

RELIGIOUS SCRUPLES AND THE POLITICS OF
ANTICOMMUNISM IN OKLAHOMA, 1917-1951

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PREFACE

Many aspects of the postwar era and the Oklahoma anticommunist movement of 1951 paralleled features of America after September 11, 2001. In the days, weeks, and months following the terrorist attacks on the New York Trade Centers, the Pentagon, and Flight 93, the American people faced many important questions regarding domestic security and individual liberties. The political and social debates between security and freedom at the national, state, and local levels from both eras have striking similarities.

In the years following 9/11, there has been much debate and disagreement over how to balance civil liberties with the need to secure the United States from threats or attacks from radical Islamic terrorists both abroad and domestically. Oklahoma's anticommunist security and loyalty oath controversies of the 1940s and 1950s are relevant even today because the desire to balance national security needs with the liberties of citizens has come to the forefront once again. During the anticommunist purges of the Cold War, the government dismissed the religious scruples of nonconforming groups, which in the end harmed their civil rights and only served as a distraction from the real enemy--communism. Americans struggled to balance individual liberties with the threats posed by both foreign and domestic communism. The height of the efforts against potential internal threats of communist subversion was between 1948 and 1954, commonly referred to by many as the McCarthy era. However, fear of

domestic subversion by communists and other ideologically motivated groups existed decades before the heyday of Senator Joseph McCarthy.¹

Hunting for communists created an atmosphere of fear and a degree of paranoia in some segments of both pre- and postwar American society. For many, these were times of national emergency because of the perceived communist menace around the world, and the fear of insurgent communism in America.² The dangers faced by the nation seemed to many Americans just as, or more, important than the civil rights of individuals or groups. This political atmosphere affected the federal, state, and local governments throughout the nation. The threat of communist subversion in places like Oklahoma seemed just as real for many as the dangers of Adolf Hitler's European war in 1940 or American soldiers dying on the battlefields of Korea in 1950. Legislation passed at all levels of government required public employees to swear allegiance to the United States, the Constitution, and to disavow communism or communistic organizations. Loyalty oath legislation and investigations into subversives were illustrative of the ideological war between "Americanism" and communism on the home front. This work examines the social and political effects of anticommunism in Oklahoma during three periods of

¹ Like many others who deal with anticommunism during the postwar years, this author is reluctant to use the term McCarthyism in a generic sense. McCarthyism tends to be associated with the Senator and the practice of political bullying, which seems too narrow an interpretation of what happened in the postwar years to suffice as a label for the era. In addition, it will become apparent to the reader that anticommunism had a significant history in American politics long before Senator Joseph McCarthy from Wisconsin came to Washington, D.C. Therefore, this author will try to avoid using the term McCarthyism. See M.J. Heale, *McCarthy's Americans: Red Scare Politics in State and Nation, 1935-1965* (Athens: University of Georgia Press, 1998), xi-xvii.

² During the Red Scare of the 1940s and 1950s, most people did not experience anticommunism first-hand. As the sociologist Samuel Stouffer stated, "[the] internal communist threat, perhaps like the threat of organized crime, is not directly felt as personal. It is something one reads about and talks about and even sometimes gets angry about." Samuel A. Stouffer, *Communism, Conformity, and Civil Liberties: A Cross-section of the Nation Speaks Its Mind* (Gloucester, MA: Peter Smith, 1963), 87. Stouffer's point provides a reasonable counterbalance to the hyperbolic reaction to anticommunism in the decades since by many authors including this writer.

national crises. This study argues that anticommunism in Oklahoma was a persistent and reactionary populist style of politics, intended to protect the state from radicals, subversives, and communists but managed only to victimize political and religious non-conformists. This work also focuses on the role of religion with regard to anticommunism in the state. As such this is a social and intellectual history of anticommunism at the state and local levels in Oklahoma and its effect on the civil rights of its citizens.

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ABBREVIATIONS

AFSC	American Friends Service Committee
APM	American Peace Mobilization
A&M	Oklahoma Agricultural and Mechanical College
CP	Communist Party
CR	Committee Report
HA	House Amendment
HB	House Bill
HCR	House Concurrent Resolution
HJR	House Joint Resolution
FBI	Federal Bureau of Investigation
HUAC	House Committee on un-American Activities
NCC	National Council of Churches
OFCR	Oklahoma Federation for Constitutional Rights
OLC	Oklahoma Legislative Council
O.S.	Oklahoma Statutes
OSU	Oklahoma State University (formerly A&M)
OU	University of Oklahoma
SA	Senate Amendment
SB	Senate Bill
SR	Senate Resolution
UMT	Universal Military Training

INTRODUCTION

Life for most Americans during the post-World War II era focused on family, friends, work, school, personal interests and entertainment—the ordinary things of everyday living. Many Americans who lived through the Great Depression and World War II experienced some degree of normalcy that coincided with unprecedented growth in the middle class and the beginning of a period of affluence in the nation. More Americans sought a better life for their families centered increasingly on a culture of consumerism and leisure. Many wanted more out of life for themselves and their children than they experienced in the prewar and war years. People bought homes and furnished them with the latest appliances. Families watched their favorite TV programs or went to the theaters to enjoy the latest Hollywood movies. They listened to their favorite music on their radios or phonograph records. In their newspapers and magazines, they read their favorite comics and kept up with the latest political, social, and economic issues of the day. Crowded classrooms and low teacher pay caused concerns with public education in states across the nation. Politicians in both parties fought to keep spending under control and reduce the tax burden at all levels of government. The American love affair with automobiles produced a number of concerns that filled newspaper columns across the country. Americans wanted to purchase automobiles, but with greater numbers of Americans owning them, the need for additional roads increased dramatically. Funding for road construction and maintenance

became a serious problem for both state and local politicians. Not only was funding and building of the transportation infrastructure an issue, but even more troubling was the ever-increasing epidemic of fatal automobile accidents nationwide, which the American media reported on extensively. The mundane things of life such as tax rates, government spending, good schools, and even traffic safety seemed to occupy the minds of most Americans at this time.

Yet during this period, a growing threat from abroad began to compete for the attention of Americans who were busily living life. Soviet communism emerged as a potential threat to American interests around the world. This growing communist or “Red” threat quickly developed as the United States and the Soviet Union became rivals in the Cold War.¹ By 1948, the public’s concern with communism overseas began to include apprehensions over communism and its supporters in America. The spy trials of the era inflamed the imaginations and fears of many Americans as did America’s increasing efforts abroad to stop the spread of the Red menace. Journalists dutifully covered both foreign and domestic communism and the emerging “Americanism” movement in the nation. At the time, in seemingly every issue daily newspapers printed articles dealing with the Cold War both abroad and at home.

The impact of anticommunism and reactionary “Americanism” on the lives of ordinary Americans during the 1940s and 1950s has only recently become apparent. Research focusing on the postwar era continues to reveal that political oppression caused by anticommunism manifested itself in a myriad of ways to wide-ranging groups of people. Emerging studies illustrate that the actions taken by politicians, employers, and

¹ In this study, the term “Red” simply reflects the wide usage of the label in the literature. Throughout the period under consideration, anticommunists used “Red” as a derogatory reference for individuals and groups identified as communists or communist sympathizers.

“super-patriotic” organizations on the state and local level created trauma and chaos in the lives of those caught in the efforts to rid America of communists and their ideology. Most studies focus primarily upon the anticommunist political repression of such liberties as freedom of expression and association. This study focuses specifically on the effect of anticommunism employed by state officials through communist-control legislation, investigations, and loyalty oaths upon conscientious objectors, pacifists, and religious nonconformists because of their beliefs.

This study argues that anticommunism in Oklahoma was part of a recurring populist style of politics, which intended to rid the state of subversive and communist influences but managed instead to victimize political and religious non-conformists. The anticommunist oath controversies of 1941 and 1951 are illustrative of this recurring style. Both episodes were part of a ten-year political effort in Oklahoma to rid state government and, in particular state schools, of subversive influences, which resulted not in the purging of communists but political and religious nonconformists statewide. The loyalty oath controversies in Oklahoma, particularly the events of 1951, illustrate the effects of this sort of repression in the state. Communist-control legislation passed in Oklahoma molested the civil rights of a diverse group of people that included victims such as college professors. It is clear that in the Sooner state the anti-Red purges contributed to the political repression of individual civil rights, especially the religious liberties of many state employees. Yet, the effort in 1951 to rid the state of communist subversion was neither unique nor an isolated episode in the state’s history. Anticommunism within Oklahoma already had a long tradition in both state and local politics. To understand the 1951 oath controversy accurately is to recognize that it was the culmination of a long

political and cultural process, and not merely the result of Cold War hysteria or the increasing influence of Senator Joseph McCarthy. The anti-Red efforts in Oklahoma had deeper roots.²

In the spring of 1951, anticommunist zeal profoundly changed the lives of well over one hundred employees of the state of Oklahoma. For dozens of non-United States citizens working in Oklahoma, it created confusion and apprehension about proper diplomatic protocols regarding what action they should or should not take as foreign guests. Many others were nervous and uneasy about their employment status because they had not followed the proper bureaucratic procedures when it came to swearing out the affidavit. Fear of communism and zealous “Americanism” resulted in Oklahoma’s loyalty oath law. Its enforcement encroached upon the civil rights of employees on the state payroll. Many refused to sign the loyalty oath for political reasons of conscience. Others did not sign because they believed the state oath violated the principle of academic freedom. Additionally, a significant number of the employees who refused to sign the oath of allegiance did so because of religious scruples. The consequence of not signing the anticommunist affidavit was dismissal. In that year, passage of loyalty oath legislation by the state government left these employees jobless, and their reputations tarnished because they refused to compromise their religious and or political principles by signing the required affidavit.

It is evident from the events in Oklahoma that prior to World War II and during the postwar Red Scare, not only did violations of basic political and civil rights occur but also political repression based upon religious beliefs. Political repression occurs when some political agency uses its political authority and power to deny the personal liberties

² See chapters 3, 5, and 6.

of an individual or group. It is the use of political power to stop men and women from thinking or acting freely because such actions or ideas threaten the existing political structures or authority.³ Oklahoma's loyalty oath controversies included the use of political power and authority to challenge, in some cases diminish, and even deny civil liberties of certain groups and individuals as well as employees of the state who maintained certain political or religious beliefs or associations. Unfortunately, this sort of repression would not be unique to the state of Oklahoma. Many individuals dismissed from federal, state, and local employment during the loyalty oath drives and security purges of the postwar years lost their jobs because of their religious beliefs. In addition, the role of religion in the debate between both proponents and opponents of the anticommunist purges in the state until now remained unexamined. However, it is vital to understanding more fully the intellectual and cultural components of the events.

Why does anticommunism and anticommunistic activities in Oklahoma that happened nearly six decade ago deserve attention today? First, there is a moral reason to examine this topic and these episodes. In a democracy, citizens have the moral obligation to be vigilant in their efforts to defend and preserve the civil liberties promised to all Americans. Violations of Oklahomans' civil liberties occurred during each period of anticommunist activity in the state and as a result deserve our attention and concern. Second, study of such past thinking and activity may provide insight into similar contemporary concerns. By examining the reaction of anticommunists to national crises during three distinct periods, it may be possible to determine patterns of thinking and

³ Robert Justin Goldstein, *Political Repression in Modern America: 1870 to the present* (Cambridge, MA: Schenkman Publishing Co., Inc., 1978), 556. James Selcraig defines repression as "the restriction of non-violent political expression," see James Selcraig, *The Red Scare in the Midwest, 1945-1955: A State and Local Study* (Ann Arbor, MI: UMI Research Press, 1982), xvi.

behavior, which may be applicable to current crises. In addition, review of such episodes may provide directions on how authorities should or should not understand or deal with similar situations.

The Oklahoma state government and the public marginalized and radicalized any group that did not agree with the consensus opinion in America especially during both the prewar and postwar years. There exist significant data to support this proposition on a national scale during the postwar years. In 1954, the heyday of Senator McCarthy's charges of communist infiltration of both the government and particularly the United States Army, and not long after the 1951 oath controversy in Oklahoma, a massive research project compiled data on the opinions of Americans. Researchers sought to determine public attitudes toward communists and other nonconformists groups in the country. According to the polling data collected in 1954, Americans did not seem that concerned with the threat of communism. Sociologist Samuel Stouffer cited survey results dating from 1947 through 1953 indicating that when asked what the "biggest danger" or "biggest problem" faced by the country was, only a very small percentage of the people interviewed suggested communism to the pollsters. Nonetheless, it was clear from the 1954 poll, as well as from Stouffer's subsequent study, that Americans clearly harbored deep concerns about the loyalty of those individuals or groups outside the perceived mainstream of American politics and religion. The difficulty in such research is defining what the terms "mainstream" or "non-conformity" actually mean. Survey participants selected from four categories of potential nonconformists. These categories included a socialist, an atheist, a person who swears they are not communist yet their loyalty is under suspicion, and an admitted communist. One key finding of the survey

was that Americans who defined themselves as religiously devout tended to be less tolerant of nonconformists. In fact, the most intolerant Americans according to the polling data were religious women, who voiced greater concern over those they considered unconventional.⁴

Who were the unconventional and nonconforming individuals or groups in Oklahoma during these periods of increased anticommunistic activities? Ironically, many tended to belong to non-conforming religious sects or their specific beliefs on war and violence put them outside the mainstream of their denomination. It is necessary that a brief examination of both the prewar and postwar sensibilities of the different denominations, sects, and organizations be provided as a basis for understanding why adherents felt strongly enough about their beliefs to stand up to state politicians, administrators, or their supervisors. The fired individuals at one institution in the state, Oklahoma A&M College (hereafter Oklahoma A&M) included members of the Seventh-Day Adventists, Quakers, Mennonites, a Methodist group, Jehovah's Witnesses, and some Presbyterian associations, which all advocated pacifism.⁵ In other states, adherents to other religious organizations, such as the Brethren, had to deal with local legislation. Some, but not all, of these religious groups or sects were part of the historic "peace churches."⁶ Some were sub-groups of larger mainline denominations. Many viewed such groups as being nonconformist and therefore not part of mainstream America. This

⁴ Stouffer states, "when the question is put in national terms, no past survey has found more than 10% of the public listing the threat from American communists as the country's biggest problem or danger." Samuel A. Stouffer, *Communism, Conformity, and Civil Liberties: A Cross-section of the Nation Speaks Its Mind* (Gloucester, MA: Peter Smith, 1963), 14, 86.

⁵ See pp. 202-220.

⁶ For historic 'peace churches,' see Roland H. Bainton, *Christian Attitudes Toward War and Peace: A Historical Survey and Critical Re-evaluation* (Nashville, TN: Abingdon Press, 1960), 152-172.

raises several questions such as what separated these groups from the mainstream? What practices or beliefs made them susceptible to the charge of non-conformity? How did their religious convictions shape their public life? Why were only a small percentage of religious adherents affected by the anticommunist purges? Did the religious groups affected attempt to help their members threatened by anticommunism at the state level?

