

Secret Sessions: An Inherent Right?

AS THE STORM over legislative secrecy faded away in the distance, it was refreshing to see the State Association of County Commissioners come forward to support a bill requiring county commissioners to transact the public's business in public sessions. Such a statute was inadvertently repealed in 1951. The state association wanted it restored.

There was no mention at all this time about the "inherent right" of a public body to hold secret sessions.

Yet this "inherent right" claim became the watchword of the General Assembly's secrecy bloc in defending rule changes permitting committees to hold executive sessions. The men who made it chose to ignore more than 150 years of progress in the battle for freedom of information.

The right which is inherent in the right of the people to know the facts about their government, subject only to those limitations imposed by the most urgent public necessity.

Admittedly, this "right to know" has not always been recognized—and there are the very instances that some legislators consider "our heritage of secrecy."

It is perfectly true that the right of access to legislative and administrative proceedings was hardly recognized until a few centuries ago in either England or the United States. It has, as a matter of fact, had an essentially political-legislative journey through history and still depends largely on custom and public opinion for its strength. This is not to say that the right does not exist. It merely means that its development and sanction are different.

For centuries, no one not a member had a right to attend a session of Parliament and publication of the proceedings was punishable as contempt of the legislature. "Protection against interference with Parliamentary proceedings by the Crown" was given as the reason for secrecy. Later it was an insistence on withholding information in debates and votes to conceal members' statements and votes from their constituents.

Nevertheless, violations of the rule were soon common—as the battle for press freedom increased in intensity. Enforcement was broken down completely. But as late as 1874, "strangers" or reporters could be and sometimes were excluded upon the request of a single member.

Colonial America was afflicted with similar infringement of the freedom of the press. Struggles against such restraints, however, were among the objects of the Revolution.

About a century and a half ago, by a legislation authorizing the right of eminent domain in blighted areas. On Jan. 27, the council decided that an informal hearing would be held on the proposal Feb. 9 (actually, no hearing is necessary). When Feb. 9 rolled around, however, the council could remember calling a hearing at all. But opponents of the plan were on hand in force and were heard.

Workable urban redevelopment legislation is badly needed. Thousands live under miserable conditions that breed disease and crime, weaken the entire social and economic fabric of the community. Should not these blighted areas be redeveloped, and become a source of, instead of drain on, revenue? The choice is between progress and decay.

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Here's one of the newest psychiatrist jokes making the rounds: The patient thought he was a dog. The psychiatrist worked on him a month before treatment was completed. A friend met the patient on the street and asked, "How do you feel?" The patient replied, "Fine, feel my nose." —MATTOON (ILL.) JOURNAL-GAZETTE

By STEWART ALSO

THE RULING faction in the Kremlin has concluded that even a partial settlement with the West is not the answer, and that war is probable if not inevitable. Soviet policy is henceforth to be based on these grim assumptions.

This is the majority view of those best qualified to interpret the meaning of the events surrounding the downfall of Georgi M. Malenkov. There is all sorts of evidence to support this interpretation.

In the first place, there is the nature of the difference between Malenkov and N. S. Khrushchev. Their well-advertised disagreement about the degree of emphasis on arms production has been only a symptom of a much deeper difference—whether war with the West or "coexistence," and a long period of stalemate, is more probable.

There is no doubt where each has stood on this question. There was, for example, the extremely belligerent speech which Khrushchev made in Prague, in June last year. When this speech was published in the Soviet press, much of its belligerent tone was carefully edited out—this at a time, of course, when Malenkov was in the ascendant.

MALENKOV HOPEFUL  
Or there was the conversation Malenkov had with Khrushchev, the Moscow diplomatic representative of one of the neutral powers. Khrushchev announced in his blunt way that if the Paris agreement to re-arm Germany were ratified, then "there would be a 'peace' done."

The clear implication was that there was no hope of avoiding war if West Germany were re-armed. Malenkov has repeatedly interposed that there was always hope that "there was always something to be done," to avoid war.

