

National Campaign by Students Gives Witchhunt Early Setback

YOUNG SOCIALIST

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No Vote for Racist, War-Making Parties; Vote Socialist in '64

By Barry Sheppard

During the mayoralty campaign in San Francisco last fall, Sam Jordan, a Negro, ran as an independent opposed to the Democratic and Republican parties on a program of Freedom Now. A group of San Francisco young people who consider themselves to be socialists, called the DuBois Club, supported a "liberal" Democrat by the name of Shelly against Sam Jordan. The DuBois Club did all kinds of leg work for the Democrats to help get this white liberal "friend of the Negro" elected.

At the end of February and the beginning of March the DuBois Club helped organize the famous demonstrations at the Sheraton Palace hotel against employment discrimination. This demonstration forced the hotel to open 1500 new jobs to non-whites, against the strong opposition of Mayor Shelly. Shelly tried to smear the demonstrations by red-baiting the DuBois Club itself.

The same kind of thing happened in the last presidential elections, when all kinds of liberals, the Communist Party, Socialist Party, all supported the Democrats and Kennedy on a "lesser of two evils" or "peaceful coexistence" theory or even out of the mistaken belief that the Democrats really are for peace and freedom. Then the Kennedy administration invaded Cuba (and the liberal Democrat to end all liberal Democrats,

Stevenson, was caught with his pants down, lying for U.S. imperialism in the U.N.), attacked South Vietnam, helped install military regimes in South America, blockaded Cuba, and threatened total war, prosecuted the Communist Party, and Advance, got exposed as the racist rulers of racist America north and south by the explosion in the Negro movement, etc.

This pattern of support to the Democratic party by those who desire change and progress in America goes back almost 30 years. In the 1930's the Communist party, the Socialist party, the labor movement, and most Negroes in the north were sucked into supporting the Democrats, the "friends of the people." The net result of this policy is that the Democratic party is further to the right than it was 30 years ago, and the labor movement and Negro people have been politically emasculated.

Another presidential election campaign is coming up this year. With the DuBois Club, the Communist Party, the Socialist Party and others like the Students for a Democratic Society once again try to channel radical and militant youth, the labor movement, and Negroes into supporting the Democrats? Probably. What will be their slippery arguments in favor of the Texas cracker and his party?

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Lessons of Bloomington Civil Liberties Fight

By Ralph Levitt

Now that the initial and very significant, though not final, victory in the Bloomington "Sedition" case has been achieved, stu-

dents interested in the maintenance of civil liberties should consider how that victory was possible. Lessons can be drawn and applied to future witchhunt attacks of a similar nature.

In the weeks prior to the March 20 hearings, the Bloomington press, reflecting the opinion of the "responsible" and influential section of the citizenry, made a sharp turn toward condemnation of Hoadley and the indictments of the three YSA officers and in favor of free speech. This laid the groundwork for the decision to declare the anti-subversion law unconstitutional.

So obvious was this development that Prosecutor Hoadley waived that public opinion had turned against him and caused him to lose the case. Hoadley indicated that the defendants, through their nation-wide campaign of publicity and fund-raising, had called so much attention to this case that it became necessary for responsible citizens to oppose it, out of respect for the very reputation they wished the town to maintain.



INDIANA DEFENDANT. Just a few days before the trial in Bloomington, Tom Morgan explained his case to 500 Los Angeles City College students. His talk coincided with a free speech fight there. (See story, p. 4)

On March 20 an almost audible sigh of relief could be discerned going through America's academic and civil-libertarian community. Hundreds and even thousands had waited anxiously for the news from Bloomington, Indiana, where the arguments in the now-famed "Sedition" case were being presented.

To the surprise and joy of these many supporters and fighters for the Bill of Rights, Monroe County Judge Nat U. Hill overturned the indictments against the three I.U. student officers of the local Young Socialist Alliance and ruled the 1951 "Exterminate Communism" Act unconstitutional.

There was nothing hidden about the relief of Ralph Levitt, Tom Morgan, and Jim Bingham who for eleven months had lived under the threat of imprisonment up to six years, for allegedly "conspiring" to overthrow the governments of the United States and the State of Indiana. The students had, almost from the day of their first indictment last May, been touring the colleges of the United States to convince American students of their stake in the fight against the

Bloomington Big Brother and the 1984 which took a swipe at Hoadley and the reputation he was giving Bloomington. The Bloomington Star Courier noted the stream of letters descending on the town from all over the country denouncing the indictments and urging dismissal of the case.

The seriousness of Hoadley's witchhunt to students everywhere, and the need not to let down guard even with the March 20 victory, were brought home March 25 when the prosecutor announced that he had received the permission and cooperation of "my good friend, Eddie Steers," the Indiana state attorney general, in appealing Judge Hill's decision to the Indiana State Supreme Court. Those interested in Hoadley's witchhunt, it was shown once more, were not only backwoods politicians like himself nor were they confined to the neanderthal wing of the Republican Party.

