



GREAT  
ISSUES  
CONCERNING  
FREEDOM

Edited and with an Introduction  
By  
WALDEMER P. READ

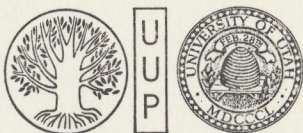
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# REMOTE STORAGE

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Third, nonmilitary solutions to the communist problem are the same solutions nations have found successful in living at peace with one another in all ages past. These practices must now be applied toward the Communist nations: trade, cultural exchanges, tourist travel, shared support of the United Nations, patient diplomacy, and above all a careful regard by us for fact over fiction, for understanding over emotion, for patience over impulse, for humility over arrogance. Trade lessens international tension, as does travel and cultural exchanges. We risk nothing serious, if the military keeps watch, which it surely will do, while each American, each publisher, each politician, each teacher, each minister, each individual citizen searches out every way to lessen tension between the free and Communist worlds. Every word and act now has a single test: does it increase or decrease international tension? Does it lead in the direction of war or peace? This test must apply to every person's thinking and also to the policy of every organization in our great country.

Finally, we have now come to the opportune moment in history when the military must be relegated to a supporting role in American life. It must no longer play the lead in the center of the stage. This is the only hope for our country if we are to use our freedoms on the highest level — solving this most difficult problem by the application of a calm and careful reason, by searching out all the available facts, by some kind of sympathetic understanding of those we must vigorously oppose — in short, by a warm heart, an open mind, and a firm resolution to see our country through to a successful triumph, keeping both peace and our freedoms for generations to come.

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### *Is Freedom of the Press Compatible With National Security?*

NEAL A. MAXWELL

While our Constitution says Congress may make no law abridging freedom of the press, the existence of that prohibition does not guarantee access by the press to vital information, nor does it operate to require government to refrain from manipulating, distorting, withholding, or managing the news. Such practices usually occur in the name of national security and have, in the observation of America's most distinguished military editor, Hanson Baldwin, increased "markedly." Thus tonight's issue of compatibility is raised with urgency in a new and complex setting in which the aphorisms of Mill and Milton produce as much nostalgia as they do helpful guidance.

Like other freedoms, freedom of the press is in constant jeopardy, and it is susceptible to crass exploitation by a few irresponsibles who may profit personally or institutionally from the happy coincidence of this freedom and their own temporary interests. Risk and abuse are a part of the price we pay for a relatively open society; they are among the consequences of freedom.

Alongside our openness, there are, of course, competing rights and traditions favoring privacy in the home, the jury room, the judge's chamber and the voting booth. Our Constitution was produced in privacy.

Theorists have always assumed and argued, however, that a free press could check government by informing the citizenry and, therefore, we have accorded the press a privileged place even though it is a profit-making group. We have done this because in the words of Jefferson, though it is "chequered" with abuses, we are indebted to the press "... for *all* the triumphs over error and oppression." A case in point is the service of the British press during World War I, when it broke through censorship to report the poor handling of munitions in that nation's war effort. This performance was a factor in bringing about real improvements in Britain's war machinery through a change of government. But the press is always somewhat at the mercy of government. Prime Minister Baldwin observed in 1936 that "... democracy is always two years behind the dictator." Baldwin's "appalling" frankness on the

floor of Parliament in making this justification of his having deceived the British electorate as to the gravity of German rearmament rested upon the assumption that the people would not have rallied when confronted with the truth anyway, and that he would have thereby needlessly lost the election. How enticing to the sincerely concerned executive is this paternalistic path today!

The announced justification of censorship has always been to keep information of value from the enemy. Today, the body of information that could be regarded as falling into this category is strikingly large. The second reason for censorship — to keep from the public information which might adversely affect national morale — has been reinforced by new justifications which are to some fresh and compelling for keeping certain facts from the people.

Add to these modern conditions complexity itself, such as trying to report news about military technology or science, which T. S. Matthews says “comes to us more and more faintly, like the dwindling shouts of a search-party that has disappeared into an enormous maze,” and one can then begin to appreciate how simple things were when it was enough to avoid the reporting of the sailing of a troop ship. Bertrand Russell sees this increased power that officials now have as a result of science as a “. . . behind-the-scenes power, like that of emperors’ eunuchs and kings’ mistresses in former times.” This development places a premium upon interpretive news and therefore increases the need for newsmen and newspapers to alert the reader to their biases.

A further factor which mitigates against our traditional notion of full disclosure and discussion is the presence of persistent pessimism about public opinion. Apparently, the presentation of the NATO concept to Congress and the public was delayed for months because the people were thought unprepared for the program. Walter Lippmann bemoans this veto power of public opinion over decisions that officials who are “wiser” than the people might make, if they could. A veteran editor such as the *Times’* Baldwin is not optimistic about the capacity of our citizenry to maintain a prolonged posture of interest and understanding in public affairs, especially in such a scientific era. Yet, according to Francis L. Rourke in *Secrecy and Publicity*, C. P. Snow has argued that World War II might have ended sooner and with less cost if “secret politics” in Britain had not affected the conduct of the war.

