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The Kremlin's newest views

By HEDRICK SMITH

MOSCOW — While world attention has been focused on the American-Soviet confrontation over the Haiphong raids, the Kremlin has quietly been bolstering its position elsewhere in the world to gain bargaining leverage for President Nixon's scheduled visit.

Well-placed Russians say that Premier Fidel Castro of Cuba will be here in mid-May, shortly before Nixon — a not so gentle reminder to Washington of its vulnerability in Latin America. The timing is especially propitious for the Kremlin in view of the Nixon administration's recent clashes with Peru and other Latin-American nations over whether to maintain sanctions against the Castro government.

MOSCOW'S denunciation of China has virtually ceased over the past month and the chief Soviet negotiator on border issues, Leonid I. Ilyichev, went back to Peking amid signs that more significant bargaining with the Chinese leaders was foreseen.

Whatever the outcome, one evident intention is to neutralize the trump card of Nixon's dramatic visit to Peking by demonstrating that China-Soviet relations are really not all that bad.

In the border lands to the south, the Soviet leadership has recently reached out to put more pressure on western oil supplies and to assert influence on the exposed southern flank of the North Atlantic Treaty Organization.

Well-placed diplomats disclosed that President Nikolai V. Podgorny tried during his recent visit to Ankara to persuade the Turks to sign a treaty of consultation with the Soviet Union. Turkey, an active member of NATO, balked at that, but Podgorny did achieve a breakthrough in getting her to sign a joint declaration "on the principles of good-neighborly relations."

Though the Ankara government insisted on language stressing that the declaration "in no way affects the commitments assumed earlier by either side," the point was made that Washington had better be mindful of Moscow's growing influence with the Turks.

IN IRAQ, the Soviet leaders scored their signal success of the spring with the conclusion of a treaty of friendship and an even deeper involvement in the Iraqi oil industry. The treaty, patterned after the one the Soviet Union signed with India last fall, calls for consultations on defense.

Of great concern to Western European diplomats is the expanding Soviet role in the nationalized sector of the Iraqi oil industry. It is too soon, they say, to predict the international impact, but some foresee a day when the Soviet-Iraqi combination — a pattern that may be tried in Libya as well — will lead to nationalization of western oil interests in several Arab states. Washington must be aware that its European allies are clearly uncomfortable at that prospect.

Despite such gains, the North Vietnamese offensive in South Vietnam and the sharp Ameri-

can counterblows have made the next month, leading to the Nixon visit, an extremely delicate time for Soviet diplomacy.

THE ASSESSMENT of experienced western diplomats here is that the Kremlin is pleased to see the President on the defense — especially if the Vietcong were to hoist their flag over a provincial city like Anloc — and, theoretically, under more compulsion to compromise when and if he gets to Moscow. But the diplomats are skeptical that the Russians instigated the communist offensive for that purpose.

Rather, they see Hanoi calling the signals both to embarrass Nixon before his visit and to demonstrate to all concerned, Moscow and Peking included, that no outside power can impose terms or arrange a settlement until it is ready. According to what American officials have said privately in recent months, Moscow and Washington agreed to the summit meeting with the expectation that the other side would pursue its long-standing policies in Vietnam.

It is taken for granted among the western diplomats; moreover, that Moscow, as Hanoi's major source of arms, was fully aware of its strategy. They maintain that the Kremlin must have anticipated sharp American retaliation and was prepared to weather it, or at least some of it.

SO FAR that thesis has held. The Kremlin has given ample evidence that it is eager to go through with the visit, even at the risk of appearing more eager than the White House.

The Russians have chosen so far not to use the Vietnam escalation as a pretext for breaking off preparations for the visit. Indeed, the protest over the Haiphong raid, given the damage to four Soviet ships, was relatively moderate by past standards. And well-placed diplomats indicated that the Russians regarded the American reply as equally moderate for the circumstances.

For the Soviet leaders, the Nixon visit is more than a matter of prestige and an opportunity for bargaining on strategic arms, trade, space cooperation and the Middle East. It has become inextricably bound up with other elements of the policy of detente.

