Pres. Bennett, Ralph K.
Pres. Thomsen, (Judge)
Pres. Hawke, John

counter-espionage apparatus."

There is a precedent for the CIA stand. Perhaps the most germane case is *United States v. Patricia J. Reynolds*, a civil suit involving privilege, which went to the Supreme Court in 1952. There, Chief Justice Fred M. Vinson upheld the Government's right of privilege in denying the use in court of documents pertaining to a military-plane crash because the documents contained secret information on equipment aboard the plane. Chief Justice Vinson's decision noted the difficulties of the question.

"Judicial experience with the privilege which protects military and state secrets has been limited in this country," his decision began. ". . . Nevertheless, the principals which control the application of privilege emerge quite clearly from the available precedents. The privilege belongs to the Government and must be asserted by it." But, the Chief Justice wrote, "it is not to be lightly invoked."

For Judge Thomsen then, an important legal problem has emerged from the drab cocoon of a routine civil suit. The right of privilege is "in the public interest." It may well be in the public interest to destroy a man's reputation if that man, as a spy, is a public enemy. But it is also in the public interest that every individual be able to defend himself. This is the dilemma that confronts Judge Thomsen.

—RALPH K. BENNETT