

CORNELL RESEARCH IN CIVIL LIBERTIES.

I. PURPOSE AND VALUE.

The purpose of this proposal is to provide facilities for focussing the attention of competent scholars upon the problems of civil liberty, and to provide them where possible with the aid necessary to permit them to record, analyse, and appraise the management of civil liberties during the war and the post-war period. This was not done effectively during the last war and, without some direction and stimulus, is not likely to be done during the present war. The study of civil liberty problems has until now been left almost exclusively in the hands of the "crusading" organizations, whose work, while valuable and often effective, cannot claim to be objective.

Competent and impartial scholars can render at least three very valuable services by carrying on studies in the field of civil liberty. First, they can actually influence government policy and its administration by placing at the disposal of responsible public officials reliable information, objective analysis, and soundly supported recommendations. There is ample evidence that this sort of aid is sought and utilized. It commands respect and acceptance by reason of its objectivity.

Second, work done on a scholarly level in the field of civil liberty serves to inform entire brackets of educated citizens who would not otherwise be familiar with civil liberty problems, and whose interests and viewpoints keep them from reading the liberal weeklies or the bulletins of the American Civil Liberties Union. This educational process helps to convince these substantial and respectable citizens that civil liberties are not the exclusive concern of radical minorities.

Third, the studies here proposed would provide the indispensable groundwork upon which any adequate and scholarly history of Civil liberties in World War II would have to depend. Such a history ought to be written, but the task would be beyond the competence of any one scholar unless adequate studies of special problems and situations were already available.

II. PROGRESS TO DATE OF WORK IN CIVIL LIBERTIES.

Since the proposed CORNELL RESEARCH IN CIVIL LIBERTIES would carry forward with increased effectiveness activities in the field of civil liberties which have already been started, the results accomplished so far may be summarized. These activities have gone on under the auspices of the Special Committee on Civil Liberties created in 1942 by the Social Science Research Council under the chairmanship of Robert E. Cushman, of Cornell University.

A. AN OUTLINE OF RESEARCH IN CIVIL LIBERTIES.

This Outline has been planned and partially drafted. It will have the widest possible coverage, including every phase of the civil liberty problem. It will be broken down into divisions and sub-divisions. Topics and problems will be listed on which research, on various levels, might effectively be done.

The Outline will list the major organizations and agencies which either deal with or control civil liberties, or which are collecting files, publishing materials, or otherwise accumulating records valuable to the scholar.

Studies now going on in this field, or presently planned, will be listed as fully as possible.

Outlets for publication of studies of various types will be indicated when possible.

B. RESEARCH PROJECTS LAUNCHED OR PLANNED.

1. The Administration of the Problem of Conscientious Objectors During the Present War.

This study has already been organized and is well under way under the direction of Dr. Mulford Q. Sibley of the University of Illinois. A limited sum of money has been made available by the Committee on Government of the S.S.R.C. to aid in carrying on this project.

2. Alien Enemy Administration in World War II.

Substantial progress has been made in laying the groundwork for a major study in this important field. The project would be carried out either by or in cooperation with the Special Assistant to the Attorney General who is now in charge of the most important phase of the work. There is an opportunity here to bring about the recording and appraisal of one of the most important and successful administrative enterprises in the civil liberty field.

3. RESEARCH IN THE THEORY OF CIVIL LIBERTY.

Scholars agree that there is need for the reexamination of the underlying theories upon which our civil liberties rest. These studies would be both historical and philosophical. In this area the Special Committee on Civil Liberty has been cooperating actively with the Panel on Political Theory of the Committee on Research of the American Political Science Association. Promising beginnings have been made here. A doctoral dissertation in this field of theory is already well along and is being done by a graduate student at Cornell University under the direction of Professors George H. Sabine and Robert E. Cushman.

C. INDIRECT AND INTANGIBLE RESULTS OF THE WORK THUS FAR DONE.

The work so far accomplished has been attended by results of a somewhat indirect and intangible sort, but which are believed to be highly valuable as [^]laying the foundation for concrete results in the future.

One by-product has been the establishment of a network of contacts and mutual acquaintance amongst scholars working in the field of civil liberties. In some cases these men have been brought together in conferences; in other cases they have been made aware of their mutual interests by correspondence. The resulting interchange of ideas and mutual aid by scholars working in the same or related fields lays the groundwork for cooperative scholarship in the best sense.

