

CORRESPONDENCE

COPYRIGHTS AND WRONGS

To the Editor: Erwin Knoll's article "Our 'Model T' Copyright Law" (*The Reporter*, March 10) is both interesting and accurate and constitutes a very informative piece. There is room for disagreement, however, with Mr. Knoll's interpretation that the problem of protection of performers is a "major" issue at this time.

I believe you have performed a most useful function in presenting this story to your readers.

GEORGE D. CARY
Deputy Register of
Copyrights
Washington, D.C.

To the Editor: Changes in methods of disseminating, storing, and communicating information in the last few years have made it very important that consideration be given to revising our archaic copyright law. I cannot emphasize too much the need for action in the copyright field.

Mr. Knoll's article is important in exploring the need and bringing it to the attention of a wider audience.

L. QUINCY MUMFORD
Librarian of Congress
Washington, D.C.

To the Editor: Despite the importance of the issues presented by the bill to revise the copyright law, they have so far received comparatively little attention except from those directly affected. Mr. Knoll's article is, therefore, doubly welcome for its splendid analysis of an extremely complex and important problem, and for its introduction of your readers to the issues involved.

It is also apparent that Mr. Knoll read broadly and with understanding in this field. Only one point raises a question which may puzzle the reader who is familiar with the technical provisions of the bill and mislead the reader who isn't. This relates to the question of protection of sound recordings. At the hearings I made statements to the effect that although I am sympathetic with a public performing right in sound recordings, I doubt that there is any present chance for enacting a bill recognizing such a right. Mr. Knoll apparently inferred from this that the bill grants no copyright protection to sound recordings, but this is not the case. The bill actually breaks new ground in recognizing as copyrightable subject matter the contributions of performers and producers of sound recordings, and protects them fully against the unauthorized reproduction and sale of records. What the bill does not afford (and what I was addressing my remarks to) is an additional exclusive right to control the use of copyrighted records (as distinguished from the compositions on them) for broadcasting, discotheques, etc. This is an extremely controversial issue and one that

is probably going to take a good deal of time to resolve.

The Subcommittee of the House Judiciary Committee, under the able chairmanship of Congressman Robert Kastenmeier, held hearings over a period of three months last year, and is now giving intensive consideration to the bill. Although there are certain to be amendments, I am encouraged with the progress made toward working out fair solutions to the remaining problems.

Thank you for running this fine article.

ABRAHAM L. KAMINSTEIN
Register of Copyrights
Washington, D.C.

THE SOVIET TRIAL

To the Editor: George Bailey's analysis of the role of Sinyavsky and Daniel ("The Trial of Two Soviet Writers," *The Reporter*, February 24) is a masterly one. I am delighted that *The Reporter* has given his analysis such a wide public hearing.

PHILIP E. MOSELY
Columbia University
New York

EDUCATION IN KENYA

To the Editor: In what seems an otherwise excellent report ("The Transformation of Jomo Kenyatta," *The Reporter*, March 10), Clyde Sanger makes a misleading comparison between the Lumumba Institute in Kenya and Kivukoni College in Tanzania, suggesting by the comparison that residential adult education for civil servants has failed in Kenya.

Mr. Sanger might have mentioned the College of Social Studies at Kikuyu, Kenya. Like Kivukoni, the College of Social Studies (which is the residential adult education division of University College, Nairobi, and is partly funded by a grant from the Carnegie Corporation) is an institution of "high reputation . . . benefiting a wide group of . . . party workers, trade unionists, and teachers," among others. Like Kivukoni, the College offers courses in English, African history, the nature of East African society, economics (including the study of African socialism), and so on—for a student body whose members will perform important functions in the development of the nation. Adult education in Kenya is really a lively affair.

ARTHUR S. KRIVAL
Assistant to the Dean
University Extension Service
University of Wisconsin
Madison

BEN BARKA'S BITE

To the Editor: For anyone with a taste for thrillers or an interest in either French or Moroccan affairs, Claire Sterling's "The Ben Barka Affair" (*The Reporter*, March 10) was a distinct disappointment. In her choice of facts to be included as well as the interpretation she gave the ones she did choose,

it is plain that the author has swallowed an explanation that the facts had to be made to fit.

