

CONSCIENCE, COMRADES, AND THE COLD WAR: THE KOREAN WAR DRAFT RESISTANCE CASES OF SOCIALIST PACIFISTS DAVID MCREYNOLDS AND VERN DAVIDSON

by Scott H. Bennett

This article examines the Korean War draft resistance cases of David McReynolds and Vern Davidson and their challenge to the Selective Service Act of 1948, which granted conscientious objection status to religious but not secular objectors. McReynolds and Davidson were active in Los Angeles socialist and pacifist youth circles. In short, this article is about comrades whose secular, socialist pacifist / radical pacifist convictions led them to dissent from and resist the Cold War and Korean War. This article contributes to the scant literature on conscientious objection and draft resistance during the Korean War. It also provides new evidence to substantiate the “long sixties” thesis that locates the origins of the sixties in the 1950s, or earlier, and argues that the fifties contained radical dissident elements, including a little-known socialist pacifist current, that resisted the dominant culture and provided a seedbed for social and legal change in the sixties and seventies.

INTRODUCTION AND BACKGROUND

On Sunday morning, June 25, 1950, the North Korean army crossed the 38th parallel and attacked South Korea. The United Nations (UN) immediately condemned the invasion. Two days later, President Truman ordered U.S. military forces to assist South Korea. For the next three years, Korea was a Cold War battleground that raised the specter of World War III and atomic Armageddon. Operating under UN auspices, the United States and its allies backed South Korea, while the People’s Republic of China and the Soviet Union supported North Korea.¹ More than four million U.S. soldiers served and nearly 37,000

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died in the Korean War. On the other side of the Pacific Ocean, in California, socialist pacifists David McReynolds and Vern Davidson opposed and resisted the conflict.

Shortly after the Korean War erupted, McReynolds and Davidson penned critical assessments of the conflict. Writing in *The Blaze*, a youth temperance publication that he edited, McReynolds, a pacifist but not yet a socialist, urged an “immediate truce and mediation.” He argued that Korea was “one nation” and should not have been partitioned after World War II; that Syngman Lee, South Korea’s “reactionary” leader, had been threatening to invade North Korea for months; and that the Korean communists would win a free peninsular-wide election. McReynolds called on the United States to pledge, through the UN, to hold free elections in South Korea, to promote land reform, and to assist peasants and workers. “If these pledges are not made,” McReynolds wrote, “our young men should refuse to serve in the army, navy, or marines.”²

In *The Spark*, a newsletter named after Lenin’s paper and published by student socialists in Los Angeles, Davidson condemned the Korean War in socialist terms. Framing the conflict as a “war between

two imperialist forces," he condemned both sides: The Americans and "fascist" South Korea on the one hand, the Soviets and "totalitarian" North Korea on the other. "As Socialists we cannot support the Korean War," Davidson proclaimed. "It is a war between two imperialist forces." Davidson argued that the U.S. government, in service to capitalism, sought to contain radical "social forces." Only democracy, reform, and prosperity, he insisted, not military spending, would defeat communism in Korea and elsewhere.³ As the war continued, McReynolds and Davidson sharpened and extended their critique. In November 1950, for instance, Davidson co-authored a longer socialist statement that condemned "both imperialist war camps," warned of "atomic annihilation," criticized the U.S. "garrison state," and affirmed "the militant anti-war tradition of American socialism."⁴ David McReynolds and Vern Davidson were members of a tiny socialist pacifist current that opposed and resisted the Korean War. Organizationally, McReynolds and Davidson, along with other radical pacifists and socialist pacifists, found homes in the Socialist Party (SP), the religious pacifist Fellowship of Reconciliation (FOR), the secular pacifist War Resisters League (WRL), and several other smaller socialist and pacifist groups. (This article treats socialist pacifism as a subset of radical pacifism.) For instance, after World War II, the Young Turks of 84 PEACE & CHANGE / January 2013

the radical pacifist movement founded new groups like the Committee for Nonviolent Revolution (1946) and Peacemakers (1948). These militant groups championed nonviolent direct action and civil disobedience to resist the Cold War and conscription—and, in 1947, for example, sixty-three men burned their draft cards at a Lincoln's Day demonstration in New York.⁵ The FOR and WRL were radical pacifist organizations that repudiated all wars and sought nonviolent social transformation to abolish the causes of wars and advance social justice.⁶ Motivated by their intense anticommunism and their alarm over Soviet aggression, the national SP and its youth section, the Young People's Socialist League (YPSL), endorsed U.S. military intervention in the Korean War.⁷ In Los Angeles, however, the SP and YPSL chapters, whose members included Davidson and McReynolds, opposed American involvement.⁸ Although most SP members were not pacifists and most WRL and FOR members were not socialists, the WRL's leadership had a markedly socialist orientation and its ranks included more socialists and anarchists than FOR. Still, for McReynolds and Davidson, the SP and YPSL locals in Los Angeles, along with the FOR and WRL, served as "movement half-way houses" that supported and sustained a radical, socialist pacifist, political vision.⁹

This article examines the Korean War draft resistance cases of David McReynolds and Vern Davidson, McReynolds' leadership role in the Davidson Defense Committee (DDC), and the personal and political networks that McReynolds used to generate support and raise funds to challenge the Selective Service Act of 1948.¹⁰ Denied conscientious objector (CO) status by their local draft boards, McReynolds and Davidson, on appeal, challenged the selective service law that granted CO status and exemption to religious but not secular objectors.¹¹ McReynolds' case was eventually dropped on a legal technicality, while Davidson received a three-year prison sentence.¹² McReynolds and Davidson were personal friends and political comrades. Both men were Los Angeles natives. Both attended UCLA. Both were active in Los Angeles socialist, pacifist, and youth groups. Both moved in similar social and political circles. And both were radical gay men.¹³ In short,

this article is about comrades whose secular pacifist convictions led them to dissent from and resist the Cold War and Korean War.

In June 1948, Congress passed the Selective Training and Service Act of 1948, which replaced the Selective Training and Service Act of 1940, the World War II measure that had expired fifteen months earlier. In Section 6(j), which defined “deferment and exemptions,” the Conscience, Comrades, and the Cold War 85

1948 law, like the 1940 act, limited conscientious objection to religious objectors who opposed all wars and who based their position on “religious training and belief.” Thus, the 1948 law continued to deny exemption to secular objectors who opposed war on “political, sociological, or philosophical” grounds. Significantly, the 1948 act narrowed the 1940 law by requiring that religious objectors base their convictions on a belief in a “Supreme Being.”¹⁴ The 1948 law remained in effect through the Korean and Vietnam conflicts.¹⁵ This article makes two contributions. First, it contributes to the literature on conscientious objection and draft resistance during the Korean War. Sandwiched between World War II and the Vietnam War and overshadowed by both, the Korean War has been dubbed the “forgotten” and “unknown” war.¹⁶ So, too, the peace movement against the Korean War has been neglected. Scholars have produced a significant literature on antiwar dissent, peace activism, and conscientious objection during World War II and the Vietnam War,¹⁷ but little on these themes during the Korean War.¹⁸ In part, this neglect reflects the peace movement’s decline from 1945 to the mid-1950s. Cold War America was marked by widespread alarm over “communist expansionism” and the specter of atomic war with the Soviet Union, by a national security garrison state, and by a domestic anticommunist crusade that targeted radical dissent and eroded civil liberties. All of this battered and marginalized the peace movement and radical dissenters.¹⁹ Paradoxically, despite the peace movement’s decline, draft resistance statistically increased during the fifties. In 1952, for instance, 1.64 percent of inductees received CO status compared to 0.15 percent in World War II.²⁰

Second, this article—and the McReynolds and Davidson draft resistance cases—provides new evidence to substantiate the “long sixties” thesis that locates the origins of the sixties in the 1950s, or earlier, and argues that the fifties contained radical dissident currents that resisted the dominant culture and provided a seedbed for social change in the sixties and seventies. Indeed, McReynolds, Davidson, and other radical pacifists and socialist pacifists played a vital role in this radical subculture. With their nonviolent direct action, civil disobedience, and grassroots peace activism, radical pacifists inspired and influenced the New Left. Like radical pacifism, the New Left rejected the Cold War and atomic bomb, admired moral dissent, and emphasized existential action and uncompromising commitment by individuals. Risking prison to resist war and uphold their pacifist convictions, David McReynolds

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and Vern Davidson exemplified the New Left virtue of “putting one’s body on the line.” Although part of the pacifist “old Left,” McReynolds and Davidson repudiated the Stalinist socialism and political sectarianism often associated with the “old Left” and championed a libertarian socialist pacifism that sought to fuse Marx and Gandhi.”²¹

DAVID MCREYNOLDS: SOCIALIST, PACIFIST, CIVIL LIBERTARIAN

Born in Los Angeles, David E. McReynolds (1929–) graduated from George Washington High School in 1947 and from University of California at Los Angeles (UCLA) in 1953.²² From the mid-1940s to the mid-1950s, McReynolds was involved in a number of temperance, pacifist, socialist, and civil liberties organizations in Los Angeles. He edited and wrote for several socialist and pacifist periodicals that gave him a venue to articulate socialist pacifist dissent to Cold War policies at home and abroad. Amidst the post–World War II anticommunist crusade, these groups forged a radical subculture of Cold War dissent in Los Angeles. McReynolds was shaped by and contributed to this political counterculture.

At Washington High School, McReynolds was a leader in the school's Federation of World Friendship Clubs that sought to promote international understanding, cooperation, and world peace; and he was president of one of its affiliates, the Chronian Society, which advocated "world cooperation for peace." He helped to organize the 1947 World Friendship Club State Convention and sent Christmas boxes to French children left destitute by World War II. In his senior year, he ran for boys' vice-president in school elections.²³ In high school, McReynolds—reared in a Baptist family—was also active in the Prohibition Party. Indeed, he gained his first experience in social movement activism, organizing, and journalism in the temperance movement. He was a leader in the Prohibition Party's youth division, the American Youth for Political Action, and edited its publication, *The Blaze*. In 1948, he went to Kansas to work on a Prohibition Party campaign. In addition to temperance, the American Youth for Political Action advocated a liberal reform agenda. It supported civil rights, civil liberties, world federation, a cooperative economy, slum clearance, and prison reform. The group opposed militarism, the arms race, and totalitarianism, including communism and fascism.²⁴ In 1951, McReynolds resigned from the Prohibition Party and the American Youth for Political Action. Concluding that alcohol was not the

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nation's major problem nor prohibition its solution, and having become more radical, he quit in order to devote his efforts to the pacifist and socialist movements. Indeed, he wrote his resignation letter, aboard ship, en route to a FOR international youth conference in Europe.²⁵ A student radical at UCLA (1947–1953), McReynolds was active in campus civil liberties groups. These included the Civil Liberties Committee; the Student Counseling Service, which provided advice to conscientious objectors; Students Against Compulsory ROTC, which he chaired; and the Westwood branch of the Fellowship of Reconciliation. (UCLA is located in Westwood, a Los Angeles neighborhood.) Writing in the *Daily Bruin*, UCLA's student newspaper, he criticized loyalty tests, the firing of professors on political grounds, the university's efforts to restrict the distribution of political literature, and other Cold War attempts to suppress free speech. He also helped to revive the Los Angeles chapter of the Congress of Racial Equality (CORE), a civil rights organization founded in 1942 by pacifists and committed to Gandhian nonviolent direct action.²⁶ In addition to civil liberties and civil rights activism, he was involved in campus pacifist and socialist groups, including the Southern California Youth Federation Against War and its Westwood branch.²⁷ After graduating, McReynolds remained involved with civil liberties issues at UCLA.²⁸

In 1948, McReynolds became involved in the Los Angeles branch

of FOR—his entree into the pacifist movement—and quickly rose to leadership positions in its youth section. Soon afterward, in 1949, after hearing Bayard Rustin speak, McReynolds moved from an antiwar to a pacifist position. That same year he was elected to the Los Angeles Youth Committee (for 1950). At UCLA, he joined Westwood FOR, and, by 1954, he was Regional Youth Chairman of FOR Southwest (YFOR) and editor of its publication, FORCAST.²⁹ He met or worked with FOR leaders such as New York-based A.J. Muste, Bayard Rustin, and John M. Swomley, Jr., Los Angeles-based Glenn Smiley and Allan Hunter, and YFOR peers such as Margaret Phair, Gordon Smith, and Hank Maiden. By 1952, national FOR leaders were commending McReynolds for his work on FORCAST and other matters.³⁰ In 1954, McReynolds served a stint as office manager for Los Angeles FOR.³¹ In a sign of his growing prominence, in September 1955, he was nominated for a two-year term on FOR's national council.³² Within three years, he would be a member of the SP's national committee, WRL's executive committee, and FOR's New York board.³³

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Meanwhile, in 1951, at the invitation of Vern Davidson, McReynolds joined the Socialist Party, although he had joined the Westwood Socialist Club the previous year.³⁴ He became deeply involved in SP Local Los Angeles and the Young People's Socialist League. In the SP, he developed relationships with New York socialists such as Norman Thomas and Michael Harrington, as well as with local socialists such as Davidson, William Briggs, Margaret Phair, Don Mayall, Phyllis Gangel, and Lester Rosenthal.