By MARQUIS CHILDS  
WASHINGTON  
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The concern is not merely for those particular instances in the case of Matusow before Senate and House committees when his testimony helped to document charges of Communist infiltration or subversion. If one ex-Communist can recant, then there may be others in the stable of witnesses who allegedly lied the party to tell all. Their word has been taken almost as though it were law, which is one reason for the shock that Matusow's defection has caused.

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This reporter had an encounter with Matusow last summer. He telephoned to say that he wanted to see me to apologize for lies that he had told about me. In the subsequent conversation he said that he was writing a book in which he was going to confess to all the lying that he had done before congressional committees, in the federal courts, and when he had campaigned in 1952 at the instigation, so he said, of Sen. Joseph McCarthy of Wisconsin.

But he also developed that he needed money to have the leisure in which to finish writing the book. The implication was plain that if I could provide several thousand dollars he could complete the book and thereby do the world a great service.

After perhaps an hour's conversation, I felt that as a newspaper reporter I would not be getting into any circumstances on any subject. And yet, as the record shows, this was the individual whom the Department of Justice and the FBI used as a witness and who spent days testifying before the Senate Internal Security Subcommittee and the House Un-American Activities Committee.

The new chairman of the Un-American Activities Committee, Rep. Francis E. Walter of Pennsylvania, has said that this means Matusow has all along been a "Communist plant" intended to discredit congressional commi-

War Seems More Likely Since Malenkov's Downfall

This is not to suggest that Malenkov was in any sense a pacifist idealist or a friend of the West. The difference is one of emphasis. But this difference could be crucial. How crucial is suggested by the fact that to increase arms spending, announced some days before Malenkov's downfall was made public, but when Khrushchev was already in the driver's seat.

This decision is compared by the experts to Stalin's decision to rearm at all costs after Munich — it is a sign that the Kremlin now, as then, expects war. Similarly, Malenkov's tough speech after Malenkov's resignation is compared to Stalin's decision to rearm at all costs after Munich — it is a sign that the Kremlin now, as then, expects war.

For what consolation it may be worth, this switch to a "hard" policy based on the expectation of war comes as no great surprise to the American government. As noted in this space early last January, "When Ambassador Charles E. Bohlen reported back that the sense of tension had measurably increased there in the few days since he had left."

Thereafter, Bohlen reported that the "sense of tension" derived from a power struggle which was centered on a basic policy disagreement; and that Khrushchev, the proponent of a tough policy, appeared to be winning this struggle. The evidence suggests that the power struggle began to come to a head in the late autumn, soon after Khrushchev returned from his trip to Communist China.

KHRUSHCHEV CONVINCED  
This trip, it is believed, convinced Khrushchev that the Chinese Communists were prepared to take major risks of war in his return, he took the position

of a government witness. Through the House Un-American Activities Committee called Matusow to ask him under oath whether he had made such a statement to Bishop Oxniam, testifying under oath the witness said that he had never lied under oath. The committee, under its chairman, Rep. Harold Velde of Illinois, took this in all solemnity as truth of the same order as Matusow's lengthy testimony of Capitol Hill on past occasions.

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obviously in itself increases the danger of war. According to one experienced policy-maker, what has happened in Moscow has multiplied the risk of world war by a factor of about four. In the

Carolinas Yield Petrified Lightning

By MARGARET ROMER  
In Natural History Magazine

IF YOU walk among the sand dunes near the seashore or in the desert in a region where thunderstorms are frequent and violent, you may find a piece of "petrified lightning."

It would probably be protruding an inch or so out of the sand at the top of a hillock. You might take it for a piece of root and ignore it. But, better investigate.

If, in inspection, you find the object is not wood but a rock-like formation, you may have found a scientific treasure. When you try to remove it, be gentle. For it is very brittle. In fact, natural glass.

LIKE INVERTED TREE  
Your discovery may go down into the sand any distance from a few inches to five or six feet, or even deeper. It may be only a fraction of an inch thick, or as much as three or four inches. It is apt to taper to a point, and it probably branches out underground, like a tree upside down.

