

The Family of Man . . .

By Paul Himmel  
U. S. A.

By DAVID LAWRENCE:

UN Record Indicates Nehru  
Has Pro-Soviet Leanings

A Texas Judge Speaks Up

Our compliments are extended today to United States District Judge William H. Atwell of Dallas. He has nailed his judicial masters to a tree and will let them wiggle for a while in the public view.

This lifelong Republican—he is 87—has been on the Federal bench since 1922. He is, we may assume, a man who takes seriously his oath to support the Constitution of the United States. And viewing the Supreme Court's infamous decision in the school segregation cases in the clear light of the Constitution, he did not hesitate to speak his convictions.

The decision, said Judge Atwell yesterday, was based on no law, but rather on what the court regarded as more authoritative, modern psychological knowledge than existed at the time that the now discarded doctrine of equal facilities was initiated. And he recalled pointedly that "in 1952 Mr. Justice Frankfurter said it [the court] was not competent to take judicial notice of 'claims of social scientists.'"

Judge Atwell might also have quoted from another of the Supreme Court justices who joined the majority decision of May 17, 1954. It was Mr. Justice Black who once declared that the court had no authority "to roam at large in the broad expanses of policy and morals and to trespass, all too freely, on the legislative domain of the States as well as the Federal government."

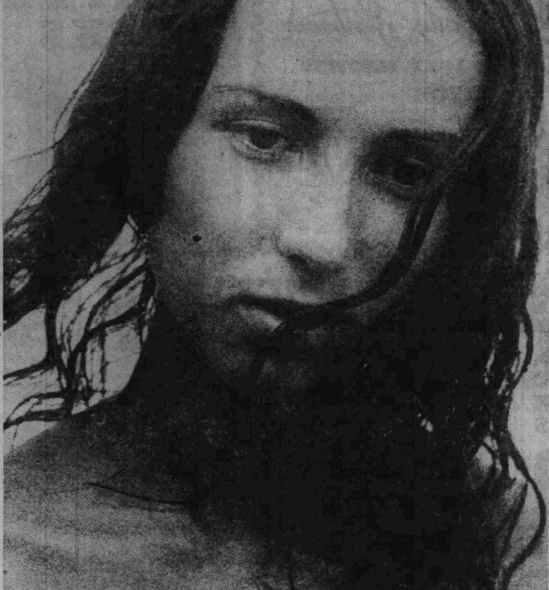
Or the Texas jurist could have quoted from that pillar of the court, Mr. Justice Douglas: "It is when a judiciary

with life tenure seeks to write its social and economic creed into the Charter that instability is created."

The members of the United States Supreme Court knew, when they wrote the school segregation decision, that they were exceeding their authority, trespassing upon the long-reserved powers of the States, and substituting sociology for law. They knew, in a word, that they were acting legislatively, not judicially. But in the absence of any effective check upon judicial usurpation, they figured they could get away with it. So far they have.

Judge Atwell's decision in Dallas, in itself, will accomplish little. We may expect that just as soon as the Fifth Circuit can get its hands on the papers, their emineces will slap the old gentleman down, enter the desired injunction, and Mr. Justice Atwell permanently out to pasture. Under the budding notion that it is a "crime" to "interfere with integration," Judge Atwell has perhaps committed a felony, and should be led in handcuffs to some superior bench.

Yet the many Americans who still believe in the doctrines of constitutional union may be profoundly grateful to Judge Atwell for even this futile gesture of resistance. He has looked despotism in the eye and glared it down. If more Federal judges had the, pardon the words, guts to adhere to the Constitution and to stick to their judicial functions, a growing contempt for the Federal bench might be replaced by the respect once accorded these lifetime appointees.



Tenth in a series from "The Family of Man," an exhibition prepared by the Museum of Modern Art, New York, now on display at the Virginia Museum of Fine Arts.

PERSONAL CONFERENCES between heads of States have assumed an exaggerated importance in recent years—and the most striking example of this is the current meeting between Prime Minister Nehru of India and President Eisenhower.

