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A Harsh Dilemma: Security Vs. Individual Rights

By JOHN LORD O'BRIAN

and over again we have been warned against the insidious and sinister invasions of civil liberties by plausible excuses, yet it is noteworthy that in our time some of the most dramatic of these encroachments have been deliberately embodied in Acts of Congress.

Segregation Decision: One Year Later

Today education is perhaps the most important function of the state and local governments. It is the very foundation of good citizenship. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment.

The time was 12:52 p.m.; the Warren in 1954 Chief Justice Earl Warren picked up the printed document at his fingertips and began to read. These cases come to us from the states of Kansas, South Carolina, Virginia and Delaware.

We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated by whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of laws guaranteed by the Fourteenth Amendment.

After the first thunder and lightning of southern discontent, the historic decision produced alternating feelings of fear, anger, anxiety and hope below the Mason-Dixon line. Ahead was a year of portent or of promise. The newspapers said so. Most southerners believed it. But they reacted to what one southern historian called "the challenge of the age" in many different ways.

Where does Dixie stand one year later? What has happened? What is ahead? The questions are worth considering on this anniversary.

First of all, it has been a year of obscure oracles. Since then so many of the Nostradamus speculations on the shape of things to come. Some prophets saw violence and bloodshed ahead, a reign of terror, race riots. These predictions have not been borne out. So far, the South has weathered the storm remarkably well. In both white and Negro communities there has been evidence of a reservoir of sensible, cool-headed leadership. Appeals to fear and hatred have been shrugged off in most areas.

This calm, cool-headed attitude on the part of many southerners—particularly North Carolinians—does not necessarily indicate "acceptance" of the court's decision or even a willingness to agree in principle with it. But it does, we believe, indicate that the South's moral image is one of honor and reason rather than of hysteria and confusion. It indicates that most southerners are not going to waste their energy fighting shadows, that a great and growing number of Dixie's loyal sons and daughters remain confident that even the gravest problems can be solved if faith in democratic procedures and traditions remains firm.

In the past 12 months, however, there has been a wide variety of approaches. Some Deep South states, motivated by

(Editors' Note: John Lord O'Brien, distinguished constitutional lawyer, believes that a "realistic approach" for security at any price is a principal influence threatening the very existence of democracy. Holder of many honors for public service in education and government and an advocate of constitutional questions before the Supreme Court, Mr. O'Brien gave his views on the problems of the very existence of democracy at Harvard University. Excerpted here are his remarks on the communist danger, and resulting government policies.

THE MOST dangerous of all aspects of communism, as of us now, is that its protagonists have succeeded in developing a technology which destroys the individual all sense of personal honor, decency and good faith. There are many illustrations of this, the most conspicuous being the treason of scientists like Fuchs, the Rosenbergs, Pontecorvo, and those engaged in the Canadian conspiracy. Although all of these trusted persons had taken oaths of loyalty and also of secrecy they later frankly disavowed any sense of obligation or of personal honor. This is the terrifying aspect of Communism which is inapplicable to the citizen of the western world. The emergence of those soulless individuals trained in treachery is clearly the result of some new psychological technique with which we are still unable to cope and for which, as yet, no antidote has been found other than our reassertion of faith in the older moralities.

Yet we cannot wholly absolve ourselves of blame for the progress of Communist propaganda so far as it has made any impression here or abroad. In short, it is in our own behavior, and particularly in the restrictive operations of government and placed their conception of the need for national security ahead of the traditional rights of the individual. Over

and over again we have been warned against the insidious and sinister invasions of civil liberties by plausible excuses, yet it is noteworthy that in our time some of the most dramatic of these encroachments have been deliberately embodied in Acts of Congress. It must be admitted, I think, that all of these official actions, whether justified or not, show a consistent trend in the direction of curtailing protective rights hitherto enjoyed by the individual and particularly those guaranteed him by the First Amendment and the Bill of Rights.

TRADITIONAL RIGHTS No one can deny or minimize the difficulty of balancing the necessity for national security and the traditional rights of the free citizen. This problem in its multiple aspects has plagued and bedeviled all branches of government including the courts, and is still without a satisfactory solution. Review of the policies established by the Congress and the executive for the purpose of combating subversive activities and influences will demonstrate, I think, that in reality we have been establishing something like a new system of preventive law applicable to the field of ideology and essentially different from traditional American procedures.