Your prize will probably be grayish white in color, and translucent, but it may be yellowish, greenish, reddish, or black.

A scientist would call the formation a fulgurite. The name comes from the Latin word for lightning. Lightning tends to strike high places, so you are more likely to find a fulgurite at the top of a dune than in the lower ground between.

SAND RESISTS  
Sand is largely a non-conductor, offering a great deal of resistance. When the lightning strikes, the heat is so terrific that it melts the sand as the bolt

plunges downward. But this lasts only a second, and it quickly cools. Result: A hollow glass tube. It is hollow because it actually cools and hardens before the sand has time to settle back into the hole created by the lightning.

Often, if these natural glass tubes are not found by someone, the wind may bury them in the sand and they will remain untouched for years. Then, by some chance of wind or storm, they will appear, sticking out of the bank.

In the United States, the Carolinas have probably yielded the largest number, but many have also been reported in Nevada, Utah and Michigan.

Quote, Unquote

Out of the American Chemical Society meeting in New York comes the revelation that junior's average to spinach can be explained chemically. All well and good, but what we want to know is how to be a better cook than the stuff. —New Orleans States.

A divorce for three weeks sued for bribe because her husband threw his dinner at her. Maybe she didn't like spinach, but you can — Mattoon (Ill.) Journal-Gazette.

According to statistics the average woman buys three and a half hats every year. However, many seem to buy their share in the form of seven half hats. —Kingsport (Tenn.) Times.

As Matusow Himself Says, You Can't Believe Him

By MARQUIS CHILDS  
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The new chairman of the Un-American Activities Committee, Rep. Francis E. Walter of Pennsylvania, has said that this means Matusow has all along been a "Communist plant" intended to discredit congressional commi-

tees. But this raises far more questions than it answers. In fact, it opens up a hornet's nest of doubts and suspicions.

SAW OXNAM TOO  
At the same time that he approached Matusow to see Bishop Oxniam of the Methodist Church, he told Matusow very much the same story, adding that his religious experience had made him a more experienced liar than most.

A little later Bishop Oxniam in a speech repeated Matusow's statements that he had

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'Things That Go Bump In The Night'

TO THE accompaniment of cries of "Socialism!" city councilmen hastily buried urban development this week. They voted unanimously to take no action "if we hear nothing more about it."

The council has apparently given itself up again to vague fears of goblins and ghosts and what James Thurber calls "things that go bump in the night."

"Socialism" is a dirty word today. But it seems strange that public officials should allow themselves to be buffeted by dirty words alone.

The moment Americans hesitate to pursue certain policies solely for the reason that Socialists or Communists or even Fascists for their own purposes may be advocating similar policies, public housing, the income tax or slum clearance, for instance—then they have lost control over their own destiny.

The council, in its apparent eagerness to drop the matter, is again brushing aside the advice and wishes of the City Planning Commission. Some time ago this body asked the council to seek

legislation authorizing the right of eminent domain in blighted areas. On Jan. 27, the council decided that an informal hearing would be held on the proposal Feb. 9 (actually, no hearing is necessary). When Feb. 9 rolled around, however, the council could remember calling a hearing at all. But opponents of the plan were on hand in force and were heard.

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This Loophole Should Be Plugged

WHEN North Carolina's General Assembly passed the Motor Vehicle Safety and Financial Responsibility Act of 1953, it left a gaping loophole. As a concession to opponents of the measure, legislators inserted a provision for automatic restoration of a suspended license when an appeal is pending in the courts.

But this political afterthought has seriously weakened the effect of the law. Clearly, the loophole should be plugged.

A bill introduced in this session by Rep. Wayland Floyd of Robeson would do just that—by providing for license suspension even while the court petition is pending.

Opponents of the Floyd bill base their arguments on the principle that a person may not be deprived of his rights without a finding of a court of law. Thus, they reason, the motorists should not lose his license