



## Abba Hillel Silver Collection Digitization Project

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### **MS-4787: Abba Hillel Silver Papers, 1902-1989.**

Series IV: Sermons, 1914-1963, undated.

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Smog over Washington, 1953.

SMOG OVER WASHINGTON

November 29, 1953

During the past week, my dear friends, our nation gave thanks for harvest, for the yield of the field and farm and orchard, and for all the blessings which have been showered upon our nation in abundance by kind Providence. I'm sure that in all places of convocation on that day where comments were made on the significance of the Day of Thanksgiving, great stress was laid not only upon the material blessings which were granted unto our people but upon the spiritual blessings as well. We expressed our thanksgiving to God for our freedom and the free institutions under which we are privileged to live. We recalled those who established this Day of Thanksgiving for our people, the Pilgrim Fathers, who came to these inhospitable shores, to this great wilderness, centuries ago, in order to find freedom for themselves and for those who may come after them - the freedom of worship from which flow many other freedoms.

Now, just how do we preserve these freedoms for ourselves and for posterity? Well, we preserve them by law and by citizenry which is alert and determined to enforce, to defend that law. There is no other way of protecting human freedom. The founding fathers of this country were not content merely with the expression of thoughts concerning the desirability of freedom and concerning the inalienable rights of men to life, liberty and the pursuit of happiness which they had stated in the Declaration of Independence.

They wanted to embody these hopes and ideals into the basic law of the nation which they were establishing, into the organic law - the Constitution of the United States. This Constitution was ratified, as you know, in 1789, and there immediately developed opposition to it on the ground that there was not sufficient, explicit guarantee in the Constitution for these rights of the



individual, these basic freedoms of which we speak, and so at the very first Congress, with the very first session of the first Congress, it was resolved to submit to the States a series of amendments which came to be known as the Bill of Rights which were approved in 1791 and now are part of the Constitution of the United States.

And these were some of the basic freedoms which they wrote into the organic law of this land for all time. Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition the government for a redress of grievances. The fourth amendment; the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures. The fifth amendment; that no person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia when in actual service in time of war (a public danger) except for the same offense to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property without due process of law, nor shall private property be taken for public use without just compensation. And the sixth amendment; in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor and to have the assistance of counsel for his defense. And the eighth amendment; excessive bail shall not be required nor excessive fines imposed, nor cruel and unusual punishments inflicted.



These amendments were written into the basic law. Our founding fathers were determined to spell out these liberties - not merely for their time but for all time. They were to be fundamental for all future generations regardless of circumstances. They did not want these rights to be tampered with at any time, to be circumvented, or outmaneuvered either by clever lawyers or by congressional investigation committees. They were to stand - guarding, like Gibraltar, the gateway to American life and American destiny.

They knew what they were doing, they were limiting the power of government and they knew that what they were doing may some day embarrass government, maybe tying its hands, in certain situations where it were better that the hands of government would not be tied. Nevertheless, with open eyes, they restricted specifically and concretely the rights of government, of state, why? To secure, as they said, the blessings of liberty to ourselves and our posterity. They wrote that into the Preamble of the Constitution of the United States. They knew that certain emergencies would arise in the future, inevitably so, and certain tensions would arise when people would begin to clamor against certain groups, against certain classes, to ignore these provisions of the Bill of Rights. And to brush aside these safeguards, but they were determined that these safeguards shall remain because they were imperative for a free society in order to keep the balance between the power of the State and the rights of the individual, which is a great problem confronting mankind today.

And the genius of American democracy was to have sensed the importance of keeping this balance and of maintaining these safeguards. Now there were quite a few moments in the American history of the last 175 years when fear, and panic and impatience and indignation and incitements endangered for a time this Bill of Rights, but always when these storms of popular fear and agitation calmed down, the waters receded, the Bill of Rights remained; standing firm and immovable, the bulwark of a free people. We are in just such a moment at this



time, when fear, panic, impatience, indignation and incitement are moving many Americans to become impatient with these restrictions of the Bill of Rights. And because this is such a moment it is important to rehearse them, to bring them again as if they were fresh and newly legislated to our minds. What is involved in this Bill of Rights? That a man is innocent until he is proven guilty; until he is proven guilty. Whether that man is charged with murder or with espionage. That an accusation or even an indictment is not yet proven guilt; whether it is in the case of a kidnapper or a Communist. That an accused man cannot be compelled in any criminal case to be a witness against himself; whether he is an embezzler, whether he is a Red. This provision was written into the Bill of Rights as a result of centuries of experience with forms of legislation in the western world, and in other parts of the world for that matter, where men were subjected to all forms of pressure, torture, in order to extract confessions from them so that they would be testifying against themselves and incriminating themselves. Just as the Communists are brain-washing people and subjecting them today to all forms of pressure, of one kind or another, to force them to confession. A free society cannot be based in such a procedure.

Involved in this Bill of Rights is the fact that an accused man is entitled to the right of a speedy and public trial by an impartial jury in the state where the crime was committed, a fair and speedy public trial by an impartial jury; not by a congressional committee. Involved too is the principle that an accused man has the right to be informed of the nature and cause of the accusation; not to be confronted by the ghost of unrevealed accusations, with sources not revealed to the accused, when the accused has not the means of repudiation, of concrete charges made against him. That an accused man has the right to be confronted with the witnesses against him; and to obtain witnesses in his own favor; and to have the assistance of counsel. And this according to the Bill of Rights, my dear friends, applies to all criminal



prosecutions, there are no exceptions.

President Eisenhower, a few days ago, addressing an important gathering under the auspices of the B'nai B'rith Anti-Defamation League in Washington, in his way - in a very effective way, underscored a basic idea of this Bill of Rights that so many people are prone to forget, so that it was incumbent upon the President of the United States to remind his fellow-citizens in the year 1953 of this Bill of Rights. He said: "I was raised in a little town of which most of you have never heard, but in the west it is a famous place, it is called Abilene, Kansas. We had as our Marshal for a long time a man named Wild Bill Hickok. If you don't know about him, read your Westerns more. Now that town had a code, and I was raised as a boy to prize that code. It was: meet anyone face to face with whom you disagree. You could not sneak up on him from behind, do any damage to him without suffering the penalty of an outraged citizen. If you met him face to face and took the same risk he did, you could get away with almost anything, as long as the bullet was in the front. And today, although none of you have the great fortune, I think, of being from Abilene, Kansas, you live, after all, by that same code in your ideals and in the respect you give to certain qualities. In this country, if someone dislikes you or accuses you, he must come up in front. He cannot hide behind the shadows, he cannot assassinate you or your character from behind without suffering the penalties an outraged citizenry will inflict."

I'm wondering whether the President's confidence is not a bit too excessive at this time? Whether our citizenry does react with such outrage at what has been going on for some time now in our legislative halls where men's characters are being assassinated without having the privilege of being confronted by the accuser. What has disturbed the American people recently about these congressional investigations into un-American activities is not the fact of the investigations themselves; congressional investigations are necessary and desirable in our



democratic procedures. But it's the methods which have been used which have at some times been clearly invasions and nullifications of these safeguards of which I have spoken. And the American people have come to suspect that some of these investigations, unfortunately, are motivated not by patriotism but by politics.

Bishop Oxnam appeared before one of these congressional investigations committees some time ago and recently declared: "Political leaders who capitalize upon hysteria for political advantage, who, in the name of investigating Communism, set up the practices of the Gestapo or Cheka, who coerce conscience in the name of patriotism or insist upon conformity in the name of loyalty, are in fact saboteurs undermining the free way of life. The release of unverified or unevaluated testimony by former Communists, heard in secret sessions, before the accused has been heard, in some cases, after the accused has died, is a practice at once un-American and inexcusably vicious. The investigative process in Congress has great value, and in its history has made significant contributions to the national life; but the abuse of that process by men whose process appears to be seeking power rather than the preservation of freedom, strikes at the very foundations of a free community."

And the same thought was expressed in a magnificent statement recently issued by the General Council of the Presbyterian Church of the United States in a letter to the members of its 8,000 congregations throughout the country. In this letter the leaders of this great Christian denomination stated: "Some congressional inquiries have revealed a distinct tendency to become inquisitions. These inquisitions, which find their historic pattern in medieval Spain and in the tribunals of modern totalitarian states, begin to constitute a threat to freedom of thought in this country. Un-American attitudes toward ideas and books are becoming current. Attacks are being made upon citizens of integrity and social passion which are utterly alien to our democratic tradition."



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Now these are some ideas which some editorial writers in our city do not like to hear about. These congressional investigation committees have become quasi-judicial bodies which involve directly or indirectly the careers, the livelihood, and therefore the very life and property of American citizens without giving them the protection of their constitutional guarantees which any American court of law would, as a matter of course, grant to them. The congressional investigators claim that they are not responsible for evidence given under oath before them. The FBI stoutly maintains that it does not evaluate the evidence in its possession. But in the process of these congressional hearings and as a result of them, men and women who refuse to testify against themselves, which is their constitutional privilege, are broken, lose their jobs and their professional positions, and stand condemned, without having been found guilty, under the American system of legal procedure. The fact that <sup>now</sup> many of these people are Communists, and some of them Communist agents, with whom we have no sympathy at all, and who merit punishment, this fact does not diminish by an iota their right under the Constitution which they would like to see destroyed and which the Americans, in spite of them, are determined to defend. We insist, when we do insist, upon these safeguards of the Bill of Rights - not because of them - but in spite of them. For our sake. For the sake of our children, to secure as the founding fathers ~~again~~ stated in the Constitution, to secure the blessings of liberty to ourselves and our posterity."

A few days ago the Supreme Court Justice, William Douglass, called attention to an even more dangerous practice which is developing in our country. That of condemning men on the basis of innuendo and guilt by association. To ruin the reputations of citizens by linking them up in some way with some organization which in some way was connected with Communist activity at some time. A new crime is being added to our catalog of crimes, the crime of improper association.

Last week there appeared a fine article in the New York Times by Professor



Henry Commager of Columbia University; professor of history, on this very subject, "Guilt--and Innocence--by Association." I wish I had the time to read extensively on this article, I have not, but I will read just a sentence or two from this searching analysis made of this subject. "To the witch-hunters", he writes, "of our time no more plausible test was ever devised than this one, for sooner or later almost every man or woman who is active in public affairs joins some organization that somebody considers subversive. And the notion that 'birds of a feather flock together,' that 'there is no smoke without fire,' is so widespread that it affects even the most level-headed. Yet no more pernicious doctrine has ever found its way into law or into popular acceptance than this doctrine of guilt by association. It is pernicious in principle, in application, and in consequences. It confesses a gross and palpable misreading of our history and subverts vital parts of our democracy and our constitutional system. It is essential that we examine this doctrine critically so that we may see what it has cost us and what it may yet cost us."

Professor Commager then proceeds with a very careful analysis of the illegality, the un-Americanism, and the dangers involved in this process.

My dear friends, how readily all this witch-hunting deteriorates into political chicanery and partisan political maneuvers which are a thousand miles removed from patriotic concern was illustrated recently in Washington. Attorney General Brownell delivered a speech in Chicago in which he charged that ex-President Truman had promoted a Russian spy and knew it. This Russian spy was Harry Dexter White who has been dead for some years. What followed this speech, you know, the subpoena of ex-President Truman, his refusal to appear, the speech on television to the American people explaining his position, the reply next day of Attorney General Brownell, the testimony of FBI Hoover; all this is common knowledge. Viewed quite objectively, all of this excitement adds up to this one fact - that ex-President Truman may have erred in his



judgment when he decided to promote White to the International Monetary Fund Committee in order to keep a closer watch on him rather than fire him immediately. Ex-President Truman may, accordingly, be charged with poor judgment or even with laxity. All this is granted. But we have the right to ask of Attorney General Brownell - "Why did he bring up this matter at this time?" "What national purpose was served thereby?" Truman is no longer president of the United States. Brownell's own party is now in office, has been for nearly a year. He, himself, Brownell, is now head of the Justice Department. He is free to bring any spy to trial. He is free to discharge anyone in government who is a security risk. He has by his own statement already fired some 1500. No one has been interfering with him. Why rake up the bones of a dead man at this time? A man who could not be convicted when he was alive. Why? Was it in order to besmirch an administration which is no longer in office? It seems clear that this speech of Attorney General Brownell was timed, and carefully timed, and left no doubt as to the reason for the timing to the series of Republican defeats in the recent elections and it was calculated to divert attention from these defeats and to counteract whatever political implications these elections may have had for the coming congressional elections in 1954.