CONSISTENCY In now reviewing the measures adopted by our government to combat the evils of communism and of subversive activities generally, I ask you to note the consistency with which both the Congress and the executive have steadily and deliberately expanded the restrictive operations of government and placed their conception of the need for national security ahead of the traditional rights of the individual. Over



I'd Like To Talk To Dr. Jekyll, Please

There has been established a number of older procedural processes which until recently have been denounced as foreign to the American conception of freedom. First and foremost is the use of evidence of secret information from anonymous informants as to whose reliability or competence in the hearing officers have no information. This in turn results in the denial of the right of cross-examination, which is the most powerful and most sacred of all rights for the protection of the individual. Thirdly, this has given rise to the use by govern-

ment officials of agents provocateur and paid informers, whose evidence is usually taken from the secret dossiers kept by various intelligence services. In practice this danger has assumed even larger proportions, for, in the several cases in which the bill was raised, the Attorney General has refused to permit even the hearing officers to see the anonymous informers. In at least one important case the Attorney General has refused to disclose even to a United States District Judge in camera the reasons for which he took official action.

Economic Survival

Towns At The Crossroads

Most towns had their beginning either at a crossroads or elsewhere that travel and trade were served. Sometimes they were on a river or at the end of a trail bringing in smaller factories and businesses.

Some of the towns are better off than ever before. Three years ago a mill in North Dighton in Massachusetts closed down a 4,000 jobs were lost their jobs. There was an empty mill where floor space could be rented at reasonable rates. But today the abandoned building houses a half dozen firms employing 2,000 people. The story is much the same in other places. The empty mills are being filled up because high building costs make the low rentals and low sales prices of the older buildings desirable. There are good transportation facilities, there is an ample labor supply.

It is true that many of these towns are struggling still, but it is also true that many of them are far from and will never be ghost towns, for the community of the future is being built for their economic well-being. And in surviving, they will be sounder than ever.

SURVIVAL AT STAKE Yet another thing is true. The reasons for their survival are the same reasons for their troubles. The mills are justifying the people who ran them saw greater opportunity elsewhere. And the mills are justifying the people because other people see greater opportunities in the mill towns than they saw elsewhere.

To attempt to deny either those who moved away or those who moved in the opportunity they sought would be to immobilize capital and to limit development. That would not only endanger a free economy; it would destroy freedom and initiative of the individual. And the tasks of any town would only be made more difficult.



"I know what we can do for excitement... let's go home and shock our parents with liberal ideas..."

The Debt Of Personal Service

ORGANIZATION is the bedrock on which all communities grow. Organization channels thought into purpose, purpose into action, action into accomplishment. It is the essential element in coordinated, effective community achievement.

One of the many organizations leading Charlotte toward new horizons is the Chamber of Commerce which today opened its annual membership drive. The success it deserves will strengthen both the Chamber and the community for the two are, in great measure, interdependent.

That the Chamber is a broad force for the community is not a narrow advocate of selfishness, is seen in its goals of improving recreational facilities, transportation, education, health, city defense, city-county relations, fine arts and agriculture. There are Chamber committees working in these and many other fields.

There are places on these committees that can and should be filled by business and professional men now unaffiliated with the Chamber.

The local organization has seen the wisdom of bringing in, rather than keeping out, growth elements into its new industry, new ideas, new people. This attitude has brought new jobs and new money and kept the Queen City on the march.

The Chamber has drawn up a list of 10 reasons for belonging to the organization. We think the first is the best and most important: "Because through the Chamber of Commerce I can, as an individual citizen, render service for the city in which I live and make my living. Everybody owes a debt to his community that cannot be paid in taxes—the debt of personal service."

From The Christian Science Monitor

DON'T ASK THE FISH

A RECEPTACLE or institution in which living aquatic animals or plants are exhibited or studied. We'll take the Britannica's word for it. But it has often seemed to us that an aquarium, thus defined by the encyclopedia, is on the contrary a place where people are studied by the fish.

To get a fish's-eye view of humanity the aquarium visitor would not only have to learn how to breathe through his ears and steer himself by his gills but also to mind his own business. Only thus could he develop a fish's capacity for indifferent amazement at inconsistent humans, who though propelling themselves in a horizontal direction, yet do this in a vertical position. The fish notes this for what it is worth, but he seems unconvinced that it would be worth building a terrarium to observe.

who go to aquariums to study other people. What is it that makes many people seem awkward and slightly on the defensive as they move through the subterranean gloom of aquarium passages? Is it simply the feeling of anyone anywhere who, commenting on all about him, suddenly feels himself the object of inscrutably silent observation? A human being can't be sure. And it's no use asking the fish.

