Secrecy, Security and Freedom

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Published by

UNIVERSITY OF ARIZONA PRESS
Tucson, Arizona
FOREWORD

The John Peter Zenger Freedom of the Press Award was inaugurated by the University of Arizona through its Department of Journalism in Tucson, Arizona, Nov. 21, 1954. The 1957 Zenger Award for "leadership in the endless battle to protect the freedom of the press and the people's right to know" was presented to James Russell Wiggins, Vice-President and Executive Editor of The Washington (D.C.) Post and Times Herald.

Former recipients include: Palmer Hoyt, Editor and Publisher of The Denver Post, 1954; Basil L. Walters, Executive Editor, Chicago Daily News and Knight Newspapers, 1955; and James S. Pope, Executive Editor, Louisville Courier Journal, 1956.

Each year the John Peter Zenger Award is presented by the University at the annual meeting of the Arizona Newspapers Association.

It is indeed extremely appropriate that those responsible for the dissemination of the news and those directly responsible for the conduct of the affairs of the University of Arizona meet together to celebrate one of the distinguished and dramatic efforts in the history of our country to maintain conditions of freedom of expression. A free press and an unhampered university system can be regarded as two of the greatest symbols that guard the outpost of liberty and point the way for a higher level of achievement in all areas of human activity.

The presentation of the 1957 Zenger Award to James Russell Wiggins honors his tireless efforts to uphold the freedom of the press. For Mr. Wiggins is more than a fighter in the endless struggle for freedom of information. He has been acclaimed as the one outstanding leader in this great, continuing battle at the national level, where his work has received special recognition.

Perhaps it is to be expected that the national scene would become Mr. Wiggins' particular field. Since 1947 he has served The Washington Post and then The Washington Post and Times Herald as managing editor and as vice-president and executive editor. An outspoken opponent of current
threats to freedom of the press, he has served as vice-president and member of the Board of Directors of the American Society of Newspaper Editors and as chairman of the society's Committee on Freedom of Information. He has been a vigorous leader in the fight against secrecy in government.

The address delivered by Mr. Wiggins upon receiving the University of Arizona's 1957 Zenger Award at the meeting of the Arizona Newspapers Association in Phoenix on January 25, 1958, is presented herein. It illuminates his continuing efforts to preserve and strengthen our American freedoms with a zeal and dedication that provides an inspiration for all of us.

RICHARD A. HARVILL

Office of the President
University of Arizona
Tucson
THE ANNUAL ceremonies which you hold here, and by which you confer upon contemporary editors your John Peter Zenger Award, appropriately emphasize that the struggle in which he took so signal a part is a never-ending and a continuing struggle.

As Andrew Hamilton said in his eloquent argument in August, 1735, the cause of John Peter Zenger was "not of small nor private concern," but "the Cause of Liberty." It was indeed a cause waged to secure "the Liberty both of exposing and opposing arbitrary power by speaking and writing the truth."

The Zenger trial, with Hamilton's bold assertion of the jury's right to be judge of both fact and law in libel cases, laid the foundation of colonial liberty, as Hamilton promised the jurors it would. In the turbulent period from 1764 to 1776, when colonial editors were even more critical than Zenger had been, juries emboldened and enheartened by the Zenger case stood between many of the 38 Colonial newspapers and royalist prosecution, and stoutly refused to indict or convict for seditious libel.
Far-reaching as were the effects of the Zenger case, no triumph in the courts or the forum, the pulpit or the press can place any right forever beyond the assault of power. Deep as our debt may be to our forefathers, we cannot inherit all our liberties from them.

In the words of Thornton Wilder's hero, George Anthropous, in *The Skin of Our Teeth*, "every good and wonderful thing in the world stands hour by hour upon the razor edge of danger, and must be fought for . . ."

So it is with the liberty that Zenger and Hamilton defended: Zenger asserted and Hamilton argued the right to know about the conduct of the government and to criticize that conduct. They fought a good fight. They secured that right in great measure in their own time. They were in part responsible for putting an end in this country to prosecutions for seditious libel which made the press, though free from licensing, still in terror of the state, and their victory contributed to the triumph of the same cause in England, where the Fox Libel Act was passed in 1792.

The struggle for liberty, however, is never-ending. Here we are, 223 years later, still confronted with the necessity of fighting for the right to criticize the conduct of government.