An overturn of Judge Hill's decision would mean that Hoadley could then try to reindict the students or anyone else whose ideas he thought "subversive" — and with increased impunity.

For this reason, the Committee to Aid the Bloomington Students is continuing in existence until the defeat of the 1951 thought-control act is conclusive. (Funds to keep the Committee going and to pay for the \$3000 in remaining defense costs should be sent to C.A.B.S., P.O. Box 213, Cooper Station, New York City, 10003.)

On the Monday prior to the hearings, Daniel T. Taylor III, trial lawyer for the three indicted officers of the I.U. Young Socialist Alliance, issued subpoenas to eight persons including Hoadley and landlord Harold Wilkes. Hoadley had previously declared that he would try the defendants on the basis of a conversation overheard in a private apartment and taped by Wilkes.

Taylor also demanded that Wilkes present in court the tapes, the recording devices used, and the pamphlets he had taken from the apartment. Hoadley had said he intended to use this illegally obtained literature to convict the students for the ideas of socialism. The pamphlet "evidence" included simple educational material such as "Why Can't Everyone Have a Job?" and some of them dated back to 1948.

The effectiveness of the defense campaign in putting the Bloomington power structure on the spot was indicated in editorials in the local Herald-Telephone on March 6 and 7 which criticized Hoadley's entire conduct in office. This paper also reprinted a letter and an editorial from Los Angeles, California,

which took a swipe at Hoadley and the reputation he was giving Bloomington. The Bloomington Star Courier noted the stream of letters descending on the town from all over the country denouncing the indictments and urging dismissal of the case.

On March 20 the courtroom was crowded with pro-defendant listeners from all over the Midwest and as far away as New York. Besides Indiana University, Carleton College (Minnesota), the University of Wisconsin, the University of Minnesota, and several schools from the Chicago area were represented. Dr. Clark Foreman, director of the Emergency Civil Liberties Committee which provided constitutional counsel. Leonard Boudin for the defendants, was present along with Boudin. A heavy contingent of I.U. Law College students, the parents of Bingham and Levitt, and the press were present. Students and profs skipped classes to attend.

Boudin began a firm dissection of Hoadley's indictment. This lasted an hour. He pointed out that Hoadley's reckless conduct of the prosecution made it appear that he intended to try the defendants for something other than what they had been indicted; that he intended to try the YSA officers for what they believed (socialism as explained by Marx, Lenin, and Trotsky), rather than for what they did on the dates mentioned in the indictments.

Boudin charged that the anti-Communist act which Hoadley was using was itself unconstitutionally vague; that the indictment was vague on the same ground; that

(Continued on Page 4)



Ralph Levitt



Leonard Boudin

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'Cuba Travelers Broke No Law'-Phillip Luce

By Phillip Abbott Luce

In support of the fight against the unconstitutional ban on travel to Cuba, the Young Socialist invited Phillip Luce to write this article.

Last June a group of 59 young Americans went to Cuba to see for themselves what was taking place on that island. We returned in late August and three of us were later indicted by a federal grand jury. We were charged with having gone to Cuba, having returned from Cuba and "conspiring" to get other people to go to Cuba. If we are convicted we face 15 years in jail and fines of \$20,000 each. We have not yet come to trial and it is doubtful if a trial will take place until next fall.

Motions to dismiss our case will be argued in the Brooklyn Federal Court sometime soon. The federal judge will then be forced to decide whether or not we have committed a "crime" for our trip to Cuba. If he decides that the indictment against us is "constitutional," then a trial date will be set.

Worthy Case

The basis for our motion to dismiss the case came about in part as a result of the recent decision in the case of William Worthy. Worthy, a reporter for the Baltimore Afro-American, originally lost his passport after making a trip to China in the mid-fifties without State Department approval. After unsuccessfully fighting in the courts to get his passport back, Worthy went to Cuba in 1961 without it. Upon his return to the U.S. he was indicted and convicted in a lower court of having violated the Travel Control section (1185) of the McCarran-Walter Act, (Section 1185, which is also the basis of our indictments, requires American citizens to have "valid passports" to leave or enter the country in time of war or national emergency.)

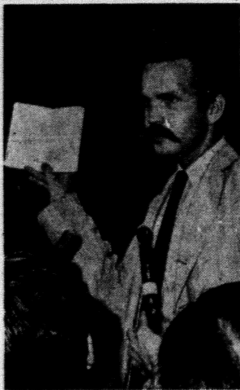
The Fifth Circuit Court of Appeals in New Orleans unanimously ruled that Worthy had not violated any constitutional law by his returning from Cuba without a passport. The verdict in effect strikes down the entry restrictions of section 1185. In declaring this part of the law to be in violation of the citizen's rights and therefore unconstitutional, the court wrote:

Re-entry

"The government cannot say to its citizen, standing beyond its borders, that his re-entry into the land of his allegiance is a criminal offense, and this we conclude to be a sound principle, whether or not the citizen has a passport..."