During the Cold War, McReynolds, along with Davidson and other radical pacifists, championed a Third Camp position—a nonaligned, independent, socialist pacifist stance that repudiated both U.S. and Soviet blocs, both American capitalism and Stalinist communism. The threat of atomic war and nuclear annihilation led urgency to the Third Camp movement. In October 1953, attending the initial Peacemakers sponsored Third Camp conference in Chicago, McReynolds helped to draft the summit's statement, later modified in subsequent gatherings.³⁵ Consistent with the Third Camp approach, he opposed war, imperialism, militarism, nuclear weapons, and conscription; he denounced Western colonial wars and Soviet suppression of rebellions in Eastern Europe; he repudiated armed (but endorsed nonviolent) revolution by colonial peoples to achieve independence; and he censured and resisted U.S. foreign policy—including the Truman Doctrine, the Marshall Plan, NATO, and American intervention in Greece and Korea. He advocated radical pacifism, democratic socialism, civil liberties, and the right of conscientious objection—both religious and secular.³⁶ Indeed, McReynolds embodied those radical pacifists whom historian Van Gosse has labeled “the true ‘third force’ on the U.S. left.”³⁷

In Cold War Los Angeles, where he lived during the conflict's first decade, McReynolds organized, promoted, and participated in meetings, rallies, conferences, demonstrations, and campaigns to protest Cold War policies and to advance peace and justice, pacifism and socialism, and civil rights and civil liberties. Beginning in 1950, he organized nonviolent direct action protests under “CORE-type discipline”³⁸ by young pacifists and socialists against Armed Forces Day.³⁹ In 1954, fourteen socialists and pacifists passed out nearly 2,000 leaflets that attacked Soviet and American war preparations and condemned

the hydrogen bomb and Indochina war.⁴⁰ In 1955, YFOR conducted a poster walk and leaflet distribution in Long Beach (greater Los Angeles).⁴¹ Also in 1955, YPSL Los Angeles picketed the French consulate to protest French colonial rule and wrote the Portu-Conscience, Comrades, and the Cold War 89

guese consulate to condemn the killing of unarmed Indian activists who, in a peaceful anticolonial demonstration, sought to enter Goa, then a Portuguese colony.⁴² That same year, YFOR conducted street meetings in Hollywood. Hecklers shoved McReynolds, the main speaker, off the stand; more disturbing, a sailor slapped McReynolds, who turned the other cheek. Defying police demands to disband, YFOR considered the experience good training and a valuable test of civil liberties.⁴³

McReynolds' political activism in the temperance, pacifist, socialist, and civil liberties movements gave him "movement" experience and enabled him to develop personal, political, and organizational networks at the local and national levels. He had a wide range of friends and an active social life—and these social bonds cemented his political alliances. He would draw on these personal bonds and political networks in his and Davidson's draft resistance cases and in their legal challenge to the 1948 Selective Service Act and its denial of CO status to secular objectors.⁴⁴ Because Vern Davidson's case entailed a longer legal struggle, McReynolds would devote more time on Davidson's case than on his own.

VERN DAVIDSON'S DRAFT RESISTANCE CASE

Vern G. Davidson (1929–), a Los Angeles native, graduated from Wilson High School in 1947 and studied political science at UCLA until 1951. At UCLA, he was active in the socialist, pacifist, civil liberties, and student cooperative movements. He lived at Robison Hall (the men's co-op), the center of UCLA's socialist movement. An SP member since 1948, he was chairman of Westwood Socialist Club and secretary of SP Local Los Angeles. In 1951 and 1952, Davidson was YPSL's national secretary, a position that entailed moving to New York City, where the organization's headquarters was located. In addition to the SP and YPSL, he was a member of the WRL, Peacemakers, the Teamsters' Union, and the Chemical Workers' Union. In 1953, he was the socialist candidate for the Los Angeles Board of Education.⁴⁵

From its inception, Davidson had opposed the Korean War on socialist and pacifist grounds. In Los Angeles, he had written and protested against the conflict, and he continued this antiwar activism after moving to New York in 1951. For instance, in 1952, he participated in an antiwar demonstration in Washington DC. On the second anniversary of the conflict, Davidson picketed the U.S. State Department and Soviet Embassy in Washington. The protest was organized by the WRL, FOR, Catholic Workers, and Peacemakers. That night, after returning to New York, Davidson made his first visit to a Catholic Worker house, where he dined with socialist pacifist Michael Harrington and other picketers.⁴⁶

A socialist, pacifist, and agnostic, Davidson sought CO status as a secular, humanitarian, and political objector to war. In the classification

questionnaire that he submitted to his local draft board, he stated that he “object[ed] to war and to conscription for any reason,” though on political, not religious, grounds. “As a political objector,” he declared, “I shall resist this totalitarian move [conscription] by my own country as I would resist it in any other country.”⁴⁷ On October 1, 1952, his Los Angeles draft board ordered him to report for induction. He resigned as YPSL’s secretary and returned to Los Angeles in order to refuse induction—and did so on October 14. The first socialist to be arrested during the Korean War for draft refusal, Davidson faced five years in prison and a \$5,000 fine.⁴⁸

On July 16, 1953, nine months after refusing induction, Davidson was arrested. Released on \$2,500 bond posted by Los Angeles socialists and pacifists, Davidson retained J.B. Tietz, among the nation’s leading selective service attorneys. During World War II, Tietz, then a staff counsel for the American Civil Liberties Union, had defended COs and interned Japanese Americans.⁴⁹ On November 16, 1953, Davidson’s three-day trial in U.S. District Court, twice postponed at government request, started in Los Angeles. Judge Harry Westover presided over the proceedings. In an act of solidarity, on September 22, the trial’s original scheduled date, more than a dozen friends and comrades missed work or classes to be with Davidson in court.⁵⁰

Led by Tietz, the defense made two central arguments. First, the defense contended that the 1948 conscription law, which limited CO exemption to religious objectors, was unconstitutional. By discriminating against secular (political, humanitarian, and philosophical) objectors who did not believe in a Supreme Being, the law violated the separation of church and state. The defense moved to put Rev. Allan Hunter or Rev. Raymond Kinney on the stand to testify against the narrow definition of religion contained in the 1948 draft law, but the judge refused to permit their testimony. Tietz noted that many objectors, including Unitarians, could not win CO status, since their religious conscience, comrades, and the Cold War 91

gion “precludes belief in a ‘Supreme Being’ as such.”⁵¹ Davidson requested that he and other secular objectors receive the same rights afforded to religious citizens.⁵²

Second, Tietz argued that Davidson had been denied due process. Under the 1948 conscription act, objectors denied CO status had the right to appeal. In such cases, the Justice Department appointed a hearing officer who heard the appeal, reviewed the case, and made recommendations.⁵³ In violation of the law’s requirements, Davidson had not received the hearing officer’s recommendations, had not been informed of the adverse points in the hearing officer’s report, and had not been afforded a second hearing to counter harmful and erroneous statements.⁵⁴ Moreover, Davidson had not been permitted to examine his FBI report, which the defense had subpoenaed. The Los Angeles draft board had relied on the FBI report to determine Davidson’s sincerity and draft classification—and to deny him CO status. Earlier that year, the U.S. Supreme Court had ruled that the FBI could release a “fair resume” instead of the full report in such cases.⁵⁵ Contending that the summary contained errors, the defense argued that it needed the complete FBI report to defend Davidson against these inaccuracies. Despite the subpoena, the government refused to provide the full report.⁵⁶

The prosecution countered that Davidson had not been denied due process or procedural rights since, as an agnostic, he had no rights under the CO provisions of the conscription law. Tietz replied that draft board must accord Davidson due process, regardless of whether he termed himself agnostic or religious. Furthermore, Tietz noted that local draft boards did not take a man's word that he was a religious CO and thus could not do so for agnostics.⁵⁷

At the trial's conclusion, Judge Westover declared that he would announce his decision in two weeks, on November 30, 1953.⁵⁸ On November 30, the judge pronounced Davidson guilty, sentenced him to three years in prison, and ordered him to begin serving his sentence on December 28. In addition, the judge ruled that Davidson was not entitled to a CO exemption, since section 6(J) of the draft act provided exemption only for religious objectors who believed in a Supreme Being. Moreover, the judge held that Davidson, an agnostic, was not entitled to hearings concerning his objection. Davidson appealed the verdict; the December 28 prison date was postponed; and Davidson remained free on bail.⁵⁹
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DAVID MCREYNOLDS AND THE DAVIDSON DEFENSE COMMITTEE

Meanwhile, in 1952, David McReynolds and Rina Garst set up the Davidson Defense Committee under the auspices of SP Local Los Angeles. In September 1953, McReynolds became the committee's secretary.⁶⁰ Working mainly from his Ocean Park, California, beach shack, over the next two years he produced an ongoing stream of reports, bulletins, and articles to publicize Davidson's case among socialists, pacifists, and civil libertarians. He arranged for notices and articles of Davidson's arrest to appear in mainstream newspapers and in socialist, pacifist, religious, student, and labor publications.⁶¹ Drawing on personal friendships and political networks, McReynolds turned to socialists and pacifists to furnish the volunteers and donations necessary to appeal the Davidson verdict and challenge the selective service law. In response, socialists, pacifists, and civil libertarians supported the DDC. In particular, SP and YPSL locals in Los Angeles and the San Francisco Bay region, along with their members, sustained the committee.

Besides McReynolds, Davidson, and Tietz, the DDC included local socialists Margaret Phair, Rina Garst, Don Mayall, Phyllis Gangel, Lester Rosenthal, and William Briggs. In addition, the committee persuaded nationally known socialists and pacifists, including Rev. Allan Hunter, A.J. Muste, Michael Harrington, and Stephen Siteman, to serve on the committee.⁶² After moving to New York, Garst became the committee's east coast secretary.⁶³ Gordon Smith, a YFOR member who joined YPSL in 1956, later headed the DDC.⁶⁴ Other socialists and pacifists, at the local and national levels, most notably Bayard Rustin and Norman Thomas, endorsed the committee and made contributions.⁶⁵ Many of these activists were both socialists and pacifists; these socialist pacifists included McReynolds, Davidson, Phair, Hunter, Smith, Muste, Rustin, and Harrington.

Part of a radical fifties subculture, these radicals had worked together or knew each other through various pacifist, socialist, and civil liberties organizations and campaigns. Shared social and cultural experiences, no less than collective political activism, bound them

together and forged solidarity. McReynolds played an important role in these social and cultural happenings. He held YFOR and FORCAST parties at his beach shack in Ocean Park. His "Bohemian Bust" parties featured recordings by Edith Piaf, Burl Ives, Bayard Rustin, Conscience, Comrades, and the Cold War 93

Josh White, and Paul Robeson, in addition to "Lost in the Stars," a musical based on Alan Paton's 1948 novel, Cry, the Beloved Country.⁶⁶ On another occasion, he hosted a jam session highlighting labor, pacifist, radical, and folk protest songs.⁶⁷ In addition to his own parties, he mixed "exotic concoctions" at the soft drink concession at an "After Finals Blowout" that doubled as a YFOR fundraiser.⁶⁸ In these and countless other social events, this band of comrades formed deep, enduring bonds.