The challenge to that right now comes in a different form. It no longer is mainly the threat of punishment for harmless publication that the people most fear, although that threat has not by any means vanished. If Loyd Wright, the chairman of the President's Loyalty Commission, had his way, and the punishments of the Espionage Act were made operative against the press, the right might once again be rescued only by juries so sure of their course as to refuse either to indict or to convict. But this is not now the main threat.

The greatest menace is in another form. Criticism of the acts of government is being obstructed by the simple device of so concealing knowledge of what the acts of government are that there can be no intelligent criticism of policy.

As rapidly as human rights are made secure from attack in one quarter, new assaults are contrived against unexpected points of weakness. This is a quarter of the wall we have neglected to defend as strongly as it should be defended.
The right of citizens to know is a right of so many parts that it may be thus variously attacked. It consists broadly of the right to get information, the right to print without prior restraint, the right to print without fear of punishment for harmless publication, the right of access to the means of publication and the right to distribute. It can be destroyed by an attack upon any one of these rights. It happens to be an attack upon the right to get information that most threatens the right to know about government and the right to criticize it in our time.

The secrecy that has resulted from two world wars, from the cold war, from the growth of government and from the mistrust of public opinion has produced a threat to democratic institutions. Their sound functioning depends upon their response to public opinion. The raw material of that opinion is information. Where that is obstructed, public opinion cannot operate. The citizen who is fully informed expresses his own opinion; the citizen who is partly informed voices the opinion of those who determine what part of the available information is to be furnished. A government which rests upon the opinion of a fully informed people is a democratic government; a government which rests upon the uninformed opinion of citizens from whom information has been withheld by the government itself is a caricature of democratic government.

It is only recently that we have come to realize that exaggerated governmental secrecy is a threat not only to our liberties, but that it is as well a hazard to our very lives; not only a menace to our freedom, but a danger to our very survival; not only a reproach to our democracy, but a terrible threat to the very security in whose name it is invoked.

After more than a decade of the most absolute secrecy ever imposed upon the American people in time of peace, the Nation finds itself in deadly immediate military peril, in grave diplomatic difficulty and in ghastly danger of losing its place among the front rank of the nations in an age of expanding discovery in outer space. We have arrived in this awkward posture by processes intended to conceal our strength from our enemies, but which in fact have served only to conceal our weaknesses from ourselves and from our friends.
Those upon whom we so much depend for our survival—our scientists—warned us that this would happen. Let us look at some of these warnings to which our government would not and did not listen. In hearings starting on March 7, 1956, before the Information Subcommittee of the House Committee on Government Operations, a whole succession of scientists voiced their alarms at the effects of excessive secrecy.

Dr. M. Stanley Livingston, professor of physics, Massachusetts Institute of Technology, said:

"To me it seems essential that the present system of information security be revised if our country is to achieve that long-range strength in scientific and technical productivity required for survival in the modern world."

At another point, he testified:

"Almost by definition, the present system of compartmentalization of secrets restricts and handicaps progress. It is essential that we restudy the usefulness of the concept of secrecy-at-any-cost in the present complex situation. The pertinent question is whether the emphasis on secrecy stultifies progress, resulting in an actual decrease in our national security."

He also warned:

"We cannot expect that we can keep secret broad areas of knowledge without unduly restricting our own progress."

He told the committee:

"I don't mean to be facetious, but I really feel that there is a possibility that if we had no security restrictions whatsoever, we might be further ahead of potential enemies today than we are at the present. I have considered this at some length. I think it is entirely possible from the balance of risks and the speed of development point of view that it might be possible that zero security might have led to more progress."

Lloyd V. Berkner, head of Associated Universities and an eminent American geophysicist, told the Moss Committee at these same hearings:

"By 1945 the United States held unquestioned technological supremacy in both civil and military development . . . Since that time we have steadily lost ground relative to our competitors until now there is serious question whether the United States actually retains leadership in certain critically important fields of military technology. That this is so, in my opinion,
lies not so much in the faster progress of other nations as in
the slowing down of our own technological achievement . . .
In my opinion, an important aspect of this loss of supremacy
in certain vital fields of technology stems from our present
widespread practice of technological secrecy, consequent clear-
ance and security practices, compartmentalization of science
and technology and restrictive practices exercised over science
and scientists.”

Dr. Berkner listed for the committee what he called “a few
of the results of policies of excessive military security and re-
striction of information and men of science over the past 10
years.”

