

**AFD Ep 454 Links and Notes - 2022 Year End Anniversary Roundup Episode [Bill/Rachel]  
- Recording Dec 27, 2022**

**WHAT HAPPENED IN 1872**

- [Rachel] May 1872: First issue of “The Popular Science Monthly” (now just “Popular Science”). <https://onlinebooks.library.upenn.edu/webbin/serial?id=popularscience>  
[https://en.wikipedia.org/wiki/Popular\\_Science](https://en.wikipedia.org/wiki/Popular_Science)
  - The Popular Science Monthly published science and technology articles written for the general, but educated, public. *Early issues were mostly reprints of English periodicals. The journal became an outlet for writings and ideas of Charles Darwin, Thomas Henry Huxley, Louis Pasteur, Henry Ward Beecher, Charles Sanders Peirce, William James, Thomas Edison, John Dewey and James McKeen Cattell.* There was some turbulence in 1915, when the then-owner sold the name and started The Scientific Monthly, which caused a short lapse in publishing in the latter half of the year. After the sale of the name, The Popular Science Monthly started to publish issues intended for a broader audience, and issues included more illustrations and shorter articles; The Scientific Monthly continued to write more academic articles. In the late 1940s, the “Monthly” was taken off the cover, and the magazine became known simply as Popular Science. As technology evolved, regular columns devoted to car maintenance and reviews of the latest car models were added. During the boom of internet usage in the 90s, Popular Science launched Popsci.com, where articles are published daily. In the current decline of print media, the last physical print issue of Popular Science was published in April 2021. Interestingly enough, the Internet Archive and Google Books have digital copies of almost the entire run of the magazine, and Popular Science magazine lives on as a solely digital publication.
- [Bill] [November 5, 1872 election](#): President Ulysses S. Grant was re-elected to a 2nd term easily, despite a split in the Republican Party with free-market Liberals aligning with some southern Democrats to support newspaper publisher Horace Greeley of New York, who ended up dying anyway later in November, between the popular election and the Electoral College vote. In the popular election before his death, Greeley had only carried six southern or border states in total. We’ve previously discussed the 1872 campaign and the Liberal Republicans with their cold attitude toward Reconstruction in [our episode #424 from May 2022 on the Amnesty Act of 1872](#). Despite the Liberal Republicans ostensibly being the party of free market capitalism, the actual rising Second Industrial Revolution tycoons threw their support and campaign cash firmly behind Grant for re-election. In addition to President Grant being more controllable and a popular war hero, Greeley was a weird annoying doofus candidate anyway. 4 Southern States had their elections thrown out for irregularities, including 3 won by Grant.
  - Besides all the infamous corruption stuff surrounding (but never directly implicating) Grant within his cabinet and administration, he was waging more Indian Wars, too, in 1872, and this would continue into his 2nd term. We will probably be talking about that next year, hopefully in a more comprehensive way.
- [Rachel] There was an extremely cool diamond hoax where two con men claimed to have found diamonds in the American Mountain West and lured extremely prominent big money investors and famous politicians on both coasts. Unfortunately for the scammers, the US Geological Survey had just completed a major survey of the exact area in question and were able (in November) as soon as they heard about it to bust the hoax and prove diamonds were planted on site.
  - [https://en.wikipedia.org/wiki/Great\\_Diamond\\_Hoax](https://en.wikipedia.org/wiki/Great_Diamond_Hoax) Two prospectors who were also cousins, Philip Arnold and John Slack, showed up in San Francisco talking

about their great find of a diamond mine, and they showed off a bag of diamonds. News of this mine spread far and wide, and attracted prominent investors. These investors got the “reluctant” cousins to talk about their find, and convinced them to show a mining engineer the location where they found the diamonds. Arnold and Slack led the engineer on a rambling, disorienting trip to the place where they found the diamonds, where there was a field with gems in the ground. These gems were valued by Tiffany at \$150,000.