I'm afraid that many Americans suspect that it was not patriotism but a special kind of politics which motivated the exhumation of this entire issue at this time. President Eisenhower was clearly embarrassed by the entire episode; he tried in a way to disassociate himself from it; and his real concern was voiced a day later after Brownell's speech when he expressed the hope that Communists would not be the issue in the 1954 election. That is a devoutly wished for hope. But I'm afraid that some members of his own party and some leaders of his own party are of another mind altogether, they are determined to keep this issue alive. In 1954 and in 1955 and in 1956 - for as long as this



issue will feed their political ambitions.

Senator McCarthy, a few days ago in a television speech in which he answered ex-President Truman, indicated no intention to let such a fine morsel escape him in 1954. He intends to work that issue for all it is worth; all that it will give him in publicity and in power. He intends to ride into the presidency on the strength of that issue. Senator McCarthy took issue with the President; he even attacked his own party for doing what Truman had done; that is, tolerate a man, suspect of loyalty, at least as far as Senator McCarthy is concerned, in a high office to this day. The Senator aims to rally the Republican party round himself as a standard-bearer. He may or may not succeed. I should be the last man to underestimate him. It would not be wise for free citizens to underestimate him or anyone of his ilk. I place my hope in President Eisenhower; that he may free his party from the tentacles of this individual.

There are undoubtedly spies in our government; have been and presumably still are. They should be routed out. There are spies, of course, in all governments. Presumably we have spies in other governments and if we haven't there's something wrong with our intelligence agencies. It is routine procedure, unfortunately, all over the world, but in the process of routing out these spies, Communists in government, we ought not to undermine the very institutions of our free society which we are trying to protect. Attorney General Brownell made two suggestions before the congressional committee. One had to do with circumventing the fifth amendment. The one which prohibits any pressure to be brought upon any individual to incriminate himself; the right of the individual not to testify against himself. Brownell suggests that if you could grant that man immunity from prosecution, you might cite that fifth amendment. I regard that as a dangerous suggestion because once you open the flood-gates you do not know who will be inundated by it. It is a technically unwise procedure



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from the other point of view because in the future all that a criminal has to do is to testify against himself and then he's immune from prosecution. And the second suggestion made was that evidence obtained from wire-tapping be permitted and accepted in federal courts. I regard that as the beginning of the police state in the United States. I regard that as a way of invading every home by snoopers, witch-hunters, as the Nazis did, as the Communists in Russia are doing. There is no principle of every man's home as his own castle any longer.

My dear friends, ~~in the days to come~~ <sup>there are to-day and</sup> there will be many <sup>more</sup> political adventurers and unscrupulous demagogues who may wish to ride into power, like Hitler did on the issue of "fighting Communism." They will stop at nothing. They will not limit themselves to routing out Communists from government; they will wish to route out everybody they do not like from our educational system, from our universities and colleges, from our churches, from the press. These people will rally around themselves, as Hitler did, all the reactionaries, all the enemies of social liberalism in this country, and ultimately they will exploit racial and religious animosities to serve their political ends. Please let us learn from history. And the time to speak out against all this is now. It's <sup>is</sup> later than you think. ~~Perhaps the churches and the synagogues ought to take the leadership in speaking out.~~ (Cont. p. 12)

I want to close with a word from Professor Einstein on what happened in Germany, when the Nazi revolution broke out. "Being a lover of freedom, when the revolution came in Germany I looked to the universities to defend it" (that is, not the Nazi revolution but the Republic revolution which the Nazi overthrew) "being a lover of freedom, when the revolution came in Germany I looked to the universities to defend it, knowing that they had always boasted of their devotion to the cause of truth; but no—the universities immediately were silenced. Then I looked to the great editors of the newspapers whose flaming editorials in days gone by had proclaimed their love of freedom; but they, like the universities,



were silenced in a few short weeks. Only the Church stood squarely across the path of Hitler's campaign for suppressing truth. I never had any special interest in the Church before, but now I feel a great affection and admiration because the Church alone has had the courage and persistence to stand for intellectual truth and moral freedom."

I hope that the Churches of America will take the leadership in a crusade to defend America and the American way of life and America's hope for mankind in the future by defending the Bill of Rights, the great pillars upon which our free society rests.





1

Regardless of how powerful we become militarily, we shall still have to settle all our differences with Russia in one of two ways: war -- atomic war, which is unthinkable, which everyone agrees would result only in a bloody stalemate on a global scale or in the possibility of civilization being ~~destroyed~~ <sup>altogether</sup> and negotiation -- the way of give and take, the way of statesmanship in which skillful and inspired diplomacy are perhaps more effective than any assumed preponderance of power which can only be established in actual combat.

In order to build up to strength and checkmate the aggression of the Soviet Union, we have been attracting to our democratic front dictators of the type of Franco and Tito, ~~and we have~~ <sup>this has not been the case</sup> made a rearmed Western Germany the keystone to our entire scheme of European defense.

We, who had denounced the Germans for being militaristic, are now insisting that they should rearm. Because of our total absorption in the building up of a front against Russia, we have invited Western Germany to rearm and to join the defense forces of the North Atlantic Treaty Organization. This, of course, can only come about if Germany remains divided, but the German people want to be united far more than they want to fight on the side of the Allies against Russia. They have had their stomach full of fighting Russia in the last world war. They do not want their country to become the battleground for a war between America and Russia; nor do they want a civil war to rend their people apart. Stalin countered our move by putting forward his program for a united, rearmed, but neutral Germany. Stalin, too, as a result of the disastrous cold war between Russia and the United States, was forced to retreat from the position which he and the allied heads took at Potsdam in August 1945, where they agreed that "all war potentials of Germany

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were to be destroyed -- war plants, warships, aircraft and arms -- so that Germany would never again be able to make war." From this sound, statesmanlike position, Russia too, under pressure of the cold war, retreated.

The entire arch of our foreign policy in Europe, with a cooperating Western Germany as its capstone, is, I fear, doomed to collapse. We are

not willing or ready to face the issue of a united and neutral Germany. *A divided Germany will not stay divided for long. A united and neutral Germany will be the signal for the third world war, in which we*

We feel that the Russians are insincere. But when can we be sure of their sincerity? All important international agreements in the past have had to surmount suspicions of insincerity and double-dealing. When was the art of diplomacy entirely free from secrecy and concealment neatly packaged in frankness and tied with the ribbon of disarming amiability? One need not be credulous or gullible in negotiation, nor abandon a precautionary skepticism. On the other hand, one cannot indefinitely postpone negotiations on the ground that the other party is not free from diplomatic guile.

We settled into a routine of negativism, waiting for 1954 or 1955, when we hope we shall be strong enough to deal with the Soviet Union successfully. Even our Allies *have* become restive under the crushing military burdens which this scheme imposes upon their people.

It is, of course, important that we be strong militarily, and that we do not lower our guard. In the kind of a world in which we live, defenselessness is an invitation to aggression. But military strength alone will not improve the deteriorated and dangerous international situation of our day. That, to quote President Eisenhower again, "would be to confirm the hopeless finality of a belief that two atomic colossi are doomed malevolently to eye each other indefinitely across a trembling world." We must learn to rely in the

future as much on statesmanship and moral leadership as on force; and never give up trying to reach an agreement, even if it is on a small, or peripheral issue. Every time a sincere effort on our part is rebuffed by the Russians, it is they, not we, who lose ground in the battle of the heart and minds of men.

*A divided Germany will not stay divided for long. A united and neutral Germany will be the signal for the third world war, in which we*  
*Germany will be fighting for Germany, not for democracy in her Western Hemisphere.*  
*The French know that; we refuse to lose the issue. We have not disagreed this frequently with the Russians.*



~~We shall be taking the wind out, the sails of Soviet propaganda.~~ (3)

I know that we do not want war. I doubt who the  
War is not inevitable. ~~Neither we nor~~ the Soviet <sup>Union</sup> wants war. Neither has anything to gain from it. Both, whether as victor or vanquished, would be the loser.

Ways must and can be found for a tolerable "modus vivendi", a way of coexistence which, while never quite free from tensions and strains, will yet give the world a chance to breathe freely ~~again~~ and go about the real business of life. Ideologies cannot be adjusted by compromise, but political problems of coexistence can be.

In the 16th and 17th centuries it was universally held that Catholicism and Protestantism could not live together in the same world. One or the other had to go. The stakes were enormous--far greater than those at stake in the East-West struggle today; for not only were the fortunes of this world involved, but also those of the next world. The ideologies could not be reconciled--and so the struggle passed from the realm of ideas and propaganda to the battlefield. Europe was drenched in blood. The wars of religion lasted for a hundred years and destroyed towns, cities and whole provinces, until the inevitable truth dawned upon man that a way had to be found for Catholicism and Protestantism--and other religious minority sects--to live together in the same world without sacrificing their particular loyalties and dogmas. A compromise of toleration was finally agreed upon, and Europe was able to move forward again once this frightful road-block was removed. Out of the religious toleration which was thus achieved, there flowed also political liberties to the peoples of Western Europe.

Our age will have to find a formula of toleration which will enable the many evolving and the fluid forms of capitalism and socialism to work out their destinies in the one world in which we live. They may be irreconcilable in theory; they need not be in practice.



*Should lead confidently*  
America ~~must lead~~ in finding the way. The way is not that of a global armament race which will impoverish the peoples of the earth--ourselves included--and end as such races always end--in the catastrophe of war. It is time to change over onto a new course. The way is rather that of conference, of courageous diplomacy, of giving urgent leadership in the United Nations to a program of speedy and balanced reduction of armament. The new way will put us in a position to render through the United Nations more extensive and constructive aid to the backward peoples of the world, and to cooperate with them in achieving necessary agrarian and social reforms which will set them firmly on the road to a free and happier life. The ultimate defense of democracy in the world lies not in superior armor or in the atomic bomb, but in raising the standard of living of the masses of the earth whose misery and wrongs are receptive soil for all kinds of doctrines of violent revolution and for all types of economic deceptions. While Communism breeds in other places beside poverty, certainly it never overlooks these natural seed-beds. When we shall come to these under-privileged peoples bringing them the gifts not of bombs and bayonets, but of bread and health and education and freedom, they will become our natural allies, and our alliance will be cemented in good will and in hope. At present they are suspicious even of our generosity because they have lost confidence in our motives. They regard our humanitarian efforts as part of a calculated over-all strategy to draw them into an armed conflict with the Soviet Union for which conflict they have no desire whatsoever. They are convinced that a war, even a successful war, will not give them either bread or freedom. Our generation waged two world wars to make the world safe for democracy, and there is less democracy in the world today than in the last one hundred years.