The decision also quotes from the Supreme Court ruling in 1957 in the Kent-Briehl case. Justice William Douglas at that time wrote that "The right to travel is a part of the liberty of which the citizen cannot be deprived without due process of law under the fifth amendment... Freedom to travel is indeed an important aspect of the citizen's liberty."

When the Appeals Court quoted extensively from the Kent-Briehl decision and ruled on behalf of Worthy, the judges failed to carry their logic to its ultimate point. They noted that, if Worthy had



Phillip Luce

been convicted for leaving the United States, they would have had no difficulty in reaching a decision to uphold his conviction.

The court has freed Worthy but has cleverly evaded the central issue of the freedom to travel. The decision strikes down the re-entry section of statutes 1185; therefore, we contend that this section of our indictments should also be thrown out.

In Hartford, Conn., Louis Zemel has sued the State Department for permission to travel to Cuba without special "validation" of his passport by the Department. In a two-to-one verdict, a special three-judge federal court rejected his suit, but the dissenting judge's opinion adds weight to our con-

tention that any ban on travel is unconstitutional. The Zemel case will be appealed to the Supreme Court.

Judge Smith noted that he was "unable to find in either 211a or 1185 any basis for the area restrictions in the regulations proclaimed by the State Department." He went on to say that section 1185 "was designed to control exit and entry over our borders in time of national emergency by preventing arrival or departure without a valid passport."

Smith's argument shows there is no legal basis for the travel ban. He cuts through State Department garbage and writes: "The language of 1185 says nothing about empowering the Secretary of State to restrict travel to certain foreign areas. Rather, it says that no citizen shall attempt to enter or leave without a valid passport. It requires a truly remarkable feat of judicial gymnastics to construe this statute narrowly as a grant of power to invalidate passports for travel to certain countries."

He deals a blow to the government's contention that a travel ban implements our foreign policy objectives: "... [the Supreme Court] implicitly rejected the notion that the Executive had inherent power to curtail individual freedom to travel abroad... Congress has made no determination that there is an overriding need for area restrictions."

Judge Smith's opinion is an important part of our argument that the indictments against us should be dismissed. Indeed, if he is correct — that Congress has passed no law regarding area restrictions — then the basis for the indictments against us is invalid.

Facts Behind War in Vietnam

By Russell Stetler

That there is a war in Vietnam is now common knowledge; that American troops are in fact involved in combat there has penetrated even the most unceptive minds. Over 125 American soldiers have died there; and a Royal Air Force pilot was killed in a recent bombing raid.

The commitment of foreign troops to South Vietnam arises, we are told, from SEATO's declared "protection" of that area.

Russ Stetler is Chairman of the May 2 Committee which is organizing a demonstration against the war in Vietnam on Saturday May 2nd at 1:00 P.M. at 110 St. & Central Park West, New York City.

The implications of this analysis have become increasingly evident in the past few weeks. The United States is seriously considering sabotage and bombing of industrial sites in North Vietnam. As the war grows larger the prospect of containing it diminishes, and the possibility of its escalating into a nuclear war increases.

The real causes of the war can be deduced from available (even if somewhat concealed and suppressed) statements and information. Philippe Devillers, a French scholar who lived for some time in Vietnam, wrote, "The point of view of most foreign governments, especially in the west, is that the fighting going on in South Vietnam is directed from Hanoi... It leaves out of account the fact that the insurrection existed before the Communists decided to take part, and that they were simply forced to join in. And even among the Communists, the initiative did not originate in Hanoi, but from the grass roots, where the people were literally driven by Diem to take up arms in self-defense." [our ital — Ed.]

The Communists Devillers refers to are not North Vietnamese invaders; they are people living in the south who joined others already involved in the struggle against the suppressions of American-backed Ngo Dinh Diem. (The "Viet Cong" — the term used by Americans for anyone who opposes their dictators — is simply short for "Vietnamese Communists.") The opposition group is the Liberation National Front, composed of former resistance workers, intellectuals who crave freedom of expression, political and religious leaders persecuted by Diem, and peasants who have suffered under the U.S.-sponsored regimes.

Formed in 1960

Formed in December 1960, the LNF held its first Congress in February 1962, which was attended by over 100 elected delegates from all over the country. Its ten-point program combines land reform and democratic action with a moderation reminiscent of the Geneva agreement of 1954 in facing the important international issues. The LNF calls for "the establishment of a neutral area in Indochina, comprising South Vietnam, Cambodia, and Laos, the three countries to enjoy full sovereignty and independence." Any economic aid would be acceptable as long as "no political conditions are attached."

Although Ho Chi Minh's native army repelled the Japanese invasion during World War II and declared the independence of Vietnam, the former French colonial masters reasserted their claims and a new war followed. The U.S. joined in support of the French and by the war's end counted for 80% of the opposition to Ho. Nonetheless, the Vietnamese won their war without a single airplane or tank.