- After the mining engineer made his report, more investors came forward eager to invest in the mine, including such prominent businessmen and politicians as Bank of California founder William Chapman Ralston, General George S. Dodge, Horace Greeley, Asbury Harpending, George McClellan, Baron von Rothschild, and Charles Tiffany of Tiffany and Co. The investors bought out Arnold and Slack for \$660,000 (\$14.9 million in modern dollars), and set up the San Francisco and New York Mining and Commercial Company. The company hired New York attorney Samuel Latham Mitchill Barlow as legal representative, and also added U.S. Congressman Benjamin F. Butler to the legal staff. Butler was given 1000 shares for amending the General Mining Act of 1872 to include “valuable mineral deposits” to the language of the bill to allow for legal mining claims to diamond fields.
- The company sent out another mining engineer, Harry Janin, to further evaluate the cousins’ find. Arnold and Slack led him and a group of investors to a location now known as Diamond Peak, in the northwest corner of the Colorado Territory. They found enough diamonds in the ground to satisfy Janin and the investors, and Janin wrote up a very optimistic evaluation of the land.
- Purely by chance, Janin had an encounter with geologist Clarence King, who had just completed a survey of the Fortieth Parallel, which covered the supposed diamond field. King and his team didn’t find any trace of a diamond mine. King sent geologist Samuel Franklin Emmons and cartographer A. D. Wilson to investigate the land, with King joining them later. The three men located the site, and pretty much immediately knew that Arnold and Slack had “salted” the land with the gems. They knew what geologic conditions were required to form the gems, and concluded that there was no way that the various gems could ever be found at the same site. King and his men informed the investors of the hoax. Further investigation uncovered that Arnold and Slack had bought cheap cast-off diamonds in London and Amsterdam, and that most of the diamonds were South African in origin. Arnold settled lawsuits from diamond-company investors, and became a banker in Kentucky. He died a few years later of pneumonia contracted after being wounded in a shootout with a rival banker. Slack lived a quiet life as a casket maker and undertaker in New Mexico and died in 1896 at the age of 76.

## WHAT HAPPENED IN 1922

- **[Rachel]** November 21, 1922: If you want to know what the first woman president will be like, ponder that the first woman US Senator served for one day in 1922 (as an honorary interim appointee from Georgia) and was literally a former slaveowner who was wildly pro-lynching and she was considered a Feminist. She worked for equal rights for middle-class white women, arguing that they needed an education so they could exert more influence and power inside the home. She was also a suffragist in the South, where women’s suffrage was least popular. At 87 years, nine months, and 22 days old, she was the oldest freshman senator to enter the Senate. Her honorary day in the Senate was used to boost the reputation of Walter F. George, who won the Senate seat in a special election after incumbent Senator Thomas E. Watson died. George could

have been sworn in immediately after the special election when the Senate reconvened, but he threw Felton a bone to curry favor with women voters. Oh and also one of her earliest childhood memories, which she later recounted in one of the earliest documentary films, was watching the Trail of Tears expulsion of the natives from Georgia. What a truly evil life! [https://en.wikipedia.org/wiki/Rebecca\\_Latimer\\_Felton](https://en.wikipedia.org/wiki/Rebecca_Latimer_Felton)

## WHAT HAPPENED IN 1972

- [Rachel] Jan 25: Shirley Chisholm campaign launched
  - <https://www.bbc.com/news/av/stories-60090476>
  - She was the first Black major-party candidate to run for President. She was also the first woman to run as a Democratic Presidential candidate. Although she was a Black woman, she focused on campaigning to be a President for all, saying, "I am not the candidate of black America, although I am black and proud. I am not the candidate of the women's movement of this country, although I am a woman and equally proud of that. I am the candidate of the people and my presence before you symbolizes a new era in American political history." However, she got little support from the Democratic party, with her campaign only spending \$300,000 in total. At the 1972 Democratic National Convention in Miami Beach, she ended up with 152 delegates. This gave her fourth-place standing versus George McGovern's 1728 delegates. Although she didn't win many votes, Chisholm said she ran for office "in spite of hopeless odds ... to demonstrate the sheer will and refusal to accept the status quo." Her candidacy was a huge inspiration to black women politicians, including Congresswoman Barbara Lee, who worked on the Presidential campaign, and her slogan "Unbought and Unbossed" has been the rallying cry for progressives to the present day.
- [Bill] Feb 2: Last US draft lottery, which has never resumed since. It wasn't necessarily clear at the time that it was the final lottery, because another one was meant to happen in December 1972, to be the official last one held, but it never happened because former President Harry Truman died right then and it was canceled and that was that. In the end, the February 1972 lottery was the last one held and this came only a year after the Nixon Administration had gotten Congress to pass a short-term extension. It was fairly clear by the start of 1972 that things were wrapping up with the draft. On June 28, building on this, *U.S. President Richard Nixon announces that no new draftees will be sent to Vietnam.* [US [ground operations had ended](#) in October 1971.] Ending the draft had been a 1968 campaign promise by Richard Nixon and was a hobby-horse among an ascendant cadre of conservative intellectuals and policy wonks because they realized that the draft came with a lot of political problems and an all-volunteer military might be easier to manage and more competent in the field anyway. It's probably worth reminding ourselves that ending the draft in 1972 was one of the reasons Nixon won such a huge re-election margin that year, despite the later retroactively negative views of him and his presidency... Another interesting fact is that this development was accompanied by two significant changes as part of the shift to an all-volunteer military: 1) The US Army began TV advertising for recruitment for the first time and 2) volunteer pay was boosted to incentivize people joining up willingly. Selective Service Registration came back in 1980 under President Carter, but there has never actually been a draft since February 1972. [https://en.wikipedia.org/wiki/Conscription\\_in\\_the\\_United\\_States#End\\_of\\_conscription](https://en.wikipedia.org/wiki/Conscription_in_the_United_States#End_of_conscription)
  - There is one other significant incident from 1972 related to the decline and end of the US military draft. On October 12 and 13 was [the USS Kitty Hawk riot](#), on board the aircraft carrier as it was off the coast of North Vietnam, participating in the US aerial bombing campaign there. The violent clashes that briefly threatened to become an all out armed battle were classified as a "race riot" and