This is the kind of leadership to which the world will respond, leadership which does not wait on the occasion but makes it, which is prepared to take



calculated risks for peace, which is eager for negotiation and conference to settle all issues which endanger the peace of the world--a leadership which exerts sincere and unremitting pressure for limitation of armaments and the lifting of the crushing military burdens from the backs of the peoples of the earth--a leadership which aggressively plans for world-wide cooperation to help and guide the backward and impoverished peoples to higher levels of agricultural and industrial development, of well-being, health and education--a leadership which seeks the liberation of all dominated, colonial peoples and extends friendly help to them in adjusting themselves to their new way of life--this kind of leadership--which is not dictation, which is not imposed by our wealth and power, which is not enmeshed and hampered by commitments to the imperial interests of colonial empires and which flows naturally from the head-waters of our great liberal traditions and history--is sure to re-kindle the hopes of the world.





the chaff, and to learn through his own experience the values which are worth holding to. And this is precisely why we cannot permit persons of the closed mind, such as members of the Communist party, to teach. This is also why we cannot permit the pressures of political expediency and the irresponsible words of aspiring and demagogic men to cause the colleges and the schools to swerve one iota away from their fundamental faith that freedom is its own best defense.

## Religious Freedom

PHILIP S. BERNSTEIN

RECALL THE DECEMBER 23RD, 1940 ISSUE OF *Time* Magazine, which has on its cover a picture of Martin Niemöller, called "The martyr of 1940." Then follow the words "In Germany, only the cross has not bowed to the Swastika." The covering article describes the Nazi assault on Germany's free institutions, especially on the churches. It quotes Einstein's famous statement:

Being a lover of freedom, when the revolution came in Germany I looked to the universities to defend it, knowing that they had always boasted of their devotion to the cause of truth; but no—the universities immediately were silenced. Then I looked to the great editors of the newspapers whose flaming editorials in days gone by had proclaimed their love of freedom; but they, like the universities, were silenced in a few short weeks . . .

Only the Church stood squarely across the path of Hitler's campaign for suppressing truth. I never had any special interest in the Church before, but now I feel a great affection and admiration because the Church alone has had the courage and persistence to stand for intellectual truth and moral freedom.

Are we confronted with a similar danger in the United States today? It will be useful to look realistically at the problem, neither exaggerating nor minimizing the threats.

It is reasonably clear that there is no real and present danger of the suppression of our religious institutions. The government does not seek to control them. They are jealous of their rights. The Supreme Court has confirmed the basic patterns of separation of Church and State.

On the other hand, it is equally clear that some real and present dangers do exist. Cardinal Spellman recently stated in Brussels, "No American uncontaminated by Communism has lost his good name because of investigation on un-American activities." This ignores some obvious realities in American religious life. An irresponsible, unconfirmed charge was spread across the front pages of the American press, that Rabbis Stephen Wise and Judah Magnes were the

Rabbi Bernstein of Rochester, is a former advisor to the U. S. High Commissioners in Germany.

tools and collaborators of the Communist movement. The charge was completely false. The present procedures of the House Un-American Activities Committee in spreading irresponsible and unscrupulous charges such as these against living and dead ministers of God constitute a real danger to religion.

It was reported in the press recently that Bishop G. Bromley Oxnam was denied the right to speak in a large public hall in Los Angeles because he was a "controversial" figure. Since when do we equate controversy with subversion? The House committee was unable to substantiate charges of Communism against the Bishop. The responsible press judged him the victim even in the unsatisfactory hearing that he was given by the Committee. But the very fact that he was smeared with these charges which were broadcast by publicity-seeking congressional committees was sufficient to deny him freedom of speech in Los Angeles.

In my own city of Rochester, community endorsement of a program of a national religious organization was withdrawn when the files of the House Un-American Activities Committee were produced to show that there were some accusations against some of the speakers. The accused, who are among the most distinguished liberals, were never given the opportunity to confront their accusers. In fact, some of them did not even know that they had ever been accused until this material was used against them in the Rochester situation. Here, too, was a thoroughly un-American procedure by which good Americans were judged guilty of grave offenses without being given the opportunity to confront the accusations or the accusers. A splendid religious organization was given a bad name and lost a measure of public support because of these unethical and irresponsible tactics.

*Commonweal Magazine*, the liberal Catholic publication, also presents in its issue of October 16, 1953, the case history of a smear. In an interview in the *Detroit News* in August, Senator Joseph R. McCarthy said, "I never said that *Commonweal* was Communist, I just said that in front of the Jenner Committee, one of its writers refused to say whether he is a Communist or not. From that you can draw your own conclusions." The editors wrote to the Senator and asked him whether the quotation was correct and whether he would name the accused *Commonweal* writer. After five weeks Senator McCarthy replied as follows: "I would appreciate knowing what connection Thomas Davin has with *The Commonweal*—whether he writes for it, whether he has any voice in determination of policy, etc. This letter is not being written as Chairman of the Investigations Committee but merely as an individual Senator."

The editor then repeated his earlier statement to the Senator that the aforementioned Mr. Davin "is not and has not ever been a writer for the *Common-*





Drawing by Tom Little.

## Guilt—and Innocence—by Association

Should a man be judged by the company he keeps? Or by the organizations he joins? What is the letter and the spirit of the law?

By HENRY STEELE COMMAGER

**W**HEN Bishop Oxnham was called before the un-American Activities Committee it was charged not that he was himself a Communist or even a fellow traveler, but that he had lent his name to organizations that the committee considered subversive. He was guilty, in short, of the new crime of improper association. The Bishop succeeded in clearing himself of this stain on his character, though not to the satisfaction of all. Not, for instance, to the satisfaction of the Rev. Daniel Poling, editor of the *Christian Herald*, who deplored, in *THE NEW YORK TIMES*, the habit of ready association with miscellaneous organizations, and concluded with the observation that "a man is known by the company he keeps."

This crime of guilt by association made its first appearance in Federal law in the Alien Registration Act of 1940; it became not merely a crime but a disability and a sin by virtue of President Truman's Loyalty Order of 1947—an order which set up as one standard for employment or dismissal "membership in, association with, or sympathetic affiliation with any \* \* \* organization, movement, group or com-

HENRY STEELE COMMAGER, Professor of History at Columbia, wrote "America, Story of a Free Nation" and many other books.

bination of persons, designated by the Attorney General as \* \* \* subversive." Since then this cloud no bigger than a man's hand has grown until it fills the whole horizon.

Soon not only the Attorney General but almost everybody else was busy compiling lists—Congressional committees, state Attorneys General, state legislative committees, and scores of private organizations as well. The lists themselves, needless to say, grew longer and longer, for increasingly their compilers followed the principle implicit in Franklin's story of the two Quaker sisters: "I know not how it is, sister, but the older I get the more I find that no one is right but me and thee, and sometimes I am troubled about thee." And the standard of "affiliation" grew vaguer and vaguer.

**T**O the witch-hunters of our time no more plausible test was ever devised than this one, for sooner or later almost every man or woman who is active in public affairs joins some organization that somebody considers subversive. And the notion that "birds of a feather flock together," that "there is no smoke without fire," is so widespread that it affects even the most level-headed.

Yet no more pernicious doctrine has ever found its way into law or into

popular acceptance than this doctrine of guilt by association. It is pernicious in principle, in application, and in consequences. It confesses a gross and palpable misreading of our history and subverts vital parts of our democracy and our constitutional system. It is essential that we examine this doctrine critically so that we may see what it has cost us and what it may yet cost us.

First, then, the doctrine of guilt by association is unsound in logic. It is unsound because it assumes that a good cause becomes bad if supported by bad men; perhaps it assumes the reverse as well—as it logically should—that a bad cause becomes good if supported by virtuous men. But truth stands on its own merits; it may be made more acceptable with proper sponsorship, but it is neither enhanced nor impaired by the authorities who support it. If all the subversives in the land asserted that two and two made four, two and two would still make four. If a particular cause is worthy of support, it does not cease to merit support because men we disapprove support it.

There is a persuasive reason why conservatives and liberals alike should subscribe to this principle, and that is a practical one. For if bad support could damage a good cause, then all that would be needed to tarnish the Declaration of Independence or destroy

the Constitution would be the endorsement of these documents by the Communist party; all that would be needed to ruin the Republican party or the American Legion or the American Bar Association would be approval of their objectives by *The Daily Worker*. The doctrine that a good cause can be damaged by disreputable support means that all that is necessary to ruin a good cause is bad support.

**S**ECOND, the doctrine is wrong legally. In Anglo-American law guilt is personal, not collective. It does not spread, by a process of osmosis, from the guilty to the neighboring innocent. And guilt attaches itself to illegal acts, not to dangerous thoughts or suspicious associations. There is, of course, such a thing as collective guilt in a conspiracy, but the laws dealing with conspiracy are ample to take care of this. It is a far cry from joining the World Federalists or the Civil Liberties Union to a conspiracy, and a climate of opinion that befogs the distinction is one in which the most fundamental rights can be lost.

The Supreme Court has itself repeatedly repudiated the notion of guilt by association, and repudiated, too, the notion that any one man can decide what organizations are illegal. Furthermore, in (Continued on Page 66)





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## Guilt by Association


(Continued from Page 13)  
our legal system, guilt is not retroactive, and the Constitution specifically prohibits the Congress from passing a bill of attainder or an ex post facto law. "An ex post facto law," the Supreme Court has said "is one which renders an act punishable in a manner in which it was not punishable when it was committed."

**I**T would be difficult to find a more succinct description of the malpractices in which our Congressional committees are now engaged. To punish, either by law or by destruction of character or by forfeiture of job, the joining of an organization in 1937 or 1945 which was not held to be subversive or even suspect until 1950 is a violation of the spirit if not of the letter of the Constitution and revolts anyone familiar with the history of Anglo-American justice.

Third, the doctrine is wrong practically. It is, after all, neither possible nor desirable that we engage in a check of the membership, past as well as present, of all organizations to which we belong or which we are asked to join. What a shambles our society would be if we actually did this. We should be careful what we join, we are told; we should be careful in lending our name. But how do we go about being careful? Do we start with our church? with our labor union? with our fraternal society? with our veterans' organization? with our professional group? If the presence of subversives in an organization is enough to persuade us to drop our membership, all that the Communists need to do to destroy any society is to join it.

**P**ERHAPS the most curious thing about this principle of collective contamination is its selective character. It operates, indeed, on a double standard. No one suggests the danger of association with the Daughters of the American Revolution or the American Legion or the Democratic party. Yet it is easy to make out a case against each of these—a case quite as plausible as that made out against such organizations as the Civil Liberties Union—for at one time or another each of these has been guilty of intolerance, or of encouraging the violation of the First or the Fourteenth Amendment. And, after all, if Republicans can associate with a McCarthy or a Velde and Democrats with a McCarran or a Talmadge, without ostentatious infection, it is difficult to know where we are to draw the line or establish our moral quarantine.

There are, needless to say, dangers in promiscuous joining or name-lending. But we must leave something to the  
(Continued on Following Page)



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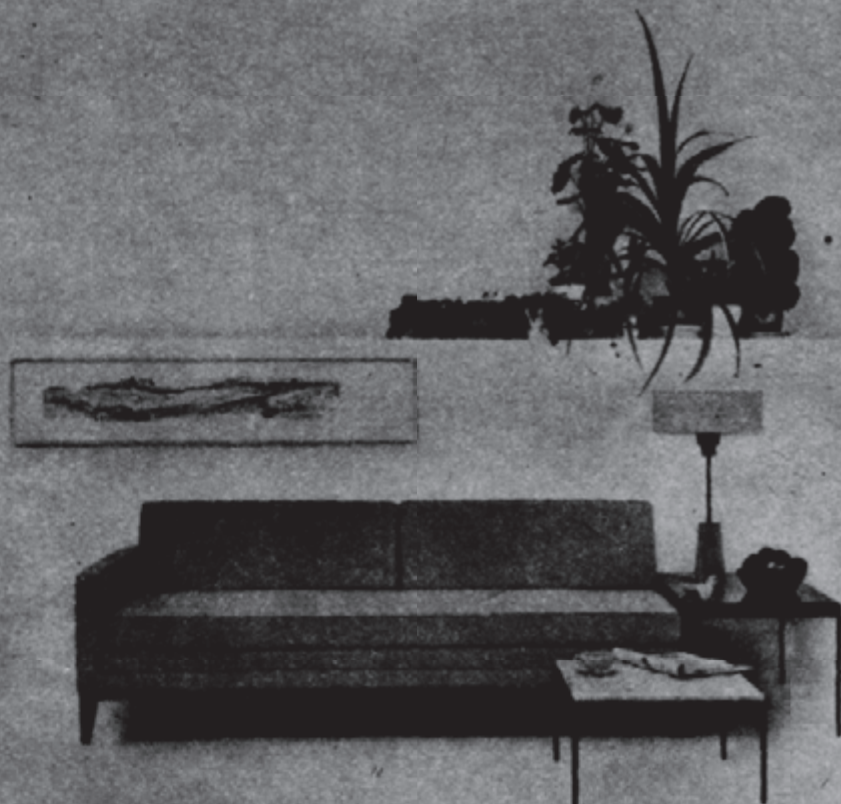
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(Continued from Preceding Page)  
individual judgment, something to common sense, something to the operation of the natural law of diminishing returns. Those who join organizations without proper inquiry into purpose or direction, or who lend their names indiscriminately to causes and organizations, will soon discover that they are tagged as "joiners," that they suffer embarrassment and confusion, and that they forfeit whatever influence they once commanded.

