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Committee for Constitutional Gov't
Free speech
Sumner Gerard

TREASURER AND TRUSTEE

COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC. • 205 EAST 42nd STREET, NEW YORK 17, NEW YORK

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FD.FOR ECONOMIC ED. INC
30 S. BROADWAY
IRVINGTON, N. Y.

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Dear Fellow American:

The Executive Secretary of the Committee for Constitutional Government touched off, last week, one of the greatest constitutional issues of recent years -- has Congress the power to supersede the Bill of Rights? For his refusal to admit that power, Dr. Rumely is willing to face trial and risk imprisonment, like many upholders of free speech and a free press before him. Back in 1734, Peter Zenger was imprisoned for criticizing the governor of the colony; and the public reaction to his imprisonment and trial laid the foundation for the Bill of Rights provision that "Congress shall make no law...abridging the freedom of speech or of the press..."

By a margin of 183 affirmative votes, including five which may have been illegally counted, against 175 votes, which included 42 Democrats, mostly Southern, the House of Representatives voted to cite Dr. Rumely for contempt, for his refusal to list for the Buchanan Committee the names of bulk purchasers of books and literature published by the Committee for Constitutional Government.

The majority members of the investigating committee demanded the names of these purchasers of 100 or more copies. Repeatedly, Dr. Rumely refused. Upon 25 of the 26 demands, he gave the Buchanan Committee full cooperation. Thus, he limited the issue to the important Constitutional point upon which the House had to take a stand. Debate over the contempt citation was forthright, and at times angry, when supporters of the citation endeavored to drag the discussion from the high level of a consideration of a constitutional question down to personal and smear attacks.

The Buchanan Committee has succeeded, in part, by its attacks in press and over the air, with the aid of labor monopoly commentators, in temporarily intimidating buyers, thereby reducing sales of "The Road Ahead" by an estimated 200,000 copies, and restricting sales of "Why the Taft-Hartley Law?" The July issue of the "UAW-CIO Ammunition" magazine boasts that "Book sales by the Committee for Constitutional Government have fallen off substantially since the committee's activities have had some light put on them" (by the Buchanan Committee).

How can members of the Congress reconcile tactics so destructive of a publishing business with their sworn duty to uphold the free press provisions of the Bill of Rights? Now YOU and an aroused public can distribute more books than ever before.

The error of the majority members of the Buchanan Committee rested upon the misconception that it is a legitimate function of Congress to regulate the processes by which national public opinion is formed. Thus, legitimate inquiry was perverted into intimidation and violation of citizens' elemental rights. For, if thus we can be compelled to name those who buy the books and other publications of the Committee for Constitutional Government, then some other legislative committee will have the precedent set to hale before it any publisher, commercial or non-profit making, religious or sectarian, who happens to have published matter displeasing to a majority in power.

SAMPLE COPIES OF A FEW HUNDRED TELEGRAMS SENT TO MEMBERS OF CONGRESS

COPY OF A TELEGRAM TO ALL MEMBERS OF CONGRESS

August 29, 1950

As a publisher, I am deeply concerned by the threat to my freedom should the House of Representatives vote Edward Rumely in contempt. The issue far transcends Rumely's refusal to tell an investigating committee who buys his books. This is none of my business. The issue involved is a constitutional right of any American to buy and sell reading matter without Governmental interference and intimidation.

Signed: R. C. Hoiles, Co-Publisher of:

SANTA ANA REGISTER THE APPEAL DEMOCRAT
Santa Ana, California Marysville, California

THE GAZETTE TELEGRAPH THE TAMPA DAILY NEWS
Colorado Springs, Colorado Tampa, Texas

THE AMERICAN THE JOURNAL THE TELEGRAPH FORUM
Odessa, Texas Clovis, New Mexico Bucyrus, Ohio

COPY OF A TELEGRAM SENT BY R. H. GORE, PUBLISHER, FORT LAUDERDALE DAILY NEWS (FLORIDA) TO THE REPRESENTATIVE OF HIS CONGRESSIONAL DISTRICT.

