MEDICINE AND SOCIETY

Freedom of Speech and the Viability of Science — Dr. Jeremiah Stamler's Fight against HUAC

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Today, science and medicine are under ideological attack in the United States, and their practitioners are feeling increasingly vulnerable and devalued, with some losing their funding. In this hostile climate, it's important to remember that though the scope of the current attacks may be unusually vast, science has faced such challenges before. Past political and social repression has induced fear among U.S. scientists and other professionals, causing many to retreat. Yet it has also triggered resistance, which can be even more powerful when rooted in professional mores and group action and supported by well-connected leaders and institutions. We offer the formidable example of Jeremiah Stamler, M.D.

In June 1969, the *Journal* took an unusual and controversial political stance, publishing a muscular editorial, "An Important Court Test," in support of Stamler, a Chicago-based cardiovascular epidemiologist, and his research associate Yolanda Hall, who had filed suit against the House Un-American Activities Committee (HUAC).[1] Stamler and Hall, subpoenaed to appear before HUAC on May 25, 1965 (Fig. 1), had initiated a national campaign against this feared congressional body. On the advice of counsel, they had responded to the subpoenas by suing HUAC in federal court and refusing to take its questions, since such cooperation would render their litigation moot. Specifically, they argued that Congress's charter creating the committee was unconstitutionally "vague and overly broad" and that its subpoenas were therefore invalid.[2] They cited the Supreme Court's 1965 criticism of the charter's lack of clarity: "It would be difficult to imagine a less explicit authorizing resolution. Who can define the meaning of 'un-American?'"[2] They further argued that HUAC's hearings served no legislative purpose and that it violated U.S. citizens' First Amendment rights.

Stamler and Hall ultimately received support from more than 700 physicians and biomedical scientists, 400 law professors, 200 history professors, clerics, college presidents, and Nobel Prize winners, along with many figures from the arts and entertainment worlds, in a campaign that contributed to the demise of that organ of McCarthyism.[3]

HUAC's Modus Operandi

Established in 1938 to investigate individuals and organizations alleged to have fascist or communist links, HUAC focused almost entirely on the Left — communists, socialists, and liberals, particularly intellectuals, whose political leanings and commitments it found suspect. Over time, the committee embraced many controversial right-wing ideologies: White supremacy, xenophobia, antisemitism, anti-intellectualism, and suspicion of political and social heterodoxy informed its views of "un-Americanism."[4]

HUAC's manner of proceeding was also controversial. It was an engine of intimidation. It held the power to subpoena witnesses and charge them with contempt of Congress should they refuse to answer questions — questions that were often vague, accusatory, and based on hearsay. HUAC assumed on the basis of people's real or hypothetical personal or political associations that they held subversive beliefs. It depended heavily on informants, some of them paid, who were rarely interrogated under oath or subject to cross-examination. Witnesses who refused to cooperate or who invoked the First or Fifth Amendment were considered "Reds" or "sympathizers"; they faced both the humiliation of HUAC's censorious innuendos in public sessions and press coverage that led to public outrage and often the loss of livelihood. HUAC's methods, authority, and ability to instill in the public a fear of imminent subver-

sion contributed to the distrust and demonization of political nonconformity that marked the Cold War era, particularly between the late 1940s and the mid-1960s.[5]

For a brief period, 1950 to 1954, HUAC competed for attention with Senator Joseph McCarthy's infamous Permanent Subcommittee on Investigations.[6] McCarthy (R-WI) served as "judge, jury, prosecutor, castigator, and press agent, all in one" as he trawled the country for communists.[7] His dominant personality, skillful use of mass media, and the fear he fostered ensured that his name became synonymous with the excesses of that era's anticommunist crusades. McCarthy's reckless and reputation-destroying campaign ended after he was formally censured by his Senate colleagues in 1954. But the term "McCarthyism" still denotes the development of systems of political and social repression at multiple levels that began shortly after World War II and dominated U.S. politics for the next 15 years.[8] HUAC continued its work well beyond the end of McCarthy's career. Although its influence gradually weakened during the 1960s, it retained the power to expose, denigrate, and destroy the careers of almost anyone it opposed.



Figure 1. Dr. Jeremiah Stamler, Right, with Yolanda Hall during the House Un-American Activities Committee Hearings Held in Chicago on May 25, 1965.

Credit: Chicago Tribune historical photo.

MEDICAL MCCARTHYISM

Stamler's case was no isolated incident within medicine. Especially in the 1950s, dozens of physicians and medical personnel were called before HUAC, and many more were subpoenaed to appear before local, state, and private loyalty boards throughout the United States — often for publicly championing some form of national health insurance, racial equality in medicine, or civil rights generally. Los Angeles–based nephrologist Richard Lippman,[9] Yale biochemist and physician John Punnett Peters,[10] and physician–neurophysiologist (and feminist critic of science) Ruth Bleier[11] are a few of the better-known medical professionals whose careers were derailed in the era of "medical McCarthyism."[12]

At the time he was subpoenaed, Stamler was a highly regarded physician–scientist, employed by the Chicago Board of Health as the country's first "heart disease control officer."[13] He was a principal investigator on multiple local and national studies of the determinants and possible prevention of coronary heart disease.[14-16] Stamler also engaged with an emerging international community of physicians and epidemiologists studying coronary heart disease.