Out of this network has emerged a situation in which the chairman of the Special Committee on Civil Liberties finds himself acting as a sort of clearing house through which knowledge of what is going on or ^{being} planned by scholars in the field is made generally available. Within the last month at least four studies in the civil liberties field have come to his attention. Some of these overlapped so that the men involved were brought into contact with each other for readjustment of their fields of effort. In one or two cases the projects were of such a nature that financial aid seemed desirable, and advice at least could be profitably given.

A minor by-product has been the ability of the chairman of the Special Committee to aid in placing manuscripts of articles for publication in professional journals. At least five valuable studies have been published in law journals or political science journals as a result of these contacts.

III. PROGRAM FOR FUTURE WORK.

A. COMPLETION OF THE OUTLINE OF RESEARCH.

This will be done during the present year.

B. ENCOURAGEMENT AND SPONSORSHIP OF FURTHER RESEARCH IN THE CIVIL LIBERTY FIELD.

As has been pointed out there is already in existence in a modest way a nuclear network of contacts and acquaintanceships among scholars interested in civil liberty problems. The results here are cumulative,

On this foundation much effective work can be planned and executed. New studies can be set up in areas not yet adequately explored. A number of such studies are already under active consideration and with some stimulation and planning can be gotten under way. This can be much more effectively done if these studies are not regarded as wholly isolated but can be made to appear to the scholars interested in them as plugging the gaps in a broadly conceived program covering all of the more important phases of the civil liberty field. Needless to say many such studies can be set going if there is available some financial support to underwrite modest needs in the way of clerical assistance and travel.

No definitive list of such proposed studies can be set forth but the following tentative list may serve the purpose of indicating some of the areas in which work needs to be done.

1. The management of wartime restrictions on freedom of speech and press - patterned after Chafee's study of the same problem in World War I.
2. Postal censorship and freedom of the press.
This is one of the sorest spots in the entire civil liberty picture. Progress toward a sound solution of the problem depends upon study and reappraisal of the whole situation.
3. Censorship - military and political
4. Civil liberty and military authority in time of war.
Many of the old landmarks in this area are gone. This is an intensely challenging problem.
5. Religious liberty.
An increasingly complex and acute group of problems.
6. Freedom of opinion inside the government.
Problems here are highlighted by the activities of the Dies Committee and the Kerr Committee. Loyalty tests for officials.

7. The denaturalization of naturalized citizens.
8. The tremendously important program of the Civil Liberties Section of the Department of Justice in providing positive and aggressive government aid to citizens whose civil liberties are invaded. This interesting situation and program has attracted virtually no attention and has not been studied by any competent scholar.
9. Problems of race discrimination during the war. These are numerous, varied, and acutely important.
10. International aspects of the civil liberty problem. Civil liberties in occupied areas. The program of the American Law Institute for an International Bill of Rights, etc.

Many other topics could be added to this list. It is clear that studies in this field should be encouraged not only for the value which would attach to the individual studies themselves, but also because they would cumulatively aid in providing the foundation necessary for any adequate HISTORY OF CIVIL LIBERTY IN WORLD WAR II.

IV. PROPOSED BUDGET

Research and clerical assistance	\$2,300
Office supplies, postage, books, bulletins, pamphlets, etc.	200
Travel	800
Research assistance to scholars	2,700
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	\$6,000

This budget is proposed as a yearly budget for a period of three years.

The following comments may be made on the items listed above:

The item for office supplies and material is designed to permit the purchase of such fugitive materials, serials, and miscellaneous publications as are necessary to aid in enlarging the range of contacts and bring in information as to current activities.

The item for travel is important. Experience shows that much of the information needed in planning and executing projects in this field can be secured only by personal conference. It is impossible to get any adequate and useful information from any of the Government Bureaus or Offices by correspondence. It is necessary to go to Washington and talk to these men. Money to make this possible enormously facilitates the progress of the work.

The amount of money which can be spent in underwriting special research projects is difficult to estimate in advance. It is possible that the sum suggested is greater than could be spent within any one year. At the same time, if money in moderate amount is available, it may make the difference between being able to organize a particular project and not being able to do so.

It would be desirable to have funds unspent at the end of any year carried over into the following year with the understanding that all unexpended balances would

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revert to the Foundation at the end of the three-year period. |

The items in the above budget estimates should be regarded as flexible to a reasonable degree so that if necessary, funds could be transferred from one item to another. |