The DDC sought to raise \$1,000 to cover legal fees, court costs, and other expenses, although the costs exceeded that amount. To publicize Davidson's case and raise donations, the committee targeted personal contacts, UCLA professors, Workman's Circles, the SP Local Los Angeles, the national Young People's Socialist League, and the Jewish Labor Committee. McReynolds also solicited donations from SP locals around the country. The DDC also offered to send speakers to local church, labor, and university groups. One DDC flyer, pitched to a labor audience, provided a summary of the Davidson case, offered to furnish free speakers, and appealed for donations. "From drafting men into the army it is only one step to drafting workers into their jobs," the flyer asserted, before invoking the Industrial Workers of the World slogan: "REMEMBER: AN INJURY TO ONE IS AN INJURY TO ALL!"⁶⁹ By September 1954, SP Local Los Angeles and its members had donated nearly \$400; the next year, the Emergency Committee for Civil Liberties donated \$250, and the Central Committee for Conscientious Objectors more than \$200.⁷⁰

Responding to the DDC's appeal to write letters to the editor, William Fogarty, a Denver WRL/FOR member, wrote the Denver Post on Davidson's behalf. Fogarty invoked the Nuremberg precedent, which established the legal principle that individuals were responsible for their actions in wartime, and that obeying orders by superiors did not absolve one of war crimes. Endorsing conscientious objection, individual responsibility, and at times, civil disobedience, pacifists often invoked Nuremberg on matters of war and peace. "Our government can hardly with justice prosecute and convict persons at Nuremberg, including a disbeliever in God for not deciding what is immoral in connection with war and for not refusing to do such," Fogarty wrote, "and then later prosecute in Los Angeles a person who doesn't know whether God exists, for making such a decision and for making such a refusal in accordance with the Nuremberg requirements of innocence."⁷¹

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In December 1953, two weeks before he was scheduled to begin his prison term, Davidson issued a statement titled "By Going to Prison I Shall Remain Free." Released by the DDC, the statement also appeared in UCLA's Daily Bruin. Asserting that "I am going to prison because I do not believe in God," Davidson couched his argument in civil liberties' terms. He argued that the 1948 selective service law, by setting a religious test for conscientious objection, violated the U.S. Constitution. Moreover, he declared that "I can't co-operate with a

government that uses totalitarianism to fight totalitarianism.” He repudiated the concentration camps used during World War II to intern Japanese Americans and those authorized by the 1950 McCarran Act to detain subversives in a national emergency. Asserting that “totalitarianism could not be stopped by guns,” he called for international cooperation and economic solutions to create peace. “There is an inconsistency of the worst sort in a government that holds the German soldier on trial at Nuremburg responsible for his acts even when ordered by higher officers to perform these acts, and then say I must train to kill whenever and wherever ordered,” Davidson declared. “By going to prison I shall remain free, and on the offensive for a free world.”⁷²

The McCarran Act (Internal Security Act of 1950), with its detention camps and requirement that communist groups register with the U.S. government’s Subversive Activities Control Board, was just one manifestation of McCarthyism, the anticommunist crusade, and the national security state. The FBI was keeping tabs on McReynolds. Circumstantial evidence provides one example of the government’s interest in McReynolds. One night in 1954, McReynolds and Margaret Phair (then Davidson’s wife) were painting political graffiti on the Ocean Park boardwalk. McReynolds was carrying a folder containing the printer-ready layout for a two-page leaflet on the Davidson case. Also in the folder were letters, a mailing list of SP contacts, and other DDC materials, along with non-political family photographs. He placed the folder on a bench in order to carry a paintbrush and a can of black paint to stencil the slogan: “Send Dulles—Not Troops to Indo-China.” (John Foster Dulles was U.S. secretary of state, and U.S. involvement in Indochina was increasing.) Returning to the bench five minutes later, McReynolds discovered that the folder had disappeared. The next morning, McReynolds telephoned the FBI, reported the incident, and said that he would like the material back if a “patriotic thief” turned the folder over to the agency. The FBI denied knowledge. Conscience, Comrades, and the Cold War 95

of the matter; however, somewhat later, the photographs in the folder were mailed to McReynolds at his parents’ home, even though their address had not been in the folder.⁷³

In January 1954, the DDC organized a folk concert to raise money for Davidson’s defense—and folk musicians Guy Carawan and Frank Hamilton performed without charge in a hootenanny that attracted eighty people and raised \$50.⁷⁴ Born in 1927 in Santa Monica and reared in Los Angeles, Carawan moved to New York’s Greenwich Village and became involved in the American folk revival during the 1950s. In April 1960, Carawan, then associated with Highlander Folk School, a social justice leadership training center in Tennessee, taught “We Shall Overcome”—the protest song that would become the anthem of the civil rights movement—to participants at the Student Nonviolent Coordinating Committee’s founding convention. McReynolds and Davidson knew Carawan, who attended UCLA from 1950 to 1952 and who, like Davidson, lived in Robison Hall. Frank Hamilton also had Los Angeles ties. Born in New York City, in 1934 Hamilton moved to Los Angeles where he remained through the mid-1950s. With other folk musicians, Carawan and Hamilton performed at peace and justice events during the 1950s, the 1960s, and beyond.⁷⁵ The same month as the folk concert, January 1954, Margaret Phair and Los Angeles YPSL organized a rummage sale to raise funds for

Davidson's appeal.⁷⁶

Between 1953 and 1955, Davidson mounted several legal appeals. He first appealed to the U.S. Court of Appeals, Ninth Circuit, which in December 1954, upheld Judge Westover's ruling—and Davidson's conviction. Davidson then took his case to the U.S. Supreme Court; the Supreme Court did not hear the case but, in May 1955, in a rare action, vacated the Appellate Court's decision and returned the case with the request that the Ninth Circuit rule whether or not Davidson came under Section 6(j) of the selective service law. In August 1955, the Appellate Court reaffirmed Westover's decision, ruling that as an agnostic Davidson did not come under Section 6(j). Once again, Tietz petitioned the Supreme Court to review the case. In November 1955, the Supreme Court turned down Davidson's appeal, ending his threeyear legal battle.⁷⁷

On December 5, Davidson surrendered to federal authorities in Los Angeles to begin a three-year prison term. Judge Westover denied Davidson's last minute appeal for probation; the fact that he was working in a state hospital in Berkeley—performing work of national
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importance—did not sway the judge.⁷⁸ Davidson became the first SP member imprisoned for draft refusal during the Korean War. In a collective statement, McReynolds, along with several other socialists and pacifists, declared that Davidson had been convicted for a "crime of conscience."⁷⁹ Shortly before Davidson's surrender, the Colorado Socialist Party commended his "resistance to the two war camps and asserted that his "willingness to back up your convictions even though it meant a prison sentence for you, has set an example of courageous action that is having a profound effect on socialists and pacifists throughout our ranks and even beyond them."⁸⁰

McReynolds remained with Davidson until the end. Before reaffirming his sentence, the judge "infuriated" Davidson and McReynolds by implying that Davidson was a "draft dodger" rather than a genuine CO.⁸¹ After appearing before the judge, Davidson was given several hours for lunch before turning himself in to U.S. Marshals. Dining at a small Mexican restaurant, Davidson confided to McReynolds that he was "scared."⁸² Before returning to the courthouse, they shopped for a paperback for Davidson to read while being processed.⁸³ Five days later, SP Local Los Angeles organized a demonstration at the Los Angeles County Jail where Davidson was awaiting transfer to Tucson Federal Prison Camp in Arizona.⁸⁴ McReynolds called on socialists and pacifists to join the protest. "We shall not only be showing our support for a friend we have known, and a comrade with whom we have worked," McReynolds declared, "but we shall serve dramatic notice on the government that its attempt to suppress political freedom will meet with our determined opposition at every point."⁸⁵ About twenty socialists and pacifists picketed the jail and distributed leaflets. The leaflet excerpted a rousing statement by Davidson: "The hysteria of war preparation increasingly resembles the evil that the war effort is supposed to combat. My own answer to totalitarianism is to join with free men everywhere in working peacefully to combat it. If this means opposition to the draft and loyalty oaths in my country, then I will oppose them. If this means going to prison I will go."⁸⁶ Declaring that Davidson had been imprisoned for a "'crime' of conscience," the leaflet urged citizens to write Judge Westover (requesting that he reduce Davidson's sentence or release him on probation) and

President Eisenhower (requesting that he grant Davidson a presidential pardon).⁸⁷

In the fall of 1956, the DDC waged an unsuccessful petition and letter-writing campaign to persuade Eisenhower to grant executive Conscience, Comrades, and the Cold War 97

clemency and pardon Davidson. The campaign was initiated by Davidson, Tietz, and California members of the DDC, SP, and YFOR. McReynolds had no role in its planning, although he wrote Eisenhower and promoted the campaign within the socialist and pacifist movements.⁸⁸ The DDC highlighted the recent acquittal of Don Thomas (no relation to Norman Thomas), an agnostic Wisconsin socialist who refused induction, on the same charge on which Davidson had been convicted. Like Davidson, Thomas had been denied CO status and due process. For the DDC, the contradiction between Thomas's acquittal and Davidson's incarceration provided a compelling reason for the president to pardon Davidson.⁸⁹ Eisenhower, however, declined to grant a pardon.

McReynolds attempted to enlist SP leader Norman Thomas in this pardon campaign. To persuade Thomas, whose championing of conscientious objection and civil liberties dated to the First World War (when his brother, Evan Thomas,⁹⁰ had been a prison CO), McReynolds offered three main arguments. He contended that Davidson's case, based on secular objection, crystallized the "rights of conscience much more clearly than in the case of religious C.O.'s." "It is not simply a C.O. case," McReynolds insisted, "it is the case of a socialist war resister who was denied due process even before he was denied his C.O. exemption." Moreover, he maintained that Davidson's case raised important civil rights issues, since his procedural rights had been violated. He noted that the DDC included socialists, pacifists, and civil libertarians alarmed by "the Supreme Being and due-process matters." Finally, he argued that Don Thomas, a SP member, deserved Norman's support. Despite McReynolds' ardent lobbying, Norman, though sympathetic, refused to lend his name to the campaign for a presidential pardon.⁹¹ "Emphatically, I favor pardon or amnesty for Vern," Thomas replied, "but I also favor it for other conscientious objectors and I do not feel justified in singling him out."⁹² However, Thomas did support a general amnesty for all COs and did offer to help Davidson win parole and get a job.⁹³

In addition to the pardon campaign, McReynolds and the DDC worked to obtain a parole and job for Davidson and to pay his legal bills. Davidson was eligible for parole in December 1956. McReynolds wrote the United States Parole Board on Davidson's behalf—and, in numerous letters, encouraged other socialists and pacifists to do the same. He also requested intervention by the Central Committee on Conscientious Objectors and the National Service Board for Religious 98 PEACE & CHANGE / January 2013

Objectors (NSBRO), advisory agencies that provided legal assistance to COs. Both agencies agreed to help. Despite these efforts, in February 1957 the parole board denied Davidson parole, without explanation. Writing to the parole board, Davidson noted that most COs were granted parole after serving one year and charged the board with denying him parole on political and religious grounds, because he was a socialist and agnostic.⁹⁴

McReynolds also dealt with Davidson's legal bills. In January 1957, the DDC still owed Tietz \$223, and McReynolds took personal responsibility for this debt.⁹⁵ In addition to personal and contractual obligations, McReynolds may have been motivated by another concern. For several years, he had collected donations for the DDC and kept the contributions in a "small box" in his Ocean Park home. In a "shameful confession," McReynolds later recalled that "poverty was the name of the game and from time to time I dipped into that box for essentials such as food." Despite "good intentions," he estimates that he never replaced some \$200.⁹⁶

During Davidson's incarceration, he and McReynolds corresponded regularly. Among other issues, they discussed politics. In several letters, McReynolds reported on his talks with Dorothy Healey, who chaired the Southern California district of the Communist Party USA. Notwithstanding McReynolds' and Davidson's anticommunist convictions, both McReynolds and Davidson concluded that this imprudent epistolary transgression led authorities to deny Davidson's initial applications for parole. Healey aside, Davidson's radical politics and perhaps also his agnosticism seemed to be involved in the decision to deny him parole. At the time, McReynolds and Davidson realized that some of their prison correspondence was sent to Washington, DC, for review; Davidson confirmed this after his release through a FOIA request. In addition, the FBI was monitoring McReynolds, as both his 300-page FBI file and the stolen folder incident at the Ocean Park boardwalk attest. This is not surprising, as he was a socialist pacifist radical engaged in draft resistance; moreover, he was working politically to bring the former Trotskyist, Max Schachtman, and his Independent Socialist League, then on the attorney general's subversive list, into the Socialist Party.⁹⁷ Presumably, the FBI would have been no less interested in Davidson, who assumed that the FBI had monitored him. According to McReynolds, he and his California comrades realized that they were being watched and eventually even learned the agent's identity.⁹⁸

