

Attorneys Ask Supreme Court Ruling Bypassed

By ALVIN STEINKOPF
 LONDON, July 25 (AP)—The American Bar Ass'n's committee on communism called today for legislation to bypass the effect of recent U. S. Supreme Court decisions. It said such a first law, the first in a series, would be involved in the struggle against subversion.

The association's house of delegates applauded vigorously as it heard the chairman, former Democratic senator Herbert R. O'Connor of Maryland, deliver the committee's warning to the courts against overzealous protection of "theoretical individual rights."

No action was taken on the committee's recommendations, but it was instructed to continue its studies.

U. S. Chief Justice Earl Warren, who is attending the convention, was not present as O'Connor delivered the report. Warren and Justice John M. Harlan sat as observers today on the bench of the British Court of Appeals.

Safeguard FBI Files
 The committee put before the 1,000 delegates attending the London session of the association's 80th annual convention recommendations for legislation which would accomplish these things:

1. Safeguard the confidential nature of FBI files.
2. Give congressional committees the same freedom to investigate communism as they have always had in investigating businessmen and labor leaders.
3. Sanction the right of the federal government to discharge security risks, even if they hold "honorary" citizenship.
4. Give the Federal Bureau of Investigation the right to subpoena and examine the records of any individual awaiting deportation, or who is otherwise under investigation.
5. Curtail the aggression of the South. It was not intended to prohibit advocacy and teaching of forcible overthrow as an abstract principle.
6. Permit schools, universities, bar associations and other organizations to set standards that would exclude those who refuse to testify fully about their past Communist activities.

"It is traditional and right that our courts are zealous in protecting individual rights," the committee declared. "It is equally necessary that the executive and legislative branches take effective action to guard our country against Communist infiltration and aggression."

"If the courts lean too far back in the maintenance of theoretical individual rights, it may be that we have tied the hands of our country and have rendered it incapable of carrying out the first law of mankind—the right of self-preservation."

"In the Public Interest"
 "Our committee concludes that legislation introduced to overcome the effect of Supreme Court decisions to be in the public interest."

A cardinal point in the committee's recommendations is that government secrets on many matters, including those in FBI files should not be opened wide to enable persons accused of crimes to prepare defenses.

O'Connor said the question was raised in connection with the Supreme Court's decision of last month which held an accused person is entitled to have access to pertinent statements of prosecution witnesses made to the government.

We are in agreement with the committee that the accused is entitled to an adequate defense that will be supported by all material available to the prosecution."

Other News Items
 But the chief justice added that the courts have never been asked to reveal anything little or nothing to do with the case under consideration, and which might yield information relevant to national security.

The committee declared there is a need for legislation providing information on a defendant might be withheld.

The committee also said it is necessary to protect the country and families from international espionage, a problem that is not unique to O'Connor's committee.

"England and the United States have a common interest in the ideal that democracy should be maintained among all peoples. It is desirable for both countries to have a common front against the other hand, we are not inclined as to think communism is a mere, another shade of political opinion. The dilemma that confronts our two countries is monumental."

"The duty of the bar to play an important part in finding a solution of the dilemma is self-evident."

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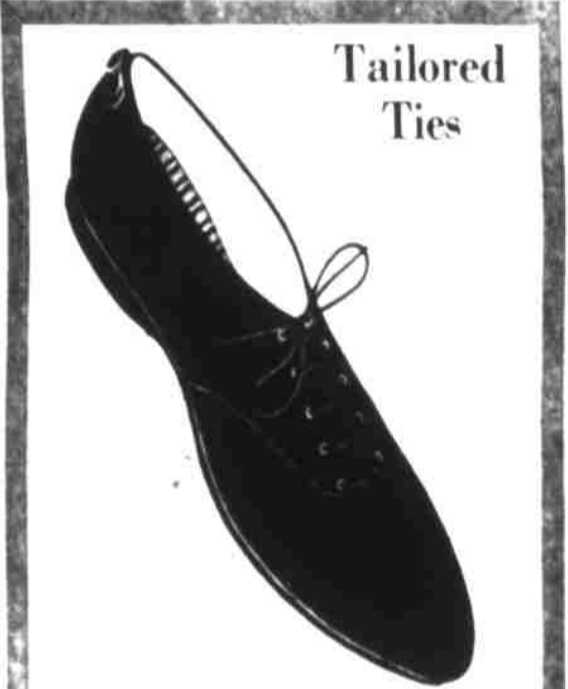
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