featured attacks between the mostly new crew members, which newly included a higher proportion of Black servicemen than in the past, because of the end of the draft reducing the interest of White men in becoming sailors to reduce combat exposure. The enlarged contingent of young Black sailors included more vocal opponents of the war, especially after an aggravating series of incidents in segregated Philippines stopover points on the way to Vietnam. I don't remember if or how much we mentioned the Kitty Hawk riot in [our May 2021 bonus episode on Vietnam War resistance among US military personnel](#), which we haven't unlocked yet but will probably unlock this week or next week. When order was restored on board the Kitty Hawk, it resumed bombing flights. I think we maybe mentioned the aftermath beyond that which was that it returned to San Diego several weeks later and 27 Black servicemembers were charged over the riot, while not a single White sailor, airman, or marine was charged for their involvement. There was also a Congressional investigation in addition to the Court-Martial proceedings.

- **[Bill]** March 3: The evil Stone Mountain Confederate monument was finished (only 50 years ago wow!)
  - Stone Mountain was once an interesting geological monadnock formation in the Blue Ridge Mountains of Georgia, rising more than 800 feet above its surroundings and nearly 1700 feet above sea level, but after the American Civil War it gradually became a kind of memorial site to Lost Cause supporters of the failed Confederate secession from the United States. Allegedly it may have been the ceremonial site of the refounding of the new Ku Klux Klan in 1915, and certainly there were many cross-burnings on top of the mountain over the years. For several generations since the war, the concept of an official memorial or statue on the mountain in a memorial park was promoted. Eventually Gutzon Borglum, a northern sculptor who was involved with the new Ku Klux Klan of the 1920s (which the private owner of the mountain at the time also was part of) began planning a very elaborate sculpture honoring a huge number of prominent Confederate officers, although other concepts proposed called for just a memorial to the original Klan of the Reconstruction era. The US government even provided some support for the project. Despite carving Robert E. Lee's head, which was later blasted away to restart things, Borglum eventually quit the project and fled the state, famously going on to design the Mount Rushmore presidential memorial instead. The project floundered on for a few more decades, but the backlash to federal desegregation efforts in the 1950s kicked off a new effort by the State of Georgia to build a Confederate monument. In 1963, nationally-recognized war memorial sculptor Walker Hancock (originally of Missouri) was picked to design it. Another sculpture of his that some listeners might recognize was Hancock's "Angel of the Resurrection" Pennsylvania Railroad World War II Memorial at 30th Street Station in Philadelphia. Hancock finished work at Stone Mountain on March 3, 1972, 50 years ago this year.
  - The finished [Confederate Memorial Carving on the side of Stone Mountain](#) is *The largest bas-relief sculpture in the world [and] depicts three Confederate leaders of the Civil War: President Jefferson Davis and Generals Robert E. Lee and Thomas J. "Stonewall" Jackson (on their favorite horses, Blackjack, Traveller, and Little Sorrel, respectively). The sculpture was cut 42 feet (13 m) deep into the mountain,<sup>[16]</sup> measures 90 feet (27 m) in height and 190 feet (58 m) in width,<sup>[17]</sup> and lies 400 feet (120 m) above the ground.<sup>[18]</sup>*

