THE CHARLOTTE NEWS

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FRIDAY, FEBRUARY 5, 1954

'Justice' At The Jaypee Level

"THE justice of the peace didn't know how to draw up a warrant, and I didn't want to try to do it."

That's what a highway patrol corporal reported Tuesday when he explained why charges were not promptly filed against a Tar Heel motorist now held on a manslaughter charge.

The next day, in Yadkinville, another justice of the peace was sentenced to state prison for 18 to 36 months, for embezzling fines and costs paid to him by defendants.

Added the judge, in passing sentence:

"He's tried cases he did not have any more right to try than the sheriff or the clerk of court."

The sad truth is that instances like these are not uncommon in North Carolina. This is so because the antiquated jaypee system lacks standards and checks. Jaypees can be appointed by the governor, Superior Court clerks and the legislature (which frequently makes indiscriminate appointments), and elected as well. There are no adequate standards for and checks on the justices of the peace. The fee system itself invites abuse.

This degradation of Tar Heel justice will continue until the system is overhauled in a major way, or discarded in favor of another system of handling minor litigation. We continue to look to the state bar association and individual members of the legal profession to propose, and help enact into law, a better system of justice at the jaypee level.

The Clelands Have The Edge

ELSEWHERE on this page, Dr. James T. Cleland of Duke University sketches the composite American to whom he preaches every Sunday. He makes the very valid point that any preacher, to be successful, must have two points of reference—the "Christian world-view", as found in the Bible, in the creeds and hymns and prayers of the church, and what he calls the "Human Situation"—the 20th century audience in front of the pulpit.

"For the making of a good sermon," Dr. Cleland said, "both are equally important. Either by itself does not produce a legitimate sermon."

If the Cleland thesis is sound, and we believe it to be, then it largely explains the difficulty of the conscientious editorial writer's task. For he, too, must work from the same two points of reference. He must try to know and understand the swiftly changing fabric of human society and human institutions, and he must also try to know and understand his audience.

It is not an easy task, for the editorial writer is confronted each day with a new set of facts to measure against the principles he holds dear. And it is expected of him that he speak out authoritatively and responsibly within minutes or hours after the arrival of the news bulletin.

And he is never quite sure whether he should aim his thoughts, as Mencken advised, at "the more intelligent reader in his more intelligent moments," at the man who scans the page as he hangs on to the Duke Power bus strap on the way from work, or at the larger number of thoughtful readers who, resting at home, dissect his thoughts and class him either as a fool or a wise man.

The Clelands, in brief, have an advantage in that their materials are age-old and their audience is still and quiet and pensive and receptive. And their deadlines are not so pressing.

But if there be among the editorial writing craft any man who understands the composite American so thoroughly as this naturalized Scot showed in his Duke address, we have not met him. Which may explain why addresses like this will live forever in the memories of his hearers, whereas most editorial pages wind up in the wastebasket along with the rest of yesterday's paper.

On Coffee Prices And Speculation

THERE'S some funny business in the coffee price rise, all right, but we doubt that the U. S. can afford to toss stones at its Brazilian neighbors.

In the first place, the evidence is pretty clear that the Brazilian farmers haven't been in on the price joy ride. Their production was off after they were hit by frosts, and they had sold most of their crop to middlemen before the recent price rise started.

In the second place, the U. S. Congress has done precious little to limit profits from commodity speculation in this country. In his first message on the Defense Production Act of 1950, after the outbreak of the Korean War, former President Truman asked for standby controls over commodity speculation. But the proposal was voted down in the House on Aug. 10, 1950, by a roll call of 198-194, with Southern Democrats and Republicans teaming up to defeat it. Prices of many world commodities soared, and speculators raked in the profits.

Again, in 1951, when amendments to the act were being debated, a clause authorizing the government to fix margins for commodity speculation was rejected by both houses of the Congress.