From the early 1940s through the 1950s, those considered outside of the mainstream of American thought included pacifistic religious groups and associations, as well as prominent individuals who advocated peace. Traditionally known as pacifists, the Quakers, Mennonites, and Brethren of “the twentieth century . . . have come to be called the historic peace churches.” There are three types of pacifists. The first type is generically anyone who desires peace. The second type of pacifist renounces all forms of force and coercion. A third type is anyone who refuses to participate in war, but does allow for nonviolent uses of force. The term, “conscientious objector,” applies to the last two categories defined. A further complication for some of these employees resulted from the belief that, as Christians, they should not swear oaths. They believed that humans as finite beings lacked the power or authority to honor their promises absolutely. Only an infinite God is capable of ensuring the absolute fulfillment of a sworn pledge. These basic beliefs compelled these college employees to oppose the state’s mandatory loyalty oath.⁷

Marginalization of pacifists resulted from a growing anticommunist mindset and attitude in America beginning during the first Red Scare in 1919 and continuing into the prewar years. During the Cold War, many understood this shift to be reactionary

⁷ J. D. Weaver, “Pacifism,” in *Evangelical Dictionary of Theology*, ed. Walter A. Elwell (Grand Rapids, MI: Baker Books, 1996), 813-815.

McCarthyism. This study will comprehensively examine the causes of anticommunism and its consequences for the members of nonconformist religions in Oklahoma during the parallel episodes of the 1941 and 1951 oath controversies. It will primarily scrutinize the loyalty oath controversies in the state of Oklahoma. The focus will be on people and groups involved in the Oklahoma controversies, particularly those investigated by the state legislature, as well as those dismissed from or forced out of their jobs because of their non-compliance with state or local mandates.

In addition, one question requires attention: who were the people dismissed or harassed because of anticommunist politics? In 1941, this group included those who considered it part of their civic duty to stand up for the rights and liberties of all Oklahomans. Their views on civil rights and their advocacy of peace were out of step with the majority of Oklahomans. Perhaps most controversial at the time was the view that civil rights for all groups including African-Americans must be protected. During this period, segregation and Jim Crow laws were still part of the social and legal order of the state.⁸ Most politicians of the state viewed these nonconformists as troublemakers who were critical of America during a time of crisis. Many considered them dangerous, subversive, radical, communist, un-American, and even traitors. For many of these defenders of civil rights, their religious beliefs compelled them to take certain political positions that ran counter to the politics of the time. A significant number of these individuals' political opinions led to governmental scrutiny of their religious beliefs and

⁸ Wayne A. Wiegand and Shirley A. Wiegand, "Sooner State Civil Liberties in Perilous Times, 1940-1941, Part I: The Oklahoma Federation for Constitutional Rights," *Chronicles of Oklahoma* 84 (Winter 2006-2007) : 444-463; Bob Cottrell, "The Social Gospel of Nicholas Comfort," in *An Oklahoma I Had Never Seen Before: Alternative Views of Oklahoma History*, ed. Davis D. Joyce (Norman, OK: University of Oklahoma Press, 1994), 200-228. For more background on civil liberties in Oklahoma, see John Thompson, *The Nature of Freedom: An Introduction to the History of Civil Liberties in Oklahoma, 1917-1984* (Oklahoma City, OK: ACLU of Oklahoma Foundation, 1984).

public vilification by elected officials. In the 1951 episode, the individual cases indicate that political ideology was not the cause for the eventual dismissal of a significant number of the employees. Instead, for many, the oaths became a religious test, which they in good conscience could not accept. A number of issues compelled these individuals to refuse to conform to the security and loyalty standards set forth by the state government. However, personal beliefs were so important to those involved that they were willing to risk unemployment and damaged reputations for non-compliance. While political and academic values compelled some, the religious beliefs of others obligated them to resist state law or fight to defend what they believed right, just, and fair. The religious and political principles advocated and defended by these nonconformists merits examination. For some, the language within the loyalty oaths made it necessary for them to object for religious reasons.

Additional research is necessary in order to determine if the dismissal of state employees or other civil servants who refused to sign an oath because of their religious beliefs happened elsewhere in America. Dismissals at the University of Washington in 1949 and the University of California in 1950 are the most widely known and written about cases concerning the impact of McCarthyism on higher education. Research on these two prominent cases focuses almost exclusively on faculty related issues such as tenure, and academic or intellectual freedom. It is clear that the dismissals at the University of Washington did not involve the violation of anyone's religious beliefs.⁹ However, in California, anticommunistic fervor manifested itself through a variety of oaths of allegiance and investigations, and some cases of religious repression did occur

⁹See Vern Countryman, "Washington: The Canwell Committee," in *The States and Subversion*, ed. Walter Gellhorn (Ithaca: Cornell University Press, 1952), 282-357.

during this period.¹⁰

Ellen Schrecker's interpretation of anti-Red practice throughout America as a two-stage progression provides a theoretical tool for reconsideration of how Oklahoma implemented its anticommunist legislation.¹¹ She understands what she terms "McCarthyism" as a process instead of a movement. According to this view, the first stage of McCarthyism begins with some government action to identify communists and other objectionable groups. In Oklahoma, the state legislature began the initial stage of the process. It worked for years to pass a loyalty oath comprehensive enough to cover all state employees including those at the state's colleges and the University of Oklahoma. The legislature finally accomplished this in 1951. With the state's initiative in place, the second step began. The second stage, according to Schrecker's thesis, was the process of enforcement. Typically, once the government determined who the nonconformists were, the responsibility then passed to different agencies or employers to dismiss those identified. Since enforcement of Oklahoma's oath became the responsibility of different institutions and administrators, it is probable that the implementation of the oath lacked uniformity.¹²

This study will attempt to understand the process of anticommunism but also the underlying causes of its persistence and strength in Oklahoma. Scholars have examined

¹⁰ See M.J. Heale, *McCarthy's Americans: Red Scare Politics in State and Nation, 1935-1965* (Athens: University of Georgia Press, 1998), 44-46; Goldstein, *Political Repression in Modern America*, 352-353; Ellen Schrecker, *No Ivory Tower: McCarthyism and the Universities* (New York: Oxford University Press, 1986), 122.

¹¹ Schrecker, *No Ivory Tower*, 9.

¹² Schrecker says, "It helps to view McCarthyism as a process rather than a movement. It took place in two-stages. First, the objectionable groups and individuals were identified . . . then, they were punished, usually by being fired. . . . [T]his process diffused responsibility. . . . Rarely did any single institution handle both stages of McCarthyism." She adds, "We know the most about the first stage of McCarthyism, for it received most of the attention at the time." *Ibid.*, 340.

anticommunism over the last six decades from a variety of perspectives employing different interpretive models. Historians and sociologists have studied anticommunism at the federal, regional, state, local, and institutional level while exploring numerous political, social, and demographic variables. Some of the theories suggested to be the underlying causes of anticommunism throughout America include status anxiety, anti-intellectualism, urban versus rural tensions, partisan politics, institutional or elite influences, institutional or elite weaknesses, populists versus elites, nativism, racism, reactionary populism, political fundamentalism, or fundamentalism.¹³ This work suggests that the causes of anticommunism in Oklahoma were unique as were its persistence and strength. This study demonstrates that many of the traditional explanations for anticommunism do not correspond with the state's history.

Historiography

Recent scholarship primarily examines the enactment of state loyalty oaths and investigations by state legislatures into the loyalty and patriotism of faculty members within institutions of higher learning. Researchers tend to examine the impact of security and loyalty legislation on a single profession—specifically professors. This is understandable because many academicians who personally experienced Red hunts on university and college campuses possessed the training and skills to be able to write about them later. In addition, researchers typically concentrate upon the infringement and repression of academic freedom or tenure, as well as violations of the civil liberties of expression and association. These categories frame the most current understanding of the

¹³ Further consideration of these possible causes appears in the historiographic survey that follows. For a good review of these causes of anticommunism, see Heale, *McCarthy's America*, xi-xvii.

anticommunist hunts by the states that enacted loyalty oaths, conducted “little Dies”¹⁴ investigations, or enforced criminal syndicalism laws.¹⁵

The anti-Red events in Oklahoma clearly demonstrate that the approaches taken by researchers remain too narrow in scope. Both the 1941 investigation of those opposed to proposed communist-control legislation and the oath controversy of 1951 included dismissed employees who were not college faculty members. Political attacks aimed at conscientious objectors or their beliefs regularly happened in the state. Targets of attacks included individuals opposed to military conscription, saluting the American flag, and reciting the pledge of allegiance. The loyalty and patriotism of those outside the religious mainstream of American life came into question. The civil liberties of religious expression and association came under attack by local officials who passed laws to limit the activities of nonconformist groups such as the Jehovah’s Witnesses—thought by many to be an un-American sect.

This research offers a different perspective on the anticommunist movement during the 1940s and early 1950s. Most scholarship focuses upon the political or legal aspects of committee hearings, security programs, or loyalty oath requirements at the federal level. There were several significant studies examining events in certain states during the late 1940s and early 1950s.¹⁶ Beginning in the late 1970s and early 1980s,

¹⁴ “Little Dies” refers to investigative committees at the state or local levels created to investigate subversives based on the precedent established by the House Committee on Un-American Activities (HUAC) initially chaired by Representative Martin Dies in Washington, D.C.

¹⁵ Oklahoma employed criminal syndicalism laws against subversives and radical groups in the early 1940s.

¹⁶ See Edward L. Barrett, Jr., *The Tenney Committee: Legislative Investigation of Subversive Activities in California* (Ithaca: Cornell University Press, 1951); Lawrence H. Chamberlain, *Loyalty and Legislative Action: A Survey of Activity by the New York State Legislature, 1919-1949* (Ithaca: Cornell University Press, 1951); Vern Countryman, *Un-American Activities in the State of Washington* (Ithaca: Cornell

investigations of state level activities began again in earnest.¹⁷ Most of the research also focuses on a certain demographic—politicians, faculty members, and college or university administrators. Many individuals who lost their state or local government jobs were not university faculty members and they typically did not write autobiographical accounts of their victimhood later in life.¹⁸ Many were fired, not reappointed, or forced to retire with little public fanfare or knowledge. Although an overwhelming majority of employees signed the affidavits to prove their loyalty to America and publicly disavow communism, one wonders how many signers violated their conscience in order to keep their jobs, not embarrass their families, or to avoid unwanted attention. The people affected by these loyalty requirements indeed are a small percentage of the overall population, and even among the non-signers, those who refused to pledge allegiance because of religious scruples were a minority.¹⁹ Yet to ignore oppression of even one person's freedoms is to overlook a significant violation of civil liberties. In America, an

University Press, 1951); Walter Gellhorn, ed., *The States and Subversion* (Ithaca: Cornell University Press, 1952).

¹⁷ Selcraig, *The Red Scare in the Midwest, 1945-1955* (1982); Don Carelton, *Red Scare! Right-wing Hysteria, Fifties Fanaticism, and Their Legacy in Texas* (Austin, TX: Texas Monthly Press, 1985).

¹⁸As is common, historical records of the educated classes in any society provide more data from which conclusions about culture and thought processes may be made. Autobiographical or biographical accounts of those who experienced the anticommunist movement first-hand typically represent this educated class within American society. The question remains whether these accounts represent the experiences or thinking of those who were not part of the academic culture of the postwar years. Research examining social and intellectual issues among members of a community who did not leave written records poses problems for historians who prize the specificity and reliability of recorded data. There are many biographical and autobiographical works depicting the personal anguish of many academicians and who were victims of the anti-Red sentiment. See Frank Rowe, *The Enemy Among Us: A Story of Witch-Hunting in the McCarthy Era* (Sacramento, CA: Cougar Books, 1980); Robbie Lieberman, "My Song Is My Weapon" *People's Songs, American Communism, and the Politics of Culture, 1930-50* (Urbana, IL: University of Illinois Press, 1989); Griffin Fariello, *Red Scare: Memories of the American Inquisition, An Oral History* (New York: Norton, 1995). See also G. Bromley Oxnam, *I Protest* (New York: Harper & Brothers Publishers, 1954).

¹⁹ David Caute suggests "at least six hundred, and probably more, teachers, and professors lost their jobs, about 380 of them in New York City." David Caute, *The Great Fear: The Anti-communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 406. Caute's estimate is probably too low.

individual should be able to live according to the tenets of their faith. A person should be able to live without fear of governmental sanction circumscribing their life, liberty, and pursuit of happiness. In Oklahoma, some state employees who worked at Oklahoma A&M, the University of Oklahoma, and other state agencies lost their jobs because they refused to conform. Some of those fired were non-faculty employees who worked in areas such as food service, offices, laboratories, and libraries. Yet, most of the literature regarding Oklahoma's loyalty oath and anticommunist activities tends to focus exclusively on faculty members or administrators.²⁰

A significant portion of the literature ignores the religious dimension of this issue.²¹ There are several possible reasons for this neglect. First, the events in the Sooner state differ from the anticommunist crusades in other states during this era in that they were persistent and included the implementation of some of the most restrictive and demanding communist-control legislation, investigations, and loyalty oaths. Second, historians have only in recent years begun to examine the process of enforcing loyalty oath legislation at the state and local levels. Perhaps of greater significance is that Oklahoma typically is not the focus of research in most of these studies and when authors do refer to the state, they cite scholarship from the late 1950s. Researchers have overlooked the religious character of anticommunism in Oklahoma over the years. This study is an attempt to resolve this prior neglect of religious convictions.

²⁰ Most literature dealing with loyalty oaths in various states across the nation typically focuses on academia. See Schrecker, *No Ivory Tower*, 94-112, 117-125.

²¹ Historians occasionally consider the role of religious faith and practice on the American Cold War culture. For an example of recent scholarship see, Irvin D. S. Winsboro and Michael Epple, "Religion, Culture, and the Cold War: Bishop Fulton J. Sheen and America's Anti-communist Crusade of the 1950s," *The Historian* 71 (Summer 2009): 200-233.

Typically, when one mentions the Cold War era, the Red Scare, or anticommunism many people immediately think of America during the 1950s and the infamous Joseph McCarthy, and his campaign to expose communists who had infiltrated the federal government. Nevertheless, the senator from Wisconsin and the heightened fear of communism in the 1950's are only pieces of a much larger puzzle.²² The historiography of this topic is both broad in scope and vast in number; this review will look at works of specific relevance to this study. Since the first Red Scare between 1917 and 1919, historians have been examining anticommunism in America. They have investigated politicians, political groups, government institutions, legislation, judicial cases, domestic and foreign policy, and even American culture and society. Historians have searched for the origins of domestic anticommunism as far back as the end of the nineteenth century. They have also studied the impact of this phenomenon on the American mind-set and psyche.