According to the July 1954 Geneva agreement, Vietnam was

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Jay Garnett, Editor Dave Goodwin, Circulation Manager

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Youth and Vietnam

Students concerned about the war of annihilation being carried on in Vietnam by the United States have an opportunity to fight it by supporting the candidates of the Socialist Workers Party in the coming election campaign.

The most effective manner in which to protest the war is to work politically against its authors. It is nothing more than one more manifestation of the over-all policy of the Democratic-Republican government. The cold-blooded shooting of Panamanians and the vicious attacks against civil-rights demonstrators in the United States are simply other manifestations of the same colonialism and neo-colonialism which includes the Vietnam war. Therefore, any protest which accepts the basic postulates of U.S. capitalism (as the Student Peace Union did) or concedes the right of the capitalist government to draft and to "defend" itself — but only wishes to modify the way in which Democratic-Republican policy is carried out — is self-defeating.

The fight against the war policy emanating from Washington cannot be effectively fought by individual actions. No matter how fervently one is opposed to the genocidal terror of U.S. imperialism in Vietnam, individualistic acts such as conscientious objection can only lead to victimization of individuals by the government.

The forthcoming election gives an opportunity to protest the war in a social manner. No student should have illusions about "peace" candidates who want to "work within" the Democratic or Republican party. Votes for such candidates at most suggest to the rulers of America that they carry out their crimes in a less open manner, rather than protest the crime itself.

Only a campaign calling for the complete and total break from the Democratic and Republican machines by the working people and Negroes and for the formation of a party of the working people and the Negroes can be a campaign for peace. Such a campaign is being organized by the Students for DeBerry and Shaw. By supporting the campaign and winning votes for the Socialist Workers Party in 1964, every student can maximize his effectiveness in protesting the Vietnam War.

to be divided down the middle on the 17th parallel. Ho's army withdrew above it, the French below it. In 1956, territorial integrity was to be restored by means of a free, general election to unite both sections under common leadership.

The U.S., however, refused to sign the agreement and moved fast to prevent reunification. It established Ngo Dinh Diem — financing storm troopers through the CIA at a tune of \$3 million a year — and forced the French to withdraw their forces. Most of the \$2 billion the U.S. granted to Diem from 1954 to 1961 went for military expenditures. Vietnames industry declined; unemployment rose to 58 percent; and the U.S. turned the half-country into a military base.

Diem passed a law in November 1959 to legalize suppressions; it provided the secret police with traveling gullionettes. The police sought to exterminate Communists, we are told. But, as *New York Times* correspondent Homer Bigart once remarked, "Generally, Communist guerrillas are indistinguishable from peasants."

Because of the lack of success in annihilating its opponents, the U.S. took a new look at the situation. Vice President Johnson visited Saigon in the summer of 1961. He announced the "Staley-Taylor" plan to concentrate the population into strategic villages for "security" reasons. Soon the first 5000 American "advisers" arrived. The number quickly expanded to 15,000. The cost of maintaining these forces is between \$1- and \$1,500,000 a day.

Vietnam's most recent history is better known: the massacre of Buddhist demonstrators in Hue; the immolation of monks and students; and the coups, removing first Diem and then his general Duong Van Minh. The latest military despot, General Khanh, is es-

entially no different from the others.

The war has not changed. It is still fought with toxic chemicals banned at the Hague 57 years ago. Relocation centers are still concentration camps. There are still myriad political prisoners. The war is still an internal struggle, the independence fight maintained independent of outside direction or supply. Of the weapons captured from the liberation fighters, less than 2 percent are from the Sino-Soviet bloc countries. The main battle area of the war (the Mekong delta) is 600 miles from North Vietnam.

The South Vietnamese people are engaged and committed to the end in their struggle against colonialism and imperialism.

YSA LOCALS

- BALTIMORE: c/o Roger Shepard, 1503 Park Ave.
- BERKELEY-OAKLAND: 2333 Fulton, Berkeley.
- BOSTON: c/o Horowitz, 433 Portland St., Cambridge 40
- CHICAGO: Rm. 210, 302 S. Canal, Chicago
- CLEVELAND: c/o E.V. Debs Hall, 5927 Euclid Ave., Rm. 23
- DENVER: Perdue, c/o Taplin, 1450 Corona.
- DETROIT: 3737 Woodward, Detroit 1
- LOS ANGELES: 1702 E. 4th St.
- MADISON: c/o Roberts, 508 W. Johnson St.
- MINNEAPOLIS: c/o Jones, 801 20th Ave. S.
- NEWARK: c/o Newark Labor Forum, Box 361
- NEW YORK CITY: 125 4th Ave.
- PHILADELPHIA: c/o Ted Fagin, 3925 Pine St.
- SAN FRANCISCO: c/o Walker, 1488 Fulton
- SEATTLE: c/o Lee Mayfield, 2627 Yale East, Seattle

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Letters To The Editor

To the Editor:

The following information may be of interest to readers of the Young Socialist, particularly those in the Detroit area.