FOR THE PRESENT, events in Vietnam are strangely linked with events in West Germany. So vital is ratification of the Soviet-West German Nonaggression Treaty to Moscow's European policy that western diplomats reason that the Kremlin can ill afford the all-out confrontation with the West that would arise from canceling the Nixon visit before the vote in the parliament in Bonn.

West German Chancellor Willy Brandt's precarious majority in favor of ratification has been bolstered by Washington's support for the treaty. The presumption among diplomats here is that American support might be withdrawn or fatally reduced — if the visit was called off out of a sense of solidarity with Hanoi over some further American raid.

(C) New York Times

Present rights 'satisfactory'

Third in series

"If one has serious reservations about other sections, the new declaration of rights, alone is not such an improvement as to warrant an affirmative vote.

"If the new document is defeated and we are left with the existing constitution, the present declaration of rights is satisfactory and we could expand protections through legislative action or constitutional amendment."

This is the conclusion of Emilie Loring of the University of Montana School of Law in a dissertation on Declaration of Rights. The legal scholar compares the 1889 Montana Constitution as amended with that of the proposed 1972 model on which you will vote June 6.

The Declaration of Rights is Article II of the 1972 model. Its 35 sections add to, delete from and expand into new fields of rights when compared to the 31 sections of Article III, A Declaration of the Rights of the People of the State of Montana" under which Montana operates.

In the proposed constitution, eight of the sections are all new, 11 are revisions of the old, two are open to question and 14 cover essentially the same matter with some identical.

Three have been deleted from the 1889 writing. They are Sec. 25 which provides aliens have the same rights as citizens to own mines, Sec. 28 which prohibits slavery and Sec. 29 which declares that constitutional provisions are mandatory.

These wouldn't appear to need discussion. The same goes for the

14 almost identical sections. Whether you approve the 1972 constitution or not, they'll still be there.

So let's turn to the new-revisions:

Sec. 3 is titled Inalienable Rights. It contains the same rights as the 1889 document plus "the right to a clean and healthful environment and the rights of pursuing life's basic necessities" and "In enjoying these rights, all persons recognize corresponding responsibilities."

It is here that the writers of the 1972 model start to expand into new ground.

Lawyer Gerald J. Neely asks "The immediate question is whether the new provision creates the right for all such necessities of life and health to be provided by the public treasury. The provision is clearly aimed at elevating public assistance benefits from the level of privilege to that of a right."

Emilie Loring says of the environmental right and the basic necessities pursuit right that "This is not self-enforcing; an individual probably could not effectively enforce this right in a court of law because no legal duty has been placed on the government" but "... those who seek environmental legislation may find it helpful to have statements of basic state policy in the constitution ... The assertion will need legislative action and executive energies to accomplish affirmative results ..."

There's another facet, too, of the expansion of rights in the "Bill

of Rights" article that is demonstrated by the aforementioned section.

The 1972 model establishes inalienable rights for a citizen not only in his relationships with his government but also with unions, corporations, individuals, the whole ball of wax. This is far beyond what the U. S. Constitution or Montana's current document involves.

It could be construed as to not only guarantee you the pursuit of happiness but, by golly, to constitutionally establish your right to catch and have it.

Sec. 5 of the 1972 model is Freedom of Religion. It, as stated the other day, follows the wording of the U. S. Constitution.

The only material difference is a removal of specifics on polygamy, bigamy, acts of licentiousness and opposition to civil authority and the manner in which formal oaths are sworn.

Some might argue this should remain. We won't because of coverage by other law.

Sec. 7 is Freedom of Speech, Expression and Press. It adds two items, the word "expression" and allows truth to the given in evidence in slander as well as libel cases.

The purpose is to broaden freedoms, which a strict constructionist court might not find covered by the current document. It's a plus.

Sec. 16, The Administration of Justice, in the 1972 model is a sleeper, with a provision that was

inserted to get around a Montana Supreme Court decision.