The current congressional inquiry into the coffee price situation recalls a similar probe by Sen. Gillette's subcommittee in 1950 which turned up evidence of fabulous profits in coffee speculation. (One Brazilian trader had built up $3.035 to a profit of $207,403.) The subcommittee report demanded sharp curbs on coffee speculation, but the State Department intervened, saying the report would hurt "good neighbor" relations. The report gathered dust.

The anomaly may be clearer if coffee prices and cotton prices are contrasted.

On the one, domestic hand, prices are propped up higher than world prices. By fiat acreage is reduced, which makes prices go higher still. There's a floor under prices, so any speculators in cotton futures have to bet on a rise. Parity keeps the price from going below a certain figure.

On the other hand, if somebody else's coffee instead of U. S. cotton is the issue, Americans are against these things.

Why not be consistent? And if consistency, in this case, is a jewel, we have no one to blame but ourselves if the jewel be a costly one.

Subversion At The Breakfast Table

THE THOUGHT hits you early in the morning, at the breakfast table. Americans are becoming dullards, robots, welfare staters—all because of the progress science has made in the kitchen.

Consider the utter lack of enterprise or skill needed by modern man to prepare a passable breakfast. The percolator goes on, automatically, a few minutes before the electric alarm clock awakens him. He flicks a button which turns on a burner, puts a panful of already hot water from the tap on it, puts the toast in the toaster, eggs in the water, sets the timer and, this 55 seconds of preparation completed, sits down to his juice and paper. By the time he's read the funnies the toaster and timer have announced that the main course is ready.

The toaster in particular has weakened the American's self-reliance and individualism. Before this subversive thing was perfected a man had to develop his sense of smell or concentration in order to keep the toast from burning to a crisp black. Some persons preferred to toast the toast in the oven. They kept in good physical shape trotting to and from the stove and bending down to peer into the oven.

Before electric and gas ranges came into vogue the toast-maker prepared his breakfast by putting four pieces of bread on a wire toaster, and laying it on top of the stove. This operation required a variety of skills. First a good fire had to be built. The cook had to figure out how to keep the bread on the hottest part of the stove from burning and at the same time toast the bread that extended to the colder portion of the stove. And only the dexterous could turn over those wire toasters without dropping a half-done slice.

Then, too, time was when there were big slices of bread, and little slices of bread. If you toasted it with a fork, over a kerosene stove flame (this is now almost a lost art, except among sheepherders) there was always that period of tense anticipation, before the first bite, when you wondered whether or not the toast would have a coal oil flavor.

Big slice, little slice, burnt or underdone, the end product was never the same. In a word, the toasting of bread used to be a challenge. Its preparation sharpened Americans' wits early in the day. They got up from the table to pit their talents against other adversaries and to take more chances.

And now? Ahah—homesteads are going begging, Wall Street bemoans the dearth of speculators, and a Republican administration, mind you, is trying to outdo the New Dealers in welfare and security legislation. Give the infernal automatic toaster back to the Commies! Surely they invented it, too.

Mrs. Eisenhower revises White House dinner parties so that the guests sit at a W-shaped table. Most families eat at a table that's sort of like a Q, with the tail representing mother going out into the kitchen to get something.—RICHMOND TIMES-DISPATCH.

Feeling The Pulse Of America

(Excerpts from the address by Dr. James T. Cleland, preacher to Duke University, at the annual Duke banquet of the North Carolina Press Association Jan. 29. The speech was based on Chapter 3 of Dr. Cleland's new book, "The True and Lively Word," to be published March 15. Eds. The News.)

* * *

I WANT to do tonight something that is not only rash, but probably impossible. I want to feel the pulse of America and tell you what I diagnose from it. That is, I want to share with you some thinking I have been doing about the American scene.

Let us look at the average American.

Now the minute I say that, you see the heresy involved. It turns on the legitimate question: "Is there an average American?" Even if there is, does Cleland know him?

I admit the validity of the criticism. My knowledge of the U.S.A. is limited. . . .

Nevertheless, there must be something which distinguishes an American from the Frenchman or the Spaniard, or a Scot besides language.