A still further complication appears. Our open society publishes the persuasions and protests of men like Bertrand Russell, but there is no Soviet equivalent of Bertrand Russell marching and preaching in the

streets of Moscow. Our open press of necessity exposes our people to the possibility of instantaneously induced fear, while no counterpart surge of emotion would necessarily exist on the Soviet side.

Finally, there is yet another new level of governmental secrecy: the emergence of policymaking at the United Nations, which affects American security. This body will often have its own institutional goals and military forces, and it seems inevitable that there will be occasions when the American public and even our government will be put in a posture of overdependence on the U. N. for information in matters affecting our national security.

Thus any examination of tonight’s issue must take notice of all these factors and, finally, may turn on one’s view of public opinion and, therefore, of human nature.

This paper will disappoint those, however, who see a “Gadanton” scheme of suppression on the part of officials who are ready to ring down a khaki curtain. It will also disappoint those who see a plot by a reckless press to spring sensitive, classified information and thereby jeopardize our national security.

Admittedly, there are a few reporters, such as the electronic journalists at the Little Rock crisis, who reportedly urged blacks and whites to mix it up for the television cameras so that there would be a little action. Such reporters compete journalistically only on the levels of speed and sensation.

There are also, unfortunately, some federal officials with the power to classify information in the interests of national security who cannot distinguish between withholding information about a road built with I.C.A. funds in Peru, started before the final route was selected and ended ignominiously at the foot of a mountain, and, on the other hand, withholding information on the whereabouts of a Polaris-armed nuclear sub on sea patrol. Such officials “transform procedure into purpose” and fail to understand the vital relationship between shared information and decision-making in a democracy and often harm the policy process even within the Executive itself. For instance, as Secretary of the Navy, James Forrestal was not “informed of this country’s agreement with England not to use atomic weapons without mutual consent.” He learned of this agreement only after he became Secretary of Defense and this then from two senators.

When, in 1787, Congress enacted a “housekeeping” statute it created what has since been referred to as “the fountainhead of secrecy,” which authorized agency and department heads to set forth regulations con-

cerning the custody, use and preservation of records, paper, and property. Although history reveals no congressional intent to provide for secrecy or the withholding of information, nevertheless, as the *Columbia Law Review* has pointed out, secrecy and claims of secrecy have been the result.

It is significant that over the years Congress has often been a provisional partner of the press — a role which must be noted in this paper — and has engaged in much ferreting, complaining, and cajoling about Executive practices which lessen the freedom of the press and restrict the flow of information. Congress sees secrecy as the “handmaiden of bureaucracy, especially military bureaucracy,” yet it does much of its own work in secret.

Congress’ own role relative to matters bearing on national security has, of course, declined in importance.

Katzenbach has noted how “. . . in time of peace prior to World War II Congress ordered the details of military legislation and made decisions for the Army and Navy quite as it did for the farmers, the businessmen, the fishermen, and others. It debated strategy and determined tactics. It digested the details of ship construction, the organization of artillery units. It advised the Army and Navy on the problems of command coordination and the cavalry on hay.”

Today, as *Fortune Magazine* observed, “. . . Congressmen can really do little more than express general confidence or the lack of it in the management . . . the President and the Secretary of Defense can usually argue with the management only as laymen argue with professionals.”

Legislators — as do pressmen — occasionally breach security. In 1941, Senator Burton K. Wheeler, an extreme isolationist, revealed the fact that the U.S. Navy was commencing its occupation of Iceland while that operation was underway and open to attack by Nazi submarines. Closer home, a member of the Utah congressional delegation revealed recently in the local press the actual production rate of Minuteman missiles by Hercules [Powder Company] in Utah each month, information which the Pentagon has classified as secret.

One wonders, for instance, what might have happened if there had been the press equivalent of Senator Fulbright’s lonely but strong objections to the Cuban fiasco which he expressed privately to President Kennedy before its launching.

A good guide for today’s contests between Congress and the press on the one hand and the Executive on the other is President Washington’s response to the House effort to investigate the military disaster

suffered by the forces of Major General St. Clair in 1791 in which the House asked for the files. Washington called a cabinet meeting in which it was decided that certain papers might be withheld for “the public good” at the President’s discretion, but that, in this instance, all papers would be sent to the House. Freeman, Washington’s biographer, says not even the “ugliest line” was eliminated because “Washington had learned long previously the protective value of candor in dealing with the American people and he knew that one reason for their trust in him was their belief he would tell them the whole truth.” This was certainly in keeping with Milton’s observation that “. . . when complaints are freely heard, deeply considered and speedily reformed, then is the utmost bound of civil liberty attained . . .” for “. . . errors in a good government and in a bad are equally almost incident.”

A free press inevitably produces frustrations in society, especially in moments of crisis and obvious error. During the Cuban fiasco, the conduct of the American press apparently produced grave concern in President Kennedy and resulted in his desire to propose to publishers a kind of partnership-in-crisis.