- There was also a fake plantation below the Confederate monument, opened in 1963, intended to promote false information about conditions for slaves in the pre-liberation American South. The plantation living history museum still exists today, although maybe the content has been updated. The broader park, with various Confederate monuments and flags and walking trails, officially opened on the 100th anniversary of Lincoln's assassination. Later the park was repurposed for the 1996 Atlanta Summer Olympics, hosting the tennis, archery and track cycling events. There is a cable car up the mountain and various laser and fireworks shows at night. Apparently also some Stranger Things scenes for Netflix were filmed in the park.
- In the last several years, there have been repeated proposals to destroy the monument once and for all, with the head of the NAACP calling it "the largest shrine to white supremacy in the history of the world." Stacey Abrams, two-time candidate for Governor of Georgia, said it should be sandblasted off the mountain.
- Prior to the Civil War, the mountain had been a granite quarry site, a tourist destination, and an indigenous site of various native cultures going back into prehistory.
- [Rachel] March 22: [\*Eisenstadt v. Baird\*](#): Supreme Court rules that unmarried people have the right to access contraception on the same basis as married couples. The Court struck down a Massachusetts law prohibiting the distribution of contraceptives to unmarried people for the purpose of preventing pregnancy, ruling that it violated the Equal Protection Clause of the U.S. Constitution. The decision effectively legalized (heterosexual) premarital sex in the United States. Decision was 6-1, and Chief Justice Burger was the lone dissenter. The most famous sentence of the ruling was "If the right of privacy means anything, it is the right of the individual, married or single, to be free from unwarranted governmental intrusion into matters so fundamentally affecting a person as the decision whether to bear or beget a child", and it has been used as precedent for decisions allowing people under 16 to purchase contraceptives and in *Lawrence v. Texas* striking down state sodomy laws. *Eisenstadt v. Baird* has been described as "among the most influential in the United States during the entire century by any manner or means of measurement"
- [Bill] April 10: Biological Weapons Convention
  - [\*From the website of the UN Office for Disarmament Affairs\*](#): *The Biological Weapons Convention (BWC) effectively prohibits the development, production, acquisition, transfer, stockpiling and use of biological and toxin weapons. It was the first multilateral disarmament treaty banning an entire category of weapons of mass destruction (WMD). The BWC is a key element in the international community's efforts to address WMD proliferation and it has established a strong norm against biological weapons. The Convention has reached almost universal membership with 184 States Parties and four Signatory States. Formally known as "The Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction", the Convention was negotiated by the Conference of the Committee on Disarmament in Geneva, Switzerland. It opened for signature on 10 April 1972 and entered into force on 26 March 1975. The BWC supplements the 1925 Geneva Protocol, which had prohibited only the use of biological weapons.*
  - *Article I: Undertaking never under any circumstances to develop, produce, stockpile, acquire or retain biological weapons.*
  - *Article II: Undertaking to destroy biological weapons or divert them to peaceful purposes.*

- *Article III: Undertaking not to transfer, or in any way assist, encourage or induce anyone to manufacture or otherwise acquire biological weapons.*
- *Article IV: Requirement to take any national measures necessary to prohibit and prevent the development, production, stockpiling, acquisition or retention of biological weapons within a State's territory, under its jurisdiction, or under its control.*
- *Article V: Undertaking to consult bilaterally and multilaterally and cooperate in solving any problems which may arise in relation to the objective, or in the application, of the BWC.*
- *Article VI: Right to request the United Nations Security Council to investigate alleged breaches of the BWC, and undertaking to cooperate in carrying out any investigation initiated by the Security Council.*
- *Article VII: Undertaking to assist any State Party exposed to danger as a result of a violation of the BWC.*
- *Article X: Undertaking to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and information for peaceful purposes.*
- *The system of Confidence-Building Measures (CBMs) under the Biological Weapons Convention was introduced in 1987 following a decision by the Second Review Conference in 1986. The objective of CBMs is to prevent or reduce the occurrence of ambiguities, doubts and suspicions and to improve international cooperation in the field of peaceful biological activities. BWC States Parties should submit their national CBM reports no later than 15 April every year to the BWC Implementation Support Unit. The information to be provided should cover the previous calendar year. States Parties should submit data under the following six Measures, A to G (Measure D was deleted by the Seventh Review Conference in 2011):*
  - *CBM A: Exchange of information on (i) research centres and laboratories, and (ii) national biological defence research and development programmes*
  - *CBM B: Exchange of information on outbreaks of infectious diseases and similar occurrences caused by toxins*
  - *CBM C: Encouragement of publication of results and promotion of use of knowledge*
  - *CBM E: Declaration of legislation, regulations and other measures*
  - *CBM F: Declaration of past activities in offensive and/or defensive biological research and development programmes*
  - *CBM G: Declaration of vaccine production facilities*
- **[Rachel]** May 2: Sunshine Silver Mine fire in Idaho: [https://en.wikipedia.org/wiki/Sunshine\\_Mine#Fire](https://en.wikipedia.org/wiki/Sunshine_Mine#Fire) The Sunshine Mine is between the cities of Kellogg and Wallace in Northern Idaho. The worst mine disaster in Idaho history. Smoke was detected at 11:40 am and an evacuation was called at 12:03 pm. Men were hoisted out of the lower levels to get to the main shaft until 1:02 pm, when the hoistman was overcome by smoke and carbon monoxide. Of the 173 men on shift at the time of the fire, 80 were able to evacuate, and 2 men were able to find a safe spot near a borehole to get fresh air. The remaining 91 men died of carbon monoxide poisoning. The cause of the fire was thought to be the **spontaneous combustion of some refuse near scrap timber**, according to The Bureau of Mines. The mine was closed for seven months after the fire, but opened up again after that, as it produced the most silver ore in the country.
- **[Bill]** May 15: Former Governor George C. Wallace of Alabama is shot and paralyzed by Arthur Bremer at a political rally in Laurel, Maryland, United States.