The charge is made it was sponsored by lawyers who want to be sure there is somebody with money to sue when an injury takes place even though the injured workmen is fully covered by workmen's compensation. The plaintiff's employer and fellow employees covered by Workmen's Compensation Laws are specifically exempt from the action. Any others involved, even technically, could be fair game.

If the 1972 model passes, lawyers advise that in every contract you let you must not only require workmen's compensation coverage on the employe of the contractor or subcontractor but also require the contractor to indemnify or insure the owner of the building or property against any possible claim or loss by reason of a third party suit brought by the injured workman of the contractor against the owner.

In summation, it is going to cost you more money when you have a job done if you want to be protected against a personal injury suit. It was backed by a trial lawyer who lost a third-party case in District Court and the Montana Supreme Court and was turned down by the Montana Legislature.

Now, perhaps because the lawyer involved was a delegate, it finds itself in the proposed constitution.

It has no valid place in the Montana Constitution.

Neither does another provision of the Declaration of Rights, which we'll take up subsequently.

Seriously, McGovern?

By JAMES J. KILPATRICK

YOUNGSTOWN, Ohio — The shouting scarcely had died Tuesday night in Boston and Philadelphia when the word was passed to have bags in the lobby at 6 A.M. A part of our gypsy caravan flew off to Indiana; part of us caromed to Ohio. Next week, Nebraska. Or maybe West Virginia? Who knows? It gets to be a blur.

But the blur is not as blurry as it was. The field of Democratic hopefuls, which once had seemed so large, has now dwindled down; and the utterly improbable notion is beginning to take root that the prize may yet go to George S. McGovern.

GEORGE WHO? Two months ago, to borrow a phrase from the late Joe McCarthy, such a prospect would have seemed the most unthinkable thing one ever thought. Back in February, the Senator from South Dakota was three-four-fives per cent in the polls. His only role, it was thought, was to serve as a stalking horse for Edward Kennedy. Reporters were joking then about his lack of excitement: "When McGovern enters the room—pause for effect—nothing happens."

Well, plenty happened in Massachusetts. McGovern took on Edmund Muskie in a head-to-head race, and ran him into the ground. When a final tally permits close analysis, it probably will be evident that McGovern ran well everywhere. He was expected to sweep the pointed-headed precincts of Harvard, but he was not expected to gobble up the no-nonsense wards of middle Boston.

It is hard to believe, but he ate the whole thing. The next several weeks will be rough, but they will be rough for Hubert Humphrey too. If McGovern can hold his position until the June 6 showdown in California, where the winner takes all, he could head for Miami with the roses around his neck.

How to explain it? Several reasons come to mind. Paradoxically, George who is benefiting because many voters still do not understand who George is. And they do not especially care. His handsome face is a fresh face. In a time of massive disenchantment with the Establishment, whatever that noun embraces, McGovern is seen as a man apart. Like George Wallace, he provides a vehicle for protest.

BUT MCGOVERN is something more. Many voters do indeed understand his positions, especially on the war: "My platform is to stop the bombing of the people of Southeast Asia immediately and then get every American out of Indochina lock, stock and barrel within ninety days."

That is plain speech. McGovern has preempted the anti-war issue; he has reduced Humphrey and Muskie to the me-too murmurs; and the more the war heats up, the hotter he gets.

A third factor: McGovern throws off no sparks, but he conveys something else: decency, kindness, compassion. To a round table jammed with sweaty knights, clad in battered armor, he brings the Galahad touch. He is the ultimate do-gooder, but he arrives on the scene at a moment when many disgusted voters want to see

good done. Finally, mundanely, the April flowering of George McGovern has to be credited in significant part to old-fashioned organization, to a methodical tilling of the soil. He has been formally on the trail of this nomination for more than 15 months. He has attracted some of the top professionals in the business, many of them old Kennedy hands. His campaign management, in a short word, is superb.

PUT THESE several factors together, and add a few more — the abnegation of Kennedy, the slow dissolve of Gene McCarthy — and the McGovern phenomenon seems less amazing. But when I look at the whole show, at McGovern's winning the nomination, at his defeating Richard Nixon, I still do not believe it.

