

an incompetent patient if it is manifest that such action would further the patient's best interests in a narrow sense of the phrase, even though the subjective test that we articulate above may not be satisfied."

'Best interest' tests

The Court establishes a "calculus of pleasure and pain" which stinks of vicious utilitarianism:

"We therefore hold that life-sustaining treatment may also be withheld or withdrawn from a patient in Claire Conroy's situation if either of two 'best interests' tests—a limited-objective or a pure-objective test—is satisfied.

"Under the limited-objective test, life-sustaining treatment may be withheld or withdrawn from a patient in Claire Conroy's situation when there is some trustworthy evidence that the patient would have refused the treatment, and the decision maker is satisfied that it is clear that the burdens of the patient's continued life with the treatment outweigh the benefits of that life for him.

"By this we mean that the patient is suffering, and will continue to suffer throughout the expected duration of his life, unavoidable pain, and *that the net burdens of his prolonged life (the pain and suffering of his life with the treatment, less the amount and duration of pain that the patient would likely experience if the treatment were withdrawn) markedly outweigh any physical pleasure, emotional enjoyment or intellectual satisfaction that the patient may still be able to derive from life.*

"In the absence of trustworthy evidence, or indeed any evidence at all, that the patient would have declined the treatment, life-sustaining treatment may still be withheld or withdrawn from a formerly competent person like Claire Conroy if a third, pure-objective test is satisfied.

"Under that test, as under the limited-objective test, the net burdens of the patient's life with the treatment should clearly and markedly outweigh the benefits that the patient derives from life.

". . . We expressly decline to authorize decision-making based on assessments of the personal worth or social utility of another's life, or the value of that life to others."

This does not differ from Hitler's claims for "mercy death," but the New Jersey judges want to achieve the same effects without *seeming* to create state authority for them.

Nazi "mercy killings" murdered about 275,000. In New Jersey, approximately 45,000 people are immediately threatened by the new ruling. Across the United States, about 1 million fall into the threatened categories.

The New Jersey judges have defined, as did the Nazis, the idea of "life not worthy to be lived"—no matter how tortuously they seek to cover this up. That idea is the basis of mass murder, as the International Monetary Fund is applying it on a world scale. It is the basis of the Carter administration's *Global 2000* document, which decrees the human race must be reduced by half by 1999.

Administration beats

by Kathleen Klenetsky

Arizona Senator Barry Goldwater, who in December was insisting that crucial defense programs like the MX missile be cut to reduce the budget deficit, has reversed his position and is now maintaining that any freeze in military spending "could seriously damage the national security of the United States and compromise our ability to provide program management stability in the Pentagon."

Goldwater expressed this sentiment after a Jan. 11 meeting with Senate Republican leaders who were advocating the defense freeze that Goldwater had earlier espoused. Goldwater announced afterwards that such a freeze would send "a wrong and dangerous signal to our NATO allies and our adversaries," and that substantial reductions in procurement and research and development programs "would result in the very weapons program inefficiencies and waste which both the Pentagon and Congress have sought to eliminate." On Jan. 23, Goldwater announced that he fully supports the 6% real increase in defense spending sought by President Reagan and Defense Secretary Weinberger.

Administration backs Pentagon budget

Goldwater's sudden 180-degree reversal testifies to intensive efforts by Reagan and Weinberger to protect the defense budget from further gouging by a Congress run amok. After agreeing to \$8 billion in cuts in military spending for FY1986, they are making it clear that no further cuts will be tolerated.

Both men are personally twisting congressional arms, especially those belonging to the crowd around Senate Republican Majority Leader Bob Dole. This gaggle has been demanding that the Pentagon be subjected to major new cuts, in order to balance the budget. Weinberger visited the Hill Jan. 17 where he met with House Republican leader Bob Michel and other key Republican Congressmen to explain to them that defense budget-cutting would do "major injury" to U.S. national security and impede U.S.-Soviet arms-control negotiations.

Several days later, Weinberger met with Senate Republican leaders to deliver the same message—this time taking pains to demonstrate what damage the defense spending-freeze which many of them espouse would do to U.S. military capabilities.

The upshot has been that key advocates of such a freeze have been forced, albeit reluctantly, to concede that such a measure is probably unachievable—at least for now. Shortly after the Weinberger-Senate tête-à-tête, Budget Committee

back defense freeze

chairman Pete Domenici (R-N.M.), a prime mover behind the defense budget-freeze, told reporters it would be "realistic" for Congress to come up with a defense figure "somewhere in between" a freeze and the administration's request. Dole has also distanced himself from the idea.

