

# Report to The University Community

August 18, 1966

We want the University Community to understand the background and considerations which determined the response to a subpoena from the House Un-American Activities Committees.

The University of Michigan has long been a defender of the basic freedom of its students and staff to express their opinions on controversial issues. In recent times, University officers have repeatedly spoken out in defense of this freedom, and have often personally taken public stands on controversial topics. These efforts have not been without cost to the University and to the individuals themselves. Further, we fully intend to continue in this defense of freedom to dissent.

A subpoena was addressed to the director of Student Organizations. The subpoena commanded "copies of certificates or statements of membership filed with The University of Michigan for the purpose of obtaining status as an accredited campus organization . . . ." Eight organizations were named in the subpoena. Three of those eight had applied for and had received recognition from the Student Government Council in order to be eligible for the use of University facilities.

The documents presented to SGC for recognition contain the name of the organization, a statement of purpose, the names of officers, some members, and faculty sponsors. Procedures call for public inspection of the documents at open meetings of SGC. In this sense they are disclosure documents. There is, therefore, no implication that these documents are to be kept secret. At some institutions such documents are published. Moreover, it was learned that other universities, similarly subpoenaed, had already responded by producing the required documents. At this University, the documents are filed with the Director of Student Organizations as a matter of record. They are available to those persons who have a legitimate need for access, although it has been the practice not to make them available for casual inspection.

Whatever may be our views of the House Un-American Activities Committee, it is a standing committee of Congress and it does have subpoena power.

When the University has defended the rights of members of the University Community to exercise their citizen rights, it has been made clear that these are rights under the law. For the University--a state-chartered institution--to defend on the basis of law in previous instances, but to defy lawfully constituted agencies in this instance would be inconsistent and would weaken our position in the future.

It would have been possible, of course, to challenge the validity of the subpoena on First Amendment grounds, or upon grounds that the information requested did not bear sufficient relevance to the committee's purposes to require compliance. In view, however, of the disclosure nature of the requested documents, it seemed unwise to choose this occasion for the challenge of committee activities.