other "observers" who went through the four-day ordeal contin-

ued to believe to the end that there must be a way out other than shooting to kill.

That Attica will be any sort of deterrent no one can believe. Less than a month ago in San Quentin in California a prison riot resulted in six deaths—three guards and three prisoners—including George Jackson, one of the Soledad brothers. This was still another act in the Soledad drama, which involved Angela Davis following a shootout in the San Rafael, Calif., courtroom.

Miss Davis' case illustrates the way in which political agitation seeks to blur, if not frustrate, the judicial process. She is charged with a criminal offense, the purchase of the guns which were used in the San Rafael shootout. Under California law supplying the weapons used in a murder subjects the alleged supplier to the same charge as those who fired the guns. Worldwide agitation seeks to establish that Miss Davis is being tried—and will be convicted—because she is black and a Communist.

THE TRIAL in New Haven, Conn., of Bobby Seale, chairman of the Black Panthers, on charges of murder and kidnapping lasted for six months. It ended in a hopelessly deadlocked jury. Judge Harold H. Mulvey called a mistrial and ordered all charges against Seale and his codefendant, Erika Huggins, dropped.

In the face of a massive demonstration of black militants and their supporters in behalf of Seale, that trial seemed to threaten not only the town of New Haven but Yale University. President Kingman Brewster expressed skepticism as to whether a black man could get a fair trial under present circumstances. The outcome of the Seale-Huggins case seemed to answer that skepticism.

On the contrary, no matter what the hard evidence, a black of any prominence is likely to get a better break than a white man. That is not true, of course, in the ghettos where crimes of black against black swell the appalling statistics of violence. Justice will not come out of the end of a gun barrel as the tragedy of Attica has shown once again.

Marquis Childs Post  
9-17-71  
**Militants Seen  
Inviting Curbs**