

PUBLISHERS TOLD OF CENSOR PERIL

Editor Cites Prosecution in
Pentagon Papers Case

By HENRY RAYMONT

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TUCKER'S TOWN, Bermuda, May 1—A new threat of censorship is rapidly spreading as the Government continues to seek prosecution of the publishers of the Pentagon Papers and as private groups attempt to suppress books on sexual education, the association of American Publishers was told today.

Speaking to a packed audience in the Castle Harbour Hotel on the first day of the association's annual meeting, Kenneth D. McCormick, senior

consulting editor of Doubleday & Co., urged his colleagues to abandon any assumption that recent Supreme Court rulings have insured the constitutional guarantees of free expression against further assaults.

"At a moment when freedom of expression would seem to be guaranteed to all," he said, "we must face the fact that it is not."

Harassment Charged

Mr. McCormick, chairman of the association's Freedom to Read Committee, cited the Justice Department's investigation of Beacon Press of Boston, the publishing arm of the Unitarian Church. Beacon Press has issued a four-volume edition of the Pentagon study of the American involvement in Vietnam. The material was released by Senator Mike Gravel, Democrat of Alaska.

"This would seem to us to be an unprecedented harassment of a religious organization

as well as against free expression," Mr. McCormick said.

He also urged the association to counter what he called a nationwide campaign by two private groups to have state legislatures reverse the Supreme Court rulings that protect books of "socially redeeming values" as a way of suppressing works they consider to be pornography. The groups were identified as Citizens for Decent Literature and Morality in Media.

The "socially redeeming value test" was first enunciated in 1957 when the Supreme Court ruled in *Roth v. U. S.* that all ideas "having even the slightest redeeming social importance" were fully protected by the First and Fourteenth Amendments.

In 1966, in the so-called Fanny Hill case (*Memoirs v. Mass.*) the Court found that in order for a work to be considered obscene three factors had to coalesce — it had to appeal to prurient interest in

sex, contain patently offensive material and be "utterly without socially redeeming value."

Recalling that such states as Connecticut and California had repealed New York, New Jersey, Connecticut and California had recodified their obscenity statutes incorporating the Supreme Court's three-pronged test, Mr. McCormick noted that only last February Citizens for Decent Literature and Morality in Media successfully promoted a bill before the New Jersey Legislature removing the socially redeeming value test and that a similar bill was now being considered in Albany.

Urging the publishers to take more vigorous action in fighting the two private groups, Mr. McCormick said that the association's secretariat, together with the American Library Association and the American Civil Liberties Union, had beaten back another attempt to change obscenity statutes in Connecticut.

The McCormick report was

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the high point of a day in which more than 300 publishers representing 80 per cent of America's book industry met here for a three-day session that will also examine financial trends, problems of copyright, and postal rates and publishing standards.

The troubles of Beacon Press continue to arouse indignation at a private session this afternoon when a group of publishers gathered to hear a 20-minute tape-recorded statement

by Robert Nelson West, president of the Unitarian Universalist Association.

Contending that in moving against the publishing house through a grand jury investigation the Justice Department had subpoenaed the Unitarian Church's entire membership rolls and financial records, Mr. West said:

"We can reach no other conclusion than that the over-all intent of the subpoenas and the investigation by the Gov-

ernment is to create fear, to have a chilling effect upon our denomination and our people and other religious bodies and other groups and individuals in the country who might be inclined to engage in activities which might constitute dissent from Government policy."

After hearing the tape, W. Bradford Wiley, chairman of the association and of John Wiley & Sons, shook his head in disgust and said, "It's just hair-raising what they've done with those people."