- Wallace was a nationally infamous segregationist who had run [a very disruptive third-party general election bid for president in 1968](#), winning 13.5% of the vote and carrying 5 Southern states. Had just a couple states gone differently, especially with a less militaristic running mate on Wallace's ticket, the election would have been thrown to the US House of Representatives, as he had hoped. His thinking was that he could force a grand compromise there to end federal policies in the South that he didn't like, much like the [Compromise of 1877](#). In 1972, Wallace ran in the Democratic primaries on much the same platform, although claiming he was now a moderate and no longer a segregationist. He won the primary contests in Florida, North Carolina, Tennessee, and increasingly worryingly also Michigan, where his racist message seemed to be gaining traction among non-southern White racists. He moved on to campaign in Maryland, which he would also go on to win, but there his campaign effectively ended abruptly [when he was shot in the spine, wounded, and permanently paralyzed by gunman Arthur Bremer](#), who seems to have been one of many would-be assassins of the era who was hoping to get famous and didn't seem to have a political agenda. Bremer seemingly only shot Wallace after deciding it was going to be too difficult to shoot President Nixon instead. In response to the Wallace shooting, Nixon significantly expanded Secret Service protection to various other candidates like Shirley Chisolm as well as to Ted Kennedy just to be on the safe side. Many of the other candidates including Chisolm, and also President Nixon and Vice President Spiro Agnew, visited Wallace during his 20 days in the hospital in Maryland, marking a turning point in the former governor's career and public image, bringing him into the realm of political acceptability and legitimacy. Although his presidential aspirations essentially died with the shooting and a 1976 campaign went nowhere because the public viewed him as helpless, he gained a great deal of sympathy from across the spectrum despite his long history of outspoken racism, and he used the devastating life change to pivot away from that and repudiate his old views. Eventually he would claim born-again evangelical status, apologize for his past actions, and reclaim the Alabama governorship in 1982 for a fourth and final term.
- **[Rachel]** May 15: Okinawa was officially handed back to Japan in May 1972, although a US base remains
  - [https://en.wikipedia.org/wiki/United\\_States\\_Civil\\_Administration\\_of\\_the\\_Ryukyu\\_Islands](https://en.wikipedia.org/wiki/United_States_Civil_Administration_of_the_Ryukyu_Islands)
  - [https://en.wikipedia.org/wiki/United\\_States\\_Forces\\_Japan](https://en.wikipedia.org/wiki/United_States_Forces_Japan)
  - After the Battle of Okinawa in World War II, the US military governed the Ryukyu Islands, of which the Okinawa Island Group is a part. This continued until 1952, when governance transferred to the United States Civil Administration of the Ryukyu Islands (USCAR). USCAR oversaw all Ryukyuan government operations, and could overrule any decisions made by the Ryukyuan government. The official currency from 1948 to 1958 was B type military scrip, colloquially known as B yen, after which the US dollar was brought into use. The government issued Ryukyuan passports and postage stamps. Cars even drove on the right as opposed to the left in the rest of Japan. On May 15th, 1972, control of the Ryukyu Islands was officially given back to Japan, and USCAR was abolished. However, there is still a heavy military presence in Okinawa, with thousands of US military personnel stationed there.
- **[Bill]** May 26: SALT I treaty
  - From [the Arms Control Association summary from 2002](#): *Begun in November 1969, the Strategic Arms Limitation Talks (SALT) had produced by May 1972*

*both the Anti-Ballistic Missile (ABM) Treaty, which bans nationwide strategic missile defenses, and the Interim Agreement, an executive-legislative agreement that capped U.S. and Soviet ICBM and SLBM forces. Under the Interim Agreement, both sides pledged not to construct new ICBM silos, not to increase the size of existing ICBM silos “significantly,” and capped the number of SLBMs and SLBM-carrying submarines. The agreement ignored strategic bombers and did not address warheads, leaving both sides free to enlarge their deployed forces by adding multiple warheads to their ICBMs and SLBMs and increasing their bomber-based forces. The agreement limited the United States to 1,054 ICBM silos and 656 SLBM launch tubes. The Soviet Union was limited to 1,607 ICBM silos and 740 SLBM launch tubes. [...] In November 1972, Washington and Moscow agreed to pursue a follow-on treaty to SALT I.*