Reference Points

And that I must know as a preacher. Why? Because in my theory of preaching I insist, until my students are weary, that a sermon to be a sermon must have two points of reference:

1. The first is the Christian World-view, as it is found in the Bible, in the creeds, in the hymns and prayers of the church and in the lives of the Saints.

2. The second is the Human Situation, as it is found in the congregation in front of the pulpit, living in North Carolina in the 20th Century.

Which is more important? For the making of a good sermon, both are equally important. Either by itself does not produce a legitimate sermon.

Now of what kind of persons is the congregation composed? There are men and women; adults and children; members of the professions, the business world, the working class; school teachers and pupils; housewives and retired folk.

Composite Christian

But let me lump them all together, and try to picture for you "Ecclesiastical Man", as the economists have created for their purposes "Economic Man." Let us look at this composite Christian.

There he is, then, a man of four primary interests.

He is bound up in his family to whom he wishes to give the best he can. He probably spoils his family; he may even intend to. One such father confessed to me: "What's the use of being a father if you can't spoil your children?". . . .

Again, he is vitally interested in his job, which gives him the wherewithal to maintain his home. He knows that an American job is a good one in point of hours and wages. It may not last; that is a worry. But he shakes his head at the Biblical idea that work may be a curse.

Thirdly, he loves his country. No wonder. It may be that I as a naturalized citizen know better how favorable a land these United States are than one who was born into it. I come from a good country, yet I appreciate what a "Promised Land" America is. If that is true from one from Scotland, think what America must mean to one from Latvia or Greece or Italy. . . .

A Sociable Guy

In the last place, he enjoys his contacts. He has an esprit de corps about his fellow workers, about his civic club and lodge, about the athletic teams, college and professional, which he backs.

It may be true that General Motors or the First National Bank is not the Kingdom of God; that Rotarians and Elks fall short of the beloved community; that sport, rather than religion, is the opiate of the people. But he enjoys them. "What harm do they do?" he asks, knowing that they do much good.

Culturally he admits he isn't very bright, despite his B. A. or B. S. He knows that he spends too much time with the Saturday Evening Post and the Reader's Digest and Time and the sports columnists. But he subscribes to the local symphony orchestra; he knows the name of Walter Lippman as well as of Fred Berra;

DR. JAMES T. CLELAND

and, if there is no football game being broadcast, he will at least keep quiet while his wife listens to the opera on Saturday afternoons in winter. . . .

Thinks Emotionally

He thinks emotionally about community problems. He is concerned about the Negro as a brother-in-law rather than as a Christian brother or as a democratic neighbor. He is not quite sure where the Jew should live, but it shouldn't be in his neighborhood. He guesses it may be all right for some folks to be Roman Catholics, but he is glad he isn't.

Yet he is a sentimentalist. He wants the minister to speak on behalf of race cooperation, and better relations between capital and labor, and higher ethical standards in government, provided it is all done in generalizations with no specific application . . .

He doesn't really know very much about Christianity, beyond a bed time prayer, the simpler Bible stories, and a few key verses. Of course he doesn't know very much about anything outside his home and his business and the income tax returns.

If you were to quiz him on American history, the Revolution would be a compilation of tea and Valley Forge and the Star Spangled Banner. The Civil War would be a concatenation of John Brown's Body and Uncle Tom's Cabin, General Grant's Whisky, the Gettysburg Address, Marching Through Georgia, and his grandfather's sword. He is not so much wrong as limitedly accurate . . .

Too General

Yet, having said all that, we must admit that even if it is substantially true, it is too general. Let us try again. Let us feel this man's pulse. Let us find what it tells us about his sentiments and opinions, about the ideas that determine his thought and action, about the drift of American life in the middle of the Twentieth Century.

There are three significant traits in his make-up which I must remember as I prepare to preach each Sunday.

1. The first is pragmatic assurance. This country seems to be remarkably sure of itself. To put it crudely, but emphatically, this country is booming . . . That was brought home to me on a motor trip to California in 1950. At point after point on the journey I was staggered by the achievements of American man . . .