August 29, 1950

Hon. George A. Smathers
House Office Building
Washington, D. C.

To cite Publisher Rumely for contempt of Congress for standing on his constitutional rights would make a mockery of the Constitution and would seriously infringe the right of every person to criticize his government and to actively espouse change in government policy.

This is a matter which has far-reaching repercussions as it deeply involves the right of free speech in this country and freedom of the press. As a newspaper publisher I seriously request that you take a firm stand to uphold the Constitution and to protect the right of private individuals and organizations from unwarranted and illegal persecution by political forces acting under the cloak of Congressional power.

Signed: R. H. Gore, Publisher
FORT LAUDERDALE DAILY NEWS

Statement by Congressman Clarence Brown,
Member of Buchanan Committee:

COPY OF TELEGRAM SENT CONNECTICUT CONGRESSMEN

August 29, 1950

We protest vigorously at persecution of Dr. Rumely of Committee for Constitutional Government by Chairman Buchanan and his Lobbying Committee. Have we come to the point where we cannot unite to defend our Constitution and Bill of Rights without being hailed as lobbyists? Have the Socialists in Congress reached the point where they think they have already established a dictatorship? Representing some two hundred employees I urge you to use every effort to halt this outrage against our Constitutional rights of free speech and freedom of the press.

Send to the following
Congressmen
EBG/rkg c/o House of Representatives
Washington, D. C.

Abraham Ribicoff
Mrs. Chase G. Woodhouse
John A. McGuire

E. B. Callahan
Norwalk, Connecticut

John Davis Lodge
James T. Patterson
Antoni N. Sadlak

COPY OF A TELEGRAM RECEIVED BY ALL MEMBERS OF THE HOUSE OF REPRESENTATIVES FROM JAMES WRIGHT BROWN, PUBLISHER OF EDITOR & PUBLISHER

August 29, 1950

Should the House of Representatives cite for contempt Dr. Edward A. Rumely of the Committee for Constitutional Government, such action would be an invasion of the constitutionally guaranteed right of the American people to own, hire or use a printing press without interference. Vote is expected Wednesday and your stand will be of vital importance to the future of every publisher in the country.

Signed: James Wright Brown, Publisher
EDITOR & PUBLISHER

Mr. Brown of Ohio.

"This citation for contempt against this Dr. Rumely and the Constitutional Committee is here for one reason and one reason only—because a man named John T. Flynn happened to have the courage to write a book against state socialism, *The Road Ahead*. Certain people have been trying to find out, if they can, who bought these books. Well, I bought some of them myself and distributed them to a few of my friends because I believed every honest-to-God American ought to read about the danger which confronts this country."

Since the real purpose of the backers of the contempt citation and of the Buchanan Committee hearings was to stop the sales and distribution of John T. Flynn's devastating "The Road Ahead" and the condensation, you and all those receiving this letter now have it in your power to give the best immediate answer by stepping up the distribution of the Flynn book and Mc Cann's "Why the Taft-Hartley Law?" and "Compulsory Medical Care...."

The absurdity of the viewpoint under which some of the majority members of the Buchanan Committee operated is illustrated by a statement that if a doctor gave "Compulsory Medical Care...." which contains only a report on the harmful effects of state medicine in Europe, to a patient, he would be required to register as a lobbyist.

To recover fully the book sales and income taken from us by the Buchanan Committee, we must sell books and receive contributions for a total of \$250,000 during the next six weeks. This is your fight to strengthen the underpinnings of constitutional liberty for yourself, your family, your employees, stockholders and all who want to preserve personal liberty and the high scale of living which our Constitution and free enterprise system gave to America.

Only if you and others voluntarily assume part of this great educational job, can it be carried through. Dr. Rumely, at personal risk, has given this Committee's answer to the Buchanan Committee, and all those who buy books may know that their names will never be revealed.