- Although talks did continue, they did not result in another treaty signing until 1979 and the SALT II treaty was abandoned in 1980 without US Senate ratification after a new breakdown in US-Soviet relations.
- The Anti-Ballistic Missile (ABM) Treaty from the Strategic Arms Limitation Talks in 1972 – which was a treaty against Anti-Ballistic Missile systems, not a treaty against Ballistic Missiles – was [ended by George W. Bush in 2002](#), just after 9/11, allegedly because the US needed to be able to design, test, and build missile defense systems against smaller Rogue States, although this has yet to really pan out. The clear problem and danger with Anti-Ballistic Missile defense systems, which is why the treaty was signed in the first place, is that they would allow the possibility of a successful First Strike nuclear surprise attack without fear of mutually assured destruction in response since the responding missiles would get shot down, in theory. Critics argued, and it basically seems to have been borne out, that the end of the ABM treaty would result in a renewed arms race:  
<https://carnegieendowment.org/2021/12/13/u.s.-exit-from-anti-ballistic-missile-treaty-has-fueled-new-arms-race-pub-85977> Plus, missile interceptors simply do not work in most cases. They're bad without daylight and bad at intercepting high-speed missiles and they're easily confused by dummy parts that fly off incoming missiles deliberately to distract and overwhelm targeting systems. So these systems raise tensions without improving anyone's security.
- [Bill] Jun 17: Watergate break-in, obviously, but I don't really want to get bogged down in that. All our listeners probably know tons of things about it or can find them out elsewhere.
- [Rachel] June 29: Chaotic [Furman v. Georgia](#) Supreme Court ruling results in about four years of a de facto period of no death penalty in the US before it was reinstated (although over 600 sentences were permanently reduced). In a *per curiam* decision (5 justices each wrote opinions agreeing with the ruling, but disagreed on the rationale, so there was no leading opinion signed onto by other justices), the Court ruled that the death penalty as it then stood violated the 8th Amendment banning “cruel and unusual punishment”. For 4 years, states started to enact laws that tried to work around Furman v. Georgia, such as mandating two separate trials to convict and sentence criminals, and imposing standards to guide judges and juries in imposing capital sentences. Laws that mandated the death penalty for certain crimes were also amended and rewritten to get around Furman v. Georgia. In 1976, several cases known as the July 2 Cases were brought before the Supreme Court. The decision from these cases affirmed that the death penalty itself was constitutional, but there had to be a rational standard for imposing the death penalty that could stand up to appellate review. Mandatory death penalty sentences were still considered unconstitutional.



- [Bill] July: Jane Fonda's cool & good trip to North Vietnam
  - We've done an episode previously about the Resistance Inside the Army (RITA) movement against the Vietnam War. Actress Jane Fonda was a prominent supporter of the movement for several years (sometimes being arrested on trumped up charges and being monitored by the NSA) and she tried to bolster the anti-war troops whenever possible, including tours around the United States ahead of deployments. In 1972, however, as the war was already winding down but the US was still extensively bombing North Vietnam from the air, Fonda finally traveled there herself. This would probably have been controversial regardless because of her messages home to the US public about the aerial bombing campaign, but the really memorable controversy that became part of the American right's stabbed-in-the-back mythology about why they supposedly lost the war was when she posed for a photo with a North Vietnamese anti-aircraft battery. This photo was not very consistent with her peace message either. Overall, we think her trip was a good thing and important, and a case could be made that she was promoting legitimate self-defense with that photo, but she has repeatedly said that was not the case and not her intention, so we'll present some context (and then her own words), and you can judge for yourself. This is just quoting from her Wikipedia article for the sake of giving a brief account:
    - *Between 1965 and 1972, almost 300 Americans – mostly civil rights activists, teachers, and pastors – traveled to North Vietnam to see firsthand the war situation with the Vietnamese. News media in the United States predominantly provided a U.S. viewpoint, and American travelers to North Vietnam were routinely harassed upon their return home.*<sup>[80]</sup> *Fonda also visited Vietnam, traveling to Hanoi in July 1972 to witness firsthand the bombing damage to the dikes. After touring and photographing dike systems in North Vietnam, she said the United States had been intentionally targeting the dike system along the Red River. Columnist Joseph Kraft, who was also touring North Vietnam, said he believed the damage to the dikes was incidental and was being used as propaganda by Hanoi, and that, if the U.S. Air Force were "truly going after the dikes, it would do so in a methodical, not a harum-scarum way".*<sup>[81]</sup> *Sweden's ambassador to Vietnam, however, observed the bomb damage to the dikes and described it as "methodic". Other journalists reported that the attacks were "aimed at the whole system of dikes".*<sup>[80]</sup>
    - *Fonda was photographed seated on a North Vietnamese anti-aircraft gun; the photo outraged a number of Americans,*<sup>[82]</sup> *and earned her the nickname "Hanoi Jane".*<sup>[83][84]</sup> *In her 2005 autobiography, she wrote that she was manipulated into sitting on the battery; she had been horrified at the implications of the pictures. In a 2011 entry at her official website, Fonda explained:*
      - *It happened on my last day in Hanoi. I was exhausted and an emotional wreck after the 2-week visit ... The translator told me that the soldiers wanted to sing me a song. He translated as they sung. It was a song about the day 'Uncle Ho' declared their country's independence in Hanoi's Ba Dinh Square. I heard these words: 'All men are created equal; they are given certain rights; among these are life, Liberty and Happiness.' These are the words Ho pronounced at the historic ceremony. I began to cry and clap. 'These young men should not be our enemy. They celebrate the same words Americans*