The far-out liberalism that served McGovern so well in Wisconsin and Massachusetts is likely to prove much too far out for other regions; and now that his candidacy is being taken seriously, his ideas — for example, his jaw-dropping concepts of tax and welfare reform — will get the serious attention they have not yet received.

He is emerging from George who to George, what.

And the doctrinaire "what" of George McGovern embraces an extremism of the left that goes far beyond the extremism once attributed to Barry Goldwater on the right.

When McGovern ranked as no more than another dark horse, somewhere back in the pack, his philosophy went unnoticed. It won't go unnoticed now.

(C) Washington Star

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BRICKMAN

Sweetest victory

By MARY MCGRORY

BOSTON — Sen. Edward M. Kennedy showed up early on election day at the Old Charles Street meeting house, a lovely Bullfinch building that must be one of the most beautiful polling-places in the country.

The morning rush was on and he had to wait almost an hour. Nobody, the nice Irish cop on duty reported later, gave up a place in the line to run over and shake Kennedy's hand.

When the returns came in that night, they showed that Kennedy's home precinct had gone better than 7 to 1 for George McGovern.

TEDDY PLAYED a part in the Massachusetts drama, a rather negative and self-effacing one, which may not have convinced everybody that he is totally out of it but at least revealed that he knew his people better than the rest of the state's politicians, who went down with the Muskie ship.

A cunning lot, the Massachusetts pols had made an arrangement whereby they would go uncommitted to Miami, with Teddy as their leader.

In mid-January, Teddy, pointing out that such arrangements are antireform, pulled out. The politicians, dead certain that McGovern was going nowhere, clambered aboard the Muskie bandwagon, the surest transportation to Miami.

Nobody could have foreseen what happened. Nixon escalated the war, and the professional pollsters of the McGovern camp discovered that concern about Vietnam jumped from 40 per cent to 60 per cent as the primary, concern OK Massachusetts' dove population.

The campuses came to life, a tumult of canvassing ensued. Women and children who cared nothing about what the polls or the pols said, began pouring on the coals.

FOR THE FIRST time in almost a quarter of a century, the voters of Massachusetts had no Kennedy on their minds. The McGovern canvassers, faithful retrievers, brought back no mention of Kennedy among the agitated voters.

For the first time that anyone can remember, it was the issues rather than a personality which dominated a Massachusetts campaign.

At Teddy's polling place, the voters were thinking McGovern.

A middle-aged woman with a Swedish accent said, "It is his ideas, not the man, I voted for. He said he would stop the war. The others say it, too, but I believe him."

A white-haired woman, in a suit that is the uniform of the proper Bostonian, came in at noon, was given a Republican ballot and came back from the booth deeply troubled.

"I just can't vote for you know who," she said to the officials. "Isn't there some way I can vote for McGovern today?"

The policeman said, "No, lady, you're a Republican. You'll have to wait until November."

THE MASSACHUSETTS voters, it seems, had taken Teddy at his word.

And the McGovern sweep in Kennedy country without a Kennedy blessing was McGovern's sweetest victory.