The Detroit Young Socialist Alliance and the Socialist Workers Party are co-sponsoring a Socialist Seminar Weekend. The education will begin at 8 p.m. on Friday, April 24 and will continue until Sunday.

Jack Barnes, midwest organizer of the YSA, will talk Friday on "How Socialists Fight for Civil Liberties." He will draw on past experiences in defense work in the radical and labor movements and will draw the lessons of the recent victory against the Bloominghought witchhunt.

On Sat., April 25, Howard Packard of Chicago will lead a discussion on "Science and Social Change." Robert Lenox and Rosetta Fleming, two young Negroes, will discuss aspects of the Negro struggle today. Their topics are "From High School Drop-outs to the Socialist Revolution" and "Negro Youth and Politics," respectively. Robert Himmel, Wayne County Chairman of the SWP will lecture on "Evolution and Revolution in American History."

Sunday's two sessions will include Jean Simon of Cleveland, who will discuss "The Trade Union Movement Today." The final speaker will be George Breitbart, frequent contributor to the Militant. He will discuss "Isaac Deutscher's Biography of Leon Trotsky."

All the discussions and a party

"Afro-American Youth, the Vanguard of a New World" will be the theme of a National Afro-American Student Conference to be held May 1-3 in Nashville, Tennessee. Called by the Afro-American Student Movement, a group located at Fisk University, the gathering will discuss ways and means of "laying the groundwork for the permanent alliance of Afro-American and African youth." Workshop discussions will attempt to evaluate the present civil rights movement, Pan Africanism, the role of black nationalism, and "the social theories and concepts that are relevant to the Afro-American struggle such as capitalism, socialism, imperialism, . . . non-violence, self defense . . ."

Information can be obtained by writing ASM, Box 254, University Hall, Fisk University, Nashville, Tenn.

Saturday night will be held at Debs Hall, 3737 Woodward in Detroit.

Ron Jameson

VOTE SOCIALIST

New York City

To the Editor:

The Yale Socialist Conference held March 13-15 provided a real opportunity for students to see who really is serious about socialism and who isn't. About 350 watched Socialist Party spokesman Mike Harrington, for instance, go through his act on collectivist society.

He said the world was being collectivized whether we like it or not and the question was simply whether it is done "democratically" or "bureaucratically." He said it would be possible for the managers of American wealth to socialize the entire economy behind the backs of the people. When asked about Cuba, he said it wasn't democratic either. I guess the workers and peasants took over the factories and land "from the top down."

How to solve the collectivism dilemma? Work within the Democratic Party, says Harrington. That sounded so appealing that even members of the Democratic Party at the conference didn't speak in support of it. Now it's time to turn negative sentiments into positive political action in support of working-class candidates.

E.A.

CONGRATS!

Kokomo, Indiana
Congratulations! Just heard the news on the "trial" in Bloomington, Ind.

Notwithstanding our ideological differences, accept my gratitude which is fraternally extended and know that many people have worked with you — in the best socialist traditions — to bring about this victory, which is a People's Victory.

For a Socialist America,
For Peace and Friendship,
B.B.

... Vote for DeBerry and Shaw in 1964

(Continued from Page 1)

Some of these "radicals" will be telling you to vote for the Democrats because they are "peaceful" as contrasted to the "war-like" Republicans. The record of the Democratic administration in invading and blockading Cuba, invading Vietnam, and upping the war budget gives the lie to this contention. The fact is, as Kennedy put it after the failure of

the invasion of Cuba in 1961, the Democrats are pledged to "defend our system regardless of the cost and regardless of the peril." That means that the Democrats are pledged to maintain the capitalist system and its profits against the developing world revolution with whatever means necessary, including war.

The Administration is trying to pose as a "friend" of the Negro people, and no doubt some radicals and genuine liberals will fall for that pose. But the Administration has been exposed time and time again as a supporter of the Southern system by its consistent refusal to enforce the Constitution in the South. Moreover, the rise of the Negro struggle in the North has exposed the racist character of the Northern, "liberal," Democratic party machines which control viciously racist cities like New York, Chicago, Detroit, and Cleveland. The whole Democratic party, from its Southern wing to its "liberal" Northern wing is a racist party ruling a racist society. The Democratic and Republican parties are both controlled by the economic oligarchy which owns and controls the American economy, and whose economic tenacles extend over the "free" world. The Democrats appeal to a somewhat different electorate than the Republicans, and come on a little more "liberal" (except for the strong Southern section) than the Republicans. But both Democrats and Republicans stand for the privileges of the very rich who dominate both parties and for the capitalist system which gives these rich their power and wealth.

able anyway. There were too many demonstrators.)

Hotel negotiators were in the unfortunate position of haggling with the Ad Hoc Committee on the question of property rights versus civil rights. From 10 p.m. on Friday to 2:30 the next morning, agreement appeared to be near and the number of demonstrators dwindled from 1500 to about 900. Then the Sheraton-Palace spokesmen dropped negotiations, saying they would have to have agreement by other Hotel Association members.