Newspapers differed in handling stories dealing with the Cuban adventure. The *Saint Louis Post Dispatch* said in summation:

In the case of the Cuban affair, many newspapers of Florida agreed among themselves to say nothing about the training of refugees for the invasion. The *New York Times*, on the other hand, sent Latin American experts to Miami to obtain and publish as much information as they could obtain from refugee leaders. Obviously, the editors of the New York and Florida papers differed in their judgments, as was their right. It seems also obvious that if all the newspapers had agreed to conform to a code . . . the American people would be less able to evaluate the Cuban adventure and use its lessons to decide their future course. They might not have learned of the failure; they might not be in a position to demand an accounting.

One commentator said:

It would be better to conclude that maneuvers of this sort should not be undertaken by an open society than that our society should become less open.

The *London Times*, in reviewing examples of arguments for the press’ entering into alliances with government, concluded that, “the first duty of the press is to obtain the earliest and most correct intelligence of the events of the time, and instantly, by disclosing them, to make them the common property of the nation.” Lippmann has credited a paper he once edited, the *New York World*, with actually dissuading by sheer din our government from a military adventure in the twenties when there was real talk of our invading Mexico.

A probing press is no friend of officialdom during delicate negotiations either. In New Orleans in 1815, after the British were beaten, the *Louisiana Gazette* published a story about the conclusion of peace negotiations between the United States and England. General Andrew Jackson communicated with Godwin B. Cotten, editor of the *Gazette*, stating, "Henceforth it is expected that no publication in the nature of that hearing alluded to and censored will appear in any paper in this city unless the editor shall previously ascertain its correctness, and gain permission for its insertion from the proper source." When the editor protested, General Jackson imprisoned him. The incident was closed, however, when peace was officially proclaimed within a few days. What contribution the press could have made had it been even partially privy to diplomatic negotiations such as those at Yalta or to the serious deterioration of Soviet-American relations in the immediate post World War II period must be left to history. The point is that, although the presence of the press makes diplomacy more difficult, when the press has been excluded we have not automatically distinguished ourselves in diplomacy.

Voluntary suspensions of this traditional duel between the press and government have occurred, such as during the period of classic cooperation between government and the press in America in World War II. Editors were virtually their own censors, and a reporter like William Laurence of the *New York Times* was taken into the confidence of the government on the super-secret Manhattan project.

But such a suspension cannot safely be tolerated in a cold war that may run indefinitely, because the area of military concern is "constantly widening" and becoming ever more complex and inclusive.

The free press will and should, for these and many other reasons, resist the pleas of presidents and the Pentagon to "go responsible" or "to share in the labors of statesmanship." Freedom of the press is a tradition that demands a search beyond the news handout for the hidden. It is a tradition, which even more than our two-party system, will insure that a government will not be allowed the Orwellian opportunity to "reconcile contradictions" in order to retain power indefinitely. For it is only human for an official to feel that the journalists who do not promote his program are against him. Therefore, as an official becomes "encrusted with power," he often feels such reporters are actually working against the public interest, and hence he works against the press with an ironical sense of "public" purpose!

Veteran newsman Joseph Harsch put it succinctly when he said, "... there exists a built-in conflict between press and government ... and this conflict is inevitable, desirable, and self-protecting." The government is "always seeking to increase its control over the flow of news and the good reporter is always pushing it back." History supports Harsch. Every president, including Jefferson, who spoke with such eloquence about the importance of newspapers, has withheld certain information from Congress and the press.

The irony of all this elaborate governmental effort at security is that although we have millions of documents classified as "secret," we actually have very few secrets. Production rates on military hardware are pretty well known from open sources, and so are the size and disposition of our military forces. Although American citizens ignore such news, Soviet agents do not.

One of the many reasons for senseless secrecy may be the basic attitudes toward freedom held by some in the military who deal with the press and who yield power to classify information. Almost symbolically, a United States Army Training Manual of 1928, defined democracy as:

The government of the masses. Authority derived from mass meetings or any other form of "direct" expression. Results in mobocracy. Attitude towards law is that the word of the majority shall regulate, whether it be based upon deliberation or governed by passion, prejudice, and impulse, without restraint or regard to consequences. Results in demagoguism, license, agitation, discontent, anarchy.<sup>1</sup>

This definition has been changed, of course, but there are fairly regular outcroppings in manuals and military publications today which suggest underlying attitudes which are ambivalent toward facets of our democracy. The attitude that reporters are "spies" and that "the public's thirst for news" can be likened to that "of a drunkard for brandy" did not die with the Civil War's General Sherman.

Often hostility to the press is the result of dotting subordinates such as those who surrounded General Douglas MacArthur and who were anxious to protect him from what they regarded as the abuses of the press. A reporter who was frustrated in an attempt to cover an important conference between MacArthur and Hirohito concluded that the Japanese were not the only people with a peculiar idea of divinity in their leaders. Any such sense of "divinity," of course, can result in deception and distortion with regard to public information and the press must

<sup>1</sup> As quoted in "Essay on Liberty," volume 4, 1958. Published by the Foundation for Economic Education Incorporated, which cited United States Training Manual, No. 2000-25, 1928, p. 91.

retaliate iconoclastically. The book *The Conquered Press* said that during World War II, MacArthur's staff actually released communiques announcing the recapture of Clark Field days ahead of time but the censorship rule was "you cannot contradict the communiques."