Scholarly research examining American anticommunism, in general, and the loyalty and security movements of the early Cold War years, in particular, have greatly evolved over the last fifty to sixty years, developing in at least five major phases. This shifting process has not necessarily followed a linear or chronological trajectory. The first phase sought to define the "Red Scare" and what it meant to politics in America. A second phase occurred when scholars in the 1950s used a sociological model to understand postwar anticommunism. The third progression in the historiography rejected the sociological interpretive approach in favor of a political analysis. A fourth

²² Heale states, "[T]he late Senator had done little or nothing to create the phenomenon he had come to personify. McCarthy is not synonymous with McCarthyism, even less with American anticommunism, and his troubled presence has sometimes obscured those historical processes that helped make his career possible." Heale, *McCarthy's Americans*, xi.

development used a methodology that focused upon an institutional understanding of anticommunism. The fifth trend in the scholarship was the examination of this subject at the state and local level, which employed elements of the previous interpretive models.

The Red Scare crisis that occurred in America after World War II was the second major communist scare in the nation during the twentieth century. The first outbreak of significant anticommunism happened between 1917 and 1919. Public fear and anxiety grew in response to increased radicalism in labor unions and terrorist bombings across the nation, which some blamed on a larger Bolshevik conspiracy to incite revolution in the United States. Attorney General A. Mitchell Palmer launched a series of raids against radicals in January 1920, which resulted in numerous arrests and deportations. The Attorney General's sweeping actions did much to relieve the anxiety of many Americans. Most people no longer feared an imminent communist revolution sparked by radicals, yet anticommunist opinions remained strong and opposition to communism did not disappear. Two books that deal with the anticommunist sentiment that existed in the United States prior to the Cold War or McCarthyism are Robert Murray's *Red Scare*, and William Preston's *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933*. The second Red Scare occurred contemporaneously with the Cold War Era, but climaxed during the early 1950s. The Red Scare was an expression of Americans' fear of communism as an ideology and the threat it posed as a system of economic and political governance. Americans considered communism a dangerous, ungodly, and anti-capitalistic threat to their beliefs and way of life. This fear led to the waging of a

domestic Cold War to purge America of all remnants of communistic ideology or any thinking that seemed even remotely sympathetic to communism.²³

One of the most visible and widely known anticommunist warriors in postwar America was Senator Joseph McCarthy. Early studies of the Red Scare in the 1950s focused primarily upon the Senator and his brand of political opportunism labeled—McCarthyism. McCarthyism came to symbolize both the fear of communism and the efforts to expose and excise it from all levels of government as well as society in general. In *Senator Joe McCarthy*, Richard Rovere employs biographical analysis for his methodological approach to the subject. Most biographers at that time viewed McCarthy as a demagogue who possessed such great political power that two Presidents and the Senate feared him. Early research also examined the people and organizations that supported the senator. Rovere describes McCarthy's followers as "zanies and zombies and compulsive haters."²⁴ There have been efforts to reinterpret and rehabilitate Senator McCarthy's legacy; however, it seems that these have done little to change the public's general perception of the late senator from Wisconsin. Senator Joseph McCarthy may have been a demagogue to many people, but he was clearly a political opportunist who used the fear and paranoia of many Americans to gain political influence and power particularly in Washington, D.C.

A second phase in the historiography also emerged in the 1950s. Scholars began to analyze Senator McCarthy and his cadre of followers through a sociological rubric. In

²³ Robert K. Murray, *Red Scare: A Study in National Hysteria, 1919-1920* (St. Paul, MN: University of Minnesota, 1955); William Preston, *Aliens and Dissenters: Federal Suppression of Radicals, 1903-1933* (Cambridge: Harvard University Press, 1963).

²⁴ Richard H. Rovere, *Senator Joe McCarthy* (New York: Harpers & Row, 1959), 20.

The New American Right, seven different authors attribute the cause of the “McCarthyite mentality” to feelings of “threatened status.” According to this interpretation, McCarthyism was a paranoid reaction by diverse groups and individuals to changes in American society at that time.²⁵ A later book published in 1970, entitled *The Politics of Unreason: Right-Wing Extremism in America, 1790-1970*, argues that all extremist groups and movements in American history have, at their core, what the author calls “preservatism.” Seymour Martin Lipset and Earl Raab, authors of *The Politics of Unreason*, conclude that McCarthyism, the Ku Klux Klan, populism, and the John Birch Society were all manifestations of deviant behavior caused by a threatened sense of self-status. Of course, the status anxiety interpretive model created much debate among social scientists, and although the resulting discussions led to much new research, the theory had weaknesses and limitations. A clear weakness to this interpretive model is the assumption that only groups or individuals supporting right wing or “conservative” positions suffered status anxiety. In addition, such argumentation seems to weaken moral judgments against groups like the Ku Klux Klan, which is unfortunate. Fortunately, the social scientists would continue seeking to understand the underlying causes and social implications of the Red Scare, McCarthyism, and anticommunism.²⁶

In the 1960s, historians began to raise new questions and introduce new interpretations of the anticommunist milieu in America. In 1966, Earl Latham wrote *The Communist Controversy in Washington: From the New Deal to McCarthy*, in which he

²⁵ Daniel Bell, ed., *The New American Right* (New York: Criterion Books, 1955).

²⁶ Seymour Martin Lipset and Earl Raab, *The Politics of Unreason: Right-Wing Extremism in America, 1790-1970* (New York: Harper & Row, 1970). For a brief article summarizing the various interpretive models employed by sociologists over the years to better understand anticommunists, see Clyde Wilcox, “Popular Backing for the Old Christian Right: Explaining Support for the Christian Anti-communist Crusade,” *Journal of Social History* 21 (Autumn, 1987) : 117-132.

concludes that McCarthyism was essentially a political phenomenon. He proposes that conventional partisan politics was the cause of this anticommunist storm. Certain Republicans were in an uproar over Truman's victory in 1948, and were desperate and eager to gain power again in order to reverse the New Deal policies put in place by the Democrats. Latham claims that McCarthyism was a political campaign ploy used by the Republicans. The significance of this shift to political analysis of American anticommunism was that most future research would accept this interpretation. A further benefit of this third historiographic shift was that the focus of study would no longer center exclusively on Senator Joseph McCarthy.²⁷

Building upon Latham's approach, other historians began to question the role of the political establishment and government institutions in American anticommunism. Walter Goodman's noteworthy monograph *The Committee: The Extraordinary Career of the House Committee on Un-American Activities*, printed in 1968, was a study focusing upon institutional anticommunism. This fourth phase in the evolution of the historical literature opened up a wide-ranging institutional examination of anticommunism in the United States. This remains a significant and active component in the historiography of this subject. Since the 60s, the works of both Latham and Goodman have influenced or provided a starting point for much of the subsequent historical research. Institutional examination of the federal government, labor unions, higher education, the arts, and the entertainment community are some of the broad categories that have and continue to

²⁷ Earl Latham, *The Communist Controversy in Washington: From the New Deal to McCarthy* (Cambridge: Harvard University Press, 1966).

garner the attention of scholars. A significant amount of research initially focused primarily on the federal government.²⁸

According to Goodman, the creation in 1938 of a congressional committee chaired by Representative Martin Dies, later known as the House Committee on Un-American Activities (HUAC), institutionalized the hunt for subversives and communists. Initially, the Dies Committee investigated anti-Semitism, nazism, fascism, and other subversive groups in America, but eventually turned its full attention to communism in the 1940s. Members of HUAC considered the activities of the domestic communists as un-American, subversive, and in need of exposure. Many years before Joseph McCarthy gained fame as a Red hunter, HUAC provided an investigative tool for the anticommunists and thus became a focal point for the convergence of those seeking political advantage like Martin Dies and Richard Nixon. The Hollywood Ten and Alger Hiss would be just a few of the House committee's targets during its duration. Goodman's approach emboldened later historians to look more critically at the role and activities of institutions that were part of the anticommunist campaign.

After World War II, real threats of totalitarianism around the world heightened concern for greater national security. The federal government was instituting loyalty oaths and security programs at an unprecedented peacetime level. David Caute's book *The Great Fear: the Anti-communist Purge under Truman and Eisenhower* examines loyalty and the security state. Caute's 1978 work is an interpretive survey of the relationship between governmental actions and anticommunist fervor. Caute characterizes the government's efforts to preserve loyalty and security as an even greater

²⁸ Walter Goodman, *The Committee: The Extraordinary Career of the House Committee on Un-American Activities* (New York: Farrar, Straus, and Giroux, 1968).

danger to democracy than communism. This research offers a different perspective on the loyalty oath than the previously published literature. Most of the general studies, like Cate's *The Great Fear*, examine the political implications of McCarthyism at both the federal and state levels. Common themes explored in this area of research include the legislative, judicial, and political history surrounding the oaths. Cate limited his discussion of the effect of McCarthyism on the education system to one chapter.²⁹

In the 1970s, several revisionists sought to redirect understanding of anticommunism in the postwar years by reexamining American institutions. This new approach examined politicians, government administrators, political parties, and government agencies in order to determine the culpability of America in fomenting and sustaining the domestic Cold War. *Seeds of Repression: Harry S. Truman and the Origins of McCarthyism*, by Athan Theoharis, is an interpretation of the institutional politics of anticommunism. In this 1977 publication, Theoharis argues that President Truman's hard-line dealings with Stalin and his anticommunist policy caused the Cold War that in turn set the stage for McCarthy's political antics. In 1988, Athan Theoharis and John Stuart Cox applied the same interpretive model to the F.B.I. with their book, *The Boss: J. Edgar Hoover and the Great American Inquisition*.³⁰

Scholars also investigated political institutions and ideologies of the era offering revisionist interpretations of party politics. In Mary Sperling McAuliffe's *Crisis on the Left: Cold War Politics and American Liberals, 1947-1954*, published in 1978, she

²⁹ Cate, *The Great Fear* (1978).

³⁰ Alan Theoharis, *Seeds of Repression: Harry S. Truman and the Origins of McCarthyism* (Chicago: Quadrangle Books, 1971); Alan Theoharis and J.S. Cox, *The Boss: J. Edgar Hoover and the Great American Inquisition* (Philadelphia: Temple University Press, 1988).

proposes that the anticommunist mood in America fragmented the liberal left. She is critical of liberal anticommunists who, in a sense, sold out their ideology. McAuliffe would also argue that Democrats like Truman helped to create and sustain the anticommunist mood in the country.³¹

Some researchers examine the legislation of the era and cite particular laws and acts as being crucial to the anticommunism of the Cold War. Michael Belknap wrote *Cold War Political Justice: The Smith Act, the Communist Party, and American Civil Liberties* in order to examine the 1940 Smith Act, which created the legal basis for the destruction of the Communist Party in America. This monograph, published in 1977, is an example of expanding research into the federal government's anticommunist campaign. Belknap chronicles the legislative role in the creation of the Smith Act, the executive's role in the implementation of the act, and the judicial role in the prosecution of subversives. In Belknap's work, the pervasiveness of the government's role in the campaign against the Red menace is obvious.³²

The Federal Bureau of Investigation's role in the Red Scare has received a great deal of attention since the 1974 Freedom of Information Act allowed for public inspection of FBI files. *Hoover and the Un-American: The FBI, HUAC, and the Red Menace* published in 1983 and written by Kenneth O'Reilly remains a good example of this theme. O'Reilly contends that the FBI actively worked to promulgate a negative perception of communism during the postwar years. This anticommunist sentiment in

³¹ Mary McAuliffe, *Crisis on the Left: Cold War Politics and American Liberals, 1947-1954* (Amherst: University of Massachusetts, 1978).

³² Michael Belknap, *Cold War Political Justice: The Smith Act, the Communist Party, and American Civil Liberties* (Westport, CT: Greenwood Press, 1977).

turn influenced the politics of the era. Following O'Reilly's work, the study of the FBI's involvement in the Red Scare branched out into several different subgenres. David Garrow explores the effect of the FBI's domestic anticommunist policy on the Civil Rights movement of the 1960's. In *The FBI and Martin Luther King, Jr.: From "Solo" to Memphis*, published in 1981, Garrow documents the fear that communists had infiltrated the Civil Rights movement. This fear led to the surveillance of Martin Luther King, Jr. by the F.B.I. with the purpose of obtaining disparaging personal information in an attempt to smear the civil rights leader and, in turn, malign the movement.³³

Historians not only examined the federal government, but other institutions such as the labor unions, cultural organizations, and educational institutions. Bert Cochran's 1977 work entitled *Labor and Communism: The Conflict that Shaped American Unions* examines the history of the relationship between the unions and communism. Cochran said, since the mid-1930s, labor movement leaders were willing to work with or allow the Communist Party or "Popular Front" organizations into their unions in order to help them reach their labor goals. However, with the growing anticommunist mood of the country most trade and labor unions purged their leadership and membership ranks of known communists. Therefore, by the 1950s, the Communist Party was no longer significantly participating in or influencing labor in America.³⁴

Perhaps the most well known occurrences of Red Scare hysteria centered on the Hollywood Ten and the blacklisting of individuals publicly accused of being communists

³³ Kenneth O'Reilly, *Hoover and the Un-Americans: The FBI, HUAC and the Red Menace* (Philadelphia: Temple University Press, 1983); David J. Garrow, *The FBI and Martin Luther King, Jr.: From 'Solo' to Memphis* (New York: W.W. Norton, 1981).