During the demonstrations Police Chief Cahill huddled with Mayor Shelly (a newly elected Democrat) to "plan strategy." At 4 a.m., angered by the Hotel's show of, bad faith, the Ad Hoc supporters packed the hotel entrances, sat down, and locked arms. Cahill ordered them arrested for "disturbing the peace" and the police began to peel people away from the mass at the hotel entrances. The cops were careless with heads and ankles — and laughed in plain view of hundreds who expected shortly to undergo the same treatment.

At the political hub of the night's events, Democratic Mayor Shelly, on whose head everything — including the consequences of Hotel-Employer intransigence — ultimately resided, tried to appear as something other than a community lobbyist for the Sheraton-Palace.

Prior to the demonstration he had publicly questioned the "motives and tactics" of the Ad Hoc Committee. He had attempted to dissuade the International Longshoremen and Warehousemen's Union, among others, from sending several hundred members to support the demonstration. Now he cut the Ad Hoc Committee's demand for minority hiring by hotels from 20-25 percent to 15-20 percent.

With this last act, however, the Hotel Employers Association decided to sign the agreement at 4

p.m. Saturday.

The participants in the lie-in, sit-in, and so on were well disciplined and the leaders stayed in tune with them. Each definite proof of the Hotel's bad faith was met promptly by elevating the struggle to a new level, from peaceful picketing to a quiet sit-in, to a noisy demonstration, to entrance blockading.

The agreement itself, however, is of uncertain value. A key article in the agreement states: "Nothing in this agreement establishes any hiring quota, or quota for employment." But by signing the agreement, the Hotel Association conceded a victory to the new militancy. Enthusiasm for large-scale activity was created, while simultaneously the power structure began revealing itself.

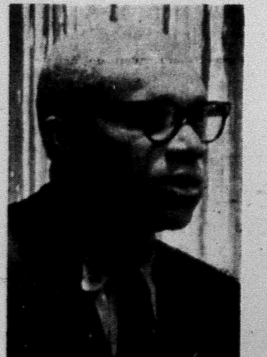
Mayor Shelly, under tremendous pressure, now insists he had prevented what "would have been the worst, bloodiest riot in the city's history." He moved to establish a Human Relations Commission and an Advisory Council in order to put the leash on civil rights activity. He appealed for "responsible" black leaders to take charge of the struggle from below.

White religious leaders denounced the demonstration. Archbishop McGucken said: "Morality is based on justice. When you destroy carpets and property . . . you are committing an immoral act."

Central figure in the demonstration was Tracy Sims, 18-year-old leader of the Ad Hoc Committee who has been involved in the civil rights struggle since she was 14. Her approach to the confrontation is illustrated in her response to a criticism by one of her allies, attorney Terry Francios, who charged Saturday morning that bringing on the arrests had been "a terrible mistake in strategy." "I don't think," she retorted, "that arrests are detrimental to our cause. I think they show everyone that the fervor for civil rights has finally struck the north."

paign for Freedom Now, for peace, or jobs for all, for an end to the witchhunt, and for independent political action by the labor movement and Negro people. Students for DeBerry and Shaw will bring to the campus a real political alternative to the ruling parties, and give students a meaningful way to politically oppose the Republicans and Democrats, both on campus and in their communities.

A good campaign for DeBerry and Shaw in 1964 can help build larger campaigns against the rulers in future years, and will help build the independent movement which will make America a land of peace, equality, democracy and abundance.



Clifton DeBerry

Join Students for DeBerry and Shaw

Help fight the warmaking, racist and witchhunting Democratic and Republican parties by campaigning for Freedom Now, jobs for all, peace, democracy and independent labor and Negro political action! Support Clifton DeBerry for president, and Ed Shaw for vice-president.

- I would be willing to help form a Students for DeBerry and Shaw group on my campus.
- I would like more information on socialism and the election campaign.
- Please send me . . . copies of the SWP election platform at 10¢ each (3¢ each for 10 or more).

Name

Address

City State

clip and mail to YOUNG SOCIALIST, box 471 Cooper Station, New York 3, N. Y.

Defy Speaker Ban ... Witchhunt Set Back

At L.A. City College

By Julius Snipper

LOS ANGELES, March 13 — Bloomington defendant Tom Morgan's barnstorming tour to raise support for the civil liberties docketed with a free speech fight here at Los Angeles City College today.

Morgan spoke to some 500 students at a street rally in defiance of a ban by the L.A. Board of Education against his speaking on campus. Their own struggle against the local board's "gas" policy brought home to the L.A. students the fact that the fight for freedom is not limited to the South or small Midwest towns behind the "corn curtain."

The L.A.C.C. Student Civil Liberties Union submitted the following names to the college for approval: Tom Morgan, of the Young Socialist Alliance; Dorothy Healy, of the Communist Party; John Rousell, District Governor of the John Birch Society; Frank Wilkinson, executive director and field representative of the national Committee to Abolish the House Un-American Activities Committee; and Rev. Stephen Fritchman, of the First Unitarian Church of Los Angeles.