Certainly no one should give his name to an organization gratuitously without some investigation or assurance of its character. But clearly there are practical difficulties here, for we cannot spend all of our time investigating each organization that appeals to us, nor do we want an official body to



make investigations for us. On the whole, if we must err—as we will—it is probably better for society that we err on the side of generosity than on the side of caution.

And we must beware, too, lest we erect a double standard in this matter of lending our names and our support to causes and organizations. It ill becomes a society that applauds the stars of the film, television, radio, sports world when they "lend" their names—for a price—to the endorsement of breakfast food they do not eat, soap they do not use, whisky they do not drink—to become indignant when misguided idealists lend their names to what they think are good causes.

**A** MORE serious problem arises in the divorce—or gap—between membership and responsibility. On the whole it is certainly desirable that those who join an organization take part in its activities and assume some share of responsibility for its direction. If its character is not what it purports to be, if its activities are not in fact those they had originally supported, they should either work to change it, or, if they are unable to do this or do not care enough to try, they should get out. If they fail to do either they may expect to be charged with irresponsibility.

Here again, however, we  
(Continued on Following Page)

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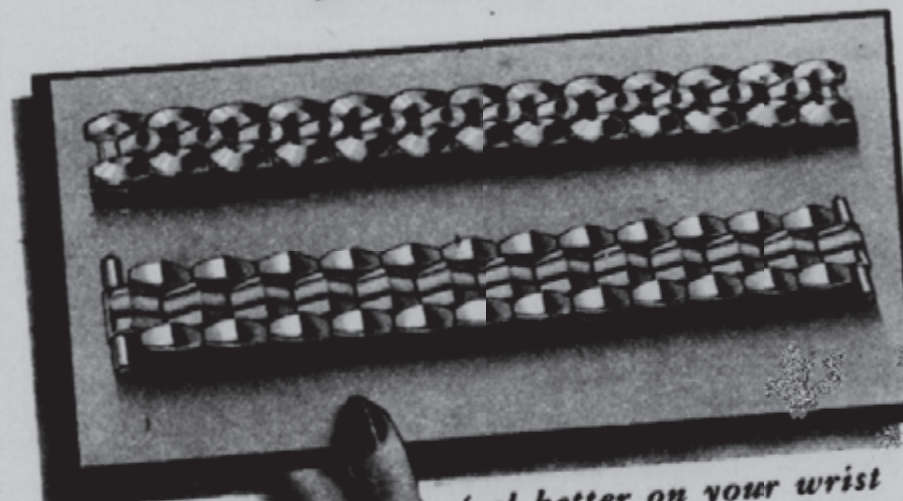


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## WHERE DOES THE UNITED STATES STAND ON GENOCIDE

THE United Nations General Assembly recently passed a resolution urging member nations to speed ratification of the Genocide Convention. It also authorized the Secretary General "to take all necessary measures to insure the widest possible diffusion of the nature, contents and purposes of the Convention." The resolution was adopted by an overwhelming vote of 50 to 0 with only seven abstentions. The United States supported the resolution.

The major purpose of the resolution was to remind member nations who have not yet ratified to do so presently, since the need for a Convention outlawing mass murder on political, racial or cultural grounds remains urgent. The United Nations apparently felt that the Genocide Convention was of such importance that a special resolution was needed to spur unwilling or uncommitted member nations to ratify the Convention. The United States is conspicuous among those who have not as yet endorsed the Genocide Pact. It would thus seem most encouraging that we voted to support the current resolution.

Unfortunately, however, immediately after our affirmative vote, the head of our UN delegation, Henry Cabot Lodge Jr., issued a statement which implied that we would not press for ratification at this time, and objected to the second part of the resolution advocating an international educational program in favor of the Pact. Mr. Lodge stated, "Our vote is not a commitment as to the timing of action by the United States on the Genocide Convention. . . . Neither is it a judgment against possible reservations designed to clarify the Convention and assure its conformity with the United States federal

system of justice. Furthermore, the United States does not interpret the resolution as authorizing propaganda in the United States in relation to a matter pending before the United States Senate."

It would appear that Mr. Lodge's statement completely nullifies the earlier affirmative vote. He places us in a position whereby we support a clearly worded resolution and then deny that it means what it obviously was intended to mean. Of course, students of *realpolitik* would claim that this is only an attempt by Mr. Lodge to pacify supporters of the Bricker Amendment, which would limit the treaty-making powers of the president. But, even if such an interpretation were true, the action remains unjustifiable.

The statement so blatantly contradicts both the spirit and the letter of the resolution that it is explicable only as grounded in moral duplicity. Our government is obviously hedging on this issue. At this late date, we need not review the arguments favoring a Genocide Convention. The question is now, as the *New York Times* so ably put it in a recent editorial: Are we for or against the Genocide Pact? If we are for it, let us stand up and say so. If we are not, let us not hide behind the smokescreen of an obscure disclaimer following an affirmative vote. At present, we are engaged in what must be viewed as double talk.

The question, however, goes further. In recent years it has seemed quite apparent on a number of occasions that our government is not fully committed to the discipline of the United Nations. We are often guilty of using the United Nations' machinery when it operates to our advantage and blocking or disregarding that machinery when it operates to our disadvantage. The Lodge statement is decidedly in line with this policy. Coming so soon after the national celebration of United Nations' Day, when high-minded citizens tried to acquaint their neighbors with the great role and significant message of the United Nations, Mr. Lodge's ac-



tion is painfully disheartening. If we are firmly convinced of the importance of the United Nations, we must give it full support and sustain it by demonstrable faith. Obviously, this does not mean blanket endorsement of everything the UN proposes. Our intelligence, our national interest and our notions of value are relevant factors. But if we want to create a higher standard of international behavior, and bring the nations of the world under an authority transcending national interest, we may not undermine that authority. In the present case, Mr. Lodge has contributed heavily to weakening it.

#### RELIGIOUS OPINION OPPOSED TO McCARTHYISM

THERE can be no mistaking where the forces of religion in America stand on the subject of McCarthyism. By McCarthyism we mean guilt by association, condemnation by denunciation without sifted evidence, the putting of the burden of proof on the accused rather than on the accuser, the defamation of character by persons sheltered from prosecution for libel under the rule of parliamentary immunity, and similar miscarriages of justice and encroachments on free speech and civil liberties by legislative committees of investigation. The forces of religion have quite unanimously registered, either explicitly or by implication, their opposition to such morally objectionable methods that have been employed in the fight against communism—often also in the fight against liberalism falsely labeled as communism.

The most recent statement criticising such methods has come from the General Council of the Presbyterian Church in a letter to members of its 8,000 congregations throughout the country. "Some Congressional inquiries have revealed a distinct tendency," (says the report,) "to become inquisitions. These inquisitions, which find their historic pattern in

medieval Spain and in the tribunals of modern totalitarian states, begin to constitute a threat to freedom of thought in this country. . . . Un-American attitudes toward ideas and books are becoming current. Attacks are being made upon citizens of integrity and social passion which are utterly alien to our democratic tradition."

Other Protestant organizations, like the National Council of Churches of Christ, which embraces most of the leading Protestant denominations in this country, have also expressed themselves in opposition to these abuses. So, too, have the rabbinical and congregational organizations of Jewry. The Catholic Church presumably referred to these abuses in a statement issued by its bishops in the United States on November 18, 1951. The statement declared: "Those who are selected for office by their fellow men are entrusted with grave responsibilities. . . . In their speech and their actions they are bound by the same laws of justice and charity which bind private individuals in every other sphere of human activity. Dishonesty, slander, detraction and defamation of character are as truly transgressions of God's commandments when resorted to by men in political life as they are for all other men." Though the abuses here referred to are not explicitly associated with Congressional investigations, and the references to them, being more general, are less pointed, they nevertheless show Catholicism, like all other important religious denominations in America, to be opposed to current methods of fighting communist influence in the United States.

The unanimity of religious sentiment arrayed against what we have here designated as McCarthyism is evidence that American religion regards it as its role to counteract the hysterical nationalism which views the end as always justifying the means if it can be made to appear patriotic. We believe that these religious utterances voice the authentic spirit of



# Congress Weekly

*A Review of Jewish Interests*

## FREEDOM UNDER ATTACK

**Today's challenge to American freedom in the areas of religion, press, education and individual conscience are discussed by eminent authorities in their respective fields. What follows are excerpts from their addresses delivered before the convention of the American Jewish Congress and its Women's Division held November 5-9, 1953 in New York.**

### *The Individual*

G. BROMLEY OXNAM

**C**ONFORM OR DIE IS THE DEMAND OF THE TOTALITARIAN states. The totalitarian, either Communist or Fascist, liquidates or decapitates his opposition. Slave labor camps, gas chambers, crematoria, brain washings are the inevitable accompaniment of the totalitarian philosophy. The totalitarian state, left or right, insists that the state has the right to determine the philosophy to which every individual must give assent, that it has the right and duty to mobilize every impact upon the mind—school, press, church, radio—to the end that every citizen shall at last conform to the predetermined philosophy. Respect for the conscience of the individual is ridiculed and repudiated. It is conform or die.

The free society is based upon the proposition that all men are created by the Eternal and in His image, beings of infinite worth, self-conscious personalities, capable of distinguishing right and wrong, morally responsible, immortal. The individual is endowed with certain inalienable rights. The state does not confer these rights; it merely confirms them. They belong to man because he is a man, a son of God. Thus the free society guarantees the individual the right to worship God according to the dictates of conscience, or not to worship at all, if in conscience the individual cannot believe in God.

To coerce the conscience of the individual is to destroy freedom. Even when the life of the nation is at stake in time of war, the free society respects the conscientious objectors who in conscience cannot bear arms. The American holds that government derives its just powers from the consent of the governed. The goose-step symbolizes the conformity that destroys both freedom and creativity. The free mind in a free society is a prerequisite to free enterprise, as well as

to political freedom. Men of wealth who contribute to racketeering organizations that summon the people to silence the non-conformists, to burn books, to investigate the church and synagogue, are dupes, like the industrialists who supported Hitler and thereby forged their own chains and hangman's noose.

**P**OLITICAL LEADERS who capitalize upon hysteria for political advantage, who, in the name of investigating Communism, set up the practices of the Gestapo or Cheka, who coerce conscience in the name of patriotism or insist upon conformity in the name of loyalty, are in fact saboteurs undermining the free way of life. The release of unverified or unevaluated testimony by former Communists, heard in secret sessions, before the accused has been heard, in some cases, after the accused has died, is a practice at once un-American and inexcusably vicious. The investigative process in Congress has great value, and in its history has made significant contributions to the national life; but the abuse of that process by men whose process appears to be seeking power rather than the preservation of freedom, strikes at the very foundations of a free community. A committee that thinks it may pass judgement upon the books a church may send to its ministers will soon attempt to tell ministers and rabbis what they may declare in the pulpit. This is the basic threat, since religious freedom is antecedent to all freedom.