This explanation is based on the premise that the solution to the mystery lies not in Morocco but in France. "Thus, as far as Morocco is concerned, the case appears to have been closed ever since it opened," Mrs. Sterling writes. It couldn't just possibly be that, knowing the real story and the degree of their own involvement, those in the highest positions in Morocco have every reason not to wish to discuss it?

MARGARET FORSYTH
St. Paul, Minnesota

To the Editor: Claire Sterling's fascinating account of the Ben Barka affair is by far the best published in the U.S. magazines I have read. The prime consideration in such operations is not to get caught at it, and the French security agents and police were astonishingly clumsy. A mark of their desperation when exposed was the recourse, probably officially inspired, to rumors implicating that international whipping boy, the Central Intelligence Agency.

Americans living in Europe can derive some satisfaction from the discomfiture of the old moralist de Gaulle, now that his own government's immorality has been exposed.

RICHARD RENNEF
Geneva

'IN COLD BLOOD'

To the Editor: Bravo! John Kenneth Galbraith came through just as I had decided there would never be a sensible word about "That Book" (*The Reporter*, March 10). His analysis is concise, perceptive, and accurate.

ELLEN H. BURTON
U.S.A.F. Academy
Colorado

Solution to

THE REPORTER

Puzzle #143

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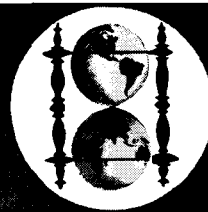
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THE REPORTER'S NOTES

The Scholarship Virus

Perhaps it all began with the Bomb. Atomic scientists and mathematicians felt that their responsibility to mankind would have to be extended into political action if their discoveries were not to be misused; and ordinary mortals were so awed by the power of science that scientists were respectfully listened to on every subject under the sun. The result has been a twenty-year plague in Washington of what might be called "scholaritis."

The latest case came to our attention in the long lead story of the *New York Times* on March 21, headlined "EXPERTS ON CHINA URGE U.S. TO SEEK A PEKING ACCORD." "198 academic experts on China" had signed a document recommending that the administration make five basic policy changes to establish diplomatic, cultural, and trade relations with Communist China and end our resistance to Peking's membership in the United Nations. A full inside page was devoted to the text of the recommendations, interpretation, and a list of the signers' names.

This is the kind of display the *Times* usually gives to events of momentous significance, and the news probably was considered as such by the paper's readers. What stopped us in our tracks, however, was not the statement of principles or the merits of the recommendations—both of which have been and will be widely debated—but the inference throughout the *Times's* reportage that, as it said, "a large group of scholars on Asian affairs" had placed their authority behind the document. The signatories all belonged to the Association for Asian Studies, which has a membership of 3,375. Could there really be that many "China experts" in the country? We decided to inquire.

The genesis of the document, it turned out, was in several peace

organizations. Dr. Harold Taylor, former president of Sarah Lawrence College, whose fields of academic expertise are assured to be education and philosophy, and Mrs. Betty Goetz Lall of Cornell's School of Industrial and Labor Relations, a disarmament specialist, helped prepare the statement as an initiative of the National Research Council on Peace Strategy, a small "communications liaison" body associated with the Institute for International Order of New York City. A third group, Turn Toward Peace, mimeographed and mailed the document, and a fourth, the Council for a Liveable World, circulated it in Washington. To "learn the views of a group considered among the most knowledgeable" on United States Relations with Asia, the statement was sent to members of the Association for Asian Studies, who were asked for their opinions.

Some three hundred replied, of whom 198 endorsed the document, and Dr. Taylor and Mrs. Lall released the story to the press. As the *Times* pointed out, among these were eminent China experts, such as John K. Fairbank of Harvard and Alexander Eckstein of the University of Michigan; there were also a curiously large number of anthropologists, some professors of religion, economics, and assorted subjects, including library science, a high-school teacher, and professional men. Some names bore no academic references. Were they too "China experts" and "scholars," as the *Times* repeatedly stated?

At the headquarters of the Association for Asian Studies in Ann Arbor, a spokesman was deeply distressed. The association's name should not have been used in the news stories, she told us. It had nothing to do with the policy recommendations. Its membership included experts on China, but also about a thousand graduate students and many persons who, whatever

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their eminence in their own fields might be, were in no sense "China experts"—almost anyone, in fact, who cared to apply and pay \$15 dues. She was worried that unauthorized use of the association's name in a political cause might jeopardize its tax exempt status.

