

PROFESSOR Telford Taylor, the judge who led the US prosecution at the Nuremberg trials, finds that the only legal grounds for condemning American action in Vietnam is on the basis of the "principle of proportionality" (*The Guardian*, January 11). This rule requires a reasonable relationship between the military objective and the damage and suffering which its attainment entails.

His conclusion: "The military objectives, even as described by the Pentagon, seem so trivial, and so removed from our shores, that the death and destruction we inflict appear as wanton."

This pathetic legal timidity boils down to no more than the "you-took-a-sledge-hammer-to-crush-a-nut" rebuke. It reminds me of the Catholic doctrine of "double effect," used or rather abused to guarantee absolution for some pilots over Vietnam.

The doctrine draws a distinction between the intended and actual effects of an action, to ensure a person's absolution where an evil is unintentionally perpetrated. The pilot in self-justification was able to claim that he was only fighting soldiers who had taken up arms on the same terms as himself and if in the course of his action he rains fire and death on the innocent . . . well that was not his intention - it was something he could not legislate for while miles away from his unseen target.

* * * * *

Evidence of the effects of "bussing" negroes to white schools reveals (a) no marked academic improvement but (b) more chance of getting to better colleges. The lesson is an old one: it's who you know, not what you know.

* * * * *

IN JUST one weekend in January the political opposition leaders of the USA and UK warned us of the dangers of fascism in their societies.

Mr. McGovern, lecturing in Oxford, said that they were closer to one-man rule than at any time in history - because the other branches

Thin end of the wedge

— BY FRED
HARRISON

of the political system founded by the fathers were now impotent.

Mr. Wilson, in his new campaign to present the Labour Party as a coherent alternative, warned of the danger of "a lurch into fascism" if people, finding nothing to choose between the two main parties, allowed themselves to become a target for extremists.

The latter gentleman need detain us but briefly. If he were sincere in motive and clear in analysis, he would know that the ordinary citizen is reasonable and not given to extremism; but that, if the options open are so narrow set against disastrous circumstances, he might have no alternative but recourse to "extremism". The political options are too narrow, and Mr. Wilson, if elected Premier, would not open them by converting the electoral system to a truly democratic, representative one. (I'm referring to proportional representation.)

Mr. Wilson's party could not become an adequate alternative. So his presenting us with the warning does not open up the options. If his analysis, then, is a correct one, it is one which we still face.

BUT it is significant to hear a member of the American Establishment tell us that they no longer

A Personal Column

have an "open society" - the key liberal democratic concept which contends that the constitution

guarantees that the political system is open to alternative ideas and freedom of behaviour.

North America can be more accurately characterised as a closed society, beginning at the nuclear level with the family. Urban families fear their neighbours; so, to avoid a mugging or a murder, they lock themselves in their homes at night, and feed on a diet of food and information processed through TV. The emotional dimension to living is being clinically extracted for all-American consumption. Lock the car door when out for a drive. Don't walk down lonely roads. Suspect the friendly approach.

Nihilism is a disease attaining cancerous proportions. The Vietnam veteran who can't find a peacetime job and so goes on a turkey shoot from the top of a sky-scraper; the high school drop-out who experiments with drugs; the middle class executives who indulge in freaky relationships. These are escapes which recognise inter-personal relationships only where these can be exploited selfishly. They reveal a disaffection with the hypocrisy, immorality and sterility of ideas in public life, matched by individual helplessness. (Witness the bugging of the Democratic headquarters. The scandal should have been enough to bring down Nixon; it moved nobody except a few journalists. The Republican leader returned to the White House under a landslide of votes.)

At the macro-level, Nixon has been sanctioning a closed society philosophy: he calls it "disengagement."

I fear the cataclysm which will be necessary to shake open the doors of America and breathe new life into her.

* * * * *

Mr. Heath is an advocate of "open government." Just be careful he doesn't wedge your nose between the covers of the Theft Act and the Official Secrets Act.

* * * * *