The press itself has at times asked for military censorship, such as during the Korean War when correspondents were on their own for six months. This freedom led to the application of diverse standards of reporting with many complaints from correspondents who felt their restraint had put them at the mercy of less responsible correspondents. This particular plea from the press had a Dostoevsky-like ring of "save us from ourselves," but it occurred.

Many silly and inconsistent practices by government in security matters have appeared which only add to the frustration of the public and the press and could be cited *ad nauseam!* For instance, the Army did not release its overseas base locations — which cannot be very well concealed — while the Navy and Air Force did. The Navy and the Army released the personnel strength overseas whereas the Air Force did not. Sometime ago the Air Force classified contracts for gas turbine engines whereas the Navy did not. General LeMay once refused to give certain figures regarding the B-52, only to learn that the then Secretary of Defense, Charles Wilson, later gave out figures on a television appearance. Still later the number of B-52's on hand, the planned monthly production rate, etc., were released. This particular attempt at secrecy was doomed at the outset anyway since the B-52's were numbered serially under the wings and could be easily observed moving across the road from the factory where they were produced to the field where they were temporarily kept.

In 1955 the Navy refused to clear for publication an article on the sinking of the *Indianapolis* during World War II on the grounds that it would reopen old wounds of the families of personnel who were lost, might adversely affect enlistments, and might also suggest the sinking of the *Indianapolis* was typical of the fate of other cruisers during World War II. The censor hopefully called attention to the fact that there were available many heroic stories of men on other cruisers who returned again to see their families.

Such examples bring to mind Josephus Daniels, World War I Secretary of the Navy, who observed that "God never made a man wise enough to be a censor."

As for managing the news, there is always the risk that government officials will use it for promotional purposes. One such case occurred

in the fall of 1942 when an Army press agent revealed the "plot" by a rural fifth column to point out military objectives to enemy bombers by means of cunningly contrived groundmarkers. Much of the American press faithfully relayed the story to their readers in nearly 2000 newspapers. The story was not a deliberate fake, but it revealed "a fantastic miscarriage of information among Army air-men." The so-called markers on the eastern seaboard were investigated by the FBI, who concluded that the marks appeared to have been innocently made. Meanwhile the pictures, without the results of the investigation, were forwarded to the First Air Force headquarters where intelligence officers jumped to the conclusion that the markers were the work of fifth columnists. The pictures were released by a major whose background included the stint as Hollywood and Broadway press agent, and caused a twenty-four hour sensation!

I mention this last example because of the hair-trigger, nuclear-neurosis situation in which we now live and the much greater possibilities of real public panic that may be created by managed news or promotional news. Similarly, if the public is conditioned to take its cue from government, it is apt at times to be misled as it was in the immediate hours after the U-2 incident. For instance, in the U-2 aftermath, the believing *New York Times* actually chided the Soviets for being so alarmed about "an accidental violation of Russian air rights." As creator of the initial impact through newspapers, the government occupies a privileged position in opinion-making and can only be checked for error or for evil by a vigorous press which has access to the same information in order to provide context, counterpoint, and if necessary, contradiction for government communiques. A one-way relationship ultimately breeds either submissiveness or suspicion.

The classic case of the clash between the press and genuine national security occurred in 1942 when in June the *Chicago Tribune* and other papers printed a dispatch written by a reporter who had spent time with our Pacific fleet, a dispatch headed: "U.S. Navy knew in advance all about Jap fleets." Infuriated government officials called for an investigation, fearing the article had tipped off the Japanese that the U.S. Navy had access to special sources of information and, therefore, might dry up those sources. Attorney General Francis Biddle announced a Grand Jury investigation. The *Tribune* greeted the charges as ridiculous, claimed the investigation was inspired by Secretary of the Navy Knox, former publisher of the rival *Chicago Daily News*, invoked Jefferson's maxim, "Our liberty depends on the freedom of the press and can't be

limited without being lost," and said the reporter had gotten his information from open-source material anyway. Later the Grand Jury decided "that no indictment should be returned . . . and that no violation of the law was disclosed . . ." Meanwhile other elements of the American press hinted at what these special sources of information on the Japanese fleet might be, and the key words code and cipher appeared extensively in the American press as it commented on the tussle between the *Tribune* and the government. Significantly, and luckily, the Japanese either did not notice or did not believe the possibility that their code had been broken, a most grave development for them. Of course, the code had been broken and played a part in this specific sea battle and others that followed.

Are there such genuine threats to national security today because of the press?

Roger Tubby, veteran press secretary of the Truman era and now in a similar key role with the State Department, has written me that:

There have been numerous stories, particularly regarding weapons and military operations under consideration which have appeared from time to time which, it seems to me, may have been of benefit to our potential enemies. Some of the stories have come from manufacturers who like to boast of their new products, some from officers who are proud of what their respective services are doing. Some are the result of probing by reporters.