³⁴ Bert Cochran, *Labor and Communism: The Conflict that Shaped American Unions* (Princeton, NJ: Princeton University Press, 1977).

or communist sympathizers. Two books written in 1980 have elevated this topic to critical historical study. Larry Ceplair and Stephen Englund wrote *The Inquisition in Hollywood: Politics in the Film Community, 1930-1960*. In this work, the authors admit the existence of communists in Hollywood but quickly point out that they were not typical of the communist movement despite their victimization by the government. Victor Navasky's book *Naming Names* approaches the same topic from a different direction by focusing upon those who acted as informers for the government. These two books are just a sample of the many different studies of the American motion picture industry's encounter with the Red Scare.³⁵

There has been at least one significant attempt to create a synthesis in the literature that surveys political and institutional efforts to curb the civil liberties of nonconformists in America. *Political Repression in Modern America: 1870 to the present*, written by Robert Justin Goldstein and first published in 1978, examines how both the government and private organizations and individuals worked to control or eliminate radical politics in the nation. Whether or not Goldstein was successful in creating a synthesis is debatable. However, *Political Repression in Modern America* is important because Goldstein compiles numerous case studies of individuals and groups deemed subversive by political elites and dangerous to the existing political power structure. Goldstein's collection of data is impressive because of its near exhaustive nature as he cites cases across America at the national, state, and local levels covering

³⁵ Larry Ceplair and Stephen Englund, *The Inquisition in Hollywood: Politics in the Film Community, 1930-1960* (Garden City, NY: Anchor Press/Doubleday, 1980); Victor S. Navasky, *Naming Names* (New York: Viking Press, 1980).

over one hundred years. This work will serve as a resource and directory for future researchers examining political repression of civil rights in the United States.³⁶

Significant to this study is the historiographic development dealing with the examination of anticommunists within institutions at the state and local level. The scholarship dealing with McCarthyism and the loyalty oaths, loyalty investigations, and security legislation passed by states during this period is extensive. Important scholarship emerged during and immediately after anticommunist purges occurred at these institutions. The book, *The States and Subversion*, edited by Walter Gellhorn, and published in 1951 was a key early work examining the growing surge of anticommunism at the state and municipal level. This was one volume in a multi-volume study of civil rights done at Cornell University under the general editorship of Robert E. Cushman. The Cornell study was an effort to examine the public administration of internal loyalty and security programs in the 1940s and early 1950s and offer suggestions on how to ensure domestic security while protecting civil rights. In addition, the subject matter in three chapters of *The States and Subversion* was so extensive that only short digests of the scholarship appear in this volume.³⁷ A more extensive presentation of the research appears in three separate volumes of the Cornell series. The three volumes have in turn become noteworthy works relating to this subject as well as major examples of state level scholarship. The Gellhorn volume surveys the legislative and administrative efforts in several different states in the immediate postwar years. Each chapter, written by a different author, examines proactive efforts by six states to address growing concern with

³⁶ Goldstein, *Political Repression in Modern America* (1978).

³⁷ Gellhorn, *States and Subversion* (1952).

subversive individuals and groups as well as their activities. The states included California, Illinois, Maryland, Michigan, New York, and Washington. Also of note are the two appendixes in the book. One provides a list of all the recent anti-subversive laws enacted by states up to 1951. A second appendix classifies the various laws into seventeen major groupings while also listing the various states, including Alaska and Hawaii, which passed that type of legislation. This work has become a reference source for most, if not all, scholarship regarding loyalty oaths and investigations since its publication.³⁸

In the 1980s, scholars again began to look at anticommunism on the state and local levels. This interpretive trend harkens back to the much earlier institutional studies written near the beginning of the early domestic Cold War era. The more recent research moves beyond institutional or political studies to encompass social, intellectual, and cultural questions. In addition, these studies could also be termed non-elitist in perspective. James Selcraig wrote *The Red Scare in the Midwest, 1945-1955: A State and Local Study* in 1982. In this study, the author questions the assumption that the second Red Scare started at the federal level and then spread to the states. Selcraig examines anticommunism in five states and three cities and concludes that the Red Scare was the result of both federal influence and local conditions. Don Carelton continued this approach in 1985 with his work entitled, *Red Scare! Right-wing Hysteria, Fifties Fanaticism, and Their Legacy in Texas*. Carelton provides a case study of Red Scare hysteria in Houston. In this study, Carelton argues that local changes in Houston after

³⁸ The three volumes are: Barrett, *The Tenney Committee: Legislative Investigation of Subversive Activities in California* (1951); Chamberlain, *Loyalty and Legislative Action* (1951); Countryman, *Un-American Activities in the State of Washington* (1951).

World War II influenced the anticommunist fears in this community. He also points out the important role of the press in agitating anticommunist hysteria.³⁹

Within this genre of research is a narrower field of study that examines the history of anticommunism within America's institutions of higher learning. One of the more significant interpretive works, mentioned previously, is Ellen Schrecker's *No Ivory Tower: McCarthyism and the Universities*, published in 1986. Schrecker exposes the anticommunist hysteria that resulted from state loyalty oaths, which were very popular instruments employed by administrators to determine loyalty and ensure security on university and college campuses in America during the 1950s. Schrecker's book illustrates admirably how anticommunist fears infected institutions outside of the federal government. Schrecker understands McCarthyism in terms of processes rather than as a monolithic political or ideological movement. Schrecker's *No Ivory Tower* offers many useful insights into the relationship between McCarthyism and higher education, but the point of her book is to discover why people in academia responded to the repression of McCarthyism on college campuses the way they did. Her work and many others tend to focus exclusively on either administrators or faculty members. Many of the case studies investigating higher education, which concentrate on the impact of loyalty oaths, tend to focus on specific issues like academic and intellectual freedom. In addition, these institutional studies typically say little if anything about the relationship between anticommunism, loyalty oaths, and religious freedom.⁴⁰

M. J. Heale's recent study published in 1998 titled *McCarthy's America: Red*

³⁹ Selcraig, *The Red Scare in the Midwest, 1945-1955* (1982); Carelton, *Red Scare! Right-wing Hysteria, Fifties Fanaticism, and Their Legacy in Texas* (1985).

⁴⁰ Schrecker, *No Ivory Tower* (1986).

Scare Politics in State and Nation, 1935-1965 presents the current scholarly developments in domestic anticommunist historiography. Heale offers a reliable summary of the current understanding of the relationship of Red Scare politics at both the federal and state levels of government. He also contributes to the understanding of the processes of anticommunism in the states, noting that the general pattern included the use of official investigations, implementation of loyalty oaths, and the passage of legislation to either curb or outlaw communism. It will become clear that the pattern of anticommunism in Oklahoma state government was analogous to the three categories described by Heale. He also discusses how those who conscientiously object or hold religious convictions that will not permit them to conform to the processes of anticommunism, are typically the unfortunate victims of such purges. Heale does note that religious beliefs and attitudes are part of fuller understanding of Red Scares in American history. However, apart from noting that many of the victims in several states were religious nonconformists, and that many of those supporting the state sponsored red hunts were religiously motivated, he does not delve into analysis of these issues. Interestingly, he does note that the anticommunist mindset and resulting actions beginning in the 1940s were a “kind of political fundamentalism, or rather a variety of fundamentalisms.”⁴¹ It would be interesting to compare what Heale describes as political fundamentalisms with religious fundamentalism among Protestants in America and the role each had in the emergence and development of American anticommunism and the associated “super-patriotism” of the twentieth century.

Literature devoted exclusively to the history of Oklahoma tends to offer limited coverage of anticommunism in the state during the 1940s and 1950s. General surveys of

⁴¹ Heale, *McCarthy's Americans*, xvii.

state history or state politics barely mention the oath controversies or the efforts to locate subversives on state campuses of higher learning. *Oklahoma Politics: A History*, by James R. Scales and Danney Goble, published in 1980, is a general survey of politics in the state with only limited coverage of anticommunism in the state. The authors suggest that anti-radical behavior in state politics was initially a conservative reaction to the New Deal, a tool employed by some to gain political advantage over their opponents, and by the 1950s just an effort to conform to the anticommunist trends across the nation.⁴²

In addition to general studies, several works deal with anticommunism within institutions of higher education, but with narrowly defined parameters. This includes college histories, memoirs of college administrators, dissertations, and local or regional scholarship dealing with topics such as Oklahoma legislation, jurisprudence, and censorship. Any discussion of the effect of loyalty oaths upon the consciences or religious scruples of Oklahoma state employees rarely goes beyond the occasional mention. For example, three significant works dealing with the history of Oklahoma higher education tend to focus on either the impact of communist-control legislation, or investigations of the institutions, administrators and, to a lesser extent, the faculty, or employees. In Philip Rulon's book, *Oklahoma State University Since 1890*, the author presents no more than a two-page summary of what he calls "a major crisis in the history of the college" while sympathetically portraying the college administration's role in the matter.⁴³ *A History of the Oklahoma State University College of Arts and Sciences* serves as part of a multi-volume historical survey of Oklahoma A&M, written and

⁴² James R. Scales and Danney Goble, *Oklahoma Politics: A History* (Norman: University of Oklahoma Press, 1982).

⁴³ Philip Reed Rulon, *Oklahoma State University Since 1890* (Stillwater, OK: Oklahoma State University Press, 1975), 288.

published as part of an anniversary celebration held by and for the university. This institutional history, written by Adelia N. Hanson and Joseph A. Stout, Jr., provides a documented summary account detailing such aspects of the controversy as the anticommunist attitudes, the political debate, the reactions of both faculty and students, and the Updegraff court cases.⁴⁴

George L. Cross's, *Professors, Presidents, and Politicians: Civil Rights and the University of Oklahoma*, provides the perspective of a university president concerning the events on the Norman campus. Cross served as president at OU from December 1943 to 1968. He briefly considers the Red-hunt of 1941 and how the creation of a new system of governance called the Oklahoma State System of Higher Education overshadowed the anticommunist investigation. He also reviews the resurgence of anticommunist activity aimed at OU beginning in 1949 and then summarizes the 1951 oath controversy and subsequent lawsuits. His focus is primarily upon how this episode affected some of the professors on campus and how Governor Johnston Murray sought to discredit the University of Oklahoma because of a perceived personal slight to him as a candidate when he ran for governor in 1950. In 1952, Murray's office conducted an independent investigation of certain OU faculty members suspected of communist activity, which resulted in the accusation that Richard Blanc, an assistant professor of zoology, perjured himself when he signed the required loyalty oath. Cross reviews this case and the eventual dismissal of Blanc and the impact it had upon the university. Cross provides an administrative perspective on these events as they directly or indirectly affected OU. He recounts how the politics of anticommunism at the state level affected the university's

⁴⁴Adelia N. Hanson and Joseph A. Stout, Jr., *A History of the Oklahoma State University College of Arts and Science* (Stillwater, OK: Oklahoma State University, 1992), 171-178.

standing with the American Association of University Professors as well as the school's reputation in the state and nation.⁴⁵

Since 1955, anyone interested in Oklahoma's communist-control legislation or Oklahoma's "Little Dies" investigations had to consult James Arthur Robinson's M. A. thesis entitled "Loyalty Investigations and Legislation in Oklahoma." His thesis, completed in 1955, surveys the history of the state's anti-sedition and syndicalism legislation from about 1916 to 1955. The author focuses on the legal efforts in the state to deal with security and loyalty issues during this forty-year period. The work examines how state and local officials dealt with perceived security threats by using either legal measures or allowing extra-legal actions taken by the community. Robinson examines state laws and local ordinances enacted to restrict certain subversive groups such as anarchists, redflaggers, unionists, fascists, communists, and librarians. He surveys investigations and actions taken by the state and local authorities. He recounts violent attacks, book burnings, censorship efforts, and the dismissal of Ruth Brown from the Bartlesville Public Library on March 23, 1951.⁴⁶ Robinson followed up in 1956 with a small publication titled *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*. It is his 1956 version frequently cited by researchers of the McCarthy era oath controversies. His work on the 1941 and 1949 anticommunist investigations are well done. He also gives an overview of the state politics surrounding the passage of the 1951 oath, as well as the legal cases stemming from the controversy. Robinson's work

⁴⁵ George Lynn Cross, *Professors, Presidents, and Politicians: Civil Rights and the University of Oklahoma, 1890-1968* (Norman, OK: University of Oklahoma Press, 1981), 182-202.

⁴⁶ James A. Robinson, "Loyalty Investigations and Legislation in Oklahoma" (M.A. thesis, University of Oklahoma, 1955). See also Louise S. Robbins, *The Dismissal of Miss Ruth Brown: Civil Rights, Censorship, and the American Library* (Norman, OK: University of Oklahoma Press, 2000).

offers a unique perspective on the events that unfolded in the state capital and on the University of Oklahoma campus because he was a contemporary of the controversy. Many of the insights he garnered from first-hand accounts make him a vital source of information. Robinson offers the perspective of an OU student present on campus during much of the storm over the 1951 oath.⁴⁷ However, since 1956 there has been much research done on the Cold War, McCarthyism, and the anticommunist era in the United States. A new interpretation of this subject, which examines the social and cultural aspects of the civil rights issues created by the political and legal efforts of the era, will bring a different perspective to the subject. This work explores the reasons why Oklahoma politicians enacted anticommunist legislation. It also examines the motivations of those individuals opposed to or victimized by anticommunism. The hope is that this research will expand upon the foundation created by Robinson's work, update the scholarship, and examine this period of Oklahoma history in light of recent trends in the historiographic interpretations and perspectives on the era.

A more recent study of Oklahoma anticommunism during the early Cold War years summarizes the 1951 oath controversy at Oklahoma A&M. This short article by W. Edwin Derrick examines the loyalty legislation that created the 1951 oath controversy. He also reviews the jurisprudence related to the court cases involving the college employees who refused to sign the required affidavit, which would have ensured their continued employment.⁴⁸

In recent years, the amount of literature created dealing with civil rights issues in

⁴⁷ James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956).

⁴⁸ W. Edwin Derrick, "The Fear of Non-Conformity: A Brief History of Oklahoma's Loyalty Oath of 1951," *Oklahoma State Historical Review* 2 (Spring 1981): 1-11.

Oklahoma during the second Red Scare has dramatically increased. One significant contribution to scholarship on the issues of censorship and civil rights in Oklahoma is, Shirley A. Wiegand and Wayne A. Wiegand's *Books On Trial: Red Scare in the Heartland*, published in 2007. This recent work examines the events associated with the trials of four communists in Oklahoma City between the fall of 1940 and summer of 1941.⁴⁹ In addition to this work, the Wiegands authored two articles dealing with civil rights violations in the state during the period of 1940 and 1941. Both articles appeared in *Chronicles of Oklahoma* as a two part series entitled "Sooner State Civil Liberties in Perilous Times, 1940-1941." Part one of the series investigates the Oklahoma Federation for Constitutional Rights, which formed in late 1940 in response to a perception of numerous and recent civil rights violations in the state by both legal authorities and extra-legal organizations.⁵⁰ The second part deals with the Senate's investigation of communists in 1941 referred to as the "little Dies Committee." The Wiegands' scholarship represents some of the most recent and thorough examinations of the effect of anticommunism on civil rights in Oklahoma in the years immediately preceding the outbreak of World War II. The focus of their work is the violation of the civil rights of known communists and the intimidation of individuals and groups working to support the civil rights of all Americans regardless of political ideology or skin color.⁵¹ The Wiegands' use of sources is impressive and includes American Civil Liberty Union files, FBI files, many document obtained through the Freedom of Information Act, as well as

⁴⁹ Shirley A. Wiegand and Wayne A. Wiegand, *Books on Trial: Red Scare in the Heartland* (Norman, OK: University of Oklahoma Press, 2007).

⁵⁰ Wiegand and Wiegand, "Sooner State Civil Liberties in Perilous Times, 1940-1941, Part I," 444-463.

⁵¹ Wayne A. Wiegand and Shirley A. Wiegand, "Sooner State Civil Liberties in Perilous Times, 1940-1941, Part 2: Oklahoma's Little Dies Committee," *Chronicles of Oklahoma* 85 (Spring 2007) : 4-33.

manuscript materials made available to them by family members of defendants charged under the criminal syndicalism laws. Interviews of participants recreate the personalities and attitudes missing from most documents. Many of the documents used in this book were available for the first time, which allowed for the production of a greatly detailed narrative of several key episodes.