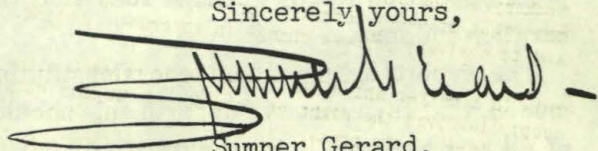
Left-wingers, collectivists and labor monopolists know that the three books that this Committee distributes, placed in the hands of enough opinion-molding individuals, can do much to stop our march into socialism. We must have tens of thousands buying or contributing in amounts of \$1, \$2, \$5, and \$10, averaging \$4 each; a few thousands for \$25 or \$50; and hundreds -- individuals and corporations -- buying books and literature in bulk quantities, up to thousands of copies.

If this is not a people's fight, it cannot be won. Every order, large or small, is important. Every day counts. Will you, under the protection of the Bill of Rights, do your part in this historic struggle to safeguard your liberty? Also, please use the order blank enclosed to enlist one other, and distribute Rumely's statement to many.

If in 1950 you have given your share or what you can afford, this is not a request to give more. Please enlist one new supporter, or buyer for "I answer Buchanan Committee Package."

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Sincerely yours,


Sumner Gerard,
Trustee and Treasurer

WALL STREET JOURNAL 9/1/50

Buchanan Committee Dangers

Successfully urging the House of Representatives to cite Executive Secretary Rumely of the Committee for Constitutional Government for contempt of Congress, Representative Buchanan declared that the press of the country "is on the receiving end of millions of pieces of Rumely's pamphlets and releases on legislative issues." Editors were therefore "entitled to know who pays for the distribution of these highly charged pamphlets."

If that is the strongest ground on which Mr. Buchanan's Select Committee on Lobbying Activities can base its efforts to turn the C.C.G. inside out, then the 183 members of the House who voted to cite Rumely for contempt are wrong and the 175 members who voted against citation are right. All the editors have known all along that the Rumely committee's doings were financed by those who believe in its self-assumed mission to fight against the economic policies of the Roosevelt-Truman re-

gime, just as they know that the tidal waves of propaganda for the so-called Welfare State that roll out of Washington are paid for by the federal taxpayers.

How or from whom the C.C.G. obtains its supporting revenue is of no consequence in comparison with the nature of the propaganda it carries on. There is no mystery about that. The Rumely organization is engaged in criticizing and for the most part condemning the policies of the party in power and the methods by which these policies are effectuated. Of the nature of this propaganda the Buchanan committee says little or nothing in its official capacity. It simply asserts the unlimited right of a Congress committee to search the records of a private organization which is under no formal charges of violating any law.

Dr. Rumely has refused to comply with Chairman Buchanan's demand that he submit the names of all purchasers

of 100 or more copies of any of the C.C.G.'s books and pamphlets. Mr. Buchanan has called this publishing business "a phony sales dodge" to conceal the financial backers of the C.C.G. who, he thinks, support it through quantity orders for its books and leaflets. The Committee for Constitutional Government asserts that its publishing ventures have on the whole been unprofitable; that its work is supported by the contributions of those who believe it is engaged in a necessary and deeply patriotic endeavor.

Justified or not, the refusal of the C.C.G. to divulge the names of its supporting contributors is easy to understand. With or without reason, its officers consider it necessary and within their constitutional rights to protect their contributors from the risk of political reprisals.

Dr. Rumely and his associates rely heavily on the first and fourth amendments to the Constitution. The first for-

bids Congress to abridge freedom of speech or of the press. The fourth declares that "the right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated," and that search warrants shall be issued only "upon probable cause, supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized."

We believe the Buchanan committee's course, now approved by a bare majority of the House members present, is objectionable and even dangerous. If it should succeed in suppressing the Committee for Constitutional Government, a federal regime could silence any expression of opinion which it disliked. Freedom of speech and press existing only by governmental permission is no freedom at all.

Fortunately, the courts will have the last word in this dispute over the meaning of the Bill of Rights.