We then spoke to a sampling of the signers whose identification in the *Times* did not seem to jibe with the paper's description of the "198 academic experts on China." For example, Harold E. Hill, associate professor of Old Testament language and literature at the Indiana School of Religion in Bloomington, said that while he had a particular interest in Far Eastern religions, his knowledge was more cultural than political and he signed not as a Sinologist but because he thought the statement sound. Edward P. Gottlieb, principal of PS 165 in New York and chairman of the War Resisters League, had no specific link with Asian scholarship, but signed on "moral and spiritual" grounds.

But soundness of principle is not the issue here. While other leading newspapers on March 21 gave top play to such an event as the merger of three New York dailies, relegating Dr. Taylor and Mrs. Lall's document to brief mention, the *Times* built the release into major significance by giving it inordinate prominence and a largely spurious authority. This is not just an acute case of "scholaritis"; this is irresponsible journalism.

Batman for Governor!

This slogan on a bumper sticker is one Alabamian's reaction to the May 3 Democratic primary. In addition to Lurleen (Mrs. George) Wallace, whom we wrote about in our last issue, there are ten other candidates, six of them reasonably well known throughout the state. But since the Voting Rights Act swept aside literacy tests and Negro registration more than doubled to 225,000, politicians have had to change their pitch. Even former Governor John Patterson veils his segregationism by calling himself "a proven defender of our rights."

Former Representative Carl Elliott, who appears to be running a strong third behind Lurleen Wallace

and Patterson, and another former governor, James E. ("Kissin' Jim") Folsom, are appearing before Negro audiences soliciting votes for the first time in Alabama politics. And Attorney General Richmond Flowers, a one-time segregationist, has practically written off the white vote. He is given little chance unless virtually all registered Negroes vote, and vote for him.

The impact of the Negro vote on the state-wide contest will almost certainly be dissipated by this confusion, and by the fact that the main Negro effort is going into eighty-six local candidacies. Negroes now have potential voting majorities in seven counties where they scarcely used to vote at all. The idea of Negro sheriffs has roused Black Belt whites into meeting the Negro campaigns with stiff efforts of their own. Negro leaders suggest the governors primary doesn't really matter to them since the local offices have more impact on civil rights.

Alabama politics won't stop in May this year. There are two more forces to be reckoned with. Negroes impatient with the whites who run the Democratic Party are moving to organize independent third parties. They will be holding mass rallies after May 3, preparing to put up local candidates and take advantage of further registration.

The second force is the Republican Party, which won for Barry Goldwater in 1964 and will be fielding many local candidates this year. Given the Democrats' pre-election battle and the state's aversion to the National Democratic Party, Representative James Martin, the certain GOP candidate, may well edge out Batman and all the others in the gubernatorial contest in November.

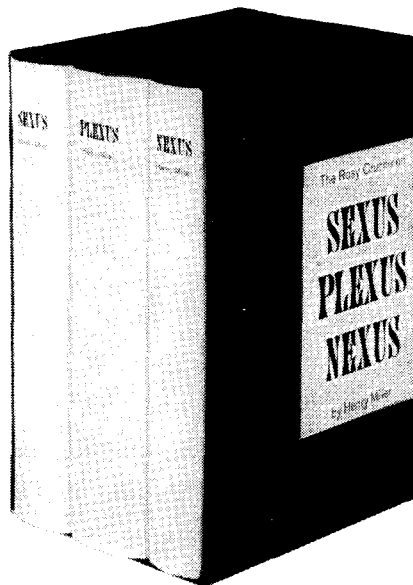
Traffic Jam

In a study for a Presidential advisory commission, the research firm of Arthur D. Little, Inc., has suggested that the District of Columbia simply halt all of its major road-building plans and begin anew by thinking small, planning highways as need arises, "rather than making massive, irrevocable commitments."