Trade journals are often a major source of breaches of security concerning technology, weapon design, etc. Mr. Tubby did not mention another source: the deliberate leak by trial-balloons or by the disgruntled, status-seeking middle-bureaucrats.

Veteran newsmen, however, do not fear such breaches as Tubby does, but question, in retrospect, whether or not a showing of real damage to national security can be made even when specific breaches are admitted.

It is not as easy as one might think to make a showing of damage to our national security as a result of the freedom of the press. We cannot demonstrate that which is unknowable. Neither can we always point with certainty to damage done to our freedoms each time national security momentarily impinges on the freedom of the press. The atom bomb was built behind a veil of secrecy which shielded even the man who later ordered its use, and the wartime restrictions on the press during World War II were dissolved without great difficulty.

Yet the new forms of repression — delay, distortion, managing and withholding the news by the government — may actually be more of a

threat to national security than a free press, even if one considers *only* the military point of view. Instead of being assuaged administratively, our nation, for instance, would have been better off to have learned emphatically long before Lebanon, Laos, and Berlin that we were woefully weak in airlift capacity and in modern conventional weapons. A previously informed and attentive public may have responded so as to have made it unnecessary for a new president to contemplate the sickening prospect of simultaneous military involvement in Laos, Berlin, and Cuba with armed forces actually equipped to deal conventionally with only the nearest of these problems. A wider range of Executive choices can often be provided if the public is informed and supportive. This, I submit, is good for military strategy and good for national security. To feed the public placebo merely to avoid temporary turbulence may only create chaos later.

Should there be added access by the press to the *sanctum sanctorum* where the big decisions are made?

President Eisenhower took the position that:

Just as no private citizen or business entity can conduct its business under constant public scrutiny, so judges, legislators, or executive officials cannot conduct all public business at every step of the way in public.

Eisenhower argued that the question —

is not one of nondisclosure as to what was done, but rather whether the preliminary developmental processes of arriving at a final judgment need to be subjected to publicity. Obviously, they cannot be if government is to function.

Kennedy said at his first press conference that ". . . I do not hold the view that all matters and all information which is available to the Executive should be made available at all times . . ."

Jenkin Lloyd Jones, formerly president of the American Society of Newspaper Editors, said, "For it is only behind closed doors . . . that most politicians — yea, even statesmen — honestly express their views and try to get at the meat of the question." It is my own opinion that sometimes officials often seek shelter in secrecy not because they wish to hide *per se*, but because of the sometimes inevitable clash of political pride with the need for honest and practical performance. The glare of publicity sometimes mitigates against candor, change and concession — necessary ingredients of decision-making — and officials fear the public will not listen long enough or sincerely enough to understand or fully appreciate their actions. This is the cross the Capital *cognoscenti* see



themselves as having to bear occasionally. In addition, many officials have, at times, been stung by the irresponsible actions of a newsman who was careless with a quote or who had his headline in mind before an interview. Though such actions are not typical, some doors are closed to the fourth estate by its own actions.

The serious difficulties a closed *sanctum sanctorum* presents for a democracy can be illustrated by the 1954 public statements made by high Department of Defense officials indicating that Russian capabilities in the long-range bomber and missile field were far less than they were later proven to be. The public, the Congress, and many policy-making officials were seriously misled. At this same time classified intelligence estimates were actually available which gave a far more realistic, and, as it later developed, accurate view of Russian air strength.

In my opinion, the public deserves much more of the decisive dialogue — the running record of the reasons for and against alternative courses of action — not just to be told in the press or otherwise of decisions. This does not mean allowing the public or press to watch a president make up his mind, but allowing us to know what things proved persuasive or placental, and what risks remain. Usually, the public gets much of the dialogue, anyway, but only in fragmented form and after delay; and a public possessed of partial truth may be “a prelude to a farce or a tragedy.”

Although the Constitutional Convention was closed, the opinion-makers later engaged in a full-scale debate and discussion in speech and press before the recommendations of that body were finally affirmed, and the Federalist papers reproduced many of the arguments of Convention Hall and provided insight into the “whys” and the alternative considerations available in that great decision affecting national security.

This goal of an increase in the openness of the dialogue of our democracy’s decision-makers will require a greater access by the press and public to the goings on of the Executive Branch than exists today — or has for some time, because that branch has acquired both the major ingredients of power: dollars and data. It has also acquired the built-in bias of all bureaucracies: not what *must we keep* from the public, but what *must we tell* them!

We cannot live openly as a society and hope to have many secrets. Even a few selected secrets will constitute a challenge to the press and test the discretion of the secret-bearers in a lubricated, cocktail society. If we wish to change the kind of society in which we live, let us change it directly, and not indirectly. If we wish to be open and free, then we

must learn to say stoutly with Popeye, “I yam what I yam,” and prepare ourselves to accept the risks and frustrations of freedom.

The ultimate decision in this whole struggle rests with the people. Justice Sutherland once observed that “a free press stands as one of the great interpreters between the government and the people. To allow it to be fettered is to fetter ourselves.”