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In March 1957, after meeting with the Federal Parole Board about Davidson's case, the NSBRO reported that the parole board "suggested there were facts and factors in the case that we obviously did not know about...." The parole board declined to provide specifics, but did offer this illustration: "Suppose a person had refused to be drafted because he was a member of the Communist party; should he be given a parole?" Although emphasizing that there was no evidence that Davidson was a communist, the board "stated that the same principle was involved."⁹⁹

In December 1957, after serving two years of a three-year sentence, Davidson was released. He returned to UCLA the next semester and completed his degree in 1959. He then earned a law degree from UCLA (1962). He went on to teach law in Malawi for a decade before joining the law school faculty at Gonzaga University, a Jesuit institution in Spokane, Washington.¹⁰⁰

DAVID MCREYNOLDS' DRAFT RESISTANCE CASE

Unlike Davidson, McReynolds took the CO position on religious grounds (as a believer in a Supreme Being) and on political grounds (as a pacifist and, by 1950, as a socialist). Otherwise, McReynolds made the same constitutional and due process arguments as Davidson. In September 1948, McReynolds, then a student at UCLA, registered

with Selective Service. Three months later, he informed his local draft board that he was a conscientious objector and requested Form No. 150 (Special Form for Conscientious Objector). In September 1950, three months after the Korean War erupted, McReynolds submitted his Form 150 and his draft board classified him 4-E (conscientious objector).¹⁰¹

To document his religious and pacifist convictions, McReynolds submitted with his CO application (Form 150) two speeches that he had delivered (“Senior Speech” and “Road to Peace”) a draft refusal statement that he had signed, and meditations on the nature of God and man that he had written. These texts reveal McReynolds’ religious pacifism and radical pacifist (though not yet socialist) Cold War dissent. He advocated world government, a new American foreign policy, and nonviolent resistance to combat tyranny and totalitarianism. Addressing fellow students at George Washington High School in June 1947, McReynolds appealed to graduating seniors to prevent

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a new war. Speaking in the aftermath of the Second World War and at the beginning of the Cold War, he offered both description and prescription. After recounting the horror, destruction, and Holocaust of World War II, he turned to the atomic bomb. Hiroshima changed the “course of history” and threatened human survival, he contended. How then, at this “eleventh hour,” with the world “moving towards a new war,” could citizens avoid international conflict and create global peace? The answer, McReynolds argued, was world government. National sovereignty, isolationism, and armaments had not prevented war. “Our only hope,” he declared, “is to disarm all nations and establish a real world government more powerful than any member nation”—and to give this world government control over the atomic bomb. “We must unite—while Time Remains,” he proclaimed. “It is One World or none. It is World Government Now Or Never.”¹⁰²

In “The Road to Peace,” a 1949 speech prepared for a forensic contest sponsored by the Woman’s Christian Temperance Union, McReynolds invoked “God” and the “gospel of Christ.” Calling modern war a “great scourge,” he also condemned its causes, citing greed, ignorance, intolerance, militarism, national sovereignty, and a U.S. foreign policy dedicated to defending the status quo. Along with world government, he advocated a new American diplomacy that promoted democracy and identified with the plight of the underprivileged. Through such policies, he contended, the United States could regain “moral leadership” and win the “great ideological battle” with the Soviet Union. The alternative, in a nuclear age, was suicide. “Military preparation has always meant war, but today war means total destruction,” he warned.¹⁰³

In addition to these speeches, McReynolds submitted a draft refusal statement that he had signed after the Korean War began. Couched in Christian pacifist language, the signers committed themselves to challenge conscription, to “love” their enemies, and indeed to love all men, including “Americans, Russians, and Koreans,” and to meet tyranny and totalitarianism with nonviolent resistance. “Our consciences, nurtured in the Christian teaching of love, nonviolence, forgiveness, and creative reconciliation, will not permit us to align ourselves with the military method of meeting this tense situation,” the statement declared. “We choose to train ourselves in the method

of Gandhi and of Jesus, who taught that the power of love and non-Conscience, Comrades, and the Cold War 101
violent action is greater by far than the mighty guns, tanks, or atom bombs.”¹⁰⁴

Finally, McReynolds submitted his meditations “On the Nature of God” to demonstrate his religious convictions. Although professing a belief in God, he rejected his childhood Judeo-Christian notion of God. He conceived God as an “eternal spirit” or “all-pervading energy.” For McReynolds, this eternal spirit had “no gender—it is not ‘he’ but it. It is a force, not a person.” This eternal spirit—“impersonal,” “mystical,” beyond human understanding—was everywhere, including in men and women. Stated differently, McReynolds held that “man is really a manifestation of God or the eternal spirit.” More directly, “Man is my religion,” he confessed. His view of “man” as God led him to emphasize “love” and “brotherhood” and to seek “unity with mankind.” For McReynolds, these convictions undermined the rationale for war and capitalism and led one toward “philosophical communism” and “pacifism.”¹⁰⁵

Even though McReynolds believed that he met the religious test contained in the selective service law (i.e., a belief in a Supreme Being), he declined to claim exemption on religious grounds. Taking a principled stance, McReynolds refused to benefit from or co-operate with a law that, by exempting religious but not secular objectors, was discriminatory.¹⁰⁶ “Several of my close friends are in jail or will go to jail because they, as agnostics, could not qualify for exemption—despite their sincere opposition to war,” McReynolds later explained. “In this situation I felt I could not take the pacifist position under the law which was denied [to] some of my closest friends and co-workers.”¹⁰⁷

Between 1951 and 1954, McReynolds waged an ongoing struggle with his local draft board and mounted several appeals to maintain his CO status. In December 1951, the board reclassified him 1-A (available for unrestricted military service). In March 1952, the board granted him a student deferment and reclassified him II-S (student deferment) until June 30, 1952. In August 1952, McReynolds’ draft board reclassified him 1-A; and then, in September 1952, ordered him to report for a military physical exam. McReynolds requested to appear before the board; the board granted his request but refused to alter his 1-A classification. McReynolds then appealed to the Los Angeles-based Appeal Board for the Selective Service System in the Southern Federal Judicial District of the State of California.¹⁰⁸

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Events came to a head in 1954. McReynolds appeared before a hearing office to appeal his draft classification. Meanwhile, the FBI investigated McReynolds and issued a report on his pacifist beliefs. The FBI report cited witnesses who were divided on whether McReynolds was a religious or political objector, but the report underscored his sincerity.” Although McReynolds considered the Investigative Report summary “generally positive and accurate,”¹⁰⁹ he noted that the Supplemental Investigative Report resume was not accurate. McReynolds addressed these errors with the hearing officer and waived a second hearing. In June, the U.S. Department of Justice, in an advisory recommendation, sustained the hearing officer’s conclusion that McReynolds, though sincere, did not base his objection on

religious grounds. In July 1954, the Appeal Board upheld, in a 3–0 vote, McReynolds’ 1-A draft classification.¹¹⁰

On August 4, 1954, McReynolds’ draft board ordered him to report for induction on August 16, at 8:00 AM. Four days before this date, McReynolds’ draft board granted him permission to travel with his parents to Mexico in order to visit his brother and postponed his induction until August 26, 1954.¹¹¹ That morning, August 26, at 7:00 AM, McReynolds returned from Mexico. One hour later, he reported to the Los Angeles Induction Center, but refused to submit for induction. He also refused to sign a loyalty oath, though he willingly acknowledged that he was a proud member of the SP which, he noted, was not on the attorney general’s list of subversive organizations.

¹¹²

Five months later, on January 11, 1955, McReynolds was arrested and charged with refusing induction into the armed services. After spending twenty-four hours in jail, he was released on \$1,000 bail posted by his parents. Retaining Tietz as his attorney, he began his own legal battle.¹¹³ (McReynolds hoped that his draft case and Davidson’s would “make Socialists generally more concerned with war than if ‘religious pacifists’ were involved.”¹¹⁴ To advance this goal, he had wanted the SP to provide his bail “as a lesson for them in war resistance.”¹¹⁵) Draft resistance and radicalism had other consequences. Fired from his job and unable to find a new one while on bail, McReynolds moved back home; eventually, he found another job, but after two weeks he was fired as a “political security risk.”¹¹⁶ Notwithstanding these legal and personal ordeals, McReynolds continued his pacifist and socialist activism while awaiting trial.

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In March 1955, with an anticipated prison term looming, McReynolds took care of housekeeping tasks. In a note to friends, he reported on his (later rescheduled) March 29 trial date and confided that he expected to be in jail after then. Since in prison he would no longer be able to handle correspondence, he included new contacts and mailing addresses for several groups and projects that he spearheaded, including the DDC, YFOR, FORCAST, and the Committee for a Socialist Program (an effort to revitalize, rebuild, and reunify the SP along left-democratic socialist lines).¹¹⁷

As his trial approached, Los Angeles pacifists organized a defense committee for McReynolds. Two weeks before his trial, Margaret Phair and Gordon Smith organized a folk song session. Frank Hamilton, Guy Carawan, and Jo Mapes entertained eighty guests. The event raised \$55. In addition, the defense committee organized a dinner and publicized McReynolds’ case through a special mailing.¹¹⁸ About the same time, Los Angeles socialists speculated that the precedent set in the case of William Chernekoff, a CO also represented by Tietz, might result in the dismissal of McReynolds’ case and impact Davidson’s. In *Chernekoff v. United States* (1955), the U.S. Court of Appeals, Ninth Circuit, ruled that the failure of draft boards to post the names of draft registrants’ advisors and provide registrants with a summary of the evidence against them presented problems of due process—and that the government must do both in the future.¹¹⁹ Finally, on April 26, 1955, McReynolds went to trial. Meanwhile, the government disregarded J. B. Tietz’s subpoena and declined to turn over McReynolds’ complete FBI report; in response, Tietz argued that

the government's refusal violated McReynolds' due process rights.¹²⁰ Worried that its violation of due process would mean losing the case at trial, the government moved to dismiss the case. The court agreed. "I am a free man," McReynolds wrote to friends.¹²¹ However, following his legal victory, McReynolds' draft board reclassified him 1-A, and he again faced the possibility of standing trial.¹²² Subsequently, his draft board reclassified him 4-E and told him that he must serve two years of alternative civilian service—and he expected to perform this service. However, when the draft board did not follow up, McReynolds notified them that he was moving to New York and would complete alternative work there. Not hearing from his draft board, McReynolds assumed that his case was closed and that, by "some miracle," he had won his court case and had avoided alternative service. In March 1956, McReynolds, then living in New York and, at age 26, 104 PEACE & CHANGE / January 2013

no longer draft-eligible, confided: "Having no sense of obligation to serve two years for any government, let alone this one, I am not volunteering and am working now as a typist for 'In Friendship,'" a group founded by Ella Baker, Bayard Rustin, and Stanley Levison that raised funds to support the emergent southern civil rights movement.¹²³

POSTSCRIPT

Meanwhile, in October 1955, McReynolds submitted his final DDC report as secretary. He summarized the status of Davidson's appeal and the DDC's financial position. He informed DDC members and friends that he would be starting two years of alternative service. Since he planned to devote his time to the SP, he explained that he had arranged for the DDC's work to be handled by others in Berkeley and New York City. Donald Mayall (in Berkeley) would become the new secretary, while Rina Garst (in New York) would continue as east coast secretary. (Subsequently, Mayall was unable to handle the committee's work and Gordon Smith took over as west coast secretary.¹²⁴ Even after stepping down as DDC secretary, McReynolds continued to play a major role in efforts to obtain a parole, pardon, or amnesty for Davidson.¹²⁵) In a postscript, McReynolds announced "one last official act" before relinquishing his leadership of the DDC. In June, twenty-six radical pacifists had been arrested in New York City for committing civil disobedience by refusing to take shelter during the civil defense drill, code-named Operation Alert. McReynolds informed his DDC comrades that, absent objections, he would share the DDC's mailing list with the defense committee supporting the New York pacifists.¹²⁶

Indeed, the protest movement against civil defense drills provided one bridge between McReynolds's California and New York activism. First in Los Angeles and then in New York, McReynolds was active in the pacifist-led campaign (1955–1961) against the annual civil defense drills that led to the June arrests of pacifists in New York. Even though his draft resistance case had been dismissed without a trial, McReynolds would soon participate in a courtroom drama that transformed the courts into a site of struggle against civil defense and U.S. Cold War policies. He was a major leader of the 1960 and 1961 protests in New York and the staff coordinator of the 1961 demonstration.

