

Hoadley's Test Case in Indiana

Thomas A. Hoadley is, among other things, the public prosecutor of Monroe County, Indiana, home of Indiana University. Last May 2, he secured an indictment from a Monroe County Grand Jury charging three Indiana University students with violation of the 1951 Indiana Anti-Communism Statute, which makes it a crime to "assemble for the purpose of advocating or teaching the doctrine that the Government of the United States or of the State of Indiana should be overthrown by force, violence, or any unlawful means."

Hoadley's alarm dates back to the Cuban crisis last fall, when a group of Indiana students formed the "Ad Hoc Committee to Oppose US Aggression" and announced that they would hold a protest demonstration. The Indiana Administration immediately called on the student body to ignore the Committee. "The most effective way to deal with minorities with whom we disagree in the present kind of situation," said President Elvis J. Stahr, Jr., "is to ignore them completely."

Still, over 1,000 students showed up at the demonstration. Although police were present at all times, members of the Committee, including the girls, were pushed, shoved, punched and kicked. When the Reverend Paul Killinger, Unitarian Minister in Bloomington, asked a campus policeman why he wasn't protecting the demonstrators, the policeman replied that he was only there to protect the liberties of "Americans." When a faculty member was kicked, shoved and thrown against a car, policemen again stood by. "He shouldn't be here," said one. And when clergy, faculty and students wrote letters protesting the violence, the *Indiana Daily Student* refused to print them.

Three months later, on January 15, Hoadley dismissed charges against two non-students, arrested for "assault and battery" and "interfering with a police officer"; his aim was "to clear the way" for a Grand Jury investigation into the "possible involvement" of the Young Socialist Alliance in the demonstration. On February 18, citing the Anti-Communism Act, he called upon the University to withdraw its recognition of YSA. The University rejected this demand, and the YSA issued a brief comment: "The Young Socialist Alliance states unequivocally that it does not advocate and never has advocated the violent overthrow of the government."

Not satisfied with such replies, Hoadley announced that his Grand Jury would now consider the constitutionality of the YSA; he said he would take the case to the Supreme Court—"if necessary." (Such an appeal would probably not serve Hoadley's purpose,

however, for in 1956 and 1957 the Supreme Court declared statutes similar to the Indiana Anti-Communism Act unconstitutional.)

The Grand Jury indicted the three officers of the YSA on May 1. The indictment, however, made no mention of the Cuban Demonstration. Rather, it charged the three officers with participating, "by their presence, aid or instigation" in a March 25 meeting at which Leroy McRea, national secretary of YSA, had spoken about the Negroes of the delta area of Mississippi. In his speech, McRea had doubted whether Negroes there could secure equal rights by non-violent methods.

Hoadley called the Grand Jury "courageous," and told the press, "we want only to stamp out Communism and what it stands for before it gets a foothold here." Then came his *coup de grace*. He said that because the Grand Jury could not obtain a list of YSA members, they could not cross-check the names against a list compiled in his own narcotics investigation "to determine to what extent, if any, marijuana is used to recruit new members in the YSA." (This referred to an indictment he had previously obtained of an Indiana University girl for possession of marijuana. Talking to an AP reporter, Hoadley had linked her to the YSA, although her membership has been denied by all concerned and Hoadley offered no evidence to the contrary.)

The Cuban crisis is over, and the Indiana Administration and faculty are resisting Hoadley's invasion. One hundred and forty-two professors bought a large ad in the town newspaper supporting the three students, the local AAUP issued a statement intended to blunt Mr. Hoadley's charge, and the Administration rejected pleas to revoke recognition of YSA or to suspend the three students. A state judge threw out on June 28 the Monroe County Grand Jury's indictment of the students on the grounds that it lacked clarity. Hoadley obtained a second indictment on July 18, however, with slightly different wording.

Ultimately, the three are almost certain to be acquitted. But an acquittal will hardly repay these students for the time and money they have had to invest in the case. One has already had to drop out of school. Nor will an acquittal necessarily end Hoadley's harassment of the University, or reverse the conclusion of a great many students that only Hoadley's brand of "conservatism" is really "safe." When the case first won national attention the Student Senate of Indiana University hastened to put itself on record as "opposed" to the socialist minority which was bringing their school into disrepute.

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