We must face, however, the fact that many people do not object to being fettered — if they are trustingly tethered to a fulsome federal trough! We must face the possibility that Eric Sevareid may be right: the complexity of our time may have outrun our comprehension and, therefore, we may finally resort to “one human being of commanding quality to make it all work out and to lead us.”

However, if we do not regard our citizen-system as impotent, collision of opinion is still vital, and it cannot occur without a free press which has enough information of integrity. This condition affects our practical here-and-now political processes, as well as philosophical principles. The last election might well have ended differently if the press and public had been in a position during the 1960 elections to evaluate the missile gap which became a missile-lead. Note, too, how recently it has been our communication media, not primarily our government, that have provided us with various and dissenting views in civil defense which have probed into the most horrendous aspects of this problem. All of this democratic dialogue may lead us into a more meaningful program with greater public support than that originally announced, fiat-like, in the fall of 1961 by the Kennedy administration.

We must not make the mistake either, however, of relying on public opinion of the Greek City-democracy variety for *constant* and *meaningful* involvement in public affairs. Excesses and crises are often necessary to sharpen large-scale public opinion in a large, compartmentalized democracy. We must realize also that there may not be adequate time to bring a quick-breaking issue into full focus even if all the facts are known.

A few will or must decide for us all at times. But the elected decision-makers themselves will very frequently be fresh from our own midst, and this is another reason for a pervasive press that proceeds freely as if all citizens read and care. Another reason is that the decision-makers usually move and live among an attentive elite who can hopefully provide an arena — however small — where collision instead of collusion can then occur, because most executives sooner or later, in the

interests of harmony and respite, act to insure that only like-minded colleagues cluster close to the throne.

Total national security, therefore, cannot exist without a free press — whether to service only the attentive or all — a free press which can help to call the cultural cadence, which prods us when we become lethargic as individuals, and which warns us of dangers when our sentinels sleep or are strangely silent. Information is our political plasma, our life-blood, and it is better to risk an occasional hemorrhage affecting national security than to risk sluggishness and finally stoppage in the flow of fact: a hemorrhage may be inconvenient; yet it may constitute a kind of political shedding of “blood” which reveals national sin and without which there can be no repentance or remission.

### Comments

HAYS GOREY

Mr. Maxwell predicted in a note to me several days ago that he would be shot down in flames as a result of the speech he has delivered tonight.

May I be the first to announce the dissolution of any anti-aircraft — or anti-Maxwell — batteries I may have been able to muster. Rather than shoot Mr. Maxwell down, I prefer to keep him flying — as one of the most eloquent and articulate defenders of the free press outside the profession itself.

Such defenders — as I am sure Mr. Smart will agree — are not easy to come by any more, if indeed they ever were.

The question: “Is Freedom of the Press Compatible With National Security” demands at the outset certain concessions from those of us who would answer yes.

First — would a government unfettered by a probing, pesky press be able to move, act and even achieve much — and in less time? Of course.

Second — is a government impeded, delayed or even on occasion wrongfully dissuaded from a proper course of action by a free press, or the fact of a free press? Certainly.

Third — is there risk of ill-timed, erroneous and even injurious disclosures in a free press society? There is.

But large as these risks have loomed in the past, and as large as they loom for the future, they are dwarfed by the alternative.

Why? Because the alternative — an America without a free press — would not be America at all.

It may logically be argued that an America laid waste because of disclosures in its free press would not be America, either. Very true. But in an age fraught with perils, we have neither time nor resources to combat long-shots. And I submit that the risk of *lasting* damage to the national security, through an act of folly or irresponsibility by a free press, is indeed a long-shot.

Chancellor Kerr of the University of California said recently: “The open market-place is the only atmosphere in which democratic principles can be expected to survive.” Without a press that is free, there is no open market-place — for ideas, for analysis, for criticism. If we are willing to torpedo any one of our basic freedoms in the name of national security, *then we are sinking the ship we profess to be saving.*

In the first place, America’s strength does not rest on weaponry alone. Its security is not completely wrapped up in the number of missiles it has ready for launching. It rests also upon men and women, and such intangibles as ideas and energy. I think most of us here tonight will agree that the United States is stronger, not weaker, because it is an open society. We are encircled by known perils — but we are not quaking before *unknown* perils, thanks to free press and free speech. The Soviet citizen — who was not even aware when his government resumed nuclear testing — cannot say as much.

Times change, as Mr. Maxwell has pointed out. What was suitable to the simplicity of our colonial society may indeed be unsuitable — even a danger — in the nuclear age.

But we have not yet reached the stage where we need to pattern ourselves after, or borrow anything from, a monolithic society. And if we sacrifice a basic freedom on the altar of proclaimed national security, that is precisely what we will be doing.

Mr. Maxwell recognizes all this. But what he fears is the smothering effect of a goliath-like government on the press’s ability — not to remain free in name — but in actuality.

There is cause for such concern.

As Oscar and Mary Handlin have written: “It may well be that our time will best be remembered for its painful and tenuous, yet immensely exhilarating, effort to allow men to be free.”