Where there is no fundamental trust by one government in the other, where there is evidence of duplicity and betrayal of the principles of international morality, there can hardly be a foundation for anything more than high-sounding communitism and the exchange of the usual words of diplomatic courtesy.

Nehru poses as a great humanitarian and as a champion of the cause of anti-colonialism in the world, but he showed a callous indifference to the brutality of Soviet colonialism in Hungary when he refused a week to support a United Nations resolution condemning the Soviet for what her troops had done in the ill-fated country.

For basically India—not the people but their government—under the influence of Nehru has played a double game in the world. The facts are in evidence, and the effort to bring Nehru here to try to give him the American point of view is the last desperate effort of those American advisers who still believe that by some miracle—perhaps by more financial aid—the United States can leapfrog in world politics can be made to change his spots and become a friend of the United States.

NEHRU is a well-educated man and well informed about the techniques of Western politics

and Western diplomacy. He is capable of playing both ends against the middle and is a master of the double-talk which diplomats use when expediency dictates it.

Most American officials, including many members of Congress, feel that Nehru is basically and fundamentally pro-Communist and is playing the game of Moscow as well as Peking all the time. His behavior in the Korean armistice negotiations could not have been any more partisan in behalf of the Soviets if he had represented them directly! American military officers have almost revealed in their amazement the disheartening story of the Panmunjon betrayal of the UN cause by Nehru.

"The chronological story of Nehru's voting in the United Nations, as handled by his emissary, is revealing. Here it is: Oct. 21, 1952—Nehru abstained from voting on a motion demanding in the United States to investigate charges that the United States used germ warfare in Korea. The free world troops were withdrawn and the Communists accused the United States of "spying" behind the Iron Curtain and the resolution was defeated by the vote of the free world, Nehru abstained from voting.

MARCH 27, 1953—When the Soviet Union again demanded a hearing on charges that the United States had used germ warfare in Korea, Nehru voted with the Soviet bloc in favor of the motion, which was defeated by the vote of the free world, Nehru abstained from voting.

Dec. 3, 1953—When a U. S. resolution was offered in the U.N. assembly to condemn Red atrocities which had caused 30,000 deaths in Korea, and the free world was adopted by the resolution was adopted by the free world, Nehru abstained from voting.

Dec. 9, 1954—When the General Assembly condemned the Red China government for holding war prisoners in violation of the Korean armistice, and the Communist bloc voted against the resolution, Nehru abstained from voting.

Nov. 4, 1956—When the U.N. assembly adopted a resolution to send UN observers to Hungary, the Soviet bloc voted against it, and Nehru abstained.

Nov. 9, 1956—When the U.N. assembly passed a resolution denouncing Soviet intervention in Hungary and demanding that Soviet troops be withdrawn, the free elections held in India, the only non-Communist government in the world to vote against the resolution.

NOV. 21, 1956—When the General Assembly passed a resolution that Soviet troops withdraw from Hungary and UN observers be permitted to enter a d demilitarized zone, the Soviet patriots be stopped, Nehru supported only the section on observers but abstained from voting.

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Farewell to a Journalistic Giant

The journalism world will be a little less colorful now that Collier's Magazine has been discontinued. Magazines come and magazines go, of course, but Collier's had a history of public service and popularity such as few other periodicals achieve. Its passing is a milestone in American magazine journalism.

There were two "great" eras in Collier's history. One was the period of the "muckrakers," shortly after the turn of the century when Norman Hapgood made the youthful weekly into one of the most influential of American magazines. It was an era when journalists such as Ida Tarbell, Lincoln Steffens, Ray Stannard Baker, and other brilliant writers excelled in sweeping exposés of municipal and corporate corruption, and Collier's was foremost in a galaxy of magazines that featured the work.

The second period of greatness for Collier's came in the 1930's, under the editorship of a Virginian, William L. Cheney of Ashland. Cheney gathered around him a staff of first-rate journalists—Quentin Reynolds, Walter Davenport, and others—and built Collier's into a position where it competed on better than even terms with the Saturday Evening Post, then in something of a period of doldrums under the aging George Horace Lorimer and Wesley Winans Stout.