Here is his list:

"1. The free flow of knowledge of scientific progress on
which really important creative ideas completely depend has
been severely hampered.

"2. A sense of uneasiness has been created in discussions
among scientists.

"3. A competent scientist can be put on an important task
only after months or even years of clearance procedure.

"4. Very few scientists outside the narrow limits of a
classified project can be consulted.

"5. Some of our best scientists have been excluded from
contributing to American strength on arbitrary grounds.

"6. Our ordinary textbooks and handbooks are in many cases
10 or 15 years behind the times because so many of the ad-
vances made in these years remain classified.

"7. Scientific and technical manpower is in short supply.
The attractiveness of the scientific career to the student is so
diminished that in spite of substantial pay, the number of
those entering these professions has fallen to less than half.

"8. Much American science has been removed from the
channels of international scientific communication where more
than half of its ideas should be derived.

"9. Many friendly scientists who could contribute much to
our progress have been badly treated by arbitrary visa re-
strictions.

"10. Leading American scientists find themselves blocked
from visiting many major foreign laboratories.
"11. A sense of mistrust has been created between the public and the scientist.

"12. A sense of distrust of our policies concerning science has been engendered among scientific leaders of other nations."

Dr. Elmer Hutchisson, Case Institute of Technology, warned of another consequence of secrecy. He said:

"In a democracy, the best safeguard against mediocrity is public criticism. If Government-sponsored research work is kept secret and not put into public competition with free knowledge, the work is very likely to suffer and public funds will be very ineffectively used. It is only natural that if the stamp of secrecy is freely used, it may be used to cover up mediocrity, inefficiency, complacency and even complete incompetence."

Dr. Harold C. Urey, University of Chicago, told Congressman Moss and his colleagues that "we should recognize that all scientific and engineering knowledge can be learned by others without our help in any way . . . Secrets about such things will always be lost completely in time, and in the technically advanced countries this time is short . . . We recognize that maximum secrecy is not the optimum way to promote security."

Dr. William V. Houston, Rice Institute, agreed that "classification of what might be called basic scientific information, such as the fundamental laws of science, is really rather foolish."

Dr. Detlev W. Bronk, National Academy of Sciences, acknowledged that "there is certain information which must be restricted in the national interest, but to keep even that under wraps too long after the necessity for it has passed is restrictive of progress."

Sputnik I and Sputnik II may have surprised many Americans, but they were not much of a surprise to the scientists who nearly two years ago tried to tell the American people that secrecy was shackling American science.

Since this spectacular demonstration of our disability, the scientists have spoken again:

Even Dr. Edward Teller, writing in Foreign Affairs Quarterly, said: "It would seem to me that henceforth it is less important to keep our secrets and more important to produce additional knowledge and additional technical tools. Our se-
curity lies in speed; our allies could be most helpful in our efforts to attain it."

Dr. Berkner, also in Foreign Affairs Quarterly, cited the opportunities we had lost by clothing our atomic developments "in a shroud of secrecy imposed by our preoccupation with military security."

Dr. Chauncey D. Leake, Chairman of the Committee on Social Aspects of Science of the American Association for Advancement of Science, writing in the *Saturday Review of Literature*, asks:

"Are we not at last confronted by the tragic consequences of a false feeling of security given by authoritarian attempts to preserve 'secrets' of scientific effort? Before this bureaucratically imposed secrecy destroys what it purports to preserve, would we not be wise to reconsider it as a national policy, and try instead to restore science to its traditional free, open and democratic state, so that scientists may really help to protect and to extend those freedoms which we profess to cherish?"

He points out that only since the Sputniks "have our people had a chance to see how our own scientific progress can be retarded by interfering with the free exchange of scientific ideas."

As Walter Millis has said in his recent pamphlet, *Individual Freedom and the Common Defense*: "It is rather suddenly discovered by responsible officials, many in the armed services themselves, that our excessive preoccupation with secrecy and security is an important reason for the relative backwardness of our missile program."

Dr. V. Lawrence Persegian, dean of engineering at Rensselaer Polytechnic Institute, puts his finger right on a cause of our scientific weakness to which few public men have addressed themselves. He declared on December 15:

"The government's heavy secrecy control has discouraged thousands of the top scientists in American colleges from adding their talents to solve the key problems of the guided missile, satellite, atomic energy and other major technical projects."