Some committeemen are working hand in glove with the reactionary coalition of private propaganda agencies which are out to destroy our free schools, our free press, our free libraries, our free pulpits. In the reactionary coalition are a few commentators who slant the news for propaganda purposes. Too few are making up the minds of too many. Fortunately, the nation is blessed by distinguished commentators who regard their calling as a sacred trust, and whose work is at once a patriotic service and a guarantee of freedom. But the coalition is at work endeavoring to "take off the air" the individual who does not conform. There is a threat that must take its place along-

*Dr. Oxnam is Bishop of the Washington Methodist area.*



side the threat of Communist infiltration itself.

Most of the investigators, public and private, fail to face up to the causes of Communism, and propose no constructive answers to the Communist menace. They seem to think an ideology can be demolished by an atomic bomb. They appear to lack the intelligence to outthink the enemy. That we must be so strong as to convince the Soviet imperialists that further to expand will jeopardize the peace and that, having jeopardized it, they cannot win, goes without saying. But the fundamental threat is in the realm of thought. It is precisely at this place that religion makes its basic contribution. Religion does offer the ideology that can and will supplant materialism, that can and will guarantee freedom.

The nation needs more study and less snooping. More hours with the Hebrew prophets and Jesus, with Washington, Jefferson and Lincoln will prove more productive than days of cloak and dagger strutting.

Let the FBI ferret out the conspirator and the saboteur; let congressional committees with proper respect for American practices and due process make such investigations as may be necessary for sound legislation; but let the American people turn to their schools and their churches and synagogues for the fundamental principles upon which the free society rests. Men who, protected by congressional immunity, in cowardice slander American citizens, and committees that release libelous testimony heard in secret sessions, disclaiming responsibility with a wave of the hand or the easy statement, "We are not responsible for testimony given under oath," are men who ought to face the indignation of Americans at the polls. If we would preserve the American spirit, we must have in Congress men who incarnate that spirit.

## Academic Freedom

BUELL G. GALLAGHER

THE MAKING OF NEWS IS NOT AS IMPORTANT as the making of history. Long after the cardboard caesars and irresponsible demagogues have been forgotten, history's pages will record the names and deeds of those who stood firmly on principle, battled for the right, and refused to let a pernicious personal vanity betray them into becoming posturing professional patriots. I have enough faith in democracy to believe that the future of the free world will be secured by those who assiduously use the methods of freedom, rather than by those who disregard the demands of democracy and freedom in an alleged effort to defend what they actually work to destroy.

Dr. Gallagher is President of the City College of New York.

In speaking of freedom for education, I cannot limit the topic so as to exclude the world outside of academic halls—simply because life does not come in neat packages. Education includes the whole man and the whole of life—or it is not true education. Academic freedom is only one particular facet of an inclusive problem—the problem of freedom itself, freedom in operation.

If we started with the notion that freedom means the absence of restraint, then we would be forced to qualify freedom at many points in order to achieve security and safety. But it should be obvious that freedom and anarchy are not identical. The effort to achieve freedom by balancing the forces of anarchy and totalitarianism against one another is a false and misleading effort. This is the basic error committed by those who are currently attacking what they call freedom in the name of what they call security. Starting with the wrong understanding of freedom, they justify the wrong kind of control. They are right in asserting that anarchy demands order; but they are wrong in assuming that the way to get freedom is to clamp heavy controls on anarchy. The correct approach to the problem lies in understanding the nature of freedom itself and of working along the lines best calculated to produce and to protect freedom.

You cannot force people to be free. In intellectual areas this means that you cannot compel people to be informed or wise or imaginative. In religious terms it means that faith does not flower because governments and laws order religions established. So also with freedom of communication: a captive audience is never a free audience.

On the other hand, you can force people to be safe and secure—and herein lies the great danger of our time. In intellectual areas you can compel people to be ignorant or uninformed or foolish or dull. You

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November 16, 1953

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Editor: SAMUEL CAPLAN

CONGRESS WEEKLY is published weekly from October through May excepting weeks of Jewish Holidays, semi-monthly in June, monthly in July, August and September, by the American Jewish Congress, 15 East 84 Street, New York 28, N. Y. TRafalgar 9-4500. Annual subscription \$4. Single copy 15¢. Reentered as second class matter July 27, 1953 at the Post Office in New York, N. Y., under the act of March 3, 1879.



# *The Temple Bulletin*

**Published Weekly by**  
*The Temple*  
**Cleveland, Ohio**



**Vol. XXXVII**

**April 22, 1951**

**No. 30**

*Passover*



*Greetings*

## **PASSOVER SERVICE**

Saturday Morning, April 21—10:30 o'clock

**RABBI STONE**

will speak on

**"The Cup Of Salvation"**

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## **SUNDAY MORNING SERVICE**

April 22—10:30 o'clock

**RABBI SILVER**

will speak on

**"The Recall Of MacArthur, and What Next"**

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## **SERVICE FOR CONCLUDING DAY OF PASSOVER**

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## The Temple Bulletin

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Published weekly, except during the summer vacation.  
Entered as second-class matter November 12, 1931, at the  
Post Office, Cleveland, Ohio, under the Act of March 3,  
1879. Subscription: Fifty Cents per Annum. Member.  
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### MR. AND MRS. CLUB SERVICE APRIL 22

This Sunday morning, members of The Temple Mr. and Mrs. Club will participate in a special Mr. and Mrs. Club Service. Assisting with the reading of The Service will be Mrs. Jerome Malavan, Mrs. Alan Englander, Eli Goldston and Norman Klivans. Rabbi Silver will speak on the theme, "The Recall of MacArthur, and What Next"

Before the Service, members of The Mr. and Mrs. Club are invited to gather at the Park Lane Villa for a breakfast that will be served beginning at 9:30 A.M. Following the breakfast, Mr. and Mrs. Club members will adjourn to The Temple for the Morning Service.

The Seder Plate pictured on the front cover of this week's Temple Bulletin is an Italian Silver Seder Plate, depicting the story of Moses in Seven Gold Plaques.

It was donated to the Temple Museum in memory of Hilda W. Krohngold.

#### NOTICE!

Because of the Passover holiday, there will be no Temple Religious School classes held on either Saturday or Sunday mornings, April 21 or 22. Parents are urged to bring their children to the Passover Service in The Temple on Saturday, April 21 at 10:30 A.M. and to the regular Sunday Morning Service on April 22, and to join with their children in family worship.

### The Temple Gratefully Acknowledges The Following Contributions

#### TO THE FLOWER FUND:

In memory of Herman Leffert by Mr. and Mrs. William E. Fertel; in memory of Herman Leffert by Mr. and Mrs. David Kyman.

#### TO THE SOPHIE AUERBACH SCHOLARSHIP FUND:

In memory of Mrs. Gertie Wurzberger by Mrs. Stella Sytle and Miss Esther Einstein; in memory of Mrs. Isa Graver by Mrs. Simon Klein.

#### TO THE LIBRARY FUND:

In memory of her husband, Hyman Chavinson, by Mrs. Frieda H. Chavinson; in memory of Charles Berliner by Mr. and Mrs. George L. Samuel; in memory of Ruth Deutsch Haber by Mrs. Yetta Rittmaster.

#### TO THE CORA LEDERER MEMORIAL FUND:

In memory of Cora Lederer by her sister; Sadie Lederer; in memory of Charles Lederer by his daughter, Sadie Lederer.

#### TO THE HATTIE D. RICH MEMORIAL FUND:

In honor of the birthday of Alex S. Holstein by his niece, Mrs. Lawrence M. Rich.

#### TO THE HILDA W. KROHNGOLD FUND:

In memory of Herman Leffert by Mr. and Mrs. Bernard Selligman; in memory of Herman Leffert by Mrs. Alex Miller; in memory of Mrs. Mary Bernstein by her children, Mrs. Lena Mendelson, Mrs. Fannie Glass, John E. Bernstein, Mrs. Flora Siegel and Mrs. Sally Brown; in memory of Herman Leffert by Bertram J. Krohngold.

#### TO THE TOMMY DIENER MEMORIAL FUND:

In honor of her 7th birthday by Carolee Baum.

#### TO THE TEMPLE MUSEUM FUND:

A contribution by Mrs. Helen Bing.

### DR. SILVER TO VISIT ISRAEL

On April 23rd Dr. Silver will depart for a short visit to Israel at the invitation of the General Zionists. He will return on May 16th. This will be Dr. Silver's first visit to Israel in over two years.

In connection with his visit to Israel, the National Executive Committee of the Zionist Organization of America, at its meeting on April 8th, adopted by acclamation the following resolution:

The National Executive Committee of the Zionist Organization of America expresses deep satisfaction over the announcement that the beloved leader of American Zionism, Dr. Abba Hillel Silver, will shortly visit the State of Israel. Renewed personal contact between the people of the Jewish State and the great leader of diaspora Jewry is long overdue.

We are confident that the citizenry of Israel, fully aware of the historic services tendered by Dr. Silver in the long struggle to establish the Jewish State, will welcome his presence in their midst—not only out of recognition of his unparalleled contributions to the Zionist cause but also out of a profound awareness that Dr. Silver speaks for the broad mass of American Zionists.

We wish Dr. Silver God-speed and convey to him the love and devotion of our entire membership.

During his absence The Temple pulpit will be occupied by Dr. Philip Bernstein of Rochester, New York, President of the Central Conference of American Rabbis, Dr. Solomon B. Freehof of Pittsburgh, and Rabbi Earl S. Stone.

#### In Memoriam

The Temple notes with deep sorrow the passing of

**HATTIE SCHAFFNER**

**MRS. LOUIS BING, Sr.**

and extends its heartfelt sympathies to the members of their bereaved families.

*Give Generously To The 1951  
Jewish Welfare Fund Campaign*





### DR. SILVER RECEIVES JEWISH WAR VETERANS 1951 AWARD OF MERIT

On Sunday, April 8th, Dr. Silver was the recipient of the Award of Merit of the Jewish War Veterans of the United States of America, which was presented at a luncheon in the city of New York. The address which Dr. Silver delivered on this occasion is reproduced elsewhere in this Bulletin.

The following is the text of the certificate:

Jewish War Veterans  
of the  
United States of America  
  
**AWARD OF MERIT**  
to  
**DR. ABBA HILLEL SILVER**  
for

Distinguished leadership in mobilizing the moral and material resources of world Jewry in the struggle to establish and secure in the free State of Israel a new life and a new hope for our oppressed and persecuted brethren.

Dr. Silver's unconquerable spirit was an abiding source of inspiration and courage to his fellow Jews in the most challenging hours of our people's destiny.

April 8, 1951

Presented by  
Henry Albert  
National Commander

At the meeting of the Jewish War Veterans many letters and telegrams were read from leaders in public life in the United States. Among them was the following interesting letter from Senator Owen Brewster, United States Senator from Maine to Brigadier General Julius Klein, Past National Commander of the Jewish War Veterans:

*My Dear General:-*

So far as I am concerned, Dr. Abba Hillel Silver is one of the half dozen great citizens of the world in our generation.

When I hear Dr. Silver speak, I always feel I am listening to one of the modern embodiments of the ancient prophets in the self-evident sincerity and profound spiritual understanding that rings through every word.

Emerson said, "The whole man speaks in every word that he utters." This is profoundly true of Dr. Silver.