¹²⁷ He argued that civil defense drills reinforced the arms race and war and thus must be opposed to maintain peace, the sole guarantee. Conscience, Comrades, and the Cold War 105

tor of security in the nuclear age. Civil defense, he contended, offered a fallacious psychological shield against nuclear Armageddon and made nuclear war more likely, not less.

On trial in 1961 for refusing to take shelter during the civil defense drill, McReynolds used the proceedings to publicize the pacifist case against war and militarism. Addressing the court, he stressed the imperative of individual resistance to immoral acts and invoked the Nuremberg precedent and the American revolutionary and antislavery traditions. Citing Peter Zenger, the Boston Tea Party, the Underground Railway, and the southern civil rights movement, he observed that “our democracy has in large part been created and sustained by individual men and women who defied state authority.” The judge sentenced him to twenty-five days in prison or a \$50 fine. McReynolds chose jail.¹²⁸ Confronting mass popular opposition, authorities canceled the 1962 Operation Alert drill—a victory for radical pacifists.¹²⁹ In the struggles to win CO status for secular objectors and to undermine civil defense drills, the courtroom offered Cold War dissidents one front in the struggle against militarism and war.

CONCLUSION

The Korean War draft resistance cases of David McReynolds and Vern Davidson are significant for several reasons. First, these cases demonstrate the importance of personal and political networks in building cultures and communities of dissent and protest. During the 1950s, McReynolds and Davidson were among of a small cohort of libertarian radicals. This cohort was often clustered in “movement halfway houses” such as the FOR, WRL, SP, and YPSL; by sponsoring, influencing, and assisting more mainstream reform groups and campaigns (like CORE), these movement centers had a broad impact on modern America. For decades, most members of this cohort remained friends and comrades, working, often together, to advance peace and justice. Although Davidson would leave the SP, McReynolds would become one of the leading American democratic socialists and radical pacifists of his era.

Second, these cases demonstrate that, even during the Cold War, the Korean War, and the anticommunist crusade, radical dissent, alternative visions, and uncompromising resistance continued—often led by radical pacifists and socialist pacifists who formed a political counterculture. This radical/socialist pacifist counterculture repudiated the

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Cold War at home and abroad, and it resisted the atomic bomb, nuclear deterrence, militarism, imperialism, colonialism, and the assault on civil liberties and other impediments to human freedom—by both the U.S. and Soviet blocs. These radical/socialist pacifists challenged the status quo in the 1950s and provided a seedbed for social transformation in the 1960s and 1970s.

Third, even though Davidson’s and McReynolds’ constitutional positions did not prevail in the mid-1950s, within a decade the U.S. Supreme Court would endorse their argument that secular, no less than religious, objectors should be eligible for CO status and exempt from military service. J.B. Tietz, who argued McReynolds’ and Davidson’s cases in the mid-fifties, would triumph in two milestone cases. In *U.S. v. Seeger* (1965) and *U.S. v. Welsh* (1970), the Supreme Court ruled that strongly held atheistic “moral” and “ethical” beliefs met

the test for conscientious objection. The Seeger and Welsh decisions extended conscientious objection beyond traditional religious grounds and validated the contention made by McReynolds and Davidson, among others, that secular principles were a legitimate source of pacifism.

¹³⁰ Indeed, these four cases—McReynolds, Davidson, Seeger, and Welsh—represent what John W. Chambers and Charles C. Moskos have termed the “secularization of conscience” and the “new conscientious objection.”¹³¹ In short, the draft resistance cases of McReynolds and Davidson demonstrate that courts could be sites of social struggle.

Finally, in 1956, McReynolds moved to New York to work at Liberation magazine, though the job—editorial secretary—did not materialize until February 1957.¹³² He quickly rose to leadership positions within the pacifist and socialist movements and became a denizen of the New York socialist pacifist Left. Beyond America, he chaired the War Resisters International (1986–88) and served on its executive council (1966–1982). In 1980 and 2000, he ran for U.S. president on the SP ticket. His decade of radical dissent and movement organizing in Los Angeles, including his draft resistance during the Korean War, presaged and contributed to his later success.

NOTES

1. After World War II, Korea was divided at the 38th parallel into U.S. and Soviet occupation zones. For an introduction to the war and its origins, see William Stueck, *The Korean War: An International History* (Princeton: Princeton Univ. Press, 1995); Bruce Cumings, *The Origins of the Korean War: Vol. 1: Liberation and the Emergence of Separate Regimes* (Princeton: Princeton University Press, 1981) and *Vol. 2: The Roaring of the Cataract* (Princeton: Princeton University Press, 1990); Kathryn Weathersby, “New Findings on the Korean War,” in *Bulletin of the Cold War International History Project*, Woodrow Wilson International Center for Scholars, Washington, DC, (Fall 1993): 1, 14–18.

2. For this passage, including all quotes, see [David McReynolds], “The Facts on Korea,” in *The Blaze* (July–August 1950). *The Blaze* was the publication of American Youth for Political Action (AYPA), the youth organization of the Prohibition Party.

3. “Alternative to Doom,” in *The Spark* (September 18, 1950). The article was unsigned; however, this issue and its content were prepared by Vern Davidson and two others. *The Spark* was published by Westwood Socialist Club in cooperation with other student socialist clubs in California, and by Los Angeles YPSL. In 1953, *The Spark*’s staff included Davidson, Glenn Buell, Phil Tankin, Roberta Schulman, Les Rosenthal, Marsha Berman, and Jerry Blatt. In 1954, McReynolds and Nadina Wiener joined the staff. Lenin’s paper was *Iskra* (in English, *Spark*).

4. Charles Doehrer (Libertarian Socialist League, Los Angeles), Vern Davidson (YPSL-Los Angeles), and Robert Martinson (Socialist Youth League, Berkeley), “Declaration Against War” (at West Coast Socialist Youth Conference), November 25, 1950, *Socialist Party of America Papers*, microfilm edition (Glen Rock, NJ: Microfilming Corporation of America, 1975), (hereafter *SP Papers*), Reel 142.

5. For CNVR, Peacemakers, and radical pacifist resistance to Cold War conscription, see Scott H. Bennett, *Radical Pacifism: The War Resisters League and*

Gandhian Nonviolence in America (Syracuse, NY: Syracuse Univ. Press, 2003), 145–155, 177–181; Lawrence S. Wittner, *Rebels Against War: The American Peace Movement, 1933–1983* (Philadelphia: Temple Univ. Press, 1984), 154–158, 162–164, 186–187, 224–227; Maurice Isserman, *The Death of the Old Left and the Birth of the New Left* (Chicago: Univ. of Chicago Press, 1993), 136–140; James Tracy, *Direct Action: Radical Pacifism From the Union Eight to the Chicago Seven* (Chicago: Chicago Univ. Press, 1996), 49–52, 60–67; Marian Mollin, *Radical Pacifism in Modern America: Egalitarianism and Protest* (Philadelphia: Univ. of Pennsylvania Press, 2006), 30–31, 49–55.

6. For the FOR and WRL on the Korean War, see WRL/FOR Press Release, July 11, 1950, War Resisters League Papers, DG-140, (hereafter, WRL Papers), Series B, Box 10, Swarthmore College Peace Collections, Swarthmore, PA (hereafter, SCPC); A.J. Muste, “Pacifists and Korean Crisis,” 25 July 1950, Fellowship of Reconciliation Papers, DG-13 (hereafter, FOR Papers), Section II, Series A, Subseries A-4, Box 3, SCPC; FOR, “The Meaning of Korea” [1950], FOR Papers, Section II, Series A, Subseries A-5, Box 3; A.J. Muste, *Korea: Spark to Set a World Afire?* (New York: FOR, [1950], copy in FOR Papers, Section II, Series A, Subseries A-5, Box 3; WRL, “War Can Be Stopped: A Statement on Korea by the War Resisters League,” August 1950, and other draft statements on Korea by WRL members, all in WRL Papers, Series B, Box 10; Bennett, *Radical Pacifism*, 191–195. For the WRL and FOR, see Bennett, *Radical Pacifism*, chapters 1 and 3 and *passim*. For the FOR’s origins, ideas, and early history, see also Joseph Kip Kosek, *Acts of Conscience: Christian Nonviolence and Modern American Democracy* (New York: Columbia Univ. Press, 2009), Introduction, Ch. 1, and *passim*; Charles Chatfield, *For Peace and Justice: Pacifism in America, 1914–1941* (Knoxville: Univ. of Tennessee Press, 1971), 19–22, 38–41.

7. For SP and YPSL support of U.S. military intervention in Korea, see “Socialist Support UN Security Council on Korea” (press release), June 27, 1950; “Socialists Support Security Council, President Truman, On Korea” (press release), June 29, 1950; Charles Taibi (YPSL national secretary) to Harry Fleischman, July 21, 1950, all in SP Papers, Reel 63. See also Bernard K. Johnpoll, *Pacifist’s Progress: Norman Thomas and the Decline of American Socialism* (Chicago: Quadrangle Books, 1970), 265; Maurice Isserman, *The Other American: The Life Of Michael Harrington* (New York: Public Affairs, 2000), 122.

8. For California socialist opposition to U.S. intervention, see William Briggs to [SP] National Executive Committee (“Resolutions on Korea and World Situation,” adopted by Local Los Angeles), July 26, 1950, SP Papers, Reel 63; Charles Doehrer (Libertarian Socialist League, Los Angeles), Vern Davidson (YPSL-Los Angeles), and Robert Martinson (Socialist Youth League, Berkeley), “Declaration Against War” (at West Coast Socialist Youth Conference), November 25, 1950, SP Papers, Reel 142.

9. For “movement half-way houses,” see Aldon D. Morris, *The Origins of the Civil Rights Movement: Black Communities Organizing for Change* (New York: Free Press, 1984), 139–173. For the SP’s socialist pacifist current, see Bennett, *Radical Pacifism*, Chapters 1 and 3; and Scott H. Bennett, “Radical Pacifism and the General Strike Against War: Jessie Wallace Hughan, the Founding of the War Resisters League, and the Socialist Origins of Secular Radical Pacifism in America,”

10. Martin Duberman, in the sole biography of McReynolds, devotes one paragraph to McReynolds' and Davidson's draft resistance cases. See Duberman, *A Saving Remnant: The Radical Lives of Barbara Deming and David McReynolds* (New York: New Press, 2011), 35.

11. Several other socialists also refused induction and challenged the draft law. The DDC often referenced secular socialists Don Thomas and Burt Rosen; denied CO status, both were prosecuted for refusing induction. For Rosen, see HTS:wmh [Howard T. Savage: Victor Howard], "United States of America vs. Burton Rosen" (statement of docket and case), [1954]; Victor Howard to Dear Friend, [1954?], both in David McReynolds Papers-Unprocessed (hereafter, DM-U Papers], DG 134, SCPC.

12. J.B. Tietz, the attorney representing McReynolds, offered expert advice to his selective service clients and carefully collected documents to prepare his clients' appeals. For an example, see J.B.T. to New Selective Service Clients, n.d., #9; and JBT #1, 3rd Edition ("General Instructions (Selective Service)," #1, 3rd Edition, n.d., both in DM-U Papers. In his motion for a judgment of acquittal, Tietz summarized the violations to McReynolds' right of due process. See J.B. Tietz (Attorney for Defendant), "Motion for Judgment of Acquittal," United States of America vs. David Ernest McReynolds, n.d., DM-U Papers.

13. Although this article does not discuss their homosexuality or gay culture, my biography-in-progress on McReynolds will discuss this theme.

14. Quoted in Selective Service Act of 1948: Conference Report, 80th Congress, 2nd Session, 1948, 10, available online at http://www.loc.gov/rr/frd/Military_Law/act_1948.html. Accessed July 15, 2011.