The American can evidently do anything he has a mind to do; if it is impossible, it just takes longer . . .

The sage of America is a success story that is reckoned in monetary wealth . . . "The almighty dollar" is hardly the way to describe the norm. What foreigners cannot comprehend is the quantity of almighty dollars, sufficient for almost everyone to have a share.

All this has been done without much, if any, awareness of God. . . It has not been done in defiance of God—just without Him. . . God is not despised or obliterated; His Word has just become unnecessary. . .

What is the reason for this? I suppose the answer is due in part to Darwin and Marx and Freud, the most influential thinkers of the 19th century, and to their scientific and economic descendants. The "scientific approach" which has dominated the liberal arts colleges throughout this century has not made it easy for a religion of revelation to keep its respectability, far less its influential position. Even where there is a religious sensitivity left, it is found in such a prayer as "Lead us into the truth, come whence it may, cost what it will." . . .

Neighborliness

2. There is a second aspect to the Word of this World, and that is the general neighborliness of America. I have never known anywhere else such a country of "joiners". Read the activities going on in any small town as listed in its weekly newspaper; it is a potpourri of group activities. . . I discovered—almost to my horror—the other day that the First Presbyterian Church of Hollywood has 6,400 members and 225 different societies to which a member may belong. Thou has made my Father's house a variegated and perpetual jamboree. . .

The unwillingness to be alone over here terrifies me. If, by mischance, one is left in solitariness, on goes the radio or television. While the cult of the juke box may be a sign of neighborliness, I am in agreement with the plea for a silent record so that occasionally one may buy three minutes of silence. . .

Again to quote (Frederick Lewis) Allen—a most quotable man—"If we as a people do not obey the first and great commandment as numerously and fervently as we used to, at least we have been doing fairly well with the second." He is right. . .

3. There is a third aspect of this Word from the World which influences the members in our charges. . . This is an underlying uneasiness of mind respecting the meaning of life and the outcome of their individual existences.

Several Causes

It is partly caused by memory. The remembrance of the Great Depression of the early thirties makes one wonder if the present economic prosperity can last and if it does not, what then?

It is partly caused by the threat of war, irritated by the seemingly long stalemate in Korea and the dread of the atomic and hydrogen bombs.

It is due in some measure to the fact of responsibility on a scale that even Americans are not used to. To be one of two world powers, with the democratic segment looking to us for leadership, when we neither want it nor are ready for it, means that we stand apprehensively at the plate, in a real World Series, with two strikes called against us.

And beneath and behind and before all these worries is the certain promise of death. The farther it is pushed away by medical science the dearer life becomes, yet the fact is still there beckoning.

No wonder man says "Whew! Let's skip it. Eat, drink and be merry, for tomorrow, if we're lucky, we may still eat, drink and be merry. Let's forget death."

But he cannot. His father comes down with cancer; his son is killed in an auto accident, and his young brother dies of wounds received in Korea.

He is pervaded with a sense of futility, of transience, of personal insignificance. He longs for a real sense of security; he wants to know that he counts for something and will always, hereafter if not here, count for something. When he begins to be hopeful, because of a sound digestion or a good business deal or a satisfactory home life, some expert writes an article which scares him anew. . .

There is, even where we would not suspect it, an ultimate anxiety.

It is, as I said impossible for me to give an accurate evaluation of the ideas which determine the thought and action of the average American to whom I preach on Sunday.

Three Attitudes

But, having felt his pulse, I know I must take into consideration these three attitudes; a pragmatic assurance, a general neighborliness, and an ultimate anxiety.

If this were a sermon instead of a speech, I would have to go a step further. No one has any right, in the pulpit, merely to diagnose; he must offer a remedy.

But this is not a pulpit, and I am not endeavoring to convert or confirm you. As members of the press, I suggest that these traits you must keep in mind, especially when you write editorials.

I may be wrong in my diagnosis after feeling the American pulse. If I am, I'll read about it in the next few days.