President Eisenhower, in his state of the union message on January 9, came out strongly for measures to enable us to exchange scientific and technical information with friendly countries.
"We cannot afford," the President said, "to cut ourselves off from the brilliant talents and minds of scientists in friendly countries. The task ahead will be hard enough without handcuffs of our own making."

Unfortunately, the President did not say anything about other handcuffs of our own making that are preventing Americans from sharing scientific knowledge with other Americans. We need to amend, not only those sections of the Atomic Energy Act which keep us from cooperating with our allies; we need also to amend the sections of the law that keep American scientists from working with each other. The first thing we ought to do, if we wish to free American atomic science to achieve its top potential, is to strike out the sections of the law that make all atomic discoveries secret at birth. This stifling, suffocating provision has slowed the progress of science, deferred the peacetime uses of atomic energy and handicapped even our weapons development.

The Gaither Report (officially still a secret) and the Rockefeller Report have shocked the American people by surprising disclosures of the dangerous state of our defense, and the even more dangerous disadvantage under which we are going to exist if current faults are not speedily remedied.

The relative secrecy in which the Defense establishment has operated has made even more dangerous to society the historic tendency of governments to purchase current popularity at the cost of defense.

There is nothing new about it. Lecky, in his *History of England*, pointed out, in his defense of the Palmerston Ministry (1859-1865):

"One of the most serious dangers of modern popular politics is that gambling spirit which, in order to lower estimates and reduce taxation, leaves the country unprotected, trusting that . . . accidents will save it from attack. The reduction of taxes is at once felt and produces an immediate reputation, while expenditure which is intended to guard against remote contingencies and unseen dangers seldom brings any credit to a statesman. It is very possible for an English minister to go on year by year so starving the military and naval estimates as to leave the country permanently exposed to invasion, without exciting any general popular apprehension. The warnings of a few
competent specialists are easily drowned; each successive reduction of taxation produces increased popularity, and if, owing to the course of politics, an invasion does not take place, writers are sure to arise who will maintain that the event has justified the wisdom of statesmen."

If it was easy to accomplish this deception in Lecky's time, it is infinitely easier to do it now, when, on the reason or pretext of security, so much of the operation of government can be cloaked in secrecy.

Only now, in the gravity of our plight, can we see and understand how dangerous it is to confine to a privileged power elite the knowledge necessary to the formation of opinion on the soundness of defense policy. And how this danger multiplies when this elite is composed entirely of those whose professional and political future depends upon escaping criticism for the policy decisions which are concealed from the general public!

It is to be hoped that this crisis will at last persuade the American people how dangerous secrecy is both to their liberties and to their defense. It is secrecy that has denied them knowledge both of the weakness of American military power and the strength of Soviet military power. Is there any one who dares to hold the popular intelligence in such contempt as to suggest that if the American people had known of their own military shortcomings and of the Soviet gains, they would have applauded or supported policies certain to bring us to the brink of military ruin? No one dares to say it. If the people had known the whole situation, no considerations of a balanced budget or an intact debt ceiling would have calmed their clamor for actions aimed at righting the deplorable disadvantage under which we labor.

Our secrecy has frustrated the work of our scientists, complicated the tasks of our defense personnel, concealed delay and inefficiency, hidden the consequences of budgetary limitations and prevented the healthy operation of public opinion. If secrecy continues unaltered and unabated, it will end by destroying either our democratic institutions or our defenses or both.

One would like to say that surely now, after all that has happened, there no longer is any confidence in secrecy. One
would like to say that with assurance. But it is not possible to do so.

We have had proposals for increasing appropriations, for furnishing more funds for science, for education, for defense, for otherwise repairing the consequences of our secret policies. We have not yet had a forthright and frontal attack upon the secrecy that is responsible, along with parsimony, for the precarious plight in which we find ourselves. Far from it, we find naval authorities, operating under the guise of military secrecy and security, attempting to deny to the American people and the press which represents them access to experiments being carried out as a part of the non-military International Geophysical Year.

Military personnel at Cape Canaveral closed roads and other points of observation to citizens eager to witness the launching of another Vanguard rocket. In an automatic response to the witnessed failure of the first Vanguard, they tried to conceal the operations of the second Vanguard. This was as ridiculous as trying to hide an elephant under a handkerchief. But it was as ominous as it was foolish, for it showed how little had been learned, by the Navy, at least. It is not the knowledge of our failures but our ignorance of our failures that threatens us. Until military authorities and the Government acknowledge this, we are still in peril, whatever our technical advances and new appropriations.