Both Stamler and Hall had a history of left-wing activity. Hall had been a union organizer during World War II and was once a member of the Communist Party; she had testified to that fact in court in 1949.[4] Stamler would freely admit being involved in organizations that were tainted as "Red." In medical school, he joined the Association of Internes and Medical Students (AIMS), whose progressive agenda included support for national health insurance and the elimination of racial discrimination in medicine.[17] HUAC had characterized AIMS as a "faithful follower of the Communist Party."[18] But Stamler held that HUAC had targeted him primarily because of his association with civil rights causes, particularly his fight against Chicago's highly segregated hospital system. He believed it had subpoenaed Hall for the same reason; she was involved in a struggle to introduce open housing in her West Chicago neighborhood. HUAC viewed engagement by White people in civil rights efforts as politically and culturally destabilizing and politically suspicious.

Here HUAC shared the view common among anti–civil rights activists that promoting racial equality was clear evidence of leftist sympathies.[19] After all, since the 1920s, the Communist Party had promoted racial equality and civil rights when such issues were otherwise almost entirely absent from national politics.[19]

STRATEGY AND SUPPORT

In fighting HUAC, Stamler and Hall developed a three-pronged campaign to legitimate their cause and draw support. First, they hired attorney Albert Jenner, Jr., a prominent Chicago litigator and past president of the Illinois State Bar Association. Jenner was an establishment Republican who had previously served both on the U.S. Civil Service Commission Loyalty Review Board and as assistant counselor to the Warren Commission's investigation into the assassination of President John F. Kennedy.[20] His orthodox credentials bolstered the legitimacy of Stamler and Hall's campaign. Their team also included Arthur Kinoy, a prominent civil rights and civil liberties attorney whose recent case before the U.S. Supreme Court, *Dombrowski v. Pfister* (1965), had successfully challenged the constitutionality of a Louisiana subversive-activities statute whose overbroad application was found "to chill" the First Amendment rights of free speech and association.[21]

Second, immediately before their HUAC hearing, Stamler wrote a statement publicly addressing his "fellow scientists and physicians." In a reasoned but passionate argument, he laid out his personal, legal, and civic positions. He took his stance, he asserted, on advice of counsel and "in the belief that as a professional man, scientist and public servant, I have special responsibilities to my fellow citizens." After describing HUAC's arbitrary and gratuitously defaming nature, Stamler argued that its systematic "violation of legality" derived above all from its false premise: its right to define "un-Americanism" and to punish people who deviated from its criteria. "As a working scientist, I learned early that false initial assumptions inevitably lead to false conclusions and erroneous proposals." The committee's mindset, Stamler believed, was antithetical to that of science, which depends on "a healthy, free intellectual climate."[22] Stamler made a case for a principled resistance to HUAC that he hoped would draw support from physicians, academics, scientists, and other professionals whose respect for his accomplishments would be complemented by their repugnance for HUAC. Two months later, Stamler's statement was excerpted in a supportive article in *Science*, which devoted substantial coverage to his case.[23-25]

Endorsement from a large constituency was necessary for the campaign's third prong, raising funds. Stamler and Hall's years-long defense and litigation proved costly, generating well over $1 million (in 2025 dollars) in legal expenses.[26] Covering those costs required an extraordinary effort. Critical to its success was the work and stature of Paul Dudley White, the doyen of American and international cardiology, well known as the chief medical consultant during President Dwight D. Eisenhower's 1955 heart attack. White used his reputation and professional network to become Stamler's defensive bulldog — for example, writing strategically timed editorials for the *Journal* and other publications.[27-29]

More to the point, White, along with University of Chicago pathologist Robert Wissler, became a steward of the Jeremiah Stamler Legal Aid Fund. White and Wissler orchestrated a variety of events to solicit financial contributions, largely from the fields of biomedicine, academia, and law. The events included a concert headlined by singer and civil rights activist Harry Belafonte and an auction, called "Exhibit A," cohosted by radio personality and oral historian Studs Terkel and Chicago artist and art critic Harry Bouras and featuring works donated by Alexander Calder and other artists and by gallerists and collectors.[30]

HUAC's subpoena imperiled Stamler's scientific career and employment. To stave off being fired by Chicago's mayor, Richard Daley, a conservative Democrat, Stamler and Hall signed an oath drawn up by the president of the Board of Health, an unswerving supporter, swearing that they had never engaged in subversive activities during their tenure at the Board.[31] As word spread, letters of support poured in from physicians and public health professionals. But as their case inched slowly through the courts' due process, the litigants faced further stressors: in October 1966, they were cited for contempt of Congress. Once indicted in July 1967, they were placed on "inactive status" by the Board of Health, even as it praised Stamler's scientific work.[32]