Was there a religious component to the anticommunism that took shape in Oklahoma? If the events of 1951 raised religious questions, did earlier efforts to stamp out subversive groups and individuals in the state also contain religious issues? The literature tends to disregard the religious dimension of this issue in Oklahoma. There are occasionally brief references to a particular individual citing religious scruples as the cause of their difficulties with communist-control statutes and investigations in a couple of states like California or Pennsylvania. Typically, little research exists concerning those whose unfortunate experience resulted from their religious beliefs. The literature acknowledges that some suffered under these statutes because of their religious beliefs. Clearly, individuals with religious scruples encountered the encroachment of their rights in other states and institutions based solely on the many references to them in the literature. The scholarship refers to these people, but does not investigate or examine them. Two examples of this referencing will suffice here. Walter Gellhorn concludes in *The States and Subversion*, that the great number of laws and probes meant to expose and weaken the communists in the nation, “hit others instead—educators, public employees, political minorities, and even religious groups.”⁵² In *No Ivory Tower*, Ellen Schrecker discusses the California oath controversy of 1950. At the University of California, the advisors to the Board of Regents suggested excusing the non-signing faculty members

⁵² Gellhorn, *The States and Subversion*, 391.

just as they excused the “Quakers, who on technical grounds could not sign,” the required university oath.⁵³ In both examples, little about the religious groups or the Quakers receives careful examination. Granted, religion and religious scruples were not the focus of these studies. The point is that no studies exist that solely examine the effect of anticommunist purges linked to loyalty oaths and investigations of the postwar era on people of faith. This work is an effort to begin the process of investigating this aspect of anticommunism in the state of Oklahoma.

There are several areas of scholarship dealing with religion and the Cold War era. In 1960, Ralph Lord Roy’s book *Communism and the Churches* was part of a multi-volume series edited by Clinton Rossiter called *Communism in American Life* sponsored in part by the Fund of the Republic. Roy, a Methodist clergyman, examines the charge at that time that communism infiltrated a significant number of Protestant churches in America through liberal clergy who either knowingly or unknowingly allowed it to happen. This work is a survey of primarily Protestant ministers and organizations associated with mainline denominations from 1917 to 1960, although there are some references made to both the Roman Catholic Church and Jewish religion in America. Sadly, literature in this field is wanting, but Roy’s volume was a serious effort to remedy the paucity in scholarship. Roy claims to be a dispassionate investigator who aims to set the record straight. However, his social gospel leanings occasionally expose his biases against traditional evangelical Protestantism. His assumption throughout the book is that the liberal ministers who supported a social gospel were intelligent, well educated, and

⁵³ Schrecker, *No Ivory Tower*, 122. Schrecker also says, “Cheap and easy to administer, oaths were particularly popular, even though most of the people who refused to take them and thus lost their jobs were Quakers or other conscientious objectors rather than Communists.” Ellen Schrecker, *The Age of McCarthyism: A Brief History with Documents* (New York: Bedford Books of St. Martin’s Press, 1994), 72.

nuanced in their theology while minority clergy and evangelical clergymen were not, but he never provides evidence to support this assumption. Nonetheless, this work tries to deconstruct many of the conspiracy theories advocated by Red baiters, while concluding that very few ministers were communists. Roy argues, however, that the vast majority of liberal clergymen accused of being Red were instead unwitting dupes of communist agents, sympathizers, and front organizations.

Of course, some of Roy's conclusions are controversial. Roy claims his evidence suggests that among the few ministers who actually joined the Communist Party most were African American. His conclusion is the white clergy were too clever to join the Communist Party officially, although Roy's own evidence does indicate they were in close agreement with communist philosophy and politics. Unfortunately, Roy does not stop there, he actually suggests that the African American clergy did not understand communism and were not clever enough to resist recruitment. Roy states that communists reached African American clergy "by skillful manipulation of the race issue or by the use of flattery. . . . Most . . . who joined the Communist Party knew nothing about Marx and little more about the Soviet Union."⁵⁴ He also employs the argument that an individual was not a communist unless they actually joined the Communist Party or some group with communist affiliation. For example, using Roy's logic, a person who is not a registered member of the Republican Party cannot be a Republican. Therefore, if a person endorsed the ideas of the Republican Party platform, refused to support Democrats, maybe even publicly criticized Democrats, financially supported Republican events, or even endorsed Republican political candidates as long as they did not register

⁵⁴ Ralph Lord Roy, *Communism and the Churches* (New York: Harcourt, Brace, and Co., 1960), 422.

as a member of the party they technically cannot be a Republican. This type of argumentation was grist for red baiters and anticommunist zealots of the era who employed guilt by association without remorse. The author spends 429 pages presenting his arguments and evidence that the mainline denominations, liberal religious leaders, and social gospelers had no direct alliances with communism. However, on the last page in one short phrase, Roy connects the religious right in America “de facto” to the communists because both were harming the nation. Roy not only contributed to the historiography of anticommunism in America, but also participated in the internecine debate within American Protestantism over the looming issue of disloyalty in the nation during the Cold War.⁵⁵

Perhaps the best-known study in this area of religion and the Cold War is *God, Church, and Flag: Senator Joseph R. McCarthy and the Catholic Church, 1950-1957*, by Donald F. Crosby, published in 1978. Crosby’s main point was that Catholics in America were not all of the same political mindset. Indeed, the author compellingly argues that Catholic assimilation into American political culture was significant by the postwar years. Catholics were diverse in their political affiliations and thinking—some were members of the Democratic Party while others connected themselves to Republicans; some held liberal political and ideological viewpoints, while others maintained more conservative principles. Crosby proves false the assumption that all Catholics supported Senator McCarthy simply because he was a coreligionist. The author also argues convincingly that the determinative factor for either Catholic support or opposition to the Wisconsin senator related primarily to the political beliefs of the

⁵⁵ See chapter 7.

individual not their religious faith or practice. In other words, like American Protestants, Catholics divided politically over the issue of anticommunism.⁵⁶

This historiographic review has focused upon the evolution of at least five major interpretive trends in this genre. It has described and given examples of the changing subject matter as the interpretive models shifted over the last fifty years. This review is by no means exhaustive, but indicative of several different strands of research in the area of anticommunist scholarship in America.

The historiography of anticommunism in Oklahoma during the twentieth-century is lacking. This work hopes to correct this deficiency while offering a different approach to the subject matter. The research presented here is an effort to bring to bear on the Oklahoma loyalty oath controversies of 1941 and 1951 several different interpretive models. This is an institutional study of the development of anti-Red legislation, statutes, and investigations. This is a state level examination of the issues with limited reference to city and local incidents. In addition, this work examines the subject of anticommunist activity by state officials with a fundamentally new perspective. Although many of the works cited above deal with similar subject matter and in some cases the same events and individuals, this work examines the material primarily with regard to religion and the religiosity that existed in Oklahoma. The political thinking and religious beliefs that permeated actors on both sides of the anticommunist debate is the focus of analysis. This is a social history of the political and religious culture surrounding the institutionalization of the anticommunist purges in the state of Oklahoma during the first Red Scare, the pre-World War II era, and the second Red Scare of the postwar years.

⁵⁶ Donald F. Crosby, *God, Church, and Flag: Senator Joseph R. McCarthy and the Catholic Church, 1950-1957* (Chapel Hill: University of North Carolina Press, 1978).

The thesis of this study is that anticommunism in Oklahoma was part of a populist style of politics, which intended to rid the state of subversive and communist influences but managed instead to victimize political and religious non-conformists. The focus of this research is on the 1941 and 1951 anticommunist controversies in the state with special attention given to Oklahoma's religious culture. The approach taken in this study is to examine the history of anticommunism in three units. The first part examines the background of anticommunism in the state going back to 1917 and up through 1950. This section demonstrates that anticommunism in Oklahoma had deep roots going back to the Great War. It also illustrates that during periods of national crisis that state officials employed a populist style of politics to instill patriotism and domestic security. Chapter one focuses on the efforts of state officials to encourage support for World War I at the state and district levels through loyalty oaths and pledge drives that promoted conformity but vilified non-conformists. Chapter two examines the growing concern over the potential influence of communists, Nazis, and radicals in the government and schools during the pre-war years. Chapter three explores the actions taken by the Oklahoma legislature to deal with perceptions of subversive threats by enacting communist-control legislation, conducting an official investigation, and adopting a loyalty oath for all elected and appointed officials in the state. Chapter four examines how state officials continued to work to develop a strong anticommunist oath in the years immediately following World War II.

The second part of this study examines the apex of anticommunism in Oklahoma during 1951. Chapter five investigates the efforts of state politicians to enact the most encompassing and strong loyalty oath in the history of the state. This was the

culmination of at least ten years of political effort in the state to create a loyalty oath requirement for all state officials and employees including all teachers and professors on the public payrolls. Chapter six examines the reaction of Oklahomans to the new loyalty oath law and its implementation. Those who supported the oath as well as those opposed to it receive attention. However, the focus is upon those who objected to the oath, refused to conform to the new state mandate, and suffered the consequences of their non-compliance.

The third part of the work examines in greater depth the issue of anticommunism and religion in the state. This section explores the background and the thinking of those who supported or opposed anticommunism in Oklahoma. Chapter seven looks at the role of religion and religious individuals in the state that engaged in anticommunist rhetoric and activities. It also investigates those individuals and their liberal Christian or social gospel beliefs, which made them targets of the conservative and fundamentalist Christian anticommunists. Chapter eight looks into the various non-conforming religious sects in Oklahoma who believed or practiced pacifism, which put them into conflict with the state's 1941 and 1951 loyalty oaths. The chapter focuses on the basic beliefs of different religious groups as well as the way they coped during this period of anticommunist fervor.

Methodology

Discussion of the methodological approach employed in this research is necessary because of the hindrances involved in this type of investigation. The first obstacle results from the stigma attached to being associated with communism in the United States during

the pre- and postwar years and the wish of individuals to hide such associations or sympathies. This is also the primary reason for the success of anti-Red efforts and McCarthyism. On a very basic level, both the fear and intimidation of the “super-patriots” successfully created the intended effect. Having one’s reputation ruined because of an accusation that one was a communist or communist dupe was very real. Groups worried that such charges led to bad publicity, which might harm an organization’s reputation or possibly even destroy it. Individuals feared public exposure and defamation of their character. As a result, many individuals who did not wish to sign loyalty oaths simply resigned or quit, leaving little or no evidence for future researchers. A second problem attached to this sort of investigation is that most victims of these purges were government workers at the federal, state, or local level, and most of the pertinent records are lost or inaccessible. Documentary evidence in the form of personnel records did at one time exist for those individuals involved in loyalty and security crackdowns. However, accessibility remains an issue even a half century later because of privacy and civil rights issues. In addition, some government employers, such as the state of Oklahoma, destroy personnel records five years after a person leaves their employ.⁵⁷ As a result, this limits the researcher’s access to public documents or private records made public. Archival records, correspondence, contemporary periodicals, and state and local newspapers between 1940 and 1954 were the primary sources used for this investigation. These sources revealed many of the Oklahomans and others involved. These documents serve as the resources to illustrate the scope of repression of civil and religious liberties by anticommunism in Oklahoma.

⁵⁷ For state laws dealing with public archives and records, see *Oklahoma Statutes*: Title 67, §209-211, §306, or *Oklahoma Library Laws* (Oklahoma City: Oklahoma Department of Libraries, 2007), p. 173, 216.

PART I:
Oklahoma's Loyalty Oath: A Controversy Years in the Making

CHAPTER 1:
The Great War Era

The state of Oklahoma like many other states in America enacted loyalty oaths and security measures during times of national crises such as experienced during the Great War, World War II, and the Korean War. These terrible conflicts caused distress, fear, and unease among the people. However, citizens also developed a heightened patriotic zeal, as well as a sense of unity and determination to meet the difficult times confronting the nation. These three distinct conflicts, during the first half of the twentieth century, revealed the nerve and resolve of Oklahomans when tested by war. Oklahomans faced these three threats abroad on the battlefields as well as perceived threats at home in the Sooner state. One act that demonstrated both patriotism and loyalty was the swearing or signing of a pledge or an oath. Citizens who publicly committed themselves to "Americanism" and its preservation united with the throng of patriots to ensure the integrity of the nation and its ideas of democracy, justice, and freedom. During these eras, zealous pledge and oath drives tested the allegiance and loyalty of state citizens.

Oklahomans promoted numerous loyalty and security measures aimed at communism and other subversive ideas many years before America's second Red Scare developed in the late 1940s and early 1950s. In fact, Oklahomans promoted loyalty and

security provisions at both the national and state level during the first Red Scare of 1917 to 1919. Beginning in 1917, the patriotic spirit in America reached high levels as the country prepared to enter the terrible conflict with Germany in Europe. For the next several years, it was in vogue to promote “Americanism” and patriotism with pledges of allegiance and oaths of loyalty. There was significant anti-German sentiment during this era; however, a strong anticommunist attitude also existed in Oklahoma. Some labeled those who refused to support the war effort or participate in patriotic exercises as subversives. A subversive was someone who did not support American ideas and institutions and therefore a danger to the nation.

In fact, the first oaths of loyalty aimed at defending against subversive elements in Oklahoma targeted educators and the public schools. This was the beginning of nearly a century of efforts from 1917 to the present, to certify the fidelity of Sooner state schools and instructors in their support of the existing government and laws of the land. In May of 1917, the Oklahoma City school board, while in executive session, voted to require that all teachers and employees associated with the city schools swear loyalty to the nation. Those who did not take the pledge would be ineligible to work for the school system. The pledge adopted by the Oklahoma City school board stated,

I do hereby declare that I absolutely and entirely pledge my allegiance and fidelity to the United States of America. I will support and defend the constitution and laws of the United States and will bear true faith and allegiance to the same. I pledge myself by word and example to impress on pupils the duty of obedience to our country.¹

This was one of the first loyalty oaths for instructors in the state, and it would soon just be one of many different pledges promoted over the next several months.

¹ “Ax May Fall on Many Teachers,” *The Daily Oklahoman*, May 13, 1917.