But as the 1940s came along, Collier's

began losing its competition with the Post, which under a new editor, Ben Hibbs, regained its former supremacy. Furthermore, the rise of the picture magazines, the digests, and newspaper magazine supplements cut down the market for the weekly magazines, and the Post gradually took over a commanding lead in circulation.

Several years ago Collier's changed from a weekly to a twice-monthly, an indication of its declining fortunes. Though it still maintained a circulation of sizable proportions, its advertising revenues continued to decline drastically. Faced with an annual loss of something like \$5,000,000 from Collier's and the Woman's Home Companion, the Crowell-Collier Company decided to suspend publication of both magazines.

News of the demise of Collier's will bring back memories—to the millions of Americans who once read it avidly each week—to the millions, too, who once "carried" Collier's when young, competing with the Post and the Liberty Bells for the nickels of possible purchasers. The day of the house-to-house delivery of weekly magazines is gone, now. So is that time when Collier's was making journalistic history. In its heyday the magazine was an important part of the American scene, and its passing now makes one realize how far into the past those times have receded.

By GEORGE SOKOLSKY:  
Popular Religious Music Called Sign of the Times

DEAN JAMES A. Pike, of the Cathedral of St. John the Divine, recently wrote on the theology of Tin Pan Alley and he objects to much of it because the lyrics and the music are generally lyrics want hit tunes which satisfy the tastes of their customers. However, it strikes me that it is better to sing wrong theology than not to sing at all.

Tin Pan Alley has at least this much humility: it has never called its output poetry but refers to it as lyrics, although I remember when they called it, "Words and music" that was the phrase and at least it was half accurate.

God for something special, which has always been low-church theology and probably that is where the song writers get it. For instance, the song "Someday Up There Likes Me," is no worse, theologically, than "Brighten the Corner Where You Are," which Billy Sunday and Homer Rodeheaver made famous. Neither song could quite win a scholarship at Oxford or at Tanglewood, to say nothing of the Pulitzer prizes which winners are rarely recalled.

By SYDNEY HARRIS:  
People Who Say 'Frankly' Rarely Are

PURELY PERSONAL. People who have the habit of using the word "frankly" are rarely frank. People who are fond of saying that "everybody has a right to his own opinion" are generally excusing their own lack of information on a subject. People who complain that their children aren't learning in school are usually those who may prove to be one of our best commissioners, willing to follow the party line, regardless.

People who demand the most service in a restaurant are invariably the ones who leave the smallest tips. People who are busy asserting their "rights" are usually very busy with their responsibilities. People who swear you to secrecy are almost always those who cannot keep a secret themselves. People who insist that all doctors are quacks or that all lawyers are crooks are most likely to be taken in by a plausible quack or a smooth lawyer.

People who insist that "you can't change human nature" use this dumb cliché to justify the most inhuman parts of their nature. People who insist that "you can't change human nature" use this dumb cliché to justify the most inhuman parts of their nature. People who insist that "you can't change human nature" use this dumb cliché to justify the most inhuman parts of their nature.

THE STORY OF AN EYE-WITNESS  
By JACK LONDON, Collier's Special Correspondent



On reason at all—in this case it really was the reaction of desperation—she said, "An elephant!" So a small wooden elephant was bought and for months Father did not quite know what to do with it. But, as these things do, Father's birthday came round and again the question was posed. It was at this stage that Mother had one of the greatest brainwaves of her life. She said "Another elephant!" At first this seemed rather pointless and ridiculous to the child, but then he began himself to make the boy's long since grown to be a man, both would be shocked if the anniversaries ever produced anything other than an elephant. To draw the moral that the real solution to the problem of giving presents is to give what you have, and that you should be shocked if the anniversaries ever produced anything other than an elephant. To draw the moral that the real solution to the problem of giving presents is to give what you have, and that you should be shocked if the anniversaries ever produced anything other than an elephant.