do.' The soldiers asked me to sing for them in return ... I memorized a song called 'Day Ma Di', written by anti-war South Vietnamese students. I knew I was slaughtering it, but everyone seemed delighted that I was making the attempt. I finished. Everyone was laughing and clapping, including me ... Here is my best, honest recollection of what happened: someone (I don't remember who) led me towards the gun, and I sat down, still laughing, still applauding. It all had nothing to do with where I was sitting. I hardly even thought about where I was sitting. The cameras flashed ... It is possible that it was a set up, that the Vietnamese had it all planned. I will never know. But if they did I can't blame them. The buck stops here. If I was used, I allowed it to happen ... a two-minute lapse of sanity that will haunt me forever ... But the photo exists, delivering its message regardless of what I was doing or feeling. I carry this heavy in my heart. I have apologized numerous times for any pain I may have caused servicemen and their families because of this photograph. It was never my intention to cause harm.<sup>[85]</sup>

- Fonda made radio broadcasts on Hanoi Radio throughout her two-week tour, describing her visits to villages, hospitals, schools, and factories that had been bombed, and denouncing U.S. military policy.<sup>[86][87]</sup> During the course of her visit, Fonda visited American [prisoners of war](#) (POWs), and brought back messages from them to their families. When stories of torture of returning POWs were later being publicized by the Nixon administration, Fonda said that those making such claims were "hypocrites and liars and pawns", adding about the prisoners she visited, "These were not men who had been tortured. These were not men who had been starved. These were not men who had been brainwashed."<sup>[88]</sup> In addition, Fonda told [The New York Times](#) in 1973, "I'm quite sure that there were incidents of torture ... but the pilots who were saying it was the policy of the Vietnamese and that it was systematic, I believe that's a lie."<sup>[89]</sup> Her visits to the POW camp led to persistent and exaggerated rumors which were repeated widely, and continued to circulate on the Internet decades later. Fonda, as well as the named POWs, have denied the rumors,<sup>[85]</sup> and subsequent interviews with the POWs showed these allegations to be false—the persons named had never met Fonda.<sup>[87]</sup>
- [...] In a 1988 interview with [Barbara Walters](#), Fonda expressed regret for some of her comments and actions, stating:
  - I would like to say something, not just to Vietnam veterans in New England, but to men who were in Vietnam, who I hurt, or whose pain I caused to deepen because of things that I said or did. I was trying to help end the killing and the war, but there were times when I was thoughtless and careless about it and I'm very sorry that I hurt them. And I want to apologize to them and their families. ... I will go to my grave regretting the photograph of me in an anti-aircraft gun, which looks like I was trying to shoot at American planes. It hurt so many soldiers. It galvanized such hostility. It was the most horrible thing I could possibly have done. It was just thoughtless.<sup>[97]</sup>
  - In a [60 Minutes](#) interview on March 31, 2005, Fonda reiterated that she had no regrets about her trip to [North Vietnam](#) in 1972, with the exception of the anti-aircraft-gun photo.
- **[Bill]** October 16: The Hale Boggs/Nick Begich disappearance in Alaska

- US House Majority Leader Hale Boggs, a Democratic Congressman from New Orleans who had originally come up as an opponent of the Huey and Earl Long machine and who later whipped much of the Great Society legislation through the US House for LBJ, disappeared without a trace on October 16, 1972 alongside first-term Alaska Democratic Congressman Nick Begich.  
[https://en.wikipedia.org/wiki/Hale\\_Boggs#Disappearance\\_in\\_Alaska](https://en.wikipedia.org/wiki/Hale_Boggs#Disappearance_in_Alaska)
  - *As majority leader, Boggs often campaigned for others, including Representative [Nick Begich of Alaska](#). On October 16, 1972, Boggs was aboard a twin engine [Cessna 310](#) with Representative Begich, who was facing a possible tight race in the November 1972 general election against the Republican candidate, [Don Young](#), when it disappeared during a flight from [Anchorage](#) to [Juneau](#). Also on board were Begich's aide, [Russell Brown](#); and the pilot, [Don Jonz](#),<sup>[24]</sup> the four were heading to a campaign fundraiser for Begich.*
  - *The search for the missing aircraft and four men included the U.S. [Coast Guard](#), [Navy](#), [Army](#), [Air Force](#), [Civil Air Patrol](#) and civilian fixed-wing aircraft and helicopters.<sup>[25]:3</sup>*
  - *The Cessna was required to carry an [emergency locator transmitter](#) per Alaska state law and federal law.*
  - *No emergency transmission signal determined to be from the plane was heard during the search. In its report on the incident, the [National Transportation Safety Board](#) stated that the pilot's portable emergency transmitter, permissible in lieu of a fixed transmitter on the plane, was found in an aircraft at Fairbanks, Alaska. The report also notes that a witness saw an unidentified object in the pilot's briefcase that resembled, except for color, the portable emergency transmitter. The safety board concluded that neither the pilot nor aircraft had an emergency location transmitter.<sup>[25]:6–8</sup>*
  - *On November 24, 1972, the search was suspended after 39 days. Neither the wreckage of the plane nor the pilot's and passengers' remains were ever found. After a hearing and seven minute jury deliberation, his death certificate was signed by Judge [Dorothy Tyner](#).<sup>[26]</sup>*
  - *After Boggs and Begich were re-elected posthumously that November, House Resolution 1 of January 3, 1973, officially recognized Boggs's [presumed death](#) and opened the way for a [special election](#). The same was done for Begich.*
- There are some conspiracy theories about the disappearance but it is also extremely common for planes to crash without a trace in Alaska because of the vast wildernesses and severe weather. They aren't even the only prominent politicians to die in Alaska plane crashes. Light aircraft have a bad habit of crashing in general but especially when trying to meet demanding political campaign schedules that tend to push unsafe flying to stay on track. So it's at least as likely, if never definitive, that this disappearance was a simple case of a lonely plane crash somewhere in Alaska without anything suspicious about it. Boggs had been on the Warren Commission, and so that raises some eyebrows regardless – and that inspired a Robert Ludlum novel. Boggs had also emerged as a vociferous public opponent of the FBI and J. Edgar Hoover, which infuriated President Nixon. As for Begich as a possible target of some conspiracy: he was new and despite 1972 being a good year for Republicans broadly, the US Democratic House Majority overall was not especially close, even with Don Young eventually picking up the at-large Alaska seat in a special election, which he would then hold until his death in 2022, ironically also passing away on a