I must now plead guilty to personal prejudice resulting from a friendship of a quarter of a century since Dr. Silver converted me to the cause of Zionism when I was Governor of Maine many years ago. I am happy to continue as his disciple, as the world moves toward world understanding under the leadership of a few great souls such as Dr. Silver.

Sincerely yours,

Owen Brewster, U. S. S.

### SEDER TABLE ON DISPLAY

The beautifully appointed Seder table pictured here, was put on display in The Temple Museum and remained on view through April 17. The exhibit was one of the most attractive yet displayed in the Museum.

The table and its appointments were arranged by Mrs. William Loveman. The ritual objects on display are permanent articles in The Temple Museum collection. The table has been loaned by the Kane Furniture Co.

The Temple Museum is open on Saturday mornings from 9 A.M. until 12 noon, and on Sundays at the conclusion of Services.

### THE TEMPLE LIBRARY

*Here is a list of new books that have been added to the library during the past few months are on the shelves to be borrowed.*

#### CHILDREN'S LITERATURE

- |                     |  |
|---------------------|--|
| Abrahams, Beth Zien | Jews in England                                    |
| Baker, N. B.        | Next year in Jerusalem; biography of Theodor Herzl |
| Fitch, F. M.        | Allah  |
| Freehof, L. S.      | Littlest chimes<br>Runaway candle                  |
| King, Marian        | Coat of many colors; story of Joseph               |
| Silverman, A. O.    | Habibi's adventures in land of Israel              |

#### ADULT LITERATURE

- |                      |   |
|----------------------|---|
| Abbady, I. A.        | Jerusalem economy   |
| Angoff, Charles      | Journey to the dawn                                       |
| Asch, Sholom         | Salvation; new ed.  |
| Bernstein, P. F.     | Jew-hate as a sociological problem                        |
| Byrnes, R. F.        | Antisemitism in modern France                             |
| Golden & Rywell      | Jews in American history                                  |
| Goldschmidt, L.      | Earliest editions of the Hebrew Bible                     |
| Greenstone, J. H.    | Proverbs  |
| Hadas, Moses         | Aristeas to Philocrates                                   |
| Heschel, A. J.       | Man is not alone  |
| Leaf, Reuben         | Hebrew alphabets  |
| Levensohn, Lotta     | Vision and fulfillment; 25 years of the Hebrew University |
| Lieberman, Saul      | Hellenism in Jewish Palestine                             |
| Lowenstein, R. M.    | Christians and Jews                                       |
| Pekelis, A. H.       | Law and social action                                     |
| Ribalow, H. U.       | This land, these people; short stories                    |
| Runes, D. D.         | Hebrew impact in Western civilization                     |
| Sendrey, Alfred      | Bibliography of Jewish music                              |
| Spicehandler, Daniel | Let my right hand wither                                  |
| Weisfeld, I. H.      | Pulpit treasury of wit and humor                          |
| Yaffe, James         | Poor cousin Evelyn; short stories                         |



Address Delivered By DR. ABBA HILLEL SILVER

April 8, 1951

New York City

**On The Occasion of The Jewish War Veterans of United States  
Presentation of Award of Merit**

I need not tell you that I am profoundly honored to receive the award which the Jewish War Veterans of the United States of America have bestowed upon me. I feel somewhat embarrassed at receiving this mark of high distinction at your hands, and I am afraid that you have over-estimated my services to those causes in which we are mutually interested. However, it is always sweet to receive words of commendation from friends whose good opinion one values as highly as I do yours.

I have always had great admiration for the purposes and the achievements of your splendid organization. You have faithfully represented what is finest in the magnificent traditions of America and of Judaism. These traditions have a common origin and a common objective and, accordingly, your loyalty to America and to Judaism have been of one piece, integrated and harmonious. Your members have been proud and eager to serve America under all conditions of peace and of war. They have likewise been steadfastly loyal to the ideals and tasks of Jewish life under all conditions and circumstances. In both instances you have served out of love and the sense of duty of free men.

It is with pride that we all recall the glorious record of American Jews who served in the armed forces of our country in every war since the founding of our republic. Side by side with fellow-citizens of other faiths, the Jews of America rallied to the defense of their country whenever the need arose, and they gave a splendid account of themselves. The record of their service and their sacrifice, of their wounded and their dead on the battlefields is there for all to read. In any future crisis the Jews of America will be found at their posts of duty, prepared resolutely to defend America and its free institutions against all enemies at home or abroad who might seek to destroy them.

I recall with great pride and satisfaction the help which the Jewish War Veterans of the United States gave to the cause of the establishment of the State of Israel at a critical hour when the fate of that State was in the balance. As leader of American Zionism, I turned to your leaders and requested their support. I knew from

my earlier contacts with them how deeply interested they were in the historic task to which world Jewry had rallied at the close of the Second World War, that of rebuilding the ancient State of Israel and of opening the doors of that country to the hundreds of thousands of their fellow-Jews who were languishing in lands of hate and persecution and death. My appeal did not go unanswered. On at least four unforgettable occasions in New York, the Bronx, Chicago and Washington, especially in the critical days of March and April 1948, your ranks marched out in vast numbers, dressed in their proud uniforms of American veterans, and demonstrated to the American people their profound interest, as American citizens and as Jews, in this great and just cause. I shall never forget that day when you marched down by the tens of thousands along the avenue and streets of New York City with hundreds of thousands of your fellow-Americans, Jews and non-Jews alike, cheering you on, carrying aloft the flag of your beloved country and also banners calling for American support of a free and independent Jewish state.

If subsequently the United States proved to be the first among the nations of the world to recognize the new-born State of Israel, and thereby ushered in a new and glorious chapter in the 4,000-year-old history of our people, not a small measure of credit is due to the Jewish War Veterans of the United States.

Dear friends: It is a truism to say that we are facing today serious times both at home and abroad, as Americans and as Jews. Many grave problems confront us, and their solution is not at all clear. Because they are not clear, and the right way is not yet discovered, it is important, now more than ever, that we allow full and free discussion of these issues on the part of our citizens, and scrupulously safeguard the tried and tested procedures of a free and democratic society. We may differ as to their proper solution, and it is within the American tradition for citizens to express their differences. In a free society a man must be prepared to do his own thinking. He must not be afraid to express a contrary opinion if it is an honest and a responsible opinion and motivated by love of

country. In a democracy the majority, of course, must govern, but the minority must be heard. It is the moral duty of a free citizen to call attention whenever he feels that the policies pursued by the majority are wrong, and to advocate what he regards to be the right, and not to be deterred by criticism or abuse or intimidation. Else by silence or indifference or calculated prudence the wrong will be confirmed and the evil will be perpetuated. All tyrants and dictators, big or little, depend for their ultimate success upon the timidity, the submissiveness or the penchant for conformity on the part of most people. A free man should not be afraid to stand alone. He should also be prepared to defend the intellectual freedom, the independence of judgment, and the right of expression of judgment of other people. On the other hand, he is not obligated to defend the freedom of those who patently use or advocate the use of force to destroy democracy. He is not obligated to defend those who reject the methods of peace and the procedures of democracy, and who conspire to undermine them through the very democratic immunities and opportunities which they enjoy. Such toleration would prove the suicide of any free society. The forces of law must be invoked against those who by force would destroy democracy. We must make doubly sure, however we must make trebly sure of our ground before we move to suppress the freedom of any citizen. It is so easy to permit our prejudices and our dislike for the unlike to run away with us. It is so easy to brand and to excommunicate a man who does not happen at the moment to agree with a policy which is favored by the government or by the majority of the people, but whose disagreement may be grounded in a profound patriotic devotion and loyalty to his country. We must ask ourselves what it is that we want to suppress and why we want to suppress it and whether the suppression will ultimately serve the best interests of a free and democratic America.

I sometimes ask myself what Abraham Lincoln would do if he lived today. How would he face the problems which confront us today? In his day the over-all problem was slavery. In our day the over-all problem is Communism. Abraham Lincoln, I am sure, would have hated Communism quite as much as he hated slavery. He loved freedom and the inalienable rights of human beings. Communistic dictatorship and the suppression of the rights of the individual would have repelled him. His economic philosophy, too, which he expressed more than once approved



of private property and capitalism. But would Abraham Lincoln have urged a *crusade* against Communism? He never urged a crusade against slavery. He hated slavery with every fiber of his being. "Slavery," he said, "was a foul lie that could never be consecrated into God's hallowed truth." He wanted all men to be free. Nevertheless he made it clear again and again, before he became President and afterwards, that the paramount objective of the nation should be to save the Union and not either to save or to destroy slavery. He was prepared to let slavery exist in those states where it did exist, confidently hoping that time and progress would bring about its inevitable destruction as it had done in other countries and without war. "It is in the course of ultimate extinction," he said. He was opposed to the extension of slavery into the territories. He wanted to arrest its further spread and that is why he vigorously denounced the Dred Scott Decision which denied Congress the right to prohibit slavery into the territories, but he refused to make the abolition of slavery the paramount objective of national policy.

Would Abraham Lincoln today be hurrying our nation into a crusade against Communism all over the globe? I question it. I believe that he would have worked for the strengthening of the union, the union of nations, of the United Nations, and would have looked upon that as the paramount issue in international life today. He would have accepted the existence of the Communist states as a fact, unpalatable, but for the time being, unavoidable. Believing as he did in the inherent truth and the inevitable victory of liberty all over the world, he would have confidence in the ultimate extinction of any and every form of dictatorship. Practical and patriotic man that he was, he would have armed his country to meet any threat from the direction of aggressive Communism. He would have sought to make America strong. I question, however, whether he would have sent his nation forth to tilt with every hostile ideology all over the world. Abraham Lincoln did not incite war against the South just because it was slave-holding. Unto the very end he pleaded for understanding and unity. He was prepared to make great concessions in order to maintain this unity. He was not much concerned about prestige or face-saving.

Abraham Lincoln failed. The South was determined upon the extension of slavery. The bloody Civil War, the greatest tragedy in American history, followed. We may fail in 1957 to preserve the union of nations, the

United Nations. The Soviet Union may push on to extend the borders of Communism, and thus provoke the Third World War. But surely Abraham Lincoln's advice to his fellow Americans today would be what it was in the days before the Civil War: "Do nothing to provoke war. Seize every opportunity for conference and negotiation, for compromise and concessions. Do not make the military destruction of Communism the basic national policy of the United States."

I believe, too, that Lincoln would have refrained from adding his voice to the hysterical chorus of propaganda which is now sweeping our country. He was opposed to that type of propaganda, opposed to inciting people. He was not impressed with those who cried out: "The Lord is on our side." He was more concerned that the American people should be on the Lord's side. He did not think of his country as being composed of one-half saints and the other half sinners. When one re-reads his immortal Second Inaugural Address which was delivered in the midst of the bloody Civil War, when passions were running high and bitter, and listens to Lincoln speaking as always of one people, together sharing the responsibility of war, and calling for healing and reconciliation, one is humbled and at the same time, spiritually exalted. It would be a grace of God if something of the spirit of Abraham Lincoln would return to our feverish times and hearts.

To be sure, America must be strong to defend itself. America, too, should be willing to help those democratic nations who show an earnest desire to make the major contribution to defend themselves. But when all is said and done, the great victories for America and the American way of life in the days to come will not take place on the battle-fields. We have twice tried to save democracy in wars. We have twice failed. Wars solve no basic international problems. They aggravate them. It is far better to try to arrive at decisions around the conference table. Repeated failure in negotiations should not discourage us. They are always preferable to war. It is far better for us to lend our material support, as far as it is consistent with our own economic stability, to disadvantaged peoples and races who are suffering from poverty, illiteracy and exploitation to help them rise to higher levels of subsistence and freedom. This is the surest way to build a bulwark against Communism, through food, health, education and freedom—not through bayonets. The masses of the world do not wish to be liberated by war. They know that war

will only ravage their countries and make their lot ever worse. They wish to be helped to help themselves.

