

projects. And the report gives detailed consideration not only to the technology of antipollution efforts but to what might be called antipollution politics.

In an introductory section on legal, legislative, and institutional problems, the attitude which governed the committee was set forth as follows.

"Although the many scientific and technological problems of pollution are complex and challenging, their solution may well be less difficult and time consuming than those associated with public policy and institutional patterns. Pollution occurs largely because certain activities alter the environment to the detriment of other activities. When the deleterious effect of pollution is borne

by someone else, the pollutor has no economic motive for eliminating the cause, and may not be greatly influenced by other motives. There must, therefore, be public action to protect those affected by the harmful consequences of pollution. This action typically involves both legislation and institutional responsibility."

This emphasis on the politico-legal aspects of the problem does not mean that technological questions have been slighted. Five of the eight appendixes, in fact, deal with these: pollution processes in ecosystems; criteria, instrumentation, and monitoring; the transport system; the residue situation—current and future; and pollution abatement

technology. And with this double emphasis, the academy report is probably the best introductory antipollution handbook now available.

The NAS report follows by a few months publication of *Restoring the Quality of Our Environment*, a report of the environmental pollution panel of the President's Science Advisory Committee (*Science*, 19 November 1965). The PSAC report covers much of the same ground as the NAS report. But while the title of the PSAC report suggests a battle for a lost cause, the Academy report's title, *Waste Management and Control*, implies an effort to make the best of things. In fairness it should be noted that the PSAC committee rec-

Speaker Ban: Suit Asserts a "Right To Listen"

The American Association of University Professors (AAUP) is hoping that a pending court test of North Carolina's amended "speaker-ban" law will establish, once and for all, the principle that members of an academic community have a "right to listen."

On 31 March the president of the student government and other student leaders at the University of North Carolina at Chapel Hill brought suit in the U.S. District Court at Greensboro against the university's board of trustees; its president, William Friday; and the acting chancellor of the Chapel Hill campus, J. Carlyle Sitterson.

Joining as plaintiffs in the suit are two ultra-leftists whom Chancellor Sitterson refused to permit to speak on campus, though recognized student groups wished to invite them—and did invite them for off-campus appearances in March (*Science*, 1 April 1966). They are Herbert Aptheker, an avowed Communist and director of the American Institute of Marxist Studies, and Frank Wilkinson, who has been chairman of the National Committee to Abolish the House Un-American Activities Committee and who once pleaded the 5th Amendment when asked by a California legislative committee whether he was a Communist (Wilkinson has been identified as a Communist in sworn testimony by two undercover agents of the FBI). Chancellor Sitterson has twice denied the two speakers the right to appear, the last time by his decision of 31 March, which led immediately to the suit. On the other hand, Sitterson has agreed to permit two scholars from Iron Curtain countries to speak on campus, and at U.N.C.'s Raleigh campus, Chancellor John T. Caldwell has approved a speaking invitation to Gus Hall, chairman of the Communist Party of the United States.

As enacted by the North Carolina General Assembly in 1963, the speaker-ban law prohibited the appearance on state-owned campuses of "known communists" and persons who have pleaded the 5th Amendment in loyalty investigations. As amended last fall, the law delegated to the boards of trustees of state institutions the author-

ity to decide whether speakers in the above categories should be allowed to speak. However, the law was amended only after the boards of trustees—as part of a compromise intended to settle the speaker-ban controversy—had adopted a speaker policy proposed by a special study commission which Governor Dan Moore had named. The policy said, in part, that the appearance of speakers of the kind the speaker-ban law had proscribed should be "infrequent" and would be acceptable only when it would serve "educational purposes."

The suit, on which an early decision seems unlikely, contends that the amended speaker-ban law and the trustees' policy meant to implement the law would deprive U.N.C. students and the two speakers, Aptheker and Wilkinson, of constitutional rights. In addition to alleging denial of Aptheker's and Wilkinson's right to freedom of speech and "equal protection," and of Wilkinson's right to invoke the 5th Amendment without being penalized for doing so, the suit asserts that the U.N.C. students have been denied their right to listen to speakers of their choice.

It will be argued that in *Lamont v. Postmaster General*, decided in 1965, the Supreme Court already has pointed the way to a further ruling that the 1st Amendment protects the right to listen as well as to speak. Lamont protested that the Post Office Department had no right to refuse to deliver third class mail from Communist nations, containing their propaganda, unless he wrote a postcard requesting delivery. The Supreme Court found in Lamont's favor. Justice William Brennan observed that "it would be a very barren marketplace [of ideas] with all sellers and no buyers."

The North Carolina Conference of the AAUP is raising money to support the suit. The AAUP's national organization is now considering whether to file a supporting "friend of the court" brief and to assist in other ways. "We hope for a decision establishing clearly the right of members of an academic community to listen to speakers they choose to invite," an AAUP spokesman said earlier this week.—LUTHER J. CARTER