Morgan Banned

The John Birch Society was accepted. No decision has been made on Wilkinson or Fritchman. And the school board banned Morgan and Healy on the grounds that "No known Communist or any other person who arouses emotional reaction is allowed to speak to junior college students."

On March 10 the city college paper, the *Los Angeles Collegian*, criticized the Board's exclusion policy. Other groups took action: On March 11, the Student Civil Liberties Union distributed thousands of leaflets protesting the speaker ban. Two days later, the L.A. Committee to Aid the Bloomington Students began distributing leaflets announcing an off-campus free speech rally to protest the ban.

At 10:00 a.m. today the largest number of students to hear a Bloomington defendant on any of the defendants' months-long tours gathered near the college. Speaking with Morgan were Roy Mann of the Student Civil Liberties Union, who gave details on the Board's banning of Morgan; A. L. Wirin, a Committee to Aid the Bloomington Students sponsor and an ACLU attorney, who outlined aspects of law pertaining to street meetings; myself, representing CABS, who introduced Morgan; Victor Oliver, chairman of SCLU's

civil rights committee, who spoke on the right of self-defense in solidarity with Leroy McRae's Indiana University speech.

Morgan spoke on the development of the Bloomington case and emphasized, "if they can ban communist speakers today, tomorrow they can ban any speakers." He added, "Any restriction on speakers is just a beginning." Morgan answered questions from the huge audience.

The local news media were present and gave extensive evening coverage on three TV stations. The police were pleasantly missing, as the nearest patrol car was parked a block away. There was not even any noticeable heckling.

When and What in Bloomington

Oct. 24, 1962 — YSA members and other participants (about 20 in all) in an ad hoc demonstration against the blockade of Cuba are attacked by a right-wing mob of 2000.

Dec. 19 — I. U. Student Activities Committee reverses previous Student Senate decision and grants YSA campus recognition.

January, 1963 — Narrowly elected Prosecutor Thomas Hoadley drops charges against 20 right-wingers arrested during Oct. 24 demonstration. He indicates desire to investigate "the part played by the YSA... in inciting to riot (1)" during the picketing.

February-May — Hoadley conducts "trial by newspaper" with innuendoes attempting to link YSA with marijuana users, Moscow, Peking, and the Hazard miners who are supposedly "conducting a running gun battle with the State of Kentucky."

Feb. 18 — Hoadley demands the university withdraw recognition of the YSA. He states subsequently that his targets are the ideas of the YSA, but that he will prosecute YSA members if the university does not cooperate.

March 25 — Leroy McRae, YSA national officer and a Negro, speaks to 120 people at I.U.

May 1 — Monroe County grand jury returns indictment requested by Hoadley. YSA officers Levitt, Bingham, and Morgan face up to three years imprisonment for alleged violation of 1951 "Exterminate Communism" law in sponsoring and attending McRae's talk. Committee to Aid the Bloomington Students (CABS) announces "unconditional support" for rights of defendants.

May 2 — Defendants and

friends hold private meeting to plan defense strategy. Hoadley's stoolpigeon, landlord Harold Wilkes, is later reported to have eavesdropped on this meeting.

May 18 — The Emergency Civil Liberties Committee announces support to defendants. Agrees to provide constitutional attorney Leonard Boudin, who is ECLC's general counsel.

May 6 — Barry Sheppard, YSA national chairman, denies at press conference that YSA has ever advocated "violent overthrow."

July 18 — With the first indictment thrown out because of faulty wording, Hoadley requests and receives a two-count indictment against the three students. The first referred to the March 25 meeting; the second to the May 2 defense meeting.

Aug. 18-29 — The National Student Association, meeting in Bloomington, condemned the indictments of the three YSAers as an attack on academic freedom and campus civil liberties.

Aug. 31-Sept. 2 — The 3rd National Convention of the YSA reaffirms the vital principle of the labor movement — An attack on one is an attack on all — and vows to place as its foremost task the defense of the Bloomington YSAers.

Fall, 1963 — CABS locals form on campuses and in cities across the country. Prominent persons and faculty members are solicited to sponsor the defense committee.

Nov. 22 — The aftermath of the assassination of President Kennedy in Dallas causes many Americans, and in particular students, to rethink the conceptions of democracy and due process of law which they had up till now taken

for granted. In this context, the Bloomington witchhunt takes on a special meaning.

Nov. 29 — A Bloomington paper reveals that landlord Wilkes was subpoenaed by HUAC and testified about the YSA. HUAC indicated interest in the Bloomington case as an index of whether it could dare to expand its activities.

January-March, 1963 — Ralph Levitt and Tom Morgan step up pace of national tours to explain their case.

Late January — Defense lawyers Boudin and Taylor file motions to quash indictments as unconstitutional and to suppress illegally obtained evidence.