I do not know how many of you have ever looked closely at the great seal of the United States. On the reverse of that seal you will find a pyramid, signifying strength and duration. On top of that an eye—the seeing eye—and the motto "Annuit Coeptis"—that is, "He (God) has favored our undertakings:" and then the words "Novus Ordo Seclorum", "a new order of the ages", signifying the beginning of the new American era. A new era! A new order of the ages! Think of it! What superb confidence these men of the American Revolution possessed. Here they were, thirteen poor struggling colonies, in some far-off corner of the globe, on the fringe of the great American wilderness, who had hardly emerged from war and revolution, almost bankrupt, torn with internal strife and dissension, and yet, they dared to announce to the world that their revolution, and the state which they were establishing was ushering in a new order of the ages, a new world!

And indeed they did usher in a new world and a new order of the ages. The torch which they kindled soon kindled other torches. Despotism and tyranny began to crumble all over the world. One people after another, inspired by their example, broke their political chains and achieved freedom. And for the 150 millions of human beings who, more than a century and a half later are found living in the country which they founded, it has, indeed, been a new order of the ages. They are enjoying a freedom and a standard of living hitherto utterly unknown to mankind.

The men of the American Revolution had confidence in their ideals. John Adams, one of the great men of the American Revolution, declared, "I always consider the settlement of America with reverence and wonder, as the opening of a grand scheme and design in Providence for the illumination and the emancipation of the slavish part of mankind all over the earth."

Thomas Jefferson wrote just a few days before he died, concerning the Declaration of Independence, which he composed:

May it be to the world what I believe it will be (to some parts sooner, to others later, but finally to all), the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves and to assume the blessings and security of self-government.



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The Temple

## The Temple Bulletin

Entered as Second Class Matter at the Post Office,  
Cleveland, Ohio

I sometimes wonder as I look around me and read much that is being said and written today in this great and free country of ours, ~~the country of Adams and Jefferson and of the Declaration of Independence~~ whether we have not lost the faith which was theirs, that unshaken confidence in the inevitable triumph of their ideas. If we have, then we are lost indeed, for armed might will not save us. Then our feet are set on the tragic road which other nations have followed, the hopeless road to dictatorship of one kind or another. I am afraid that our increasing—nay, almost exclusive reliance on the strength of our armed forces may be a dangerous symptom of our loss of faith in the strength of our ideals. Our Founding Fathers, when they spoke of the ultimate triumph of America in the world, were not thinking of their military might. They had none! There were empires in the world which far overshadowed their pitiful military strength. They were among the smallest and the weakest nations on earth in 1776. Yet, they spoke exultantly and confidently of conquering the world. They were not relying on the might of their arms. They were relying upon the irresistible dynamics of their revolutionary ideals, upon their moral superiority, ~~their inevitability~~. They hoped to conquer the world by their example. ~~They were acting out a drama for the whole of mankind, and their success would be the signal for arousing men everywhere to burst their chains.~~

That in my humble judgment is still the supreme mission and the supreme opportunity of America. ~~Let us not lose faith.~~ We have far less occasion to lose confidence than the men of 150 years ago. Communist dictatorship has

no future in the world, for no dictatorship has any future. Dictatorship does not speak of a springtime for mankind, but of winter for the human mind and spirit. The hope of the world lies in democracy, in the self-government of peoples and their freedom to express themselves, in their initiative and their enterprise, in their collective wisdom. Democracy is not perfect—it is perfectable. ~~It is not free from insecurity, but that is the price we pay for freedom. There is much groping and blundering and uncertainty—but that is the history of life itself.~~

What this sick, cold and tired world of ours in its winter of discontent prayerfully hopes from America is the kindling of a new hope or the rekindling of an old hope, the confident reassertion of our democratic ideals, and the bringing to them those economic aids which will help them to rise from the depths of their misery and poverty. That should be the Voice of America today. That is the voice that once echoed round the world. That is the voice that toppled kingdoms and empires. That is the voice which will ultimately destroy every dictatorship in the world.

Let us remember this America. It is more than a country to be defended. It is an idea, an historic, revolutionary idea to be dedicated to. Men have spoken of the American dream. It is a dream. It is a vision of something new and spiritually majestic. It has a meaning. It is more than land, population and riches. Those who founded this republic spoke of certain self-evident truths, certain fundamental ideas touching freedom and human equality and the rights of man. They were thinking of much more than a

land mass called America. America is Bunker Hill and Valley Forge and the Bill of Rights. America is Gettysburg and the Second Inaugural and the Emancipation Proclamation. America is the covered wagon, the pioneering spirit and triumphant confidence in unending human progress. America is the fair deal and the square deal, and the sharing of the things which we have with those who have less. America is tolerance and good will and cooperation between men of all races and creeds. Assuredly, America has meaning.

But how many Americans are aware of this meaning in their daily lives? Certainly the bigot is not. The fomenter of racial hatreds is not. The champion of the poll tax and Jim Crow laws is not. The demagogue and the political witch hunter is not. Certainly those who abuse our free institutions to corrupt them for gain or those would undermine them to serve foreign dictators or those who have lost their faith in America so that by panic, fear and apprehension they would blindly destroy the very institutions which they wish to conserve—certainly they are not aware of the meaning of America. Nor the economic exploiter, the corrupt labor agitator or the grasping cleric who would confound church and state—certainly these people, though they are Americans living in America, do in every way ignore or betray the essential meaning of America.

I am sure that the Jewish War Veterans of the United States have the true meaning of America clearly before their minds. Your organization is dedicated to them. May you prosper in your work and so bring blessings to yourselves, to our beloved country and to the whole of mankind.



1) Thanksgiving - Comment - Free Institutions - Peoples (1

2) How do we preserve these Freedoms? By Law!  
Citizens alert & determined to enforce that law  
Founding Fathers - not content - Declaration - unaltered  
Constitution - ratified - 1789 - Opposition - not unanimously  
accepted - First Congress - First Session - Subsequent  
Amendments - 1791 - 10 - Bill of Rights Justice  
wrote them into basic law - Spill them out!  
Not merely for their time - For all time.  
Fundamental for all generations - regardless of circumstance  
Did not want their right to be tampered with -  
circumvented - outmaneuvered - clever lawyers  
Congress investigators..  
They were to stand, guarding, like Phalanx, the pathway  
to Am. life - Destiny .

3) They knew - limiting power / not - unhindered - by any  
its hands -  
with open eyes - "secure the blessings of liberty to  
ourselves and our posterity" (Preamble)



- They knew emergency, fear, would raise clamor (to ignore - 7th/2)
- then safeguard ~~the~~ for the ind. citizen who imperative <sup>than at the time</sup>
- To keep balance bet. power, state - rights, the ind. - <sup>under the</sup>
- Genius of Amer. Democracy - <sup>one from a</sup>

- 4). There were quite a few such moments in Am. history -
- when fear, panic, impatience, indignation, in attitudes -
  - endangered for a time the Bill, Rights - but when storm
  - popular op. taken calmed down after a while, the waters
  - needed, and the Bill, Right remained, standing firm and
  - unshakable - the bulwark of a free people. This such a moment!
  - and it is for us. this is such a moment when again
- (1) That a man is innocent until he is proven guilty
- (2) That an accusation, or even an indictment, is not
- (3) That a man cannot be compelled in any criminal case
- (4) That an accused man is entitled to the right
- (5) That an accused man shall have been be informed
- (6) That ... to be confronted with the witnesses against him.



- to obtain witnesses in his favor, and to have the assistance, counsel for his defense.
- This applies to all criminal prosecution - <sup>no</sup> ~~to~~ exception!

4/ Pres. Eisenhower:-

5/ What has disturbed Am. people abt. Gov. Investigations into  
Un-American Activities - or not the fact, I suspect, themselves -  
inevitable and deniable - Methods - which, in some instances,  
clearly invade and nullify these safeguards:- I have  
come, also, to suspect the motives behind these Govt. -  
exposures <sup>Sen. McCarthy</sup> <sup>Pharisees</sup>  
a) Have become quasi-judicial bodies, which involve directly  
or indirectly, the careers, livelihood, and: the very life and property  
of Am. citizens, without giving them the protection of their Constitution  
guarantee which any Am. Court I have heard, as a matter,  
course, grant them. -

b) The Gov. claims that they do <sup>an</sup> investigate <sup>responsibly</sup>  
<sup>giving under oath</sup> ~~the~~ breakers; The F.I.B. maintains starkly that it does not  
evaluate the evidence. But, in the process of the hearings <sup>copy</sup>  
and women and as a result, these men and women are who  
refuse to testify by themselves - which is their right - are  
broken, lose their jobs and their professional positions, stand  
condemned, without having been proved guilty under Am.  
legal procedures.



4

(4)

(c) The fact that many of these people are Communists, and some, their Communist sympathies, - for whom we have no sympathy at all, and who merit punishment, does not diminish by an atom their rights under the Const. - which they would like to see destroyed, but which Americans, in spite of them, are determined to defend! -

(d) We insist on their refugees - not for their benefit of them, but in spite of them. For our sake, and the sake of our children to secure the honors of liberty to ourselves and our posterity."

6. Supreme Court Justice Wm O. Douglas - to an even more dangerous practice - that of condemning men and women on the basis of hearsay, innuendo and guilt by association - to ruin the reputation of citizens -

A new crime is now being established & promulgated - "the crime of improper association" -

Prof. Commager of Columbia writes (Jan 1)

7. ~~the confusion~~ How readily all this wild hunting, <sup>delineating with</sup> ~~to~~ <sup>political</sup> chicanery, & partisan polit. maneuvers - a 100 miles removed from patriotic concern - was recently illustrated in Washington -



87 Attorney Gen. Brownell - stated - in which he charged that  
ex-Pres. Truman promoted a Russian spy and knew it.

Russian spy was Harry Dexter White - now dead -  
what followed - the Sulphur / Tr. his refusal - his T.V. <sup>speech</sup> -  
reply next day by Brownell - the testimony of F.B.I. Horns -  
- all this is common knowledge -

viewed quite objectively - it all adds up to the fact - that  
Tr. may have been pretty sure in his judgment when  
he decided to promote ~~him~~ <sup>White</sup> to the Monetary Fund and keep  
a close watch on him - rather than fire him - He may  
be charged with poor judgment or even laxity.

91. But we have a right to ask why did Attorney Gen. Brownell  
bring up this matter at this time? -

What national purpose was served thereby?  
Tr. is no longer President - Brownell's own party is now  
in power - have been for nearly a year. He, however, is head  
of the Justice Dept. He can is free to bring any  
spy to trial. He is free to discharge any one  
in fact - who is a security risk - He has been  
saw 1500, he said - no one has been interfering with  
him.

Why rake up the bones of a dead man - ~~who can no~~  
~~longer speak in his defense~~ - ~~who could not~~  
~~indicted, during his life, now, for lack of evidence~~ - ~~could not~~  
~~convict~~  
~~where~~  
~~above~~



to heretics an adul. no longer in force.

It was fixed, and no one was left in doubt as to the reason for the firing, with the ~~the~~ a series of Republican defeats in the ~~the~~ recent elections, calculated to divert attention from them, and to counteract whatever pol. implications they carried for the Gov. elections in 1954.

- It was red patriotism, no suspect but a special kind of politics which motivated this schematism.

16/ Pres. E. was clearly embarrassed by the entire episode. He tried, in a way, to dissuade himself from it. His real ~~concern~~ <sup>concern</sup> was exposed - when he used the help that ~~the~~ <sup>the</sup> ~~country~~ <sup>country</sup> ~~as~~ <sup>as</sup> not in the issue in 1954.

7/ But, I am afraid, that some leader in his party, and another mind. Sen. W. E. Carthy for example! T.V. He has no intention to let such a fine moral escape him.