I think I had better leave the matter there.

Foreign Policy Differences

GOP Split Still Serious

By MARQUIS CHILDS

WASHINGTON

EVEN though a compromise is finally agreed to on the Bricker amendment, it cannot conceal the deep split in the Republican Party. There is nothing new about this split. A fundamental difference over foreign policy has divided the party for at least two decades.

But today the Republicans control the national government and they must muster at least enough unity to demonstrate that they have a program, and that they can put it over. This is the point at which the damage done by the Bricker controversy must be appraised.

Any assessment should take into account the fact that most of the machinery of the party is still in the hands of Republicans who did their best to prevent the nomination of President Eisenhower. These are state and county-chairmen members of the Republican National Committee, the faithful workers in the vineyard through the long famine when the Democrats won victory after victory.

CLARENCE B. KELLAND

TAFT BACKERS

These men and women, dedicated followers most of them of the late Sen. Robert A. Taft, have not changed their views. They still for the most part believe in the concept of a fortress America supported by sea and air power. Their present consolation—a small one—is that President Eisenhower is moving in this direction by cutting down on land forces and giving the greater share of the military budget to the Air Force.

A good example of this species, with its high-survival value, is Clarence Budington Kelland, national committeeman from Arizona. What Kelland, a highly successful writer of popular fiction, has said publicly in an article in the American Magazine is what is being said privately in a flock of letters coming to national headquarters on the eve of the committee meeting to plan strategy for the fall elections.

The burden of Kelland's complaint is that Eisenhower is not behaving like a Republican President. He has placed in positions of power men such as Charles E. Wilson, whom Kelland describes as "stubborn to the point of arrogance." These men do not recognize a responsibility to the party and so they have made only a negligible number of jobs available to the faithful.

Eisenhower is undertaking to be a bipartisan president, and in the view of Kelland that is impossible. This same refrain is contained in letters to Chairman Leonard Hall from committee men and women who report lowered morale and a wide indifference to the fate of the party.

Actually, of course, what these people want Eisenhower to do is to turn the clock back to the comfortable era they cherish in memory. No president, Republican or Democrat, could do that. Nevertheless, their resentment, hostility even, is a political fact. And President Eisenhower's stand on the Bricker amendment feeds this emotion. For these unhappy Republicans feel the need to put a restrictive ring around the power of the Chief Executive to make treaties and executive agreements just as strongly as do the Republican senators comprising the hard core of support for the Bricker amendment.

This is certain to be a factor in the elections next fall. Eisenhower Republicans will be discouraged from participating. The Old Guard wing of the party will find it hard to crusade for a Congress to "support our President" when they do not themselves in all conscience support him.

STRONG IMPACT

In the weeks just ahead the split will have its greatest impact in connection with the extensive program of legislation the White House has laid before the Congress. A resentful senator—or a dozen resentful senators—can absent themselves from the floor when critical legislation is up for a vote. No one can calculate the effect of this in advance, but it cannot be discounted.

As the history of American parties shows, of course, they are not single and coherent entities. The circus tent with the party label covers a multitude of differences. That is one of the virtues of the two-party system as contrasted with the multi-party system of Europe.

Because of the dissension in Democratic ranks over the liberal-labor Americans for Democratic Action, with some Democrats suggesting it should dissolve, Sen. Herbert Lehman of New York in a recent speech in Boston warmly championed ADA. ADA, said Lehman, is here to stay.

But opposition, plus the continuing charge of treason brought against Democratic leaders and, in fact, against the party itself, has done much to unite the several factions. Adversity seems to be achieving for the Democrats what prosperity failed to achieve.

People's Platform

He'll Stay With Dean, Thank You

Monroe

Editors, The News:

J. R. DEAN of Charlotte has a brother living in Union County, near Monroe, who is one of our best county commissioners. His name is J. Sim Dean, and Sim can get elected sheriff of Union County any time he chooses to run. However, Sim may not care for the job as sheriff.