15. In 1951, the 1948 measure was renamed the Universal Military Training and Service Act. For the 1948 law, see John W. Chambers, "Conscientious Objectors and the American State from Colonial Times to the Present," in *The New Conscientious Objection: From Sacred to Secular Resistance*, eds. Charles C. Moskos and John W. Chambers II (New York: Oxford Univ. Press, 1993), 38–39; George Q. Flynn, *The Draft, 1940–1973* (Lawrence: Univ. Press of Kansas, 1993), 88–109; Stephen M. Kohn, *Jailed for Peace: The History of American Draft Violators, 1658–1985* (New York: Praeger, 1986), 63–72; Selective Service Act of 1948: Conference Report. 80th Congress, 2nd Session, 1948.

16. See, for instance, Clay Blair, *The Forgotten War: America in Korea, 1950–1953* (New York: Times Books, 1987); Bruce Cumings and Jon Halliday, *Korea: The Unknown War* (London: Viking, 1988).

17. For an introduction to antiwar dissent during WWII and the Vietnam War, see the sources cited in Scott H. Bennett, "American Pacifism, the 'Greatest Generation,' and World War II," in *The United States and the Second World War: New Perspectives on Diplomacy, War, and the Home Front*, eds. G. Kurt Piehler and Sidney Pash (New York: Fordham Univ. Press, 2010), 259–92; and Charles Chatfield, "At the Hands of Historians: The Antiwar Movement of the Vietnam Era," in *Peace & Change* Vol. 29 (July 2004): 483–526.

18. No monograph exists on peace movement dissent to the Korean War;

most of the scholarship on such dissent appears within monographs or surveys on the peace movement or in biographical studies. See, for example, Wittner, *Rebels Against War*, 201–03; Stephen M. Kohn, *Jailed for Peace*, 67–71; Bennett, *Radical Pacifism*, 191–95; Tracy, *Direct Action*, 70–73; Carl Mirra, *The Admirable Radical: Staughton Lynd and Cold War Dissent, 1945–1970* (Kent: OH: The Kent State Univ. Press, 2010), 24–28; Andrew E. Hunt, *David Dellinger: The Life and Times of a Nonviolent Revolutionary* (New York: New York Univ. Press, 2006), 96–103; David Halberstam, *The Children* (New York: Ballantine, 1998), 37–47; Jo Ann O. Robinson, *Abraham Went Out: A Biography of A.J. Muste* (Philadelphia: Temple Univ. Press, 1982), xvi, 94, 97, 139; Charles F. Howlett and Robbie Lieberman, *A History of the American Peace Movement from Colonial Times to the Present* (Lewiston, NY: The Edwin Mellen Press, 2008), 332–335; Michael Doyle, *Radical Chapters: Pacifist Bookseller Roy Kepler and the Paperback Revolution* (Syracuse, NY: Syracuse Univ. Press, 2012), 88–92.

19. For the peace movement's decline, see Wittner, *Rebels Against War*, 182–212; Charles DeBenedetti, *The Peace Reform in American History* (Bloomington, IN: Indiana Univ. Press, 1908), 146–157; for an introduction to the anticommunist crusade, see Ellen Schrecker, *Many Are the Crimes: McCarthyism in America* (Boston: Little, Brown, 1998).

20. The percentages of inductees exempted as objectors are as follows: WWI (0.14%), WWII (0.15%), 1952 (1.64%), 1953 (1.28%), 1954 (3.63%), 1955 (5.28%), 1956 (9.17%), and 1957 (7.18%). See Kohn, *Jailed for Peace*, pp. 63–72; the percentages come from p. 70, Table 2; Chambers, "Conscientious Objectors and the American State from Colonial Times to the Present," 39.

21. There is a large revisionist literature that argues that the 1950s contained radical currents that resisted the dominant Cold War culture and provided a seedbed for later social change. For a sample of this literature that highlights radical pacifism in the fifties, see Isserman, *The Death of the Old Left and the Birth of the New Left*; Dan Wakefield, *New York in the 1950s* (New York: Houghton Mifflin/Seymour Lawrence, 1992); Charles DeBenedetti and Charles Chatfield, assisting author, *An American Ordeal: The Antiwar Movement of the Vietnam Era* (Syracuse: Syracuse Univ. Press, 1990); James J. Farrell, *The Spirit of the Sixties: The Making of Postwar Radicalism* (New York: Routledge, 1997). For two recent works, see Van Gosse, *Rethinking the New Left: An Interpretative History* (New York: Palgrave Macmillan, 2005); and Mirra, *Staughton Lynd and Cold War Dissent*, who argues that Lynd, a Korean War CO who advocated pacifism and libertarian socialism during the forties and fifties, was a "premature New Leftist"—a phrase also applicable to McReynolds and Davidson.

22. For UCLA, see UCLA Certificate of Completion of Work (for David McReynolds), February 2, 1953, DM-U Papers; David McReynolds (email) to Scott Bennett, November 2, 2011.

23. For World Friendship Clubs and the Chronian Society, see George Washington Surveyor, May 24, 1947, and January 9, 1947, clippings; McReynolds Chronian Society membership card, all in DM-U Papers.

24. As founding editor, McReynolds edited *The Blaze* from 1946 to 1951; he

also was president of the California Youth Temperance Council (AYPA). See *The Blaze*, September–October 1951; Robert Gemmer to Dear A.Y.P.A. Friends [1951], David McReynolds Papers [processed] (hereafter, DM Papers], DG 134, Series II, Box 1, SCPC.” The AYPa listed its positions on its letterhead. See, for instance, David McReynolds to Local Board No. 122 (on AYPa letterhead), June 4, 1951, David McReynolds Selective Service File (hereafter, DM-SS File), DM-U Papers.

25. For his resignation, see *The Blaze*, September–October 1951; FORCAST, November 1951. As *The Blaze*’s founding editor, McReynolds edited the AYPa newsletter from 1946 to 1951. For McReynolds’ resignation letter en route to Europe, see David McReynolds (two emails) to Scott Bennett, both June 14, 2012.

26. For CORE, see George M. Houser, *CORE: A Brief History* (New York: CORE, 1949); James Farmer, *Lay Bare the Heart: An Autobiography of the Civil Rights Movement* (New York: New American Library, 1985); and August Meier and Elliot Rudwick, *CORE: A Study in the Civil Rights Movement, 1942–1968* (New York: Oxford Univ. Press, 1973); and George M. Houser interview with Scott Bennett, May 18, 1995.

27. For a convenient listing of McReynolds organizational affiliations discussed in this and the preceding four paragraphs, see DM-SS File; and various McReynolds’ biographical sketches, all in DM Papers and DM-U Papers.

28. See, for instance, *The Spark*, January 8, 1954, and March 15, 1954; Youth Section, FOR to Fellow Students, May 27, 1954, DM-U Papers, most likely written by McReynolds.

29. McReynolds edited FORCAST from 1951 to 1957. The YFOR’s Southwest Region included Southern California, New Mexico, and Arizona.

30. For McReynolds’ recognition by FOR leaders, see, for instance, John M. Swomley Jr to David McReynolds, May 14, 1952; A.J. Muste to David McReynolds, May 19, 1953; and A.J. Muste to David McReynolds, July 22, 1953, all in *Conscience, Comrades, and the Cold War* 111 DM-U Papers. In July 1953, Muste invited McReynolds to attend a Third Camp conference in Chicago that October.

31. David McReynolds to Peter Klopfer, February 25, 1954, DM-U Papers.

32. John H. Swomley Jr to David McReynolds, September 13, 1955, DM-U Papers.

33. David [McReynolds] to Marty [McReynolds], July 6, 1958; David [McReynolds] to Mr. and Mrs. McReynolds, June 8, 1958, both in DM Papers, Series II, Box 2; and various biographical sketches in DM Papers, Series V, Box 1.

34. For the date that McReynolds joined the Westwood Socialist Club, see his membership card, dated “9–50 to 8–51,” signed by himself and Davidson (chairman) [1958], DM-U Papers; for the date that he joined the SP, see biographical sketches on McReynolds, in DM Papers, Series V, Box 1.

35. For McReynolds and the Third Camp, see A.J. Muste to David McReynolds, July 22, 1953; "Peacemaker Declaration on a 'Third Camp,'" October 4, 1953; YPSL-Los Angeles, "Comments on the Third Camp Conference, Nov. 27–29, 1953, New York," November 22, 1953; "Third Camp Conference," Labor Action, December 14, 1953, clipping; David McReynolds, "'Third Camp' Declaration Is Dynamic Statement of Policy," Peacemaker, November 9, 1953; YPSL-California Section, "Socialist Youth and the Third Camp," February 1954, all in DM-U Papers; and David McReynolds, "The Third Camp: Neither Victims, Nor Executioners," posted June 6, 2012, at Workers' Liberty, at <http://www.workersliberty.org/story/2012/06/06/third-camp-%E2%80%9Cneither-victims-nor-executioners%E2%80%9D>. Accessed June 10, 2012.

36. See, for example, [David McReynolds to Family], July 15, 1948; and David [McReynolds] to Mother [McReynolds], [1948], both in DM-U Papers; The Blaze, May–June 1950, July–August 1950; FORCAST, March 1955; May–June 1955; Daily Bruin, [March 1949], [5 January 1950], [January 1951], all three Bruin articles, clippings in DM-U Papers.

37. Van Gosse has labeled pacifists "the true 'third force' on the U.S. left..." See Gosse, *Rethinking the New Left*, 27.

38. For "CORE-type" nonviolent direct action," see "Call to Action" (YFOR Bulletin), [1953]; "Armed Forces Day Demonstration" (YFOR Memo), May 11, 1954, both in DM-U Papers.

39. See, for instance, FOR Youth Section, "Report of Conference April 14th at Chapman College" [April 1951]; FORCAST, April 1954, and May–June 1955; FOR Youth Section–LA & YPSL–LA, "Against The Race To Death!" (Armed Services Day flyer), [May 1955], attached to YPSL-Los Angeles Circle to Comrades, March 12, 1956, all in DM-U Papers. In 1950, Armed Services Day was called National Defense Week.

40. For the 1954 YFOR/YPSL demonstration and leaflet, see YFOR mailing (leaflet attached), May 18, 1954; FOR Memo, May 11, 1954; David McReynolds to Dear Friend, June 1, 1954; [The Daily Ruin (special issue of The Spark), June 1954, all in DM-U Papers.

41. Los Angeles Herald & Express, May 21, 1955, clipping in DM-U Papers.

42. For YPSL Los Angeles actions, see [YPSL Bulletin], March 16, 1956, attached to YPSL-Los Angeles Circle to Comrades, March 12, 1956, DM-U Papers.

43. Peace News (London), May 13, 1955.

44. For McReynolds personal and political activism, see, for instance, David McReynolds to Fred Hildebrand, March 17, 1954; Dave [McReynolds] to Rina [Garst], March 22, 1954, both in DM-U Papers.

45. For Davidson's affiliations and activities, see "Mind Your Own Business" (Board of Education Campaign Flyer), [1953]; "Socialist Youth Leader Arrested For Refusing Induction" (DDC News Release), [July 1953] Dave [McReynolds] to Rina

[Garst], March 22, 1954, all in DM-U Papers. For Davidson's membership in Peacemakers, see FORCAST, October 1952. For Westwood Socialist Club, see David McReynolds' membership card, signed by Davidson (chairman), DM-U Papers. For the date he joined the SP, see Vern G. Davidson to David McReynolds, February 13, 1957, DM Papers, Series 1, Box 1. For the UCLA co-op, see David McReynolds (email) to Scott Bennett, 14 October 2011; Ralph Shaffer (email) to Scott Bennett, July 30, 2012.

46. Vern [Davidson] to David [McReynolds], June 25, 1952, DM-U Papers.

47. For the quote, see U.S. Court of Appeals, Ninth Circuit, Vern Davidson v. United States (Rehearing Denied) February 11, 1955, 218 F.2d 609 (9th Cir., 1955).

48. DDC, "Report," [November 1953?]; DDC, "History and Summary of the Davidson Case," [November–December 1953?], DDC, "S.P. Leader Jailed," [1953], and assorted news clippings, all in DM-U Papers.

49. For Tietz, see his obituaries in the New York Times, March 26, 1988; and Los Angeles Times, March 25, 1988.

50. Davidson's trial was postponed at the government's request until October 21, 1953, and then again until November 16. For the dozen friends on September 22, see DDC, "News Notes," [1953], DM-U Papers.