It is by no means our military posture alone that secrecy imperils.

Our diplomacy as well is blighted by our addiction to secrecy. At the very juncture when the price of secrecy is mounting up and up, we hear voices raised in behalf of old-fashioned secret diplomacy.

This nostalgic yearning for ancient secret forms of diplomacy displays an unwillingness to acknowledge that we are not operating in the climate in which old-fashioned secret diplomacy worked. As Dr. Henry Kissinger has warned: "Diplomacy has a different function in a revolutionary international order" like that imposed by Soviet Russia. He points out that "diplomatic conferences become elaborate stage plays which seek to attach the uncommitted to one or the other of the tenders." A conference is no longer just a "struggle to find formulae to
achieve agreement,” but becomes “a struggle to capture the symbols which move humanity.” He admonishes us that by “failing to cope adequately with their psychological aspect, we have given the Soviet Union unnecessary opportunities.”

Sydney D. Bailey, writing in the British magazine *History Today*, has traced Soviet diplomacy from its beginning. He pointed out that even at Brest Litovsk, the Bolsheviks had a double and linked purpose: “to secure the best terms they could for their country and to bid for the support of world opinion.”

To attempt closed or secret negotiations with such a power is an exercise in futility. Since the Soviet press is an arm of the state and enjoys access to the deliberations which are secret to the press of all the rest of the world, there is no effective secrecy. There is only secrecy for that part of the proceedings which the Russians find it advantageous to conceal and publicity for that part of the proceedings which serves their diplomatic, political and propaganda purpose. Yet, in conference after conference we have collaborated in helping them achieve to their advantage this one-sided secrecy. And at some conferences we have even been the first to insist upon a secrecy which has kept nothing from the Russians but everything from our own people. Cautious and circumspect American briefings have diminished but not eliminated the damage.

A faithful adherence to the spirit of open conduct does not preclude the man-to-man, personal, informal contacts of every international gathering. They are often as important as the official conferences and sessions. The first steps toward the solution of many difficulties are taken at private social functions, in the cloakrooms, over the coffee-cups, in theater lobbies or cocktail lounges. Such intimate human social intercourse need not end because the public meetings are openly conducted. Nor does the open record preclude the give and take of ordinary diplomacy by preliminary conference and conversation and correspondence. What citizens have a right to ask is that statesmen conduct themselves in the spirit of the philosophy that the people have a right to know about proceedings at which their lives, their property and their country are at stake.

The right of the American people to know, of course, is a consideration of even more importance than the tactical advantages involved. Thomas Jefferson, during the Adams Ad-
ministration in urging Ambassador Gerry to disclose the XYZ negotiations, stated this right so well that it cannot be better stated today. He said: "Your fellow citizens think they have a right to full information in a case of such great concernment to them. It is their sweat which is to earn all the expenses of the war, and their blood which is to flow in expiation of the causes of it."

In the age through which we have been passing, secrecy has put us in grave peril. It will be even more dangerous to us in the age we now enter. We stand, for better or for worse, upon the threshold of a new age of science and discovery. Mankind is poised today, as it was in 1492, upon the edge of a new world. And just as the great voyage of Christopher Columbus altered everything that existed in the old world, as well as it opened avenues to the new; so will the voyages and discoveries of an age of exploration in outer space transform human society here upon this planet, as well as open up new vistas of human achievement on planets yet unknown.

With this new world, secrecy, and all like devices for confining the human mind and spirit, will be even more incompatible than they have been in the old world that is forever left behind.

The countries and the peoples who bring into this transformed and revolutionized era the outworn habiliments of the dead past will go down into the oblivion that history has ever tendered those who lack the flexibility, the imagination and the venturing spirit to meet challenges of an utterly new kind and character. Let us hope that the people who have lived longest upon the frontier may prove as adequate to the trials of frontiers moving ever outward as they have been to the troubles of frontiers moving ever westward.

To those who would fasten the bonds of secrecy upon us, in a time so filled with change and the promise of change, may we ask, as John Milton asked of the advocates of suppression and secrecy in his age:

"What a collusion is this, whenas we are exhorted by the wise men to use diligence, to seek for wisdom as for hidden treasures, early and late, that another order shall enjoin us to know nothing but by statute?"