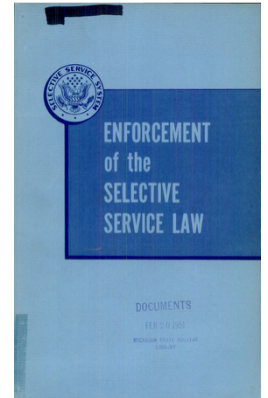


# Conscience & Dissent: Religious & Secular Conscientious Objection to the Korean War: The Cases of James Lawson and Vern Davidson (Scott H. Bennett & Hope Elizabeth May)

**OBJECTIVE:** To show the reasons and arguments made by US religious and secular conscientious objectors who refused military service during the Korean War

## I. The Selective Service Law of 1948: 101

*“Nothing contained in this title shall be construed to require any person to be subject to combatant training and service in the armed forces of the United States who, by reason of religious training and belief, is conscientiously opposed to participation to war in any form. Religious training and belief in this connection means an individual’s belief in a relation to a Supreme Being ... but does not include essentially political, sociological, or philosophical views or a merely personal moral code....”* [Section 6 (j), Selective Service Act of 1948]



## II. The Case of James Morris Lawson (1928-2024)

### A. Refusing to Kill in Korea (brief timeline)

**1948:** Registers under the Selective Service Act of 1948, and communicates that he is a Conscientious Objector (CO).

**1949:** decides that he can no longer “consciously cooperate” with the Selective Service system

**1950:** (23 years old) ordered to report for induction on 9/18. Refuses.

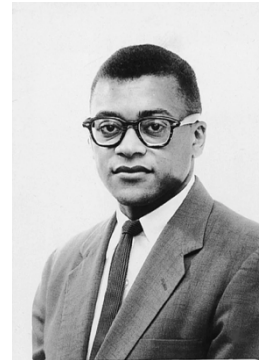
**1951:** Arrested on January 1. Released on \$1000 bond.

Trial #1 on April 24, 1951. Sentenced to 3 years in prison.

May 4, 1951: Lawson seeks motion for sentence reduction and probation. Denied.

Trial #2 (Appeal). Original sentence affirmed.

**1952:** Paroled after serving 18 months



### B. Lawson’s Motivation (Intentional Action).

Not a “Conscientious Objector” but a “Jesus Follower” “I want to make my Christian witness” (from Court transcripts) (his views on whether “consciously cooperating” is consistent with Christian witness shifted)

### C. Legal Arguments raised

The judicial system discriminates against those who refuse to kill. Harsher sentences compared to other crimes; no probation offered (Denial of Equal Protection; Violation of the First Amendment’s protection of Freedom of Speech & Religion – also referring to “freedom of thought”, citing *U.S. v. Schwimmer* – see *Quote #2 below*)

#### QUOTE #1:

*“Too often the law has been administered as though its primary purpose were that conscientious objectors be imprisoned and that relief from such result is made available only grudgingly to those who successfully thread the procedural maze established by the regulations.” – from Lawson’s 1951 Motion for sentence reduction and probation”*

#### QUOTE #2:

*If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought- -not free thought for those who agree with us but freedom for the thought that we hate.  
Oliver Wendell Holmes’ dissent in *U.S. vs. Schwimmer* (1929)*



[Narrator:] Months before going to the lunch rooms, Lawson begins preparing them.

Lawson conducting a training in non-violent action for the 1960 Nashville sit-

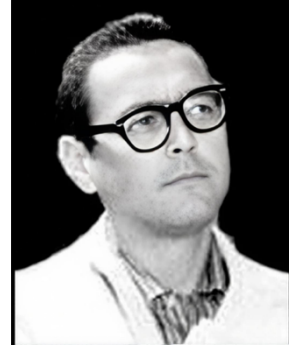
### III. The Case of Vern George Davidson (1929-2012)

#### A). Refusing to Kill in Korea (brief timeline)

- 1947-50s: Socialist (SP), pacifist (WRL), civil liberties movts; YPSL natl. secr. (1951-52).  
1948: Registers under SS Act of 1948; states he is a conscientious objector  
1952: (23 years old) ordered to report for induction (10/1). Refuses (10/14)  
1953: Arrested. Tried, convicted; sentenced to 3-yrs. prison in U.S. District Court (LA)  
1953-55. Appeals: US Court of Appeals--Ninth Circuit; US Supreme Court  
1955: (12/5); Surrenders; enters prison  
1957: (Dec): Released after serving 2 years  
1958-62: Completes BA and law degrees at UCLA  
1952-57: David McReynolds & Davidson Defense Committee; “long sixties” thesis

#### B). Davidson’s Motivation (Intentional Action)

- 1). Socialist pacifist opposition to Korean War/Cold War; militarism; conscription; imperialism
- 2). Democratic socialism; US support for global pol/econ democracy; Third Camp position



#### C). Legal Arguments raised

- 1). 1948 conscription law is unconstitutional as it discriminates against secular (political, humanitarian, philosophical) objectors
- 2). Denied due process (right to appeal, see hearing officer’s & FBI reports)

#### D) QUOTATIONS (Vern Davidson)

QUOTE #1: “As Socialists we cannot support the Korean War. It is a war between two imperialist forces and the people of Korea will lose regardless of which side is victorious. We condemn ... North Korea for its ... totalitarian regime. ... [and] the United States for establishing and supporting the fascist regime of Syngman Rhee. ... [The Spark, Sept. 18, 1950]

QUOTE #2: “I do conscientiously object to war and conscription for any reason. But, my beliefs are not religious, they are basically political. ... I do not believe in the existence of a supreme being. My allegiance is not to any god or to any country, it is to humanity as a whole. [Special Form No. 150 for Conscientious Objectors, Feb. 27, 1950]

QUOTE #3: “I am going to prison because I do not believe in God. ... Is it not a violation of the Constitution to hold that a man must believe in a supreme being before achieving status of a conscientious objector ... There is an inconsistency that holds the German soldier on trial at Nuremburg responsible for his acts even when ordered by higher officers ..., and then say I must train to kill whenever and wherever ordered. ... By going to prison I shall remain free,...” [Daily Bruin, Dec. 16, 1953]

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#### QUESTIONS FOR DISCUSSION

1) Should conscientious objection laws to military service treat religious and secular objectors equally?  
US v. Seeger (1965); Welsh v. United States (1970)

2) Does the “secularization of conscience” allow individuals to refuse care/service to others, because providing such care violates their sincerely held moral/philosophical belief(s)? Are there values that trump the protection of an individual’s conscience?