He intends to work that some for all that it will pass him in publicity and in power. He intends to ride into the presidency on the thing that

8/ He took issue with the Pres. - He even, attacked his own party, for during what Tr. had done - tolerated a man, suspect in loyalty, at least as far as he is concerned, in high office to this day.



He <sup>aims</sup> ~~aims~~ to rally the Rep. Party round himself & the  
Standard Bearer -

He may or may not succeed. I place my bet at Par. 6.

9/. There are spies in our part. They should be rooted out.  
There are spies in other parts. We have spies in the  
press - I / we have not - our intelligence agencies and  
are sadly deficient - It is routine, to say, procedure,  
unfortunately, all over the world.

But in the process of rooting out spies and circumvents  
in our part. - we ought not undermine the very institutions  
we are fighting which we do try to protect.  
① Circumvent - Big game ② to the tapping - yes - Police State - Tricks  
yes convent the Party to the Church - Good capital (Jews)

(a) Adventurers - Unscrupulous demagogues - will work to  
ride into power like Hitler - on the issue of fighting  
Communism - They will stop at nothing! - We must do to put -  
Ident. University Church Press Rally round  
them all reactionaries all enemies social liberals -  
Hitler del. - will ultimately expose exploit social and  
religious institutions -

① Time to pull up a now! -  
Perhaps Church & Syn. should give Leadership!  
Einstein Duke



themselves "quasi-judicial" powers, and are denying to witnesses their basic rights under our Constitution. Americans will soon be free to express only approved views and accredited opinions; that is to say, views approved by the majority and opinions which an organized and vociferous minority will permit us to entertain.

as a  
Unless we ~~wait~~  
J. Edgar

✓ In Russia, the government is dictating to scientists and educators the correct opinions which they must hold and teach on such matters as the theory of relativity, Freudian psychology, and the gene theory of inheritance, not to speak of what constitutes good art, good literature and good music. This is a logical and inevitable development, for political dictatorship must lead to intellectual and cultural dictatorship as well. Dictators must set scourges over all human thought. The suppression of unorthodox political and economic views quickly passes over into all other forms of suppression, and human progress is retarded either by the fear of actual persecution or by a calculated shift to comfortable acquiescence.

The bed of Procrustes has made its appearance in American life to enforce arbitrary conformity, and this has been the first unfortunate result of the ebbing of confidence in ourselves and of permitting ourselves to be frightened by Communism. In our eagerness to save the world, we may lose our own soul. ~~This same fear is~~



maximum military strength. To be sure, the Soviet Union is industrially no match for us. But need it be our equal industrially to keep us from scoring a decisive victory over it? Russia cannot be bombed into submission and cannot be invaded and conquered. Hitler as well as Napoleon learned that lesson at frightful cost to themselves.

✓ In fact, the whole idea of total victory is a preposterous idea in the modern world. George F. Kennan, who was until quite <sup>recently</sup> our Ambassador to Moscow, wrote in his interesting book, "American Diplomacy":

I am frank to say that I think there is no more dangerous delusion, none that has done us a greater disservice in the past or that threatens to do us a greater disservice in the future than the concept of total victory.

Regardless, then, of how powerful we become militarily, we shall still have to settle all our differences with Russia in one of two ways: war--which is unthinkable, which everyone agrees would result only in a bloody stalemate <sup>or in the possibility of a bloody stalemate</sup> on a global scale; and negotiation--the way of give and take, the way of statesmanship in which skillful and inspired diplomacy are perhaps more effective than any assumed preponderance of power which can only be established in actual combat.

In order to build up to strength and checkmate the aggression of the Soviet Union, we have been



attracting to our democratic front dictators of the type of Franco and Tito, and we have made a rearmed Western Germany the keystone to our entire scheme of European defense.

We, who had denounced the Germans for being militaristic, are now insisting that they should rearm. Because of our total absorption in the building up of a front against Russia, we have invited Western Germany to rearm and to join the defense forces of the North Atlantic Treaty Organization. This, of course, can only come about if Germany remains divided, but the German people want to be united far more than they want to fight on the side of the Allies against Russia. They have had their stomach full of fighting Russia in the last world war. They do not want their country to become the battleground for a war between America and Russia; nor do they want a civil war to rend their people apart. Stalin countered our move by putting forward his program for a united, rearmed, but neutral Germany. Stalin, too, as a result of the disastrous cold war between Russia and the United States, ~~has been~~<sup>was</sup> forced to retreat from the position which he and the allied heads took at Potsdam in August 1945, where they agreed that "all war potentials of Germany were to be destroyed--war plants, warships, aircraft and arms--so that Germany would never again be able to make war." From this sound, statesmanlike position, ~~Stalin~~



too, under pressure of the cold war, ~~has now~~ retreated.

Thus, Germany has already scored a substantial victory without turning a finger. And she will continue to play off the United States against Russia and with the aid of both, rise to power again. This, you will recall, was the early and successful technique of Hitler.

The entire arch of our foreign policy in Europe, with a cooperating Western Germany as its capstone, is ~~in~~ *in* ~~imminent danger~~ *in* <sup>of</sup> collapse. We are not willing or ready to face the issue of a united and neutral Germany. ~~We have not acted on the apparent desire~~ *in* ~~have as much as brushed aside the latest proposal of the~~ *in* ~~leaders with the heads of our government and~~ *in* ~~Soviet for a meeting to discuss a German peace treaty.~~ *in* ~~This did not strengthen our position either in Germany~~ *in* ~~or elsewhere. We have also ignored the recent statement~~ *in* ~~of Stalin in which he reiterated his belief that the co-~~ *in* ~~existence of capitalism and communism is possible in the~~ *in* ~~world, and that a meeting of the heads of the great powers~~ *in* ~~to settle the main issues between them would be beneficial.~~ *in* ~~We feel that the Russians are insincere. But when can we~~ *in* ~~be sure of their sincerity? All important international~~ *in* ~~agreements in the past have had to surmount suspicions of~~ *in* ~~insincerity and double-dealing. When was the art of~~ *in* ~~diplomacy entirely free from secrecy and concealment~~ *in* ~~neatly packaged in frankness and tied with the ribbon of~~ *in* ~~disarming amiability? One need not be credulous or gullible~~ *in* ~~in negotiation, nor abandon a precautionary skepticism.~~ *in*



On the other hand, one cannot indefinitely postpone negotiations on the ground that the other party is not free from diplomatic guile.

✓ We ~~seem to have~~ settled into a routine of negativism, waiting for 1953 or 1954, when we hope we shall be strong enough to deal with the Soviet Union successfully. ~~It may not turn out that way at all.~~ Even our Allies <sup>have</sup> ~~are becoming~~ restive under the crushing military burdens which this scheme imposes upon their people.

*(Essence)* In the meantime, the diplomatic initiative has been taken out of the hands both of the United States and Russia. It is now in the hands of Germany. This will become clearer as we go along.

It is, of course, important that we be strong militarily, and that we do not lower our guard. In the kind of a world in which we live, defenselessness is an invitation to aggression. But military strength alone will not improve the deteriorated and dangerous international situation of our day. We must learn to rely <sup>on the future</sup> ~~on~~ statesmanship and moral leadership ~~and less~~ <sup>as</sup> on force.

✓ War is not inevitable. Neither we nor the Soviet want war. Neither has anything to gain from it. Both, whether as victor or vanquished, would be the loser.

The principal causes of national aggression in the modern world are diminishing productive land and

That, to  
Europe, the  
disarmament  
agreements  
are to confer  
the Russian  
finality to a  
policy that two  
doctors of Europe  
are down with  
voluntary to get  
other independent  
center of security  
building



increasing population pressures. Neither situation applies to Russia or to the United States. It is fear-- fear of containment and attack, fear of undermining and propaganda, fear which results in anger and belligerency-- fear more than any other factor which has paralyzed the diplomatic initiative of both countries. In fear, both the East and the West have been building Maginot lines for their security. Military history has demonstrated that Maginot lines are no reliable defense in war; they certainly offer no security in a war of ideas.

✓ Ways must and can be found for a tolerable "modus vivendi", a way of coexistence which, while never quite free from tensions and strains, will yet give the world a chance to breathe freely again and go about the real business of life. Ideologies cannot be adjusted by compromise, but political problems of coexistence can be.

✓ In the 16th and 17th centuries it was universally held that Catholicism and Protestantism could not live together in the same world. One or the other had to go. The stakes were enormous--far greater than those at stake in the East-West struggle today; for not only were the fortunes of this world involved, but also those of the next world. The ideologies could not be reconciled--and so the struggle passed from the realm of ideas and propaganda to the battlefield. Europe was drenched in blood. The wars of religion lasted for a hundred years



and destroyed towns, cities and whole provinces, until the inevitable truth dawned upon man that a way had to be found for Catholicism and Protestantism--and other religious minority sects--to live together in the same world without sacrificing their particular loyalties and dogmas. A compromise of toleration was finally agreed upon, and Europe was able to move forward again once this frightful road-block was removed. Out of the religious toleration which was thus achieved, there flowed also political liberties to the peoples of Western Europe.

✓ Our age will have to find a formula of toleration which will enable the many evolving and the fluid forms of capitalism and socialism to work out their destinies in the one world in which we live. They may be irreconcilable in theory; they need not be in practice.

✓ America must lead in finding the way. The way is not that of a global armament race which will impoverish the peoples of the earth--ourselves included--and end as such races always end--in the catastrophe of war. It is time to change over onto a new course. The way is rather that of <sup>of conference, of conciliatory diplomacy</sup> giving urgent leadership in the United Nations to a program of speedy and balanced reduction of armament, (a thing which we cannot do sincerely or effectively at the moment because we are overwhelmingly committed to a program of maximum rearmament for ourselves and our allies,



The new way will put us in a position to render through the United Nations more extensive and constructive aid to the backward peoples of the world, and to cooperate with them in achieving necessary agrarian and social reforms which will set them firmly on the road to a free and happier life. The ultimate defense of democracy in the world lies not in superior armor or in the atomic bomb, but in raising the standard of living of the masses of the earth whose misery and wrongs are receptive soil for all kinds of doctrines of violent revolution and for all types of economic deceptions. While Communism breeds in other places beside poverty, certainly it never overlooks these natural seed-beds. When we shall come to these underprivileged peoples bringing them the gifts not of bombs and bayonets, but of bread and health and education and freedom, they will become our natural allies, and our alliance will be cemented in good will and in hope. At present they are suspicious even of our generosity because they have lost confidence in our motives. They regard our humanitarian efforts as part of a calculated over-all strategy to draw them into an armed conflict with the Soviet Union for which conflict they have no desire whatsoever. They are convinced that a war, even a successful war, will not give them either bread or freedom. Our generation waged two world wars to make



~~the world safe for democracy, and there is less~~  
✓ ~~democracy in the world today than in the last one~~  
~~hundred years.~~

~~✓~~ This is the kind of leadership to which the world will respond, leadership which does not wait on the occasion but makes it, which is prepared to take calculated risks for peace, which is eager for negotiation and conference to settle all issues which endanger the peace of the world--a leadership which exerts sincere and unremitting pressure for limitation of armaments and the lifting of the crushing military burdens from the backs of the peoples of the earth--a leadership which aggressively plans for world-wide cooperation to help and guide the backward and impoverished peoples to higher levels of agricultural and industrial development, of well-being, health and education--a leadership which seeks the liberation of all dominated, colonial peoples and extends friendly help to them in adjusting themselves to their new way of life--this kind of leadership--which is not dictation, which is not imposed by our wealth and power, which is not enmeshed and hampered by commitments to the imperial interests of colonial empires and which flows naturally from the head-waters of our great liberal traditions and history--is sure to re-kindle the hopes of the world.

*Step*  
*But to be successful*  
Above all, we must look to our own political, economic and spiritual defenses at home. We must remain