Not out of the woods

Although the administration may have won the battle over the defense-spending freeze, the war for the Pentagon budget is by no means over. Capitol Hill Republicans are putting out the word that they have no intention of giving Reagan and Weinberger the full amount they want for military spending. Indeed, the "somewhere in between" figure cited by Domenici translates into an additional \$6 billion in cuts.

In a widely reported Jan. 25 speech to the U.S. Chamber of Commerce, Dole again adamantly insisted that military spending must be subjected to further reductions if the administration wants Congress to move on its overall economic package. "A number of solid conservative Republican Senators tell me straight out unless defense is on the table, forget it," Dole threatened.

Dole's line is being echoed by Sen. Bob Packwood (R-Ore.), head of the Senate Finance Committee, and by Rep. Bob Michel (R-Ill.), the Republican House leader, who has concocted a rotten "compromise" by which Congress would continue to fund the MX—but only if the administration agreed to reduce the Pentagon budget to 4% real growth.

Dole and his gaggle got a leg-up Jan. 15 when Paul Volcker conclave with Senate Republican leaders. The Fed chairman disengaged his mouth from his cigar long enough to demand that Congress cut "\$50 billion *plus*" from the U.S. deficit in FY1986. According to Sen. John Chafee (R-R.I.), that figure is Volcker's absolute minimum. "He didn't think \$50 billion was enough," Chafee reported. Volcker added that if spending is not cut enough, he will "look elsewhere" and demand that Congress hike taxes.

According to media accounts, Republican Senators greeted Volcker's words "warmly," agreeing with him on the need to slash cost-of-living increases and to gouge military spending. Immediately afterwards, Senate whip Alan Simpson (R-Wyo.) spoke to reporters on Volcker's recommendations: "It's drastic, heavy, tough stuff [but] it's got to be COLAs, it's got to be defense and you can't just mess around."

Simpson specified that it will be necessary to revoke major weapons systems contracts that are already in effect.

"There may have to be votes on elimination of various systems. We're going to have . . . maybe even a more dramatic approach than that, we may have to break the contract." The two key weapons systems being "studied" for possible cancellation are the MX and B-1 bomber, said Simpson, adding that the MX is already "perilously close" to being cancelled.

The Strategic Defense Initiative is also a prime target of the congressional budget-cutters. At a Jan. 23 press conference, KGB-linked Rep. George Brown (D-Calif.) announced he wants to keep SDI funding down to about half of the reported \$3.2 billion the Reagan administration is requesting. Aide Sybil Francis revealed that Brown's major goal is to "ensure that the SDI never leaves the pure research stage" and that he and his collaborators, including Rep. Larry Coughlin (R-Penna.), will try to eliminate all funds for prototype development and testing for the beam-defense program. Brown collaborates closely with the National Committee to Save the ABM Treaty, a group with close ties to Henry Kissinger, who advised a reporter in November that congressional budget-cutting was the best method of "whittling away the SDI to nothing."

Wall Street vs. defense

The austerity program Volcker outlined Jan. 15 conforms precisely to the strategy being pursued by the Bipartisan Committee to Balance the Budget, a collection of Wall Street investment banks and brokerage firms who want to force the United States to submit to the same International Monetary Fund surveillance and "conditionalities" policies now causing mass starvation in Africa. The group is headed by Peter Peterson of Shearson-Lehman-American Express, a financial conglomerate which serves as Kissinger's financial base.

Most, if not all, of Congress's assault on the defense budget is being directed by these networks. The chief economist at Shearson told a reporter recently that the defense budget for fiscal 1986 must be substantially reduced, through total elimination of the MX and B-1 bomber programs. He argued that since congressional authorizations are already in effect, the only way to slash the defense budget is to wipe out existing programs.

Robert Ellsworth, a former Defense Department bigwig and partner in Lazard Frères investment bank, told an inquirer last month that "3-4% real growth" is the most the defense budget for fiscal 1986 should permit. A Kansas native, Ellsworth is known to Wall Street insiders as Bob Dole's controller.

Congressional offices say that Peterson's Committee representatives are spending more time on Capitol Hill than most Congressmen, to build support for their policies. The Volcker-GOP Senate meeting was sponsored by the Business Roundtable of corporate presidents headed by Prudential Insurance's Robert Beck. Afterwards, Beck led a pack of Roundtablers to the White House to bring pressure to bear on President Reagan personally.