One voluntary pledge drive began in the fall of 1917. The program began the last week of October and targeted all citizens including young children to reduce voluntarily the amount of food they bought or ate. This was a massive food conservation campaign initiated to ensure adequate supplies for the military. The program also sought to ensure that American homes had enough food, but were not wasteful. During the recruitment drive, recruiters “asked [Americans] to sign the loyalty food conservation pledge.” Evidently, recruitment was voluntary, “there [would] be absolutely no compulsion about it,” and people would not be “forced to any action.” Yet, anyone who did not sign the loyalty pledge “puts himself or herself on record as being against, not for the government.”² Of course, many Oklahomans joined the food conservation program, but some refused to cooperate. It did not take long for some to grow concerned with those who were refusing voluntarily and without compulsion to join in the nationwide food loyalty program. About one week after the program began, an editorial appeared in *The Daily Oklahoman* expressing concern over the “good name of Oklahoma.” Evidently, the state had “too many freaks” refusing to cooperate in the pledge drive. This resulted in making most Oklahomans’ reputations “suffer” while also encouraging “traitors who have flocked in to do us harm.” The editorial called on “all good and loyal people to take up arms against our sea of trouble” realizing that the threat against the nation from internal subversive threats was grave. Opposition even to something like the food loyalty pledge was something that good citizens could “not brook.” People who supported the

² Editorial, “Sign the Pledge and Win the War,” *The Daily Oklahoman*, October 22, 1917. The Oklahoma Council of Defense was instrumental in organizing food and pledge drives throughout the state during the war.

drive were patriots, and those who resisted or opposed were traitors, “and the traitors should be treated as they deserve.”³

In January 1918, a flurry of patriotic activities spread throughout Oklahoma. The Oklahoma public school system was the focus of many programs to educate the students about the war as well as the patriotic duty of citizens. One Oklahoma leader, prominent within the patriotic fervor sweeping the state, was State Board of Education Superintendent R. H. Wilson. He actively sought to introduce patriotism into the Oklahoma public school system, and used his position to promote a variety of programs in the school districts across the state. His plans included creating a patriotic league in which all the public school children could participate at no cost to their families. Essentially, the plan was to teach pupils fidelity to America by having students, teachers, and school board members all sign a charter of loyalty to the nation and the war effort. District superintendents around the state enthusiastically supported Wilson’s initiative for the classroom.⁴ Wilson’s office prepared and sent out charters for all the classrooms around the state. Teachers filled in the appropriate date, signed, and then invited all students to sign the loyalty charter. The superintendent also recommended that teachers hang the charters in the classrooms as reminders to the students.⁵

Not only did Superintendent Wilson actively promote “Americanism” and patriotic exercises in the Oklahoma public schools, but he also took action against what he believed was disloyalty. Wilson worked to rid state schools of any potential foreign

³ Editorial, “Answer the Enemy By Signing Pledge,” *ibid.*, November 1, 1917.

⁴ “Patriotic League Is Winning Favor,” *The Daily Oklahoman*, January 23, 1918.

⁵ “School Children to Form League,” *ibid.*, February 17, 1918.

influences. For example, in October of 1917, the school district officials from Aline, Oklahoma sought advice from Wilson regarding flag saluting. They asked if “a boy who refuses to salute the United States flag [should] be barred from a public school?” The superintendent responded by telling them, “You bet your life you can.”⁶ A few days later a mother called Wilson upset because the school sent her son home for not saluting the flag. The mother said she had no problem with her boy saluting a flag representing a peaceful nation. However, America was at war so she did not want him saluting the United States flag. Wilson disagreed with the mother and said that the boy should pay proper respect to the flag, especially during times of war, and that he agreed with the punishment doled out by the teacher.⁷

In December, amid rumors that school districts in Washita, Custer, and Major counties banned instruction in English in favor of German, Wilson promoted passage of a law requiring the use of English only in schools. Although these counties were the location of many German-speaking communities as well as large Mennonite settlements, local school officials denied the charges.⁸ A few months later, the German Evangelical Lutheran Zion church school in Oklahoma City faced similar charges. The small parochial school met in the basement of the church where students typically received instruction in English, but participated in religious instruction and hymn singing in German. Superintendent Wilson threatened to have all twenty of the students removed and placed in public schools unless English became the only language of instruction. The pastor of the church, Rev. A. C. Dubberstein, and the church directors agreed to make the

⁶ “Pupils Must Salute Flag or Get Out,” *The Daily Oklahoman*, October 9, 1917.

⁷ Ibid.

⁸ “English Barred From Schools in 3 Counties, Charge,” *ibid.*, December 1, 1917.

necessary changes in the curriculum and to require all instruction in English.⁹ Not only did Wilson work to make it illegal for classroom instruction to be in German, he also worked to remove German language courses from curricula. He saw it as patriotic not to encourage Oklahoma's young people to learn the German language.¹⁰

In addition, Wilson also worked to eliminate any potential threats from Oklahoma's public schools. The superintendent worked with local school boards to determine if textbooks used by schools promoted "Americanism." There were several complaints about some of the textbooks promoting enemy propaganda or speaking favorably of America's new enemies. One such book was, *The Story of the Old World*, which Wilson called German propaganda. The textbook was part of world history studies that included several pages that positively portrayed German-speaking people in its survey of western civilization. Several districts quit using the textbook, and Wilson promised he would vote to remove it from the classrooms.¹¹

Wilson's patriotic sensibilities went beyond the disciplining of those who did not salute the flag, and banning the German language and questionable textbooks from public schools. Wilson also dealt harshly with school staff whose fidelity to America did not measure up to his standards. Several teachers' loyalty came under scrutiny early in 1918.

⁹ "Lutheran School Banishes German," *The Daily Oklahoman*, March 19, 1918; "German School Cause of Inquiry," *Harlow's Weekly*, March 30, 1918. Initially, when reports began to surface in the newspapers that some schools were teaching in German, Superintendent Wilson did not think the state or his office had any legal authority over private or parochial schools in the state. However, a few weeks later the Oklahoma Assistant Attorney General, W. C. Hall, released an opinion on the question of instruction in the German language. He argued that the Oklahoma Constitution in Section 1, Article 5 stated that instruction had to be in English. He also suggested that the state law making attendance compulsory gave the State Superintendent the power to force all children in the state to attend public schools where instruction was in English. "No German Taught In Public Schools Declares Wilson," *The Daily Oklahoman*, December 2, 1917, 7-A; "Move to Wreck German Schools," *ibid.*, December 22, 1917.

¹⁰ "German Study Will Disappear," *ibid.*, April 10, 1918.

¹¹ "Schools to Cut Book as 'Kultured,'" *ibid.*, March 8, 1918.

For example, a Harper county instructor named Katherine Bondhauer brought an I.W.W. (Industrial Workers of the World) songbook “To Fan the Flames of Discontent” to class in order to share or teach some songs to her students. Wilson revoked her teaching certificate for having the songbook in her classroom.¹² Clearly, the radical hymnal—also known as the “Little Red Songbook”—was not a songbook dedicated to German propaganda. The little songbook contained revolutionary protest music promoted by the Industrial Workers of the World, which opposed America’s participation in the war. Many believed the songs promoted subversive messages that endangered American institutions and businesses.¹³ Bondhauer lost her certificate because she introduced radical and revolutionary material into her classroom that Wilson and some school administrators considered communistic.¹⁴ Another teacher, from McIntosh County, Charles Crews, came under investigation by the superintendent’s office on charges of disloyalty and making unpopular statements regarding the war. Crews denied the charges against him and pleaded his case before the State Board of Education, which made no immediate decision on his case.¹⁵ Wilson, as State Superintendent, also helped to establish the criteria by which the State School Land Commission granted farm loans from a special fund. The loyalty of the applicant was now a consideration when the

¹² “War Council Machinery Perfected,” *Harlow’s Weekly*, January 23, 1918.

¹³ *HistoryLink.org Online Encyclopedia of Washington State History*. “Fanning the Flames: Northwest Labor Song Traditions” (by Peter Blecha), <http://www.historylink.org/> (accessed September 6, 2009).

¹⁴ Robinson claims that Bondhauer might not have lost her certificate if a committee looking into German propaganda in textbooks had started sooner. First, he assumes that the committee would have cleared the I.W.W. hymnal from the list of dangerous books promoting the Germans. Second, he also assumes that R. H. Wilson’s only concern was that an anti-war union published and promoted the songbook. James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 4.

¹⁵ The outcome of Crews’s case is unclear. “News of the City in Brief,” *The Daily Oklahoman*, January 29, 1918.

commission granted loans. Applicants would have to demonstrate their loyalty by proving they were members of the Red Cross and that they participated in the Liberty Loan and Savings Stamps programs.¹⁶

The Oklahoma Council of Defense initiated another loyalty pledge drive across the state in January 1918. This was part of the National Council of Defense promoted by President Woodrow Wilson to encourage patriotism and national unity during World War I. Superintendent Wilson was one of several state leaders appointed to the state's Council of Defense. The goal of the Council was to get every citizen of the state to sign a pledge supporting the government and the war effort. The method of organization was to create in each county of the state, school district councils of defense, which would encourage all 650,908 public school students in the state of Oklahoma to sign and recruit others to endorse the pledge cards.¹⁷ By signing a card, a student became a member of the local school district council and could then recruit others. Signers of the cards pledged their loyalty as follows:

I hereby pledge renewed allegiance to my flag and to the Republic for which it stands. I pledge myself as a true, loyal American to be active in the support of my government in all its plans and efforts. I recognize the danger that arises from the slacker who opposes the country. I realize that every breeder of sedition is as great a menace to our homes and freedoms as are our armed enemies across the sea. I therefore pledge myself to report to the chairman of my school district council of defense any disloyal act or utterance that I may know of. I will help stamp out the enemies at home whose every act or word means more American graves in France.¹⁸

Students across the state actively pledged themselves and recruited family members and neighbors. As a result, the councils of defense were very successful in getting signatures.

¹⁶ "Farm Borrowers Must Be Patriots," *ibid.*, March 13, 1918.

¹⁷ "650,908 Pupils in Schools of State," *ibid.*, April 27, 1918.

¹⁸ "All Must Share in Winning War, Plea of Council," *The Daily Oklahoman*, January 27, 1918.

By the third week in February, the number of people signing the loyalty pledge cards reached three hundred thousand.¹⁹

The school district councils were one of the primary instruments used by the federal and state government to promote the war effort and patriotism. The local councils performed many duties during the Great War such as selling Liberty Loan bonds. The members of local district organizations elected their own officers, who oversaw that school district's operations for the Council of Defense. The primary duty of the local councils was to maintain a list of loyal and disloyal citizens in the district. The district councils determined the patriotic loyalty of local residents based upon who signed a pledge card and became a member of the organization. Those who refused were disloyal citizens. The organization recognized only two possible types of citizens, loyal or disloyal, and neutrality was not an option. In addition to maintaining lists of neighbors who were either patriots or traitors, the district councils also investigated complaints of disloyalty or the suspicious activities of "shifty" neighbors.²⁰

Occasionally, reports of people refusing to sign loyalty pledge cards made it into the newspapers. G. M. Brown, from Shawnee, refused to sign the oath because of religious scruples. He said he was "a member of the church which is the body of Christ, therefore He is my head and as my head He tells me to not kill anyone, but to love my enemy and feed him."²¹ The local school district council reported Brown to the U.S.

District Attorney's Office simply because he refused to sign the loyalty oath. In April,

¹⁹ O.A. Hiton, "The Oklahoma Council of Defense and The First World War," *Chronicles of Oklahoma* 20 (March 1942): 34, n. 36.

²⁰ "War Council Machinery Perfected," *Harlow's Weekly*, January 23, 1918.

²¹ "Perhaps Wilhelm Lacks a Waiter!" *The Daily Oklahoman*, March 15, 1918.

two high school boys in Alva, Oklahoma, attempted to get Ed Shideler to sign a loyalty pledge. Shideler struck both of the boys and refused to sign a card. Authorities arrested him for assault and battery. The local court tried, convicted, and fined him \$25 and court costs for the incident.²² There were many efforts, both legal and extra-legal, by which elected officials and regular citizens advocated loyalty and encouraged security across the state.²³

School districts across the state encouraged faculty and students to be good and loyal citizens. Some schools in the state attempted to enforce allegiance to the nation and the war effort by requiring their faculty members to sign loyalty pledges. In the months of April and May 1918, reports of school employees refusing to sign loyalty pledge cards or behaving in ways deemed unpatriotic by some appeared in newspapers. In early April, three school board members in Stephens County found themselves in serious trouble. Dumot Pugh, L. C. Oliphant, and Frank Ferris faced charges of disloyalty and appeared in U.S. District Court. The men bonded out of jail paying \$2,000 each. The charges stemmed from a letter sent to authorities by a Duncan man named H. W. Sitton. Sitton alleged that these board members refused to demonstrate their loyalty to America. He stated that they did not let their children take part in the school's patriotic exercises, did not allow the use of the American flag in school programs, rebuffed efforts to replace a missing flag at the school, and declined supporting the Red Cross. In addition, Pugh reportedly made his children's teacher remove their names from the loyalty pledge roll.

²² "Socialist Fighter Fined," *ibid.*, April 28, 1918, 6-A.

²³ See Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 1-7.

The Daily Oklahoman referred to all three board members as socialists from a socialist corner of rural Stephens County.²⁴

At the end of April 1918, two members of the local school board in Bidding Springs refused to sign pledge cards. W. N. Walker and Homer Deason, both school board members in Adair County, returned unsigned cards to the county council of defense. Both men stated that their religious scruples prevented them from signing the loyalty cards. State Board of Education Superintendent Wilson recommended their dismissal from the district board.²⁵ On the same day of Wilson's recommendation, he sent out notices to every county superintendent in the state. He warned that any teacher who taught in a classroom that did not daily display the United States flag was in violation of state law. He made it clear that any reports of classrooms without flags would lead to disciplinary action not only against the teacher but against the district administrators as well. To ensure that school districts did not trivialize or ignore Wilson's admonition, he attached a fine for non-compliance. The fine for a district not providing an American flag was between \$10 and \$100.²⁶

In May, a carpentry instructor at the Oklahoma School for the Deaf, located in the small town of Sulphur in Murray County, refused to sign his pledge card confirming his loyalty to America and support of the war effort. The teacher, one Mr. Graham, objected to signing the pledge because he was a follower of Pastor Charles Taze Russell, the founder of the Jehovah's Witnesses sect. Graham's religious principles prevented him from swearing allegiance to anyone but Jehovah and therefore, as a conscientious

²⁴ "School Board Held on Charge of Disloyalty," *The Daily Oklahoman*, April 16, 1918.

²⁵ "Educators Refuse Loyalty Cards and Will be Removed," *ibid.*, April 25, 1918.

²⁶ "Schools Must Have Flags, Wilson Rules," *ibid.*

objector, he could not sign the pledge. The superintendent of the School for the Deaf, J.W. Blattner, referred the matter to State Superintendent Wilson. Wilson ordered the immediate dismissal of Graham for failure to sign the loyalty pledge.²⁷ The State Board of Education and Wilson seemed to have a policy of zero tolerance for either political or religious nonconformists who were unwilling to support the nation during wartime or participate in expression or exercises of patriotic pride.