A farm couple, taking in the night sights of the nation's capital, strolled past the White House. Old Sid stood still and looked at the place over carefully. Then he turned to his wife, "Hmph!" he snorted. "For a family of two they shore burn enough lights!" CARLETON CURRIENT-ARGUES.

"Two things we're sure of—Death and taxes." "Yeah, but one thing about death, it doesn't get worse every time Congress meets!" LAMAR (Mo.) DEMOCRAT.

The umbrella is about as extinct as the politeness that used to share it.—DALLAS NEWS.

Some Strike 'Facts' Should Be Corrected

Morganton Editors: The News: IN THESE past articles I have noticed various errors. I am writing you to correct them. If someone calls my old number, that is normal service? Another thing. Whether they know it or not, the public is paying for this strike. The rate increases that have been granted to the poor old 15-billion-dollar-a-year telephone company are paying-take-shots and supervisors' hotel bills, meals, cab fares and overtime. And yet the public is not getting their money's worth. Because the best and most experienced operators are still on the picket lines.

First, that the number of employees at work passed the 31,000 mark by May 6. The truth is that if you stop and count the supervisors which number about 10,000, the professional strike-breakers of about 9,000, about 10,000 scabs and others that have been hired you have about 31,000. Had this statement been true, the strike would have been over, because the union would be broken, because 31,000 would be the majority of people.

Drew Pearson's Merry-Go-Round

WASHINGTON THE President has been irked and irked plenty over the handling of the Salk vaccine inoculations. He has shown his displeasure publicly, but he has shown it privately to the lady in charge—Secretary of Health, Education, and Welfare Oveta Culp Hobby. White House intimates tell how Mrs. Hobby was called over to see the President to wait for him on what was happening in the Salk polio imbroglio and how she gave him a rather superficial briefing.

Ruffled President

THE incident took place just prior to the photos taken by cameramen of Mrs. Hobby and the President, following which newsmen were barred from future picture-taking shots. The President and his secretary of health had cooled down and showed no irritation when cameramen entered the room when he made a remark about being glad his grandchildren had received the shots. It was quoted by newsmen. Press Secretary Hagerty then barred them from future photographing sessions—though later reversed.

People's Platform

Why does the company not want to give the strike is normal. Recently my telephone number was changed and I know for a fact that my calls are not being referred to my new number if someone calls my old number. That is normal service? Another thing. Whether they know it or not, the public is paying for this strike. The rate increases that have been granted to the poor old 15-billion-dollar-a-year telephone company are paying-take-shots and supervisors' hotel bills, meals, cab fares and overtime. And yet the public is not getting their money's worth. Because the best and most experienced operators are still on the picket lines.

Negro Reports To Ike

Congressman Adam Clayton Powell of Harlem, N. Y., one of the three Negroes in the House of Representatives, got the rumor round when he first tried to see Eisenhower following his return from the Bandung conference. But when the President learned about the rumor round from a news item in the Washington Post, he sent a messenger to Powell's office and invited him to the White House.

Minority Question

At Eisenhower's request Powell promised to prepare a memorandum on the "minority question," giving forth his views from the White House and the Department. Powell, a Democrat, is now at work on this, with GOP Congressman Ralph Judd of Minnesota, a former missionary in China.

Ike Irked About Salk Vaccine Snafu

The conference that followed was scheduled for last 15 minutes but continued for 25. "I am in somewhat of a dilemma about the problem of colonialism," the President remarked. "If I am against it, whether it is practiced by the Communists or by our friends. On the other hand, it is difficult to turn against an advance of France, which has thought and died with our own soldiers from Revolutionary days, especially when France is fighting against the type of colonialism, the Communist brand, in Indochina."

I followed the Bandung conference

very closely in the newspapers and am sure of the way you spoke out for the minorities. "It is a subject close to my own heart." "I know it is, Mr. President," replied Powell. "I wouldn't have been able to speak out the way I did if it wasn't for the Supreme Court and your own efforts for racial integration in the United States in the last two years."

As the meeting broke up, the President

complained about his burrito. "It comes and goes and, let me tell you, it is mighty painful at times," he said. "My doctor is trying everything. Right now I am on a diet of soybeans, I and taking soybeans in every way, shape, and form, and getting forth in the morning until salads in the evening." "Personally, I don't like the taste of soybeans," admitted Ike, "but I'm willing to go along with the experiment if it cures my burrito."