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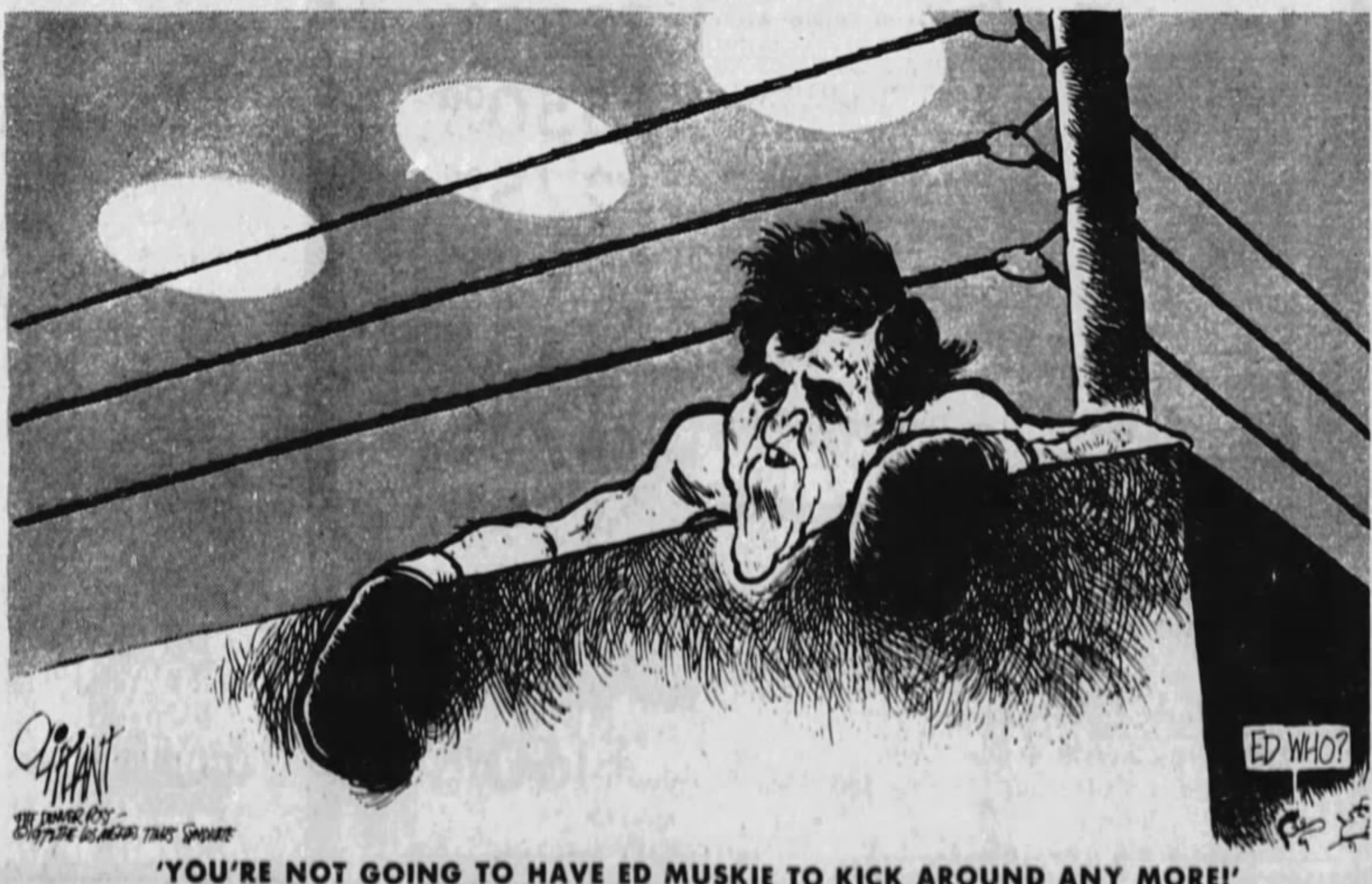
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THE SENATOR said he would bring no pressure whatever on Teddy Kennedy for an endorsement. To their amazement, the McGovern staff heard themselves saying that they really did not need it right away. "I'd rather have him make a few telephone calls," said one McGovernite.

The politicians of Massachusetts will be bearing down on Teddy to save them from the fruits of their folly, but the people seem to have settled down with George McGovern.

(C) Washington Star



Voice of the Readers

Letters in Voice to the Readers are limited to 300 words and subject to editing for clarity, libel and length.

For millionaires only

It is hard to understand the feeling of some people when you mention the cost of the space program. Their answer might be, "Let's do something about the Welfare and programs along that category."

but welfare and relief programs, or like back in the 30's the soup lines and food commodities. So, I give the space program to the millionaires and make it their baby. Maybe if this was done they could call it The Millionaires Space Project. If I were a millionaire I would like the idea.

Bob Blome Sr. Wibaux