EDITORIAL ROUNDUP:  
The Family That Gave Elephants

The London Times think of all the most harrowing scenes you can. Raid your memories of East Lynne, Orphan of the Storm, Black Beauty, and A Peep Behind the Scenes. They cannot outdo the anguish of the bibliophile who just now has silently and surreptitiously to watch his little daughter knitting him a thick woolen book-marker for his Christmas present. The whole subject of book-markers is too contentious for the onset of the season of good will. Moreover, it has had its fling in these columns, and disclosed the wretch who was reported to have used his lunchtime sandwich as one. But the unwelcome Christmas present is surely a reasonable topic. In thousands of homes just now there are people, young and old, fondly but misguidedly making, buying, or hoarding objects which, when presented in ten days' time, are going to lead to a convulsive gulp and the sickliest of smiles. Why do people do it? Desperation is generally the immediate answer. Year by year the choosing of Christmas presents becomes a more difficult undertaking. But reflection leads one to believe that the most desirable Christmas presents are not given out of desperation. As often as not this may be a man, both would be shocked if the anniversaries ever produced anything other than an elephant. To draw the moral that the real solution to the problem of giving presents is to give what you have, and that you should be shocked if the anniversaries ever produced anything other than an elephant.

Such boorish disregard of the rights of his neighbors is typical of the owner of a monopoly, such as Paul Harvey has in the matter of a Federal judgeship. Monopoly is a stupefying thing, from the effects of which no Federal judge is immune, and because these third-rate politicians are selected for their posts for almost every reason but their own merits, and because the quality makes it almost a certainty that they act like dictators rather than as servants. Monopoly is the very antithesis of the things our ancestors fought for in 1776, and the establishment of a monopoly is an admission on our part that the Divine Right of Kings is valid insofar as it applies to Federal judgeships. Such an assumption is wrong and, nothing we can say or do will make it right. The Federal judge gives these pygmies an opportunity to clothe themselves in the mantle of a Khrushchev so they can show us that in 1956, it does not pay to be a disbeliever.

LETTERS TO THE FORUM:  
Life Tenure Breeds Arrogance in Judges

Editor, The News Leader: My December 7 copy of The News Leader was received this morning, and I found your editorial "Our Godlike Federal Judges" in entire agreement with my own views in the matter. I have been very much interested in the overbearing antics of this judge at Knoxville, who may prove to be one of our best commissioners, willing to follow the party line, regardless.

makes us responsive to the needs of those with whom we come in contact and, being forced to offer our wares in the open marketplace, in competition with others who have service to sell, is what it takes to make us constantly realize that we live by the sufferance of others and, not by any divine right. Federal judges may be as good as any of us but they are certainly not a bit better, and we have made a mistake in surrounding them with an aura of sanctity they do not possess. Now that they have a chance to use the lash, they seem to enjoy it.

school are so eager, enthusiastic, and handle difficult situations with such warm-heartedness that I feel it a privilege to praise them publicly. I would like to see anyone anywhere run a better school, on the money allotted to the Bon Air School. There is only one fault that I can see there, and that lies with us, the public. We should see that more money is given to the school for extras. It is hard not to be a bit drab when you have only the bare necessities.

TALK OF ELEPHANTS reminds us of the child who asked his mother what Daddy could be given for a Christmas present. For

The keen sting of necessity that competition forces on us is the purifying element that

The workers I know at the

Sincerely yours,  
JOHN C. WHITE, JR.

PANDIT NEHRU

ing on the other two parts of the resolution relating to troop withdrawal and deportations.

Dec. 4, 1956—When the General Assembly repeated the demand for withdrawal of Soviet troops from Hungary and the entry of UN observers, the Soviet bloc voted against the resolution, and Nehru abstained.

Dec. 12, 1956—When the most important action in the recent history of the UN, was voted by the free world, and the Soviet Union was "condemned" for what it did in Hungary, the Communist bloc opposed the resolution, and Nehru abstained.

Five times in the last five years Nehru has voted with the Soviet Union against the motions adopted postponing action on the question of admitting Red China to the United Nations, and this notwithstanding that the U.N. in 1951 formally declared Red China an "aggressor" in Korea.

It is such a record which millions of Americans feel cannot be erased by official luncheons, banquets and the necessary hosannas extended to the ministers of foreign governments.

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