flight, although apparently of natural causes in his old age and it was a commercial flight across the US.

- Guess who was running for Congress in this year's very weird ranked-choice Alaska Congressional race along with Sarah Palin and the Democratic winner Mary Peltola? Nick Begich III, the Republican grandson of Congressman Nick Begich. Nick III was an Alaska state legislator. But Democrat Peltola won both the special election and regular November election, succeeding Don Young who himself died in office. Young also twice defeated the widow of Congressman Begich in campaigns in the 1980s.
- [Rachel, 13 years before my birthday!] October 18: Congress overrides Nixon's veto and the [Clean Water Act](#) of 1972 becomes law. Although Nixon vetoed the CWA on October 17, the Senate overrode the veto 52-12, and the House followed on October 18 and overrode it by 247-23, enacting it into law. One of the US's first and most influential environmental laws, brought about by public outrage at industrial pollution, most famously the burning of the Cuyahoga River in Ohio. The CWA was enacted to restore and preserve the integrity of the nation's waters, provide resources for states to manage their waters, fund wastewater treatment plants for the public good, and maintain the nation's wetlands. The CWA is administered by the EPA in coordination with states.
- [Rachel] Oct 27: *The Consumer Product Safety Act became law on October 27, 1972, and was signed by President Richard M. Nixon. This landmark legislation established CPSC, an independent federal regulatory agency, and authorized us to develop standards, pursue recalls, and ban certain products. The agency was given authority to tackle consumer product hazards with a bi-partisan board of five commissioners. CPSC regulates thousands of types of consumer products ranging from kitchen appliances to children's toys to exercise equipment. As a result of CPSC's efforts, mandatory safety standards and the enforcement of existing federal laws related to unsafe products, the agency has reported decreases in the number of consumer product-related fatalities and a significant reduction of injuries, involving young children and adults.*
- <https://twitter.com/USCPSC/status/1503828104384585730>
- <https://twitter.com/USCPSC/status/1585656765273837568>
- <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Celebrates-50-Years-of-Making-Consumer-Safety-our-Mission>
- [Rachel] December 7-14: Apollo 17 and The Blue Marble
  - The final mission of the Apollo Program, and the last time humans have walked on the moon. Geologic samples were taken, as well as experiments on mice to see if cosmic rays were harmful to them. *The mission broke several records for crewed spaceflight, including the longest crewed lunar landing mission (12 days, 14 hours), greatest distance from a spacecraft during an extravehicular activity of any type (7.6 kilometers or 4.7 miles), longest total duration of lunar-surface extravehicular activities (22 hours, 4 minutes), largest lunar-sample return (approximately 115 kg or 254 lb), longest time in lunar orbit (6 days, 4 hours), and greatest number of lunar orbits (75). Among their other activities during the outbound trip, the crew photographed the Earth from the spacecraft as it travelled towards the Moon. One of these photographs is now known as The Blue Marble. The Blue Marble is one of the most widely distributed photographs.*
  - See also: [Jan 9, 2022 – Critical Space Theory – Arsenal For Democracy Ep. 406](#): *50 years ago, in January 1972, the US space shuttle program moved forward and humanity passed the top of the arc of manned spaceflight and began its descent away from the dream of the 1860s to the 1960s.*