51. For Tietz on Unitarians, see DDC, "Report," [December 1953?], DM-U Papers.

52. DDC, "Report," [November 1953], DM-U Papers; Peacemaker, October 26, 1953.

53. For Section 6(j) of the 1948 draft act, where this provision is found, see Selective Service Act of 1948: Conference Report, 80th Congress, 2nd Session, 1948, 10.

54. Davidson had been promised, then denied a second hearing before the Hearing Officer, despite his right to such a hearing. Although there was no written record of this promise in Davidson's file, the promise was substantiated through the testimony of Margaret Phair Davidson and the Los Angeles Selective Service. See DDC, "Report," [November 1953], DM-U Papers.

55. United States v. Nugent (1953) and United States v. Packer (1953). See DDC, "News Notes," [1953], DM-U Papers; Peacemaker, October 26, 1953.

56. For instance, Davidson asserted that the summary contained a "quotation" attributed to him that, as a matter of public record, had been made by someone else. See DDC, "News Notes," [1953], DM-U Papers; Peacemaker, October 26, 1953. DDC, "Report," [November 1953], DM-U Papers.

57. DDC, "Report," [November 1953], DM-U Papers.

58. DDC, "Report" [November 1953]; DDC, "Report: Bulletin #4," [January

1954?], both in DM-U Papers.

59. DDC, "History and Summary of the Davidson Case" [December 1953?]; DDC, Report: Bulletin #4 [December 1953?], both in DM-U Papers. The DDC urged Davidson's defenders to support him by being present in the courtroom on November 30. The committee planned to hold a celebration if Davidson won, a demonstration if he lost.

60. For McReynolds and Garst as DDC's founders, see John Pietaro, "A Brief Study of the Art and Culture of the Socialist Party USA," 8, online at http://www.laborfightback.org/cultural_brief_study.htm. Accessed October 8, 2011. Pietaro based his account on his correspondence with McReynolds (dated May 8, 2009). In 1953, McReynolds wrote—without mentioning himself or Garst as cofounders—that the SP created the DDC in 1952 and that he became secretary in September 1953. More precisely, McReynolds later explained, SP Local Los Angeles had created the DDC. See DDC, "Report" [November? 1953], DM-U Papers; David McReynolds (email) to Scott Bennett, November 2, 2011.

61. Publications included the Socialist Call, Peacemaker, Labor Action, CCCO News Notes, FORCAST, War Resister, Peace News, The Spark, Industrial Worker and Unitarian Action. For this list of publications, see DDC, "News Notes," [1953]; Dave [McReynolds] to Arno Ross, February 9, 1954, both in DM-U Papers.

62. For DDC members, see David McReynolds to Members of Davidson Defense Committee, on DDC letterhead, October 17, 1955; "Work Sheet on Davidson Case," [1953 or 1954], though this worksheet does not explicitly state that people listed were DDC members, both in DM-U Papers. Other members listed on (October 1955) DDC letterhead included Helen Beardsley, William Friedman, and Samuel Oshry. For support by other pacifists and socialists, see, for instance, David McReynolds, Douglas Pomoroy, Harry Siitonen, and Gordon Smith to Friend, December 7, 1955, DM-U Papers. For McReynolds' invitations to join DDC, see David McReynolds to Bogden Denitch, April 9, 1954; David McReynolds to Steve Siteman, April 10, 1954, DM-U Papers.

63. For DDC members, see David McReynolds to Dear Friend, [1953]; David McReynolds to Friends, October 17, 1955, both on Davidson Defense Committee letterhead (with names listed), both in DM-U Papers. In 1956, when McReynolds moved to New York, he briefly lived with Rina and Jim Garst. See David to Folks, June 29, 1956, DM Papers, Series II, Box 1.

64. Gordon Smith joined YPSL in 1956. See Vern Davidson to David McReynolds, August 9, 1956, DM Papers, Series I, Box 1.

65. For Norman Thomas, see Dave [McReynolds] to Rina Garst, March 10, 1954; DDC Press Release, n.d., both in DM-U Papers; and Peacemaker, November 1, 1954. For A.J. Muste's donation and inclusion on list of sponsors, see A.J. Muste to David McReynolds, July 22, 1953; David [McReynolds] to A.J. Muste, February 16, 1954, both in DM-U Papers; and Peacemaker, November 1, 1954. For Denitch, see David McReynolds to Bogdan Denitch, February 5, 1954, DM-U Papers.

66. FORCAST, May 1952, and January–February 1954. Judging from the list

of recording artists, liberation from racial discrimination was a key theme of McReynolds' party. Bayard Rustin, Josh White, and Paul Robeson were black; Rustin, a World War II CO and FOR staffer, had a superlative voice. Published the same year that South Africa formally adopted apartheid, Paton's novel indicts racial policies that became apartheid. For Rustin's voice and singing, see John D'Emilio, *Lost Prophet: The Life and Times of Bayard Rustin* (New York: Free Press, 2003), 19–24, 31–32, 47–48, 64, 94.

67. FORCAST, July 1953. In a letter to a friend, DM called this a "record concert of 'Songs of Protest.'" See David [McReynolds] to Fred [Hildebrand], July 8, 1953, DM-U Papers.

68. For "After Finals Blowout," see FOR Youth Section, "Report of Conference April 14th at Chapman College" [April 1951], DM-U Papers.

69. For this quote, see "Vern Davidson Is Going To Jail Unless You Help Him," n.d., DM-U Papers.

70. For this paragraph, in addition to the source already cited, see David McReynolds to Friends, September 30, 1954; David McReynolds to Friends, October 10, 1955; David McReynolds to Friends, October 17, 1955; "Work Sheet on Davidson Case," [1953 or 1954], DM-U Papers; DDC, "Report: Bulletin #4," [January 1954?], all in DM-U Papers; and David McReynolds (email) to Scott Bennett, November 2, 2011.

71. DDC, "Report: Bulletin #4," [January 1954?]; and (for the quotes in this paragraph), see William B. Fogarty to Editor, *Denver Post*, November 16, 1953, clipping, both in DM-U Papers.

72. For this paragraph, including all quotes, see Vern Davidson, "By Going to Prison I Shall Remain Free" (Statement issued by DDC), December 16, 1953, republished (and slightly abridged) in Vern Davidson, "The Rules of the Game," *Daily Bruin*, clipping, December 16, 1953, both in DM-U Papers.

73. David [McReynolds] to Rina Garst, June 3, 1954, DM-U Papers; David McReynolds review of *J. Edgar* (film), posted at "Edge Left" (McReynolds' online blog), November 11, 2001, at <http://www.edgeleft.org/>. Accessed May 31, 2012; David McReynolds (email) to Scott Bennett, July 19, 2012. McReynolds' FBI file is in his possession.

74. David McReynolds to Dear Friend, [January 1954?]; "The Year's First Hootenanny" (DDC flyer), [January 1954?], both in DM-U Papers. For attendance and earnings, see David McReynolds to Fred [Hildebrand], January 17, 1954, DMU Papers; and FORCAST, January–February 1954. Vern Partlow, Bill Oliver, and Jim Gavin also performed at the hoot.

75. For Carawan and Hamilton, see Ronald D. Cohen, *Rainbow Quest: The Folk Music Revival & American Society, 1940–1970* (Amherst, MA: Univ. of Massachusetts Press, 2002), 3–7, 75–77, 105, 116, 118–119, 184–185, 204–205. For McReynolds and Carawan at UCLA, see David McReynolds (email) to Scott Bennett, November 2, 2011; Ralph Shaffer (email) to Scott Bennett, July 30, 2012.

76. For rummage sale, see DDC, “Report” [November 1953], DM-U Papers.

77. For Davidson’s appeals, see DDC, “Background and Summary of the Davidson Case” [1953 or 1954]; DDC, Press Release, July 30, 1955; DDC, Report Bulletin #6, attached to David McReynolds to Friends, October 10, 1955; DDC release, with J.B. Tietz brief, “In the United States District Court in and for the Southern District of California, Central Division” (Vern G. Davidson vs. United States), [1955]; U.S. Court of Appeals, Ninth Circuit, Vern Davidson v. United States (Rehearing Denied) February 11, 1955, 218 F.2d 609 (9th Cir., 1955); J.B. Tietz brief, “Appellant’s Brief in the United States Court of Appeals for the Ninth Circuit” (Vern G. Davidson vs. United States), May 9, 1955; U.S. Court of Appeals for the Ninth Circuit, “Appeal from the United States District Court for the Southern District of California, Central Division” (Vern G. Davidson vs. United States), August 17, 1955, all in DM-U Papers.

78. For this sentence, see Peacemaker, January 16, 1956.

79. For “crime of conscience,” see David McReynolds, Douglas Pomoroy, Harry Siitonen, and Gordon Smith [7 December 1955], DM-U Papers.

80. For this quote, see David McReynolds to Friend, March 13, 1956, DM-U Papers.

81. For the quotes in this sentence, see Dave [McReynolds] to Don Mayall, February 21, 1956, DM-U Papers.

82. For “scared,” see Dave [McReynolds] to Rina Garst, February 20, 1956, DM-U Papers.

83. For this paragraph, see Dave [McReynolds] to Rina Garst, February 20, 1956; Dave [McReynolds] to Don Mayall, February 21, 1956, both in DM-U Papers.

84. For Tucson, see, for instance, [David McReynolds] to Vern Davidson, February 6, 1956, DM-U Papers. Davidson served most of his sentence in Tucson; however, he served the last several months at federal prisons in Florence, Arizona, and on Terminal Island, San Pedro, California. See, for instance, Vern Davidson to David McReynolds, September 17, 1957; David McReynolds to Vern Davidson, September 27, 1957, both in DM Papers, Series II, Box 1.

85. For this quote, see David McReynolds, Douglas Pomoroy, Harry Siitonen, & Gordon Smith [December 7, 1955], [52–159], DM-U Papers.

86. For this quote, see “Free Vern Davidson” (leaflet), [December 1955], DM-U Papers; the quote also appeared in Peacemaker, January 16, 1956.

87. See “Free Vern Davidson” (leaflet), [December 1955], DM-U Papers. For the appeal to write letters, see also Peacemaker, January 16, 1956.

88. For the origins of the petition and pardon campaign, see David McReynolds

to Norman Thomas, September 26, 1956; David McReynolds to Norman Thomas, October 2, 1956, both in DM Papers, Series I, Box 1. For McReynolds role, see, for example, David McReynolds to Dwight Eisenhower, October 11, 1956; David McReynolds to Anna Mae Davis, August 22, 1956, both in DM Papers, Series I, Box 1.

89. For the Thomas case, see David McReynolds to Dwight Eisenhower, October 11, 1956; David McReynolds to Anna Mae Davis, August 22, 1956; Gordon Smith to Comrades (Social Democratic Federation), October 6, 1956, all in DM Papers, Series I, Box 1; and Peacemaker, October 22, 1956.

90. For Evan Thomas, see Louisa Thomas, *Two Soldiers, Two Pacifists, One Family—A Test of Will and Faith in World War I* (New York: Penguin, 2011); Charles Chatfield, ed., *The Radical “No”: The Writings and Correspondence of Evan Thomas on War* (New York: Garland Publishing, 1975). See also Norman Thomas, *The Conscientious Objector in America* (New York: B.W. Huebsch, 1923).

91. For this and the preceding six sentences, including all quotes, see David McReynolds to Norman Thomas, October 2, 1956, DM Papers, Series I, Box 1.

92. For this quote, see Norman Thomas to David McReynolds, October 28, 1956, DM Papers, Series I, Box 1.

93. For this paragraph, in addition to the sources already cited, see David McReynolds to Norman Thomas, September 26, 1956; Norman Thomas to David McReynolds, October 5, 1956; David McReynolds to Norman Thomas, November 26, 1956; and David McReynolds to Norman Thomas, February 18, 1957, all in DM Papers, Series I, Box 1.