And so it will be in the battle to maintain press freedom. There *will* be a battle. There always has been, because although God made no man wise enough to be a censor, he created millions who regard themselves as wise enough. Now lest the wrong impression be afoot, there will be no battle by the press for the right to “tip” an enemy to a mili-

tary deployment; there will be no demand for access to the secret formula for creating a neutron bomb; an enterprising reporter will curb his enterprise short of revealing the whereabouts of a Polaris-armed submarine — unless, of course, the Russians already know.

It will battle to learn why — if the Titan missile blows up in six out of seven tests — such a shoddy record came about and why it is tolerated. (The Soviet press would not.) It will battle to learn why the Cuban fiasco was a fiasco, and who was to blame, and to insure that it will not happen again. (The Soviet press has not been reported delving into the reasons for the wall in Berlin, the background of the Hungarian rebellion, or the defection of Albania.)

Does not Cuba offer a prime example of press freedom and national security? Are we stronger — or weaker — because our involvement was so thoroughly aired, because our mistakes were pinned down? Are we stronger or weaker because — while we may well make mistakes in a similar situation in the future — we won't make the same mistakes? For its immediate effect, the full airing of the Cuban disaster perhaps did injure the United States. Its long-range effect can only be a strengthening of our national security.

At this point, it is necessary to interject that the free press will not conduct its battle free of error, any more than it has been free of error in the past. Democracy — and any facet of it — implies some trial and some error. But the end result, despite some stumbling along the way, will be a stronger society because it can withstand openness, because it would rather risk a leaky faucet than throw out the entire plumbing system.

As to Mr. Maxwell's concern over the power to panic, it perhaps exists. But so does the more frequently exercised power to prevent panic — through knowledge broadly disseminated. The rural groundmarking incident — with all the trappings of Hollywood press agency — created a sensation, but not a panic. And when it was all over, the American citizen knew the explanation was one honestly arrived at — and not decreed by government edict.

There is more to fear in the unknown than there is in the known, and therefore our society, or any society whose press is free, is less likely to panic than one which gropes in the dark. It is also less likely to be fooled.

Mr. Maxwell suggests a possible false report of some sort which could send a nation with nuclear neurosis into basement shelters — prematurely. I should like to crawl out on a limb right now and say cate-

gorically that an unverified report of such magnitude would not find its way into the free press of the United States.

As to the U-2 incident, Mr. Maxwell rightly chides the press for glibly swallowing the government's original explanation. He describes the government as "the creator of the original impact" through newspapers. In the U-2 case, it was. But no one need be misled by one spectacular failure into believing that the government has complete control of this original impact, or that it ever will have.

As many a bumbling bureaucrat has learned, as many a militarist, president, senator, businessman, and labor leader has learned, a free press can be fooled for a time. It can be unwittingly manipulated for a time. But it will not abrogate the right it has reserved to itself, and with which it has been entrusted, for very long. If it ever does, then of course there is no longer a free press.

Predictably, perhaps, I have discounted the real damage to national security from breaches of secrecy. Actual damage, as Mr. Maxwell has said, is unknowable. And that is why there is no cut and dried answer to the question at hand.

Certainly, there can be no underestimating the difficulties ahead in maintaining a press that is free. The day we live in is more complex. The issues are more numerous. There are more persons engaged in concealing them.

But journalists, too, are more numerous, and more skillful. They are, in large part, specialists who understand their subjects and who — more important — understand how to ferret out facts. And they are bolstered by the tradition that truth will out.

National security — national strength — is increased, not threatened, by a free press. The Handlins have described our way of living as "the way of a people who wished so to order their institutions that they would be able themselves to make the decisions important to them."

Without a press that is free, they would be unable to do so. And thus the question: "Is Freedom of the Press Compatible With National Security?" suggests another: "Can a government be truly and lastingly strong — and I stress the word lastingly — if its people are not strong enough to face — and discuss — the truth?"

Despite the presently awesome strength of Soviet Russia, I am convinced that it cannot.

WILLIAM B. SMART

I want first to express my respect for Neal Maxwell. He has enjoyed significant experiences and has made fine contributions in government,

in university affairs, and in public life. His present paper is the result of careful scholarship, which I also respect. With all this experience and study, it is refreshing to note that Mr. Maxwell has arrived at precisely the same conclusions that many of us in journalism have long since reached.

I am also happy to associate myself with Mr. Gorey's thoughtful comments, and particularly acknowledge, with him, the shortcomings of America's press, along with its accomplishments.

Without belaboring the points Mr. Gorey has made so well, I would like to take quick issue with just one point in Mr. Maxwell's treatise. That is his fear of panic on the part of the people if certain sensitive information is made public. The record, in both peace and war, simply does not justify that fear. My experience is that the people of this country are far more tough-minded and can take far more than their would-be protectors would have us believe. We have not come close to fathoming the strength of character of our people.

Two or three other points in Mr. Maxwell's discussion might bear further emphasis and illustration, in passing.

Josephus Daniels was eminently correct when he said that "God never made a man wise enough to be a censor." But we are foolish enough to try. An acquaintance received a letter from a correspondent in the Pacific Theater during World War II, in which the censors had left little more than the greeting and the signature. But somehow a copy of the same letter, sent to another man, had slipped through unscathed. After the war, when the two copies were compared, it developed that the censored material dealt not with troop movements or other classified matter, but almost entirely with the stupidity of army censors.

