Hustler conviction: a judicial obscenity

By William Lasser

Last Friday, The Tech ran a cartoon by Mike Peters which depicted the federal judge who convicted Larry Flynt, publisher of Hustler magazine, as trying to place his name with that of John Peter Zenger, who was acquitted in 1735 by the court to keep intact the First Amendment. It would still protect him from being shut down forever by an overzealous official in Ohio or Tennessee. Perhaps "appalling" would have been more appropriate.

Neither the Ohio prosecution "deeply disturbing." The conviction will undoubtedly be appealed, probably to the Supreme Court of the United States. There, Warren Berger and the eight associate justices will attempt to clean up the mess they created four years ago when they declared that obscenity laws were a matter of "community standards" and had nothing to do with the federal judiciary.

The real danger in the obscenity field is that the Court's ruling, as presently interpreted, makes it possible for any community to enforce its standards but far more important in terms of constitutional freedom. It is a matter of "community standards" and had nothing to do with the federal judiciary. To steal from an American government ... The weakness of our two-party system can be traced to its inability to focus on the implications of those assumptions and sign the votes accordingly. Note that the approach closest to the heart of the Republican Party (Friedman's) was largely pre-empted by Carter during the last campaign. He drove home the need for efficiency and competence in government, and keyed his attack on the disproportionate influence of well-heeled lobbyists that subvert the function of the federal government. The result: Carter's broad public power has forced him to tread a thin partisan line. To make good on his promises of realisation, welfare reforms, energy policy, government efficiency, and deregulation of the private sector (all of which are "bipartisan" issues), the President must begin to deal effectively with Congress' Democratic majority.

Despite impressive manipulations of important symbols and a refreshing personal style, Carter is clearly eager to establish a new national direction by taking on issues he can sink his teeth into. His obvious insistence in dealing with Capitol Hill, however, has tempted him to concentrate on foreign policy questions, about which, it is noted, he knows little.

Mystere of the national political system is a monumental task. The bureaucracy that must be tackled is bloated, irrational, incomprehensible, and inefficient. It is optimised by the welfare system, whose rationale has not been rethought in years, despite ballooning costs. Effective government has never been an outstanding American virtue, but the necessity for it has probably never been as acute as it is today. Given a chance, Carter has the exceptional intelligence to become an outstanding leader. But the frustrations will be enormous — how can Congress, or at least a facility for ram- mer proposals through it, and he also revitalises his party, the bureaucracy, and the country by proposing a broad new political movement, and a comprehensive philosophy of government. National drift, and chaos, are the unpleasant alternatives.

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The Tech received a copy of this open letter to the MIT community: To the Editor:

Those of you who read Sunday's Globe may have noticed an article about President Carter's intentions to have Congress abolish the National Direct Stu- dent Loan Program. Many students here will be hurt drastically by the loss of this program. The following letter, which expresses our concern, will be available to all members of the

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