The Little firm went on to question the ultimate goals of the nation's Interstate Highway System,

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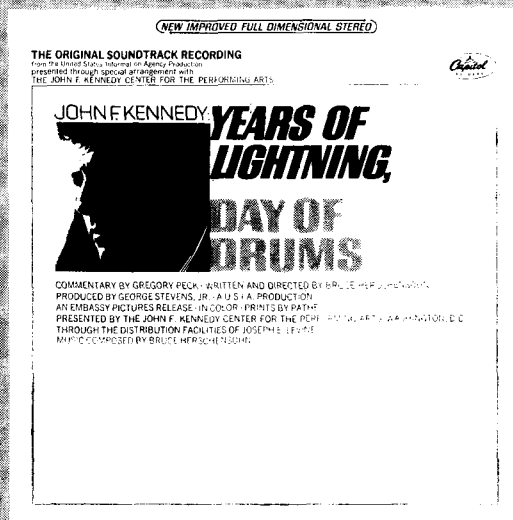
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which it said was guilty of relying on "computerized data processing rather than planning . . . This has led to a search for false certainty. Social and aesthetic costs and benefits should not be forced into equations."

The Little staff noted that "A rising level of aesthetic awareness, together with a rising demand that urban amenities be preserved, make the . . . present schedule for completing the Interstate System [by 1972] unrealistic . . . resistance to Bureau of Public Roads standards, viewed by many as an ukase, is increasing sharply in the urban areas."

Resistance? Rebellion, rather, seems the mood of urban politicians who are spurning the offers of ninety per cent Federal aid for Interstate highways. In New York, the proposed Lower Manhattan Expressway, part of a highway master plan for twenty-five years, is out as far as the Lindsay administration is concerned. Under a state-Federal formula of aid, the city would have paid only \$220,000 towards the expressway's cost of \$100 million.

The San Francisco Board of Supervisors has turned down \$300 million in Federal funds to build two freeways to connect with the Golden Gate Bridge. What's more, a sizeable segment of public opinion favors tearing down some existing sections of freeway. In New Orleans, citizens' groups are protesting Interstate Highway No. 10, which will cut off Jackson Park and most of the Vieux Carré from the Mississippi River. And in Cambridge, Massachusetts (home of Arthur D. Little, Inc.), Boston's Inner Belt highway is scheduled to bisect the residential area, but only after eighteen years of local opposition.

The Interstate Highway Program, described by President Eisenhower as "the greatest public works program in history," completed half of its 41,000 scheduled miles late last year. Now its bulldozers are bogged down in, of all things, aesthetics and other human considerations. "It appears now that the target date for completion will have to be extended slightly," Federal Highway Administrator Rex Whitton said on March 17. This period of suspended animation may be a good time to rethink



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the whole lop-sided pattern of American transportation: "Presumably," the Little report says, "there is one day in 1980 for which all Interstate Highways are to be designed without regard for their under-use before that day or their obsolescence thereafter."

Revolutionary Idea

Now that criticizing American foreign policy has become such a popular pastime that it is even displacing reruns of *I Love Lucy* on the home screen, perhaps this is the moment to give some attention to an idea that Professor Aaron Wildavsky of the University of California's Political Science Department facetiously presents as a solution to some of our problems abroad. He calls it the Theory of Pre-emptive Revolution.

We should, he says, pick out "the three most hopeless countries in Latin America, in Africa, and in Asia . . . whose extraordinary dearth of natural resources is matched only by the virtually total incapacity of their populations . . . such sinkholes that billions of dollars would disappear . . . without producing a molecule of visible improvement." Then we should instigate and finance Communist revolutions in these countries, with the reasonable expectation that when the Communists take over they will immediately throw themselves upon the bosom of Moscow.

This, the professor predicts, would put the Soviets in the uncomfortable situation (now so familiar to us) of having to bear the huge expense and impossible task of supporting the new régimes while earning only the resentment of their protégés. If the Soviets refused, their pretensions to leadership of the underdeveloped world would be exposed.

Meanwhile, the developing countries, instead of taking the United States for granted, will find themselves worrying a great deal about us. We will be in the enviable position of playing hard to get, while the more prosperous countries, fearing the plight of their new Communist neighbors, will look to us for salvation. And think of the money we'll save!