94. For McReynolds’ efforts to obtain a parole and job for Davidson, see David [McReynolds] to Margaret Phair, February 22, 1957; David [McReynolds] to Margaret Phair, February 27, 1957; David [McReynolds] to Vern Davidson, 15 October 1956; David [McReynolds] to Gordon Smith, November 26, 1956; David McReynolds to George Willoughby (CCCO), February 22, 1957 all in DM Papers, Series I, Box 1. See also John R. Martin (NSBRO) to David McReynolds, March 13, 1957; James C. Neagles (USPB) to David McReynolds, March 22, 1957, both in DM Papers, Series I, Box 2. For denial of parole to Davidson, see, in addition to McReynolds’ letters to Phair cited above, David [McReynolds] to Henry Geiger, February 18, 1957; Vern G. Davidson to David McReynolds, 13 February 1957, both in DM Papers, Series I, Box 1.

95. In February 1956, McReynolds informed Tietz that the DDC would not be able to raise funds to retire the debt, but that he would accept personal responsibility for the debt once he moved to New York and took the job with Liberation. Over the next ten months, however, the debt was reduced by only \$14. In February 1957, McReynolds again promised to pay the debt—at least the bulk (\$183) incurred prior to the probation and petition campaign, which he did not organize. See J.B. Tietz to David McReynolds, January 16, 1957; David McReynolds to J.B. Tietz, February 3, 1957, both in DM Papers, Series I, Box 1; and also [David McReynolds to J.B. Tietz, February 21, 1956; David McReynolds to Rina Garst, February 20, 1956, both in DM-U Papers.

96. For his confession, see David McReynolds (email) to Scott Bennett, November 3, 2011.

97. For Shachtman, see Peter Drucker, *Max Shachtman and His Left: A Socialist Odyssey Through the "American Century"* (Atlantic Highlands, NJ: Humanities Press International, 1994).

98. David McReynolds (emails) to Scott Bennett, November 3, 2011, and July 10, 2012; Vern Davidson telephone interview with Scott Bennett, July 10, 2012. McReynolds apologized to Davidson for including in his letters accounts of his meetings with communists, knowing that censors would read the letters and send them to the FBI. See [David McReynolds] to Vern Davidson, February 6, 1956; David McReynolds to Vern Davidson, February 14, 1956 (which also confirms that McReynolds knew about FBI surveillance), both in DM-U Papers. McReynolds invited Dorothy Healey and other CP members to attend a meeting with A.J. Muste, then on a FOR national speaking tour devoted to (Third Camp) "radical pacifist-socialist approaches to foreign policy." For this meeting, which Healey and some half-dozen communists attended, see David McReynolds to Dorothy Healey, February 16, 1956; Dave [McReynolds] to Vern Davidson, February 21, 1956, both in DM-U Papers. For the Muste talk, see "A.J. Muste ... Third Camp or Third War" (flyer), [February 1956], DM Papers, Series I, Box 1. For McReynolds & Healey, see also David McReynolds to Vern Davidson, February 12, 1957, DM Papers, Series I, Box 1. For Healey, see Dorothy Healey and Maurice Isserman, *Dorothy Healey Remembers: A Life in the American Communist Party* (New York: Oxford Univ. Press, 1990).

99. For the NSBRO report, including all quotes, see R[obert] Myers (NSBRO) memo on Vern Davidson, March 12, 1957, attached to John R Martin (NSBRO) to David McReynolds, March 13, 1957 DM Papers, Series I, Box 2.

100. For Davidson's release, see Vern Davidson to David McReynolds, November 12, 1957, DM Papers, Series I, Box 2; and David [McReynolds] to Vern [Davidson], December 19, 1957; Vern [Davidson] to David McReynolds, December 20, 1957 (telegram), both in DM Papers, Series II, Box 2; and Vern Davidson telephone interview with Scott Bennett, July 10, 2012. For Davidson's return to UCLA, see Vern [Davidson] to Dave [McReynolds], February 15, 1958, DM Papers, Series II, Box 2. For Davidson's law degree, work in Africa, and academic career, see Vern Davidson telephone interview with Scott Bennett, July 10, 2012; Vern Davidson faculty webpage at Gonzaga University, at http://www.law.gonzaga.edu/faculty/faculty-directory/davidson_vern.asp. Accessed July 20, 2011.

101. For this paragraph, see David McReynolds Registration Card, September 16, 1948; SSS Classification Questionnaire, December 10, 1948; David McReynolds Special Form for Conscientious Objectors, [September 2, 1950 or before], all in DM-SS File, DM-U Papers; and Local Board No. 122 to David E. McReynolds (postcard), September 22, 1950, DM-U Papers.

102. For all McReynolds' quotes in this paragraph, see [DM], Senior Speech [Summer 1947; Washington High School], DM-U Papers. For the "one world" theme, see Lawrence S. Wittner, *One World Or None: A History of the World*

Nuclear Disarmament Movement Through 1953 (Stanford, CA: Stanford Univ. Press, 1993).

103. David E. McReynolds, "The Road to Peace," [1949], (and handwritten marginal note: "Approved for W.C.T.U. speech contests F. Jamison Nat. Director"), DM-U Papers.

104. For his draft refusal statement, see "Statement On The Draft," [1951?], DM-U Papers.

105. For this paragraph, including all quotes, see David McReynolds, "On the Nature of God" ("Mediations on Matters of Life and Love"), [1950 or before], DM-U Papers.

106. David [McReynolds] to Fred [Hildebrand], July 8, 1953; David McReynolds to Friends, May 18, 1955, both in DM-U Papers. In his July 1953 letter to Hildebrand, a CO then serving a prison term for draft resistance, McReynolds wrote: "Originally I had given them info on religious beliefs. But after careful thought, I refused at the personal hearing to do more than cooperate with name, date of birth, etc., followed by a statement of why I felt that I could not answer their questions about my religious background and belief, as a result of which, of course, I was given 1-A, which I still have."

107. For this quote, see David McReynolds to Friends, May 18, 1955, DM-U Papers.

108. For his changing draft status, see Local Board No. 122 to David E. McReynolds (postcard), December 13, 1951; Local Board No. 122 to David E. McReynolds (postcard), [March 19, 1952]; Local Board No. 122 to David E. McReynolds (postcard), [August 13, 1952]; Local Board No. 122 to David E. McReynolds (Order to Report for Armed Forces Physical Examination), 8 September 1952; Local Board No. 122 to David McReynolds, October 16, 1952; "Personal Appearance" [Summary of David McReynolds meeting with draft board], October 21, 1952; David McReynolds to Local Board No. 122, October 29, 1952; David McReynolds "Individual Appeal Record," [Received July 7, 1954], all in DM-SS File, DM-U Papers.

109. For quote, see David McReynolds to Homer D. Grotty (hearing officer), March 30, 1954, DM-SS File, DM-U Papers.

110. For the FBI and hearing officers reports and the Justice Department position, see "Resume of the Investigative Report Re: David Earnest McReynolds," [June 21, 1954]; "Resume of the Supplemental Investigative Report Re: David Earnest McReynolds," [June 21, 1954]; and T. Oscar Smith (Justice Department) to Chairman, Appeal Board, Southern District of California, June 17, 1954; David McReynolds "Individual Appeal Record," [Received July 7, 1954], all in DM-SS File, DMP-U Papers.

111. Local Board No. 122 (Permit of the Local Board for Registrant to Depart from the United States) to David E. McReynolds, August 12, 1954, DM-SS File, DM-U Papers.

112. For this paragraph, see Local Board No. 122 (Order to Report for Induction) to David E. McReynolds, August 4, 1954; Local Board No. 122 (Permit of the Local Board for Registrant to Depart from the United States) to David E. McReynolds, August 12, 1954; Local Board No. 122 (Postponement of Induction) to David E. McReynolds, August 12, 1954; William G. Roberts to U.S. Attorney (with David McReynolds' induction refusal statement; typescript), August 26, 1954, all in DM-SS File, DM-U Papers. For McReynolds' handwritten statement of refusal, dated August 28, 1954, see *ibid.* See also Daniel O. Oher to Lt. Col. Walter H. Henderson (State Director of Selective Service), September 30, 1954; Walter H. Henderson to Local Board No. 122, October 5, 1954; and Delinquent Registrant Report, October 22, 1954; all in *ibid.* For his trip and refusal to sign the oath, see Dave [McReynolds] to Mar[s]ha Berman, August 30, 1954, DM-U Papers.

113. For arrest, bail, and Tietz, see DDC, Press Release, June 5, 1955; DDD, [untitled release], [1955], both in DM-U Papers; and also FORCAST, October-December [1954, but issued later].

114. For this quote, see David [McReynolds] to Glenn and Helen Smiley, November 27, 1954, DM-U Papers.

115. David McReynolds to Wilson Riles, November 22, 1954, DM-U Papers.

116. For the quote, see [David McReynolds] to Pamela Clelland, February 14, 1956, DM Papers, Series II, Box 1.

117. See David McReynolds to Friends, [March 1955], DM-U Papers.

118. Socialist Newsletter (Local Los Angeles), March 15, 1955; FORCAST, March 1955; DDC, Report Bulletin #6, attached to David McReynolds to Friends, October 10, 1955, all in DM-U Papers. After the government dismissed the case, the short-lived McReynolds Defense Committee folded.

119. Socialist Newsletter (Local Los Angeles), April 11, 1955, DM-U Papers. For William Chernekoff v. United States, see <http://law.justia.com/cases/federal/appellate-courts/F2/219/721/264731/>. Accessed May 21, 2012.

120. David McReynolds to Friends, May 18, 1955, DM-U Papers; David McReynolds (email) to Scott Bennett, November 2, 2011.

121. For this quote, see David McReynolds to Friends, May 18, 1955, DM-U Papers.

122. DDC, "News Release," July 30, 1955, DM-U Papers.

123. For this quote, see David McReynolds to Don Reeves, August 15, 1956; and for a similar quote, see David [McReynolds] to Steve Siteman, March 21, 1956, both in DM-U Papers. For this and the preceding three sentences, see Socialist Newsletter (Local Los Angeles), October 1955; [David McReynolds] to Pamela Clelland, February 14, 1956, both in DM-U Papers. McReynolds contacted AFSC about performing alternative service work with them. See Elmer [?], (AFSC) to David McReynolds, November 17, 1955; Lou A. Davis (Local Board No. 122) to

David E. McReynolds, November 1, 1955, both in DM-U Papers. And see George Willoughby to David McReynolds, December 8, 1955; Don Reeves to David McReynolds, August 8, 1956, both in DM Papers, Series I, Box 1.

124. For Mayall and Smith, see David McReynolds to Friend, March 13, 1956, DMP-U; Gordon Smith to Comrades (Social Democratic Federation), October 8, 1956, DM Papers, Series I, Box 1. In addition to Mayall, Garst, and Smith, other DDC members in October 1955 included Allan Hunter, Helen Beardsley, William Briggs, Phyllis Gangel, William Friedman, Samuel Oshry, Michael Harrington, A.J. Muste, and Stephen Siteman, most of whom were already serving on the DDC. See David McReynolds to Friends (on DDC letterhead with officers and members listed), October 17, 1955, DM-U Papers.

125. See, for instance, David [McReynolds] to Margaret Phair, February 22, 1957, which summarizes his continued work on the Davidson case; and David [McReynolds] to Vern Davidson, November 26, 1956, both in DM Papers, Series I, Box 1.

126. David McReynolds to Friends, October 17, 1955, DM-U Papers.

127. WRL Executive Committee Minutes, March 21, 1961, WRL Papers, Series B, Box 1.

128. Daily News, May 17, 1961, clipping in WRL Papers, Series B, Box 9. For his prison experience, see David McReynolds, "Life in Jail," in *The Village Voice* Vol. 6 (July 13, 1961), 21–22.

129. For this and the preceding paragraph, see Bennett, *Radical Pacifism*, pp. 207–216. For the civil defense protests, see also Dee Garrison, *Bracing for Armageddon: Why Civil Defense Never Worked* (New York: Oxford Univ. Press, 2006); Guy Oaks, *The Imaginary War: Civil Defense and American Cold War Culture* (New York: Oxford Univ. Press, 1994).

130. For Tietz, see his obituaries in the *New York Times*, March 26, 1988; and also *Los Angeles Times*, March 25, 1988.

131. Moskos and Chambers, *The New Conscientious Objection*, especially 3–46, 196–208.

132. For *Liberation*, see, for instance, David to Margaret Phair, February 17, 1957, DM Papers, Series I, Box 1. In addition to serving as secretary to *Liberation's* editorial board, McReynolds also managed the office,