Feb. 3 — Hoadley replies to Judge Hill's order to provide bill of particulars. He drops mention of March 25 meeting and indicates attempt to try defendants not on the basis of advocating "overthrow of the government of the United States and the State of Indiana," but merely overthrow of Indiana government!

March 6 — 500 students at Carleton College "sacrifice" dinner to give funds to Bloomington defense. CABS has over 600 sponsors.

March 6-7 — Bloomington *Herald-Telephone* publishes strong criticism of Hoadley's entire conduct in office.

March 20 — Case comes to pre-trial hearings. After brief arguments by Boudin and Hoadley, Judge Hill throws out indictments and declares 1951 Act "unconstitutional."

March 25 — Hoadley announces he will appeal Judge Hill's ruling on the constitutionality of the 1951 Act to Indiana Supreme Court.

He declared he had a right to investigate all the activities of the defendants, not just what they did on the dates mentioned in the indictments. He was putting "Trotskyism" on trial, he said, and the defendants figure simply as representatives of "Trotskyism."

Referring to the prosecution of "Trotskyism" and the use of pamphlets written at distant ends of the country, he declared "We don't need to bring Joseph Can-



Hoadley: Upset

non (sic) in from New York to prove what he thinks or is we know what he thinks." (James P. Cannon, of Los Angeles, founder of the American Trotskyist movement in 1928, is author of the *First Ten Years of American Communism*.)

Then, as if to show how ineptly he could handle the course on socialism he had been obviously giving himself, he blurted out "Trotskyism is far more to the liberal left than are the capitalist dogs in the Kremlin — according to Mao Tse-tung."

Boudin deftly rebutted Hoadley's claims. Then the court recessed for lunch. After an hour and a half, the court reconvened to hear Judge Hill's decision on the defense motions to quash the indictments. Most people expected the case to continue to trial.

But at 1:35 p.m. Judge Hill threw the case — the indictments, and the law — out of court. The students, faculty, defense lawyers, and defendants received the victory with tumultuous applause, shouts of approval, handshakes and — bearhugs for the defendants and attorneys. The judge banged his gavel and ordered quiet in the court.

The first attempt to jail students for campus activities has been set back by the protest of thousands of college students, faculty, and other supporters of civil liberties across the nation. This protest must now continue until the notorious "sedition" law is defeated in the appeal and is forever erased from Indiana's books.

... Lessons for Future Civil Liberties Fights

(Continued from Page 1) fessors, and on radio and television before tens of thousands of Americans.

The CABS circulated the In-

diana "Subversion" Speech, the address by YSA national organizational secretary Leroy McRae, which served as the basis for one of the indictments. The text of that speech convinced many that Hoadley didn't have a leg to stand on. The defense reprinted, in quantities which reached into the hundreds of thousands, numerous articles and statements about the case, such as the articles in the *New Republic* and *Nation* magazines.

CABS Chapters

CABS student chapters were formed at over 30 campuses. These largely assumed the job of making the case and issues known to the student community. Thus far, over 650 prominent educators, public figures, and writers have become sponsors of the Committee. These people endorsed the cause of civil liberties and condemned its violation in Bloomington. The list included, to name a few, Lord Bertrand Russell, Professor H. Stuart Hughes, Dr. Linus Pauling, James Baldwin, John Lewis, Rev.

Albert B. Cleage, and Professor Hans Morgenthau.

All this work went far from unnoticed back in Indiana. This campaign, undertaken by the student generation of the 'sixties, accomplished the turn in public opinion in Bloomington. It turned a powerful searchlight on the witchhunt.

Legal Grounds

The defense stood on solid legal grounds as well. The Emergency Civil Liberties Committee, true to its excellent tradition, provided its General Counsel, Leonard B. Boudin, who argued with depth and brilliance that the Indiana thought-control law is unconstitutional. Daniel T. Taylor III, an attorney from Louisville, Kentucky, and a man who has deep regard for juridical norms and for the U.S. Constitution, joined Mr. Boudin to effect a collaboration that was outstanding.

Their arguments and preparation were, and continue to be, the legal keystone of the case. Moreover, the Indiana Civil Liberties

Union provided an *amicus curiae* brief which supplemented and rounded out the contentions of the defense.

Several conclusions on how to fight the witchhunt are now possible. (1) The best defense is a counter-offensive. CABS appealed to the public opinion of the country, exposing the ruthless, illegal methods of the Monroe County Prosecutor, and his unconstitutional goal of overturning the Bill of Rights in Indiana. (2) Civil liberties can gain support from all sides. CABS urged all Americans, without regard to political belief, to unite behind the Bloomington students in defense of their rights.

(3) The best legal defense is a principled one. The defendants' case was shown to hinge on constitutional questions fundamental to the preservation of democracy; it was built and won (partly) on legal bases other than technicalities. (4) Students can and will revive the tradition of the labor movement that "An attack on one is an attack on all."



James Bingham



Daniel T. Taylor III