Now let's get back to J. R. I believe he could and would be elected governor of the state if the election were today. But I fully realize that nobody knows today what tomorrow may bring.

And finally, getting around to Mr. Henry Kaye of Great Falls, S. C., who argues that the voting age should be 25 instead of 18. It appears that Mr. Kaye would go back to the "dark ages" instead of going forward. Mr. Kaye evidently would like for all ladies to be old enough to be old maids, and all men old enough to be bachelors, before allowing them the right to vote.

I'll ride on the Dean train, thanks.

—J. HELMS

Drew Pearson's Merry-Go-Round

Politics Serious Business In Texas

DALLAS

IT'S more than two years before the next national conventions meet to nominate the presidential candidates, but jockeying for position has already started in Texas where men are men and politics is a deadly serious business.

Behind the jockeying is the question of whether the Democrats nominate Adlai Stevenson or a liberal Democrat in 1956, and whether the Shivercrats and the Eisenhowercrats who bolted the Democratic Party in 1952 are brought back into the fold with a big abrazo and a kiss on both cheeks.

Also at stake to some extent is the political future of the most revered man in the state, ex-Speaker Sam Rayburn, who has served in Congress for 40 years and sponsored some of the most important New Deal legislation.

The 72-year-old Rayburn, his head as barren as a billiard ball but his political outlook as young as when he put across the Securities Exchange Commission and the Holding Corporation Act, has vowed he would never forgive the handsome young governor, Allen Shivers who, Sam says, double-crossed him at Chicago.

At Chicago, Gov. Shivers told Sam he would not bolt to Eisenhower and then turned round and proceeded to do exactly that.

So the venerable Rayburn says he will never let Shivers back into the Democratic Party.

Wants Back

Meanwhile, Shivers is making plenty of signs that he wants back. He has made several speeches, most of them in the North, tossing the olive branch in the direction of the Democratic National Committee, but his advances so far have not been reciprocated. Now, therefore, Shivers is getting tough.

Last week he threw out a hint that Sam Rayburn's congressional district might be redistricted. This means just exactly one thing—that Rayburn would have the fight of his life being reelected, with an excellent chance of facing defeat.

Gov. Shivers did not of course single out Sam Rayburn's district by name. He's far too smart for that. But every politician in Texas knew that he was laying down the gauntlet to "Mr. Sam," as he's called in these parts, that either Shivers gets back into the Democratic Party or else Sam runs the risk of being thrown out of Congress.

For Sam's district is the second smallest in the U.S.A. And with the population of reactionary, Republican Dallas pushing north in the direction of Rayburn's district, any redistricting by the Texas legislature would mean giving that district about 96,000 new anti-Rayburn votes.

Once last year, the Texas legislature began talking as if it was going to redistrict, whereupon Lyndon Johnson, Sam's onetime disciple who has now maneuvered himself into being Senate Minority Leader, told Sam not to worry.

Lyndon indicated that he would talk to Herman Brown, of Brown & Root, one of the biggest contracting firms in the U. S., for whom Lyndon has been a glorified messenger boy in Washington and from whom he has received plenty of campaign contributions. Brown & Root just received a multimillion dollar contract to help build U. S. bases in Spain; so they can afford to help out the young senator who has helped them.

At any rate Frank Oltorf, the paid lobbyist for Brown & Root in Washington, flew out to Austin, contacted Lt. Gov. Ben Ramsay and told him Sam Rayburn's district was not to be touched. Since Oltorf had paid a generous part of Ben Ramsay's campaign expenses when he ran for lieutenant governor, Ramsay listened. Furthermore he promised that no redistricting bill would get out of committee for debate in the Texas legislature.

However, if Gov. Shivers wants to get a redistricting bill out of committee in the March legislature that he talks about calling, he won't have any real trouble doing so. And if he really wants to retaliate against Sam Rayburn that's what he will do.

So the betting is about even as to whether Rayburn will let the handsome young governor who ran out on him at Chicago come back into the Democratic fold.