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CHRISTIAN SCIENCE MONITOR

### Lessons from the Fortas Case

The best way for the Supreme Court of the United States to recover from the damage done by the Fortas case is for the court itself to establish even stricter rules and customs for the guidance of its members.

There should be a thorough and ungrudging disclosure of all sources of income. There should be a severance of all outside ties which might in any wise seem to make a justice susceptible to influence. There should be no further outside speaking or acting for money. And there should be an even stricter code in regard to the justices' personal life — moral, economic, social, and political.

It came as a great shock to Americans that a member of the high court could and would act as did Associate Justice Abe Fortas. Although there has been widespread discontent on the part of many over a number of recent court decisions, there was, at the same time, a strong and touching confidence on the part of the American people that, personally, the justices were above taint of this nature.

In a democracy such as America's, it is of the utmost importance that a court, which wields

so monumental an influence over the lives of more than 200,000,000 persons, be unquestionably above suspicion. Doubt on this score can be a corrosive, eating into the heart of the nation's trust in its system of government and this system's highest public servants. And there is no time in American history when, given the present-day disaffection of so many young people and so many members of minority ethnic groups, the country could less afford a weakening of confidence in one of the three top branches of government.

In a certain sense the whole Fortas career on the high court was a mistake. His appointment by President Johnson had strong personal and political motivation behind it. And President Johnson's later attempt to elevate Justice Fortas to Chief Judgeship ended in tragedy, when a Senate filibuster brought it to naught because of senatorial unhappiness over Justice Fortas's continuing political role with the White House.

This chapter is now closed. The Supreme Court and the Country can learn needed lessons from it.

**Editor Rider's Note:** One more

### Two Federal Grants Assure Building for Community College

Fred Steel Jr., Co-chairman of the Coastal Plains Regional Commission last week announced approval of a \$125,000 grant to help expand the Lenoir Community College.

The student body is drawn from Lenoir, Jones, Greene, and other eastern North Carolina counties. In addition to a two-year college program, the curriculum includes adult education and occupational training.

The Department of Health, Education and Welfare is making a \$135,000 grant for the project. Lenoir County will provide \$77,500 to complete the \$337,500 total cost.

The college's board of trustees is the applicant for the Commission's funds. They will be used to help construct a two-story, 16-classroom building on the campus at Kinston.

Special courses are conducted to help employed workers upgrade their skills and to train the employed for jobs in new and expanding industries in the area.

thing; the senate could be more careful about giving its approval to justices!

### Carleton Putnam to Daniel P. Moynihan

JOHN J. SYNON

Some weeks ago *Time*, the slantwise news magazine, ran a piece on race in which it quoted Nixon as having said that a person's intelligence is formed "largely" by his environment.

And because the President's man on Urban Affairs (i.e. race), Daniel P. Moynihan, was involved in the story, the unflagging Carleton Putnam wrote Moynihan a letter. Putnam wanted an understanding of what was meant by "largely."

In time, Putnam receive a now-you-see-it-now-you-don't response, but not from Moynihan. It came from one of Moynihan's handy men; a brush off.

But Carleton Putnam doesn't brush.

So, the man who built an airline wrote Moynihan a second letter, a copy of which is at hand. In part, it went, so:

"... I have never disputed the fact," Putnam wrote (as politely as a surgeon preparing to open one's innards), "that environment plays an important part in the realization of potential ability and character... Environment does not, however, alter potential. I would say that the most profound, damaging and dangerous misunderstanding in our society today is the assumption that poverty and inequality are primarily the result of social injustice. The primary cause resides in genetic differences in potential human capacity, both individually and racially.

"The preaching of the opposite of this truth over a period of 40 years by our scientific hierarchy, our educational establishment, our religious leaders, our politicians and our mass media is at the root of most of our national and international problems, today. It has given the Negro an imaginary grudge against the White man, and the White man a false sense of guilt toward the Negro with its related attitude of appeasement and permissiveness, which in turn has spread intraracially throughout our homes, our schools and our courts."

"The emphasis has been totally wrong," Putnam continues, "and the consequences are approaching a national disaster. The essence of the American dream was a fluid society in which ability and character at the bottom could rise to the top; it was never intended to be a society in which the bottom, regardless of either ability or character, could permeate and dominate the top, lowering its standards, flouting its

laws, draining its substance and initiating the obvious current decline in our civilization.

"Everything therefore which tends to further the fallacy — such as Nixon's statement that intelligence is largely formed by the environment — is to be regretted. The best evidence today, as you know, is that 80 per cent of the final product is inborn.

"(In reply to your remark that there still is 'a good deal of controversy' about these issues, I must point out that while we indeed hear debate about an exact measurement here, or a fine point there, no controversy can be sustained as to the side on which the overwhelming preponderance of the existing evidence falls, nor can there be any justification whatever for basing all our public policies on the assumption that the opposite of this evidence is true.

"... The one thing our people need most today is to be led out of this slough of fawning self-abasement in which we wallow and in which excellence feels forever obliged to surrender to its opposite. It is destroying moral courage throughout our society.

"And I might add that nothing is more certain to increase trouble than cowardice toward the troubles you already have."

That was the end of the letter. And I would urge friends of this column to re-read the excerpts I have given for, in my opinion, the words of Carleton Putnam are understandable, and as truthful as were ever strung together on the problem that is rapidly making a shambles of this nation.

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