

to attack our policies, but we carry their attack in the United States mails. Thus "the freedom of the mails" is being used against us for enemy propaganda.

In this Country there are today thousands of deportable aliens. In most cases proceedings against them have been completed and they have been ordered deported. But their native country will not accept them, or ships are not available.

We allow them to go free, and they are now pursuing their normal way throughout the Country. Some are known criminals. Some have openly advocated the overthrow of our government. Again, the constitutional protection we have thrown around our citizens is being used to thwart our mobilization for defense.

On the other hand, there was in the last war a great deal of thoroughly unwarranted red-baiting, spy-hunting and other harassment of foreigners and persons suspected of being enemy sympathizers. Much of this was conducted by the Federal Government itself. Some of it was justified; some of it was not. One of the great criticisms growing out of our civilian handling of the last war was the Federal Government's policy in dealing with the problem of aliens born in an enemy country and United States citizens who were born in such countries.

There are in this Country today millions of first and second generation Germans and Italians whose loyalty to our Government and our free institutions is unquestioned by all right-thinking men. It is essential that their property, their liberties and their loyalty be defended by the Government just as it is essential to ferret out and punish the spurious and unworthy among them.

Let us not have a recurrence of the hysterical spy-hunting of the last war. Let us rather take a leaf from the notebook of Great Britain whose civil liberties depend not so much upon legal limitations as upon a great sense of responsibility, moderation and fairness on the part of their governing officials from the top down to the local magistrate.

In this business, lawyers must take the leadership. Some way must be devised whereby the constitutional safeguards thrown around us for our own protection will not become a boomerang to expose us to our enemies. Other ways must be devised to give more complete protection than was had before to the rights and the feelings of those millions of good Americans whose roots lie deep in what is now, or may become, enemy territory.

It does seem somewhat of a reflection on our system that at a time when everything should be subordinated to defense, we find some people using technical legal rights in a way that delays defense preparation. For example, the construction of a great modern roadway system, with access to defense plants, may be held up because of the law delays in obtaining rights-of-ways. The lawyer's resourcefulness is needed to find the way to protect the citizen in his right, and at the same time, to give speedy action when the Nation needs results. If more arbitration and less procrastination is the answer, the lawyer should know it and call for it, until the emergency is over.

To enable our State to cooperate with the Federal Government and the other States in the National Defense Program, and to care adequately for the