A second instructor faced dismissal in May on disloyalty charges. This time it was C. H. Simpson, a professor of agriculture at Southwestern State School, located in Weatherford. Simpson allegedly made positive statements that were sympathetic to America's enemies, particularly Germany. The president of the school reported Simpson to the local Council of Defense in Custer County. Council leaders reported the instructor to State Superintendent Wilson. Southwestern State's President, J. B. Eskridge, fired Simpson for disloyalty.²⁸

Shortly after these episodes, Superintendent Wilson and the State Board of Education decided to take proactive measures. The Board would require all teachers in the state to sign a special loyalty oath when the school year began in September.²⁹ All

²⁷ "Teacher Refuses Loyalty Pledge; Ordered to Quit," *The Daily Oklahoman*, May 9, 1918.

²⁸ "Oklahoma And The War," *Harlow's Weekly*, May 22, 1918.

²⁹ State Board of Education member Joel M. Sandlin moved that the loyalty oath be required of all school employees in the state. The resolution unanimously adopted by the board read as follows: "Resolved, by the state board of education, that each employee of the institutions under the jurisdiction of said board and each and every teacher in city and rural schools of the state shall, before entering upon his or her duties for the next school year, take and subscribe an oath of office to the effect that such employee or teacher will support and defend the constitution of the United States, the state of Oklahoma, and support the Red Cross, liberty loans, war stamp sales, food and fuel administrations and all war relief societies and organizations and societies [*sic*], and especially to cooperate with the county and school district councils of defense in the matter of reporting disloyal statements and stamping out disloyalty and to teach patriotism. That the secretary and chairman of this board prepare forms in accordance with this resolution to be used by this board and its employees and county superintendents and school boards." "Oath of Office for Teachers," *Harlow's Weekly*, May 29, 1918. See also "Oklahoma And The War," *ibid.*, May 22, 1918.

publicly funded instructors would have to pledge to uphold the United States and state constitutions as well as instruct and instill patriotism in their students.³⁰ In June of that year, Mr. Wilson ran for a third term as State Superintendent of Public Instruction. During the campaign, his opponents accused him of using his position on the board to promote politics in the Oklahoma public schools.³¹ An advertisement for Wilson's reelection campaign illustrated the patriotic zeal of the superintendent.³² Wilson believed it was the duty of Oklahoma schools to help "win the war." Wilson continued in the ad,

I like to think of our schools as the concentration camps where the great reserve army of our nation is being trained. . . . It is important that the teachers and school officials, who are officers in this great reserve army be patriotic. . . . No teacher or school board official whose patriotism is doubtful will be retained in the school system of this state with my consent. . . . I stand squarely on this policy.³³

Wilson was responsible for helping to initiate the first statewide teacher's oath requirement in the nation.³⁴ However, this pledge requirement was only an administrative regulation of the state school board, which could easily modify, ignore, or even nullify the obligation in the future. This teacher's oath was not a state law. Nevertheless, any teacher failing to sign the oath faced dismissal by the state superintendent.

An Oklahoma politician attempted to create a nation-wide loyalty oath law during the height of the Great War in Europe and the revolutionary events in Russia. In April 1918, Oklahoma's U.S. Congressman, Representative Jim McClintic, proposed a bill in

³⁰ "Teachers To Take Allegiance Oath," *The Daily Oklahoman*, May 26, 1918.

³¹ "Biles Quits Race For Superintendent," *The Daily Oklahoman*, July 26, 1918.

³² For a detailed review of R. H. Wilson's tenure as State Superintendent, see "Eight Years of Oklahoma Schools," *Harlow's Weekly*, May 1, 1918.

³³ Advertisement, "R.H. Wilson Candidate for State Superintendent of Public Instruction," *The Daily Oklahoman*, June 23, 1918.

³⁴ Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 4.

the House of Representatives. His bill would require American citizens to swear to a loyalty oath of allegiance in order to vote in elections. The Congressman's oath stated,

I hereby pledge renewed allegiance to my flag I pledge myself as a true, loyal American to be active in the support of my government. . . . I recognize the danger that arises from the slacker who opposes the country. I realize that every breeder of sedition is as great a menace to our homes and our freedom as our armed enemies across the seas. I therefore pledge myself to report any disloyal act or utterance that I may at any time hear or know of, for I know such acts or utterances mean more American graves in Europe.³⁵

This loyalty pledge was very similar to the oath promoted by the Council of Defense through school district councils in the states. Although the congressional representative was confident his bill would pass in the U.S. House, the pervasive and enthusiastic patriotism across the nation was not enough to push through such legislation—even during war. McClintic's bill never became law.

After the First World War ended, much of the “super-patriotic” zeal diminished as life returned to normal in America, and fear of subversives and “slackers” waned.³⁶ Nonetheless, in 1923, Oklahoma passed its first statute requiring a state loyalty oath for teachers. House Bill (HB) No. 72, introduced by Representative Lewis E. Watkins of Medford and co-sponsored by Senator William S. Cline from Newkirk, made it mandatory for all teachers to take the oath before they received payment. The new law stipulated that employers print the oath directly on all teachers' contracts. The Ninth Legislature of Oklahoma mandated that the oath was a requirement for all “public school, parochial, private and denominational school teachers” in the state.³⁷ The new oath was

³⁵ “M'Clintic Would Withhold Ballot for Disloyalty,” *The Daily Oklahoman*, April 7, 1918, 1-B.

³⁶ The term “slacker” seems to refer to those individuals who were unwilling to perform their civic and patriotic duty by supporting the war efforts.

³⁷ “World Sanity Plea Entered,” *The Daily Oklahoman*, January 25, 1923. *Journal of the House of Representatives First Extraordinary Session of the Ninth Legislature of the State of Oklahoma, 1923* (Oklahoma City, OK: Harlow Publishing Company, 1923), 174. (Hereafter cited as *House Journal*).

rather short compared to the State Board of Education oath of 1918.³⁸ It read, “I _____ do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States and the constitution of the state of Oklahoma.”³⁹ In addition to the oath, the law stipulated that anyone “teaching or inculcating disloyalty to the United States or of publicly reviling the flag, or system of the United States” was subject to revocation of their teaching certificate, fines and possible imprisonment.⁴⁰ Both houses of the state legislature passed the teacher oath unanimously.⁴¹ Governor J. C. Walton signed HB No. 72 into law on March 3, 1923.⁴² The teacher oath of 1923

Journal of the Senate of the Ninth Legislature of the State of Oklahoma, 1923 (Oklahoma City, OK: Novak & Walker Printers—Binders—Stationers, n.d), 503. (Hereafter cited as *Senate Journal*).

³⁸ See p. 54, n. 29 above.

³⁹ *Session Laws of Oklahoma, 1923* (Oklahoma City, OK: Harlow Publishing Company, 1923), 251.

⁴⁰ *Ibid.*

⁴¹ *Senate Journal, 1923*, 1174-1175. *House Journal, 1923*, 316, 960.

⁴² *Ibid.*, 1086. *Oklahoma Statutes, 1926*, 925-926. This law amended Compiled Oklahoma Statutes, 1921 Section 10368. In 1941, Sec. 10368 is designated O.S. 1941 Title 70, Sec. 961 and 962. *Oklahoma Statutes, 1941*, 2383. During this legislative session, Governor Jack Walton interfered in higher education in the state by installing a political crony George Wilson as the new president of Oklahoma A&M and replaced the Board of Agriculture at the college several times. Walton did not trust men of learning and it showed. In addition to the governor’s anti-intellectual leanings and desire to increase his patronage base at the expensive of higher education, the state was in the midst of a resurging Ku Klux Klan bent on resisting radicalism and preserving the “morality” of Oklahomans. For more see Scales and Goble, *Oklahoma Politics: A History*, 118-121. There are several instances during the three periods of crises examined here when the behavior and attitudes of some Oklahoma politicians and citizens seem dramatically to illustrate Richard Hofstadter’s thesis of anti-intellectualism within American society and culture. Was the anti-intellectual sentiment in Oklahoma a determinative factor in anticommunist thinking and action in the state or did it just simply characterize the debates? It seemed that anti-intellectualism was part of the political and social culture in the state apart from anticommunism as the example of Governor Walton mentioned above illustrates. Anti-intellectualism seemed to intensify the anticommunist rhetoric when some in higher education began to question and then resist the political efforts to control subversives and communists. Throughout this study the anti-intellectual actions and feelings exhibited by the Oklahomans reported on here may merely be part of a defensive reaction or response to challenges from perceived intellectuals. There may be more to the petty and impolite name calling and ridicule hurled at some of the professors at the state colleges and universities. Does this anti-intellectualism in the state make the expression of anticommunism in Oklahoma unique or exceptional? To determine this one might need to conduct a comparative study of other states similar to Oklahoma to make a reasonable assessment of whether the state’s anti-intellectualism was exceptional or not. Clearly by 1951, Oklahoma had adopted some the strictest communist-control legislation in the nation. Oklahoma’s 1951 loyalty oath required all public

probably remained in effect until the passage of the 1951 loyalty oath requirement.⁴³

The overall effect of both the State Board of Education oath of allegiance from 1918, and the state law of 1923, was minimal. Most Oklahoma teachers willingly signed as a demonstration of their loyalty. Only the few who had scruples against such instruments suffered the consequences. Those who objected for political or religious beliefs suffered such reprisals as public scrutiny, defamation of character, physical threat, bodily harm, loss of employment, or possible imprisonment for not swearing the oath. However, at that time, only a tiny fraction of the total population suffered such reprisals. The pressure to conform must have been great. Surely, only those with deep convictions possessed the perseverance to resist such societal pressures.

However, other issues of conscience garnered more legal and journalistic attention during the Great War. In particular, conscientious objection to conscription among the traditional religious pacifists and the Jehovah's Witnesses produced more controversy. Mandatory conscription affected a significantly larger group of people than loyalty oaths. Thousands would face public ridicule and even incarceration during the war because of their refusal to bear arms to defend America abroad. An individual with scruples against signing a pledge might avoid detection in a variety of ways such as quitting a job or moving to another location. However, the government actively sought a

employees to swear that they were willing to take up arms to defend the nation in the event of an emergency. Oklahoma's oath was unique in the nation, but the circumstances behind its creation may not be exceptional. See Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1963).

⁴³ The history related to the 1923 teacher oath is confusing for several reasons. First, the state adopted a new format to designate statutes in 1941, which makes it difficult to track the progression of amendments or repeals of earlier laws in subsequent years. Second, the numerous oaths created during the Great War add to the confusion. Third, the enactment of new oaths beginning in 1941 and continuing through 1953 simply adds to the confusion. Nonetheless, as late as December 1940 there is evidence that the 1923 teacher oath was still in use.

man drafted into the armed services, thus making it harder for him to avoid unwanted public attention. These distinctions between oaths and conscription would hold true as well during both the 1941 and 1951 Oklahoma oath controversies. Clearly, the largest group potentially impacted by such a loyalty drive during this period was the Jehovah's Witnesses. However, the Witnesses were only a tiny percentage of the overall population in the state and nation.⁴⁴ American and Oklahoma history is full of examples of civil rights violations among ethnic, religious, political, and immigrant groups which suffered grievous infringement of their basic civil rights delineated in the founding documents of both the state and nation, unfortunately the oath controversies add people in Oklahoma with religious scruples to the long list needing attention.

Nevertheless, the reactions of the state and citizens of Oklahoma during the national crisis that was World War I was very telling. Clearly, those residents of the state who refused to conform to the prevailing attitude of patriotic support for the war against the Germans came under suspicion. Conscientious objectors were traitors in the eyes of many. Those who lacked sufficient enthusiasm or resisted participation in patriotic campaigns or exercises became targets of ridicule. The pressure to conform came from administrative agencies of the state, such as the state and local boards of education, which in turn directed schoolchildren and neighbors to recruit supporters or report slackers. Local law enforcement officials and district attorneys investigated charges and allegations of subversive or unpatriotic behavior reported by citizens in the community.

⁴⁴ See Table 1 in Appendix F.

CHAPTER 2:

The Pre-World War II Era

Many Americans in the 1930s and 1940s were less concerned with civil rights than with the threat posed by radicalism, fascism, nazism, and communism. Fear that communists or other dangerous ideologues infested public schools and worked to convert students into new disciples was a growing concern for lawmakers throughout America since World War I. By 1936 at least twenty-three other states—out of forty-eight at the time—across the United States required some form of loyalty oath for educators.¹ By 1949, twenty-five states required teachers to sign loyalty oaths. Washington, D.C. and the territories of Alaska, Hawaii, and Puerto Rico also required oaths.²

Since the 1920s and 1930s, there existed a concern among many citizens at the possibility that professors and instructors were secretly teaching some form of totalitarianism to Oklahoma's youth. Charges of this nature were common in Oklahoma during the World War II years. However, in the late 1930s American citizens tended to

¹ "Five Objections Are Made to Teacher's Oaths; 23 States Require Some Form of Declaration," *The Daily Oklahoman*, September 20, 1936, 10-B. The states requiring teachers take some form of oath by 1936 were: Arizona, California, Colorado, Georgia, Indiana, Massachusetts, Michigan, Montana, North Dakota, New Jersey, Nevada, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Texas, Virginia, Vermont, Washington, and West Virginia. Ibid.

² Diane Ravitch, *The Troubled Crusade: American Education, 1945-1980* (New York: Basic Books, Inc., 1983), 82. According to Caute, "By 1940 twenty-one states had introduced loyalty oaths for teachers. 1942 to 1946 there was a hiatus in oath incantations (America being temporarily allied to the devil) followed by five or six frantic years during which a further fifteen states plunged into loyalty legislation." David Caute, *The Great Fear: The Anti-communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 404. See also Walter Gellhorn, ed., *The States and Subversion* (Ithaca: Cornell University Press, 1952), 414-440.

be more tolerant of the idea of academic freedom in schools than some politicians were. In 1936, the American Institute of Public Opinion (now known as the Gallup Poll) conducted a nationwide survey to determine if Americans were willing to allow schools to teach students about fascism, communism, and socialism. The result of the national poll was that 62% approved allowing instructors to teach the facts about these forms of government, whereas 38% disapproved. According to political affiliation, the two major parties responded similarly with 62% of Democrats approving to 38% disapproving, and 59% of Republicans favoring while 41% opposed such instruction.¹ Yet, regardless of the mood of the majority in the nation, restrictions in several states remained in place for more than a decade. In 1949, the National Education Association reported that the states of Georgia and Rhode Island not only required oaths but prevented educators from teaching specific political theories such as communism.²

The American Institute of Public Opinion poll of 1936 also registered the opinions of Oklahomans regarding the teaching of different government ideologies in the schools. In Oklahoma, a 58% majority of those polled approved the teaching of facts about competing government ideologies, while 42% disapproved of such instruction.³ These results were similar to the national percentages but also indicated that Oklahomans were a little less tolerant of academic freedom than the country in general. Nonetheless, within two years of the American Institute poll, fear of subversive teachers and ideas on Oklahoma campuses resulted in widespread accusations, public charges, and even an

¹ "Schools Should Teach the Facts About 'Isms', Poll Majority Says," *The Daily Oklahoman*, May 17, 1936, 14-C. The question was whether teaching just the facts was appropriate in schools, not whether an instructor had the right to advocate a particular political and economic ideology.

