

HUAC: Inquiry into Peace Movement Has Ramifications in Academia

The summer carnival produced by the House Un-American Activities Committee in Washington 2 weeks ago may have helped Joe Pool, who chaired the affair, in Texas, but it produced little information about its ostensible subject—subversives in the peace movement. At the end, the committee announced that a number of its subpoenaed witnesses—members of a “Maoist” group known as Progressive Labor—were communists. But the committee members and anyone else who had bothered to acquaint himself with the movement’s literature already knew that; and the witnesses—unlike past subjects of HUAC’s inquiries—were anxious to proclaim it.

About 50 people were thrown out of the hearing room for disorderly conduct. Arthur Kinoy, a New York lawyer, was seized by marshals and arrested while arguing with the committee on behalf of his clients. The seven other lawyers, including John Pemberton, director of the American Civil Liberties Union, walked out. In addition, the hearings threatened to spark a momentous separation-of-powers conflict between Congress and the judiciary when a federal judge temporarily upheld an ACLU request that the committee be enjoined from holding them. The restraining order was later overruled by a three-judge court which is now considering whether to proceed with hearings on the basic issue of HUAC’s constitutionality. (Oral argument in the Stamler case [*Science*, 23 July 1965; 13 May, 1966] has been scheduled for 22 September in the U.S. Court of Appeals for the Seventh Circuit. But if the hearings raised important questions about the future of HUAC, they also raised questions of relevance to the academic community.

Perhaps most important, from the point of view of the academic community, is the news that HUAC, which has rarely strayed far from the universities in its communist-hunting, is still on the trail. Among those to be subpoenaed for the recent hearings was Stephen Smale, 36, a professor of mathematics at the University of California, Berkeley. Smale, who was co-

chairman of Berkeley’s Vietnam Day Committee last fall, is generally considered to be one of the outstanding mathematicians of his generation. His anti-war activities included attempts to block troop trains carrying soldiers to points of embarkation for Vietnam. His mathematical achievements are in the field of differential topology. (They are described in an article in the May 1966 issue of *Scientific American*.) Smale left Berkeley in May to give a series of lectures at the universities of Bonn and Geneva, and never received his subpoena. At the time it was issued he was en route to the meeting of the International Congress of Mathematicians in Moscow, where he was a co-recipient of the Fields Medal, the world’s highest award in mathematics—a prize frequently called the “Nobel Prize” of mathematics—for his theorem concerning regular maps of the sphere.

Smale’s name, along with others, was released to the San Francisco *Examiner* prior to the hearings—in violation of the committee’s own rules for the protection of subpoenaed witnesses. The *Examiner* ran a headline: UC PROF DODGES SUBPENA; SKIPS U.S. FOR MOSCOW. Informed of the facts by Smale’s colleagues, the *Examiner* retreated, stating in an explanatory account the following day that “a headline in yesterday’s *Examiner* . . . was open to an incorrect inference that he had gone to Moscow to avoid the subpoena issued by the committee.” Subsequently several hundred professors, chiefly from the Berkeley faculty, sent a petition to Congress protesting “the unprincipled attack” on Smale. “We protest also,” the statement continued, “the . . . unconstitutional invasion of freedom of opinion and respectfully urge that the subpoenas be withdrawn and the hearings canceled.”

(From Moscow the New York *Times* reported last week that Smale was among the mathematicians at the meeting who attempted to induce its participants to condemn U.S. involvement in Vietnam and the HUAC inquiry. According to the *Times*, a formal petition regarding Vietnam drawn up by mathematicians from the U.S., France,

North Vietnam, and elsewhere would not be presented to the meeting for formal adoption “because of strong resistance to involving the scientific congress in internal politics.” At the time of the report, no decision had been reached regarding the introduction of another resolution attacking HUAC. Later in the week it was reported that Smale had evidently gotten into trouble with Soviet authorities for commenting during a press conference with Western newsmen that Soviet intellectuals were discontent with their inability to speak out on political topics as he was doing. He also compared U.S. involvement in Vietnam to Soviet intervention in Hungary. According to the Associated Press, Smale was summoned from the press conference to attend a meeting with Soviet officials of the mathematics conference. From there he was “hustled to a car by several men who acted like Soviet policemen” and taken to the headquarters of Novosti, a news and publicity agency, for a private interview. According to the Associated Press, Smale was later returned to the mathematics meeting, saying he had been uneasy about the encounter but had been treated politely. An account in the New York *Times* quotes Smale as saying “It seemed to be a rather rude attempt to keep me from talking with Western correspondents.”)

HUAC is foraging in the universities in another way also, having subpoenaed from several institutions membership lists of campus organizations that have opposed the Vietnam war. According to Robert J. Harris, professor of law at the University of Michigan (one of the cooperating institutions), “there is a substantial likelihood that if a university should contest such a subpoena in the courts . . . they would hold the subpoena invalid” on the ground that such lists are protected by the First Amendment. “If we are to avoid a repetition of the McCarthy era,” Harris continued in a letter to the New York *Times* last week, “our universities should take advantage of the bulwarks the court has created to protect academic and political freedom. It is critically important that major universities take counsel together now and join in a common effort to resist this effort to still the voices of dissent on their campuses.” Considering the fact that universities have traditionally been the first targets when opposition to political dissent has developed, Harris’s counsel may be well worth heeding.

—ELINOR LANGER