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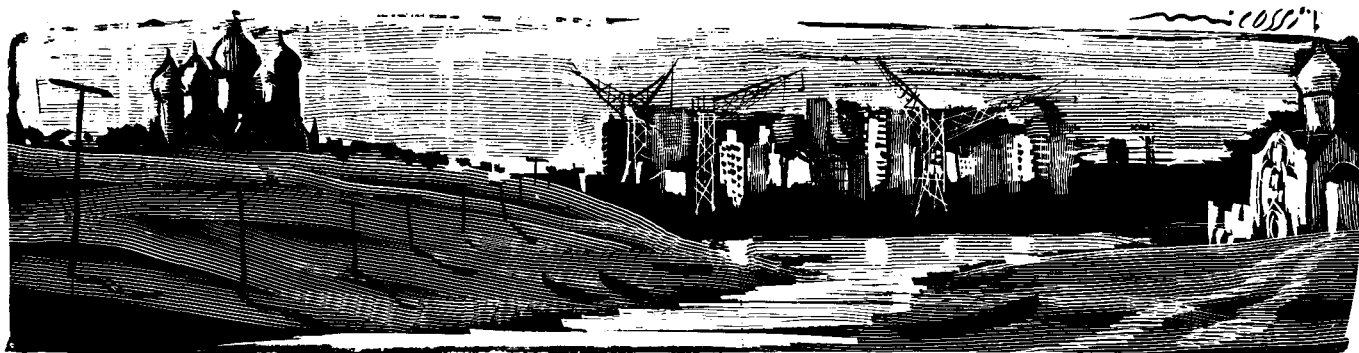
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Cultural Exchange

As the Soviets Use It

GEORGE BAILEY

THE NEW Cultural Exchange Agreement with the Soviet Union was reached after only ten days of negotiation—in remarkable contrast to the forty-six days of desperately stubborn hassling that were required to conclude the one of 1964-1965. When that agreement expired on December 31 the Soviet government showed a distinct disinclination even to discuss a new one until the bombing of North Vietnam had ceased—if then. Before the expiration it had abruptly canceled the Russian engagement of *Hello, Dolly!* and followed up by refusing to accept six American writers and artists scheduled to go to the Soviet Union under the Exchange Program and by canceling the American tours of Soviet writers and artists.

When presented with the new agreement, the President, who had been understandably nettled by the capricious and oblique behavior of the Soviets, was at first unwilling to authorize its signature on the part of our government unless a clause could be inserted guaranteeing that each party could cancel the whole program upon unilateral violation of one of its features. He did not lack good reasons for this guarded attitude, but finally, reassured by the State Department lawyers that any binational deal of this kind can

be voided when there is an act of non-compliance on the other side, he decided two days later that there was no harm in giving the pact a trial and having it signed as it was.

Paying the Price

From the very beginning, the Exchange Program with the Soviet Union had proved to be at best a thorny by-product of coexistence that we were eager to accept. But the fact that the Americans were anxious to build a bridge between American and Soviet culture put the Soviet Union at an advantage. For their curiosity to know more about life in a totalitarian state, the Americans had to pay a price. The first Exchange Program, the so-called Lacy-Zarubin Agreement, was signed in January, 1958, after almost a year of intermittent negotiations. The delay was due mainly to the reluctance of the Russians to enter into a program at all. Molotov had rejected outright the idea of establishing United States reading rooms in the Soviet Union, calling them "spy centers." There was also apparently a genuine lack of interest: "Cultural exchange—bah!" said one Soviet official. "We send you our Jews and you send us yours!"

This was before Sol Hurok succeeded in persuading the Soviets

that substantial sums of hard currency could be earned by sending concert artists and groups on tour in the United States. Midway in the second Exchange Program (1960-1961) the Soviets had perceived the advantages of exchange and had defined their goals, namely: to gain as much scientific and technical knowledge as possible, to propagandize the American public and nongovernmental institutions, to increase trade and obtain credits, and, above all, to promulgate their own brand of peaceful coexistence as a basic tenet of international behavior.

For their part, Americans wanted to learn as much as possible about the Soviet Union in virtually all fields, to broaden contacts and thus "open up Soviet society." In order to co-ordinate and control the development of exchange, a Soviet and Eastern European Exchanges Staff was set up in the Department of State. This staff advises and sometimes warns various private organizations dealing with the Soviet Union, particularly the three chief sponsoring and administrative organizations: the Inter-University Committee on Travel Grants, the American Council of Learned Societies, and the National Academy of Sciences. In August, 1961, the Soviet Union established its own bridge-