Second, I liked particularly Mr. Maxwell's insistence that just announcing decisions to the public is not enough; we must also know the reasons and the arguments and the compromises that went into making those decisions. There is a considerable body of thought to the contrary. One of the leaders of such thought on one occasion wrote:

Our law concerning the press is such that divergencies of opinion between members of the government are no longer an occasion for public exhibitions, which are none of the newspapers' business. We've eliminated that conception of political freedom which holds that everybody has the right to say whatever comes into his head.

The author of that bit of political philosophy was Adolf Hitler, and his statement reveals one of the foundation stones upon which he built his evil structure.

Perhaps the most impressive argument for Mr. Maxwell's position defending freedom of the press as compatible with national security is the history of the most recent attempt to challenge it. The memory is still fresh.

President Kennedy, stung and shook up by the Cuban invasion fiasco last April (1961), went before the American Association of Newspaper Editors and implied that newspapers were somehow responsible for the mess we were in, and suggested that the profession set up a system of voluntary self-censorship to avoid damaging the nation's security. The editors took up the challenge immediately. Leaders of representative press groups met with the President, offered their co-operation, and asked for his suggestions. After eighty minutes of discussion, the editors came away without any specific suggestions as to how they could better meet their responsibilities to the national security. There was a half-hearted announcement that another meeting would be held "some months later," but to date no such meeting has been held or scheduled. In other words, the project has been quietly dropped, and the inference must be that it was dropped because more careful study showed no real problem exists.

Now, briefly and specifically, my own position is this:

1. The newspapers of America have done a remarkably responsible job of protecting the national security where actual sensitive information is involved. The history of the press both in wartime and in what now passes for peace is a proud one in this respect.

2. In a day of concern over decreasing numbers of newspapers and more and more concentration of power in the hands of a few, it is at least encouraging that the more responsible papers are the ones that are surviving while the shallow, sensational newspapers are the ones going to the wall. For example, note that Hearst papers have failed in recent years in Oakland, San Francisco, Chicago, and, just this week, Los Angeles.

3. Conflict between government and newspapers, in Washington as well as in City Hall, arises not so much over issues of real national security as over issues of bureaucratic security that is, where information is withheld to shield officials or employees from charges of bungling, or worse.

4. I believe in the people of America. I believe that however dangerous the times in which we live, we need not fear decisions made by an intelligently informed public.

At least two previous speakers in this Great Issues series have declared that the greatest danger to this nation, over the long, difficult

period of which President Kennedy speaks, is that in fighting a ruthless enemy we will adopt his methods. I believe this to be true. That danger is equally present in the conflict of free access of the press to government information versus the power of, and ever-present tendency toward, censorship.

Indeed, if there is a legitimate fear for national security in relation to the press, it is that pressures against free disclosure of information might create a society in which the public no longer demands or is given the information vital to the effective working of democracy.

There was a great man who died under tragic circumstances not long ago, a real hero in the fight for peace. Shortly before his death, when he was waging a heroic fight for peace, he had some words to say on tonight's subject of discussion. The man I speak of is Dag Hammarskjöld, late secretary general of the United Nations. During his fight to retain the integrity of his office against those who would destroy it, he had this to say to the Security Council:

It is futile to argue with those to whom truth is a function of party convenience, and justice a function of party interests. But for others, it may be essential that some facts be recalled and simply put on the record.

Where, then, lies America's national security? This nation can remain free and secure only as long as truth does not become a function of party — or bureaucratic — convenience; only as long as the American public continues to insist that facts be recalled and clearly put on the record.

## 4

## *What Are the Relations Between Freedom and the National Economy?*

JEWELL J. RASMUSSEN

Perhaps at no other time in the history of the United States has the issue of economic freedom been more important than it is today. It is doubtful that there has ever been another era with as many groups and associations — from the John Birch Society on the extreme right to the Communist associations on the extreme left — whose programs are directly concerned with the economic freedom of the American people. It is quite likely that the list of special problems involving moral and social responsibility in economic affairs is longer today than at any other time in our history. On this list would be found such matters as these:

1. The growing power of the large corporations.
2. Diminishing effective competition.
3. Price fixing by business firms (e.g., the recent electrical-equipment industry and the Utah Pharmaceutical Association).
4. Personal ethics of businessmen.
5. Strong-arm tactics and gangsterism in some labor unions.
6. Taste and truth in advertising.
7. Deceptive packaging and labeling of products.
8. Economic insecurity for various groups of persons.
9. Instability in the economy.
10. Economically depressed areas.
11. The farm problem.
12. Chronic unemployment.
13. Inadequacy of some public services.
14. Economic aid to underdeveloped countries.

All of these matters, and many more related ones, affect directly or indirectly the degree of economic freedom enjoyed by the American people. The growing complexity of our economy and the seriousness of some of the matters named above require corrective actions by the people through their local, state, and federal governments that often reduce to some extent our personal and private economic freedom in order that the community and national welfare may be increased.