The claims that their attorneys made — that HUAC's charter was unconstitutionally vague and violated First Amendment rights — had previously

received a mixed reception in the courts. In *Barenblatt v. United States* (1959), the Supreme Court ruled that though its authorizing charter (called "the Rule") was vague, "the House has clothed the Un-American Activities Committee with pervasive authority to investigate Communist activities in this country."[2] More strikingly, it held that HUAC's hearings were valid in that they served a legislative purpose, producing bills.[4] But during the 1960s, a more liberal Supreme Court moderated its position on national security and expanded its protection of civil rights and liberties. Stamler and Hall's legal team built their case around multiple rulings post-*Barenblatt* in which the Court had declared unconstitutional statutes like Louisiana's, "whose vagueness 'chills' the exercise of First Amendment rights of citizens."[2] During that period, the Court also ruled that the government could not punish political ideas and associations in the absence of a specific intent to commit unlawful actions.[2]

In November 1966, the U.S. Court of Appeals for the Seventh Circuit, which had heard Stamler's case, overruled the district court's decision in *Stamler v. Willis*, holding that Stamler's civil case indeed raised "a substantial constitutional question."[2] Whereas in *Barenblatt* the Supreme Court had affirmed HUAC's constitutionality, the appeals court countered by arguing that HUAC's *conduct* — including "exposure of witnesses . . . without any legislative purpose" — might taint the Rule, providing "an unconstitutional meaning to the statute."[2]

Here was an opening for Jenner's team, since the ruling permitted as evidence at trial the history of HUAC's hearings and its treatment of witnesses. One of Jenner's strategies was engaging Hans Zeisel, a professor of law and sociology at the University of Chicago, along with Stamler's wife Rose, who held bachelor's and master's degrees in sociology from Chicago, to perform a content analysis of HUAC's expert-witness testimony — an innovative use of social science to objectively assess the language of HUAC's hearings over the years. The analysis revealed that 95% of the questions asked involved legal political affiliations and activities that were arguably outside Congress's constitutional authority to legislate or control.[33]

HUAC's Retreat

The analysis ultimately proved unnecessary. The case moved to civil discovery — the formal exchange of evidence between parties in a lawsuit before trial — in 1971, after multiple failed appeals by HUAC. As discovery proceeded, HUAC made a critical decision. In December 1973, facing the specter of a trial testing whether the conduct and goal of its hearings might render its charter unconstitutional, it beat a retreat. It moved to dismiss the criminal indictment stemming from the contempt charges. Stamler and Hall reciprocated by dropping their civil suit.

By this time, HUAC was on the defensive. Its hearings were drawing large pickets, and members of Congress were growing impatient with its investigations.[4,34] The Civil Rights Movement and an antiwar Left, unaffiliated with the Communist Party, increasingly made HUAC look anachronistic. The Chicago hearing, it turned out, was the last of the "old style" HUAC events in which aging "former radicals with distant Communist party ties took refuge in the Fifth Amendment."[35]

Mindful of the impending court review of its activities, HUAC by 1969 was less likely to issue subpoenas to unfriendly witnesses. Similarly, it had sharply curtailed its activities and less frequently ventured outside Washington to hold hearings that drew controversy and publicity. That same year, it changed its name to the House Committee on Internal Security, admitting that "un-American" had become a problematic term.[36] Yet "un-American" was the metaphorical hammer that had defined the committee and its provenance. It was also at the center of the Stamler–Hall case, as Stamler had argued in his statement to fellow scientists. HUAC was now also in jurisdictional competition with the House Judiciary Committee under the leadership of Emanuel Celler (D-NY), both bodies claiming to focus on subversive activities. As the authority of the new Committee on Internal Security diminished, its congressional critics could more easily limit its days. On January 14, 1975, the new Congress formally disbanded it.

Stamler and Hall's campaign required courage, forethought, and organization. The support Stamler received, as a *Science* article speculated, was a function of both his professional standing as a pioneering cardiovascular epidemiologist with national and international affiliations and the style of his counteroffensive.[24] He and Hall had transformed an attack on their personal beliefs and associations into a perceived assault on the principles of whole communities and on science. Hav-

ing Paul Dudley White helm their defense also brought them substantial social capital.

Timing, too, was important. Had they been subpoenaed a decade earlier, their professional lives might have been ruined. Instead, Stamler was still free to forge a career as a leader in preventive cardiology. His hundreds of peer-reviewed articles included foundational epidemiologic investigations demonstrating the existence and impact of cardiovascular risk factors and promoted his view that research findings should be translated into clinical and public health interventions.[37]

The *Science* article proposed a further reason for Stamler's support: "It may not be too much to guess that at least one of the moving forces is that question that intellectuals recurrently ask themselves, 'When McCarthy was around, where were we?'"[24] Today, when U.S. biomedicine, public health institutions, and universities have been targeted with potentially eviscerating federal attacks, should contemporary professionals sound a similar note? Our account demonstrates that what we are experiencing has historical precedent. It also makes clear the importance of well-organized resistance. And it gives us the example of Jeremiah Stamler, who was once described by a colleague as possessed by a "sense of what is right and what is true, and if you believe something is right and true you fight for it."[37]

Disclosure forms provided by the authors are available at NEJM.org.

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