² "Loyalty Oaths Stir Teachers," *The Daily Oklahoman*, July 4, 1949.

³ *The Daily Oklahoman*, May 17, 1936, 14-C.

investigation.

A published report by Lawrence Thompson in *The Daily Oklahoman* in the spring of 1938 claimed the Communist Party was actively recruiting in Oklahoma. Thompson attached names and places to the rumors of communist conspirators that had been circulating around Oklahoma City and the state for years. He named eight individuals associated with the Communist Party in Oklahoma. He listed the address and exact location of the state Communist Party headquarters in Oklahoma City. The specific details provided in the article gave it a level of authenticity. The source for Thompson's information was a young man, Pat O'Hara, who claimed to be the office manager for the Communist Party. O'Hara stated that the party had been active in the state since 1930 and for the first seven years, less than three hundred Oklahomans had joined the party. However, at the end of 1937, the party began efforts to raise its membership. O'Hara claimed that the party roll was now probably more than six hundred members, although Thompson had no way of confirming that number. In addition, the article implicated both the Federal Writers' Project in the state and its local executive secretary, Mrs. Alta Churchill, as being communistic. Thompson declared that this New Deal Writers' Project in Oklahoma City was a "hotbed of communism."⁴ Thompson pointed to the failed effort of the New Deal Writers' Project to unionize their writers two years before as proof of their communistic intent. A further evidence of the Project's communist leanings happened earlier in 1938. The Writers' Project, as well as several "liberal" University of Oklahoma professors, sponsored the Southwest Writers' Congress. Individuals attending the Congress labeled it a "cut-and-dried communistic

⁴ "Works Office Aid Goes East As Reds Rally," *The Daily Oklahoman*, May 27, 1938.

organization.”⁵ Thompson clearly connected unnamed faculty members at OU to what he claimed were communist front organizations and Communist Party members. It did not take long after this article appeared for rumors and unconfirmed charges of subversive ideas to emerge about the state’s top schools. This newspaper article may be the reason for the resurgence of allegations in 1938 that communism and subversives elements existed among the faculty at the University of Oklahoma and at Oklahoma A&M.

In Stillwater, pro-Nazi allegations against Dr. Icko Iben, head librarian, surfaced at Oklahoma A&M. The college’s library board conducted a three-week investigation into the charges against Iben. Since 1934, Iben worked at Oklahoma A&M. Born and raised in Germany, he came to America in 1924 and in 1932 became a naturalized citizen. Frequent trips to his homeland raised suspicions of pro-Nazi sympathies. The local American Legion in Stillwater became concerned with the librarian’s travels and requested an investigation in the spring of 1938. The formal investigation cleared the librarian in June 1938 to the satisfaction of the American Legion leaders, and for the next academic year Dr. Iben continued working at the college’s library.⁶

Though the state authorities never located either Nazis or communists, the perception of subversive activity on Oklahoma college campuses persisted. At the end of 1938, calls for the investigation of college instructors suspected of either Nazi or communist sympathies garnered the attention of politicians.⁷ In December, the governor-elect Leon C. Phillips spoke at an annual dinner held by the Norman Business and

⁵ Ibid.

⁶ “Investigation of Nazi Charges Clear Librarian,” *The Daily O’Collegian*, September 7, 1938.

⁷ “New Blast Is Fired Against Sooner ‘Nazis’,” *The Daily Oklahoman*, November 7, 1938.

Professional Women's club. At the event Phillips said, "Our citizens will not stand for communists in Oklahoma."⁸ His anticommunist statements on that night, given before an audience made up mostly of University of Oklahoma faculty members, would not be his last words on the matter.

In January 1939, further accusations surfaced when Governor Leon C. Phillips charged that teachers at the University of Oklahoma and the Oklahoma A&M taught both communism and nazism and he demanded their discharge.⁹ In 1938, a rumor spread that sixty-five communists were on the campus of Oklahoma A&M in Stillwater. By 1939, published hearsay continued the claim that communists still infested the Stillwater campus but that only about ten remained. The governor demanded the schools dismiss all subversive teachers and "purge their rolls" finally and completely of "Reds."¹⁰

President of the University of Oklahoma, Dr. William Bennett Bizzell, stated that he did not think anyone on his campus was actively promoting subversive propaganda. He said,

From time to time rumors have come to me that this or that professor is a communist and I have investigated every one of these charges and I have not found any justification for them.¹¹

Yet, despite his belief that instructors were not propagating subversive ideas, Bizzell welcomed an investigation into the faculty's "attitudes toward America's present form of government."¹²

⁸ "Reds Scored By Phillips," *The Daily Oklahoman*, December 6, 1938.

⁹ "Professors Branded 'Red' By Governor," *The Daily O'Collegian*, January 29, 1939.

¹⁰ "The 'Red' Question Again," *ibid.*

¹¹ "Bizzell Says Any Inquiry Is 'Welcome,'" *Oklahoma Daily*, January 29, 1939.

¹² *Ibid.*

There were initial efforts by state politicians to begin an investigation of communism on the OU campus related to the Oklahoma School of Religion and the dean of that institution, Dr. E. N. “Nick” Comfort. After a very short but lively public debate in the newspapers, the legislature decided not to hold formal investigations of communism in the schools.¹³ Governor Phillips, who had made charges of subversive activity among the faculty at OU and Oklahoma A&M, also seemed to back away from his earlier calls for formal investigations. He suggested that it was the duty of administrators to look into allegations of instructors teaching or advocating subversive ideologies like fascism or communism at their schools. He wanted the heads of OU and Oklahoma A&M to conduct their own investigations and “to purge the rolls of that kind of instructor” before he was to sign the appropriation bills for higher education later in the legislative term.¹⁴

Although these charges proved to be of no merit at the time, doubts remained about the allegiance of some of the state’s educators.¹⁵ Some have speculated that the charges by the governor were part of a political scheme to diminish public opposition to his plans to reduce significantly the size of OU and Oklahoma A&M’s appropriations requests during the 1939 and 1941 legislative sessions, in order to balance the state budget.¹⁶ Speculation about faculty members’ loyalty to the state and nation persisted off and on through the remainder of 1939. Unfortunately, on September 16, 1939, nearly one

¹³ See detailed description of this episode concerning Dr. Nick Comfort below.

¹⁴ “Phillips Told Some Are Red In University,” *The Daily Oklahoman*, January 29, 1939.

¹⁵ “College Heads Welcome Inquiry Into Ism Teaching in Their Schools,” *The Daily Oklahoman*, January 29, 1939, 2-A. “Firing of ‘Reds’ Demanded,” *Oklahoma Daily*, January 29, 1939. James A. Robinson, “Loyalty Investigations and Legislation in Oklahoma” (M.A. thesis, University of Oklahoma, 1955), 138.

¹⁶ James R. Scales and Danney Goble, *Oklahoma Politics: A History* (Norman: University of Oklahoma Press, 1982), 215-216.

year after officially clearing Iben of the charges, Oklahoma A&M terminated his employment at the library for “administrative” reasons.¹⁷ Iben stated, “I think this is all silly. I don’t see why I shouldn’t have the same rights other Americans have to my own opinions on political questions. . . . If there’s no free speech in this country, where is there free speech?”¹⁸ Whether or not a direct connection existed between Iben’s eventual dismissal in the fall of 1939 and the charges raised by the governor earlier in the year remains unanswered. Perhaps the dismissal of Iben was an effort by Oklahoma A&M administrators to appease a governor who had control over school appropriations or to defuse lingering accusations and rumors of subversives within the faculty. Nonetheless, speculation and rumors of subversives on campuses died down after Iben’s dismissal, only to resurface again in the fall of 1940.

During the summer and fall of 1940, tension in America increased because of events in Europe. Adolf Hitler’s armies raced across Western Europe conquering, occupying, and bombing country after country with astonishing ease. These events in Europe combined with President Franklin Roosevelt’s support for the institution of a peacetime military draft, and a Destroyers-for-Bases deal negotiated with England made Americans anxious about the future. The announcement of President Roosevelt’s Lend-Lease proposal in January 1941 signaled to most Americans that the United States was committed to England’s cause even if in time it meant war against Hitler. It seems this growing nervousness about the country’s increasing involvement with the war in Europe paralleled a rise in anticommunist activity in Oklahoma. Beginning in the summer of

¹⁷ “Librarian Once Investigated As Pro-Nazi, Fired at A. and M,” *The Daily Oklahoman*, September 19, 1939.

¹⁸ *Ibid.*

1940, the Oklahoma County assistant attorney brought charges against fourteen people connected to the Communist Party in the state. John Eberle, the assistant prosecuting attorney in the county, would use the criminal syndicalism laws of Oklahoma to go after the leading Reds in the state. These laws passed by the state legislature nearly twenty years earlier, aimed at prohibiting groups or individuals from either advocating or using force, violence, destruction of property, or revolution to effect change in politics, government, industry, or the economy. Over the next several months both Eberle and Lewis Morris, the Oklahoma County prosecutor, tried and convicted four known communists using these laws, but in all four cases, the Criminal Court of Appeals overturned the convictions by 1943.¹⁹

While the criminal syndicalism court cases continued in Oklahoma City, the new academic year began with some parents still apprehensive about possible subversives on school campuses. During the fall semester of 1940, the president of the University of Oklahoma addressed lingering concerns of disloyalty on campus. President Bizzell reassured students and faculty during convocation exercises by declaring that anyone disloyal to America's democratic ideas and practices had no place on the campus of a publicly supported school such as OU. He also promised that any disloyal individual, whether faculty member or student, would be "swiftly and drastically" dealt with by the administration.²⁰ Swift and drastic action seemed to be the method employed by administrators at other schools in the state, who were dealing with staff and faculty

¹⁹ For more on Oklahoma's criminal syndicalism laws, and the trials of Alan Shaw, Robert Wood, Mrs. Ina Wood, and Eli Jaffee, see James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 9-18; Robinson, "Loyalty Investigations and Legislation in Oklahoma," 1-58. See also the most recent and extensive treatment of the four trials, Shirley A. Wiegand and Wayne A. Wiegand, *Books on Trial: Red Scare in the Heartland* (Norman, OK: University of Oklahoma Press, 2007).

²⁰ "No Disloyalty to U.S. Will Be Tolerated, Bizzell Says," *Oklahoma Daily*, September 18, 1940.

members they presumed to be disloyal to America. Dr. T. T. Montgomery, President of Southeastern State College in Durant, Oklahoma, dismissed a faculty member he believed was openly disloyal to the nation during a time of crisis. Foreign Language professor at Southeastern Streeter Stuart wrote a letter to his Congressman in Washington, D. C., Wilburn Cartwright of the third district, in August of 1940. In this letter, Stuart asked his representative to oppose the pending Burke-Wadsworth legislation in Congress that would create the first peacetime military draft in the history of the United States. Congressman Cartwright brought the letter to the attention of the school administration. President Montgomery, in a letter to Stuart, explained the reason for his dismissal was “because of your views as expressed in your letter of August 9.”²¹

On 17 October 1940, the Oklahoma Presbyterian Synod meeting in Norman publicly announced its concern regarding several controversial events that had recently occurred in the state. The one hundred-fifty Presbyterian ministers from throughout the state expressed their opposition to the current effort to amend the state constitution to legalize alcohol in Oklahoma. They also addressed their unease with the new federal conscription bill, reminding local officials overseeing the draft boards in the state of the need to deal fairly with conscientious objectors. Furthermore, the Synod spoke out against the treatment of Streeter Stuart. The ministers wanted an investigation into Stuart’s dismissal, calling on Governor Phillips and state education officials to look into the matter.²²

²¹ “Delusion of Democracy,” *ibid.*, September 27, 1940.

²² “Presbyterian Synod Asks Probe Of Firing of Durant Instructor,” *The Daily Oklahoman*, October 18, 1940. “Presbyterians Ask Probe of Streeter Stuart Dismissal,” *Oklahoma Daily*, October 18, 1940.

Three days later, on October 19, three of the ministers taking part in the Presbyterian Synod appeared before two federal investigators from the Dies Committee. The federal agents, acting upon a tip, came to Oklahoma City to question Dr. Nick Comfort, Dr. Paul S. Wright, and Dr. John B. Thompson regarding their positions on communism. Each pastor denied being a communist or endorsing communism. However, the fact that a nationally known federal investigation sent agents to Oklahoma City to look into possible communistic activity of these local ministers and community leaders created significant interest in those questioned.²³ Rev. Thompson and Rev. Comfort believed that Oklahoma County assistant district attorney John Eberle was responsible for bringing the Dies Committee investigation to Oklahoma City.²⁴ The three men made headlines for several days. The Dies Committee took no action against any of the ministers. The agents stated they routinely follow up on leads about possible communist activities, and the public should not read too much into this investigation. However, one significant development did arise from this episode. The Dies Committee would put the national organization headed by Rev. John B. Thompson, called American Peace Mobilization, on its official list of subversive organizations, which meant that this organization would later make its way onto the infamous Attorney General's list.²⁵

²³ "Monroney Raps 'Smear' of Trio," *The Daily Oklahoman*, October 20, 1940, 16-A.

²⁴ "Barth Called As Dies Group Continues Investigations," *Oklahoma Daily*, October 22, 1940.

²⁵ In 1947, President Truman signed Executive Order 9835 initiating a loyalty program for federal employees. This order required the investigation of all executive branch employees to determine the loyalty of civil service workers across the nation. It required the Attorney General's office to investigate and determine which groups and individuals in America advocated totalitarianism, fascism, communism, subversion, or the violent overthrow of the government. The list created by the Attorney General's investigation provided the Loyalty Review Board and agency and department administrators information by which to determine the loyalty of employees. One's membership or previous association with groups or persons on the list was one factor in determining disloyalty to the federal government, *The Fund for the Republic, Digest of the Public Record of Communism in the United States* (New York: The Fund for the Republic, Inc., 1955), 42, 62-75. The American Peace Mobilization was on the Attorney General's official

Following the questioning of these three ministers, the agents of the Dies Committee called two more witnesses in to answer questions concerning alleged communist activity in the state. Wick Fowler, special committee investigator, called Fred Barth and Paul S. Schmidt to appear before the Dies Committee probe on October 21. Schmidt was an Oklahoma City resident and teacher in the public school system. Fred Barth was a local activist who in 1938 claimed that a German exchange student at OU was spreading Nazi propaganda on campus. Barth demanded an investigation by school officials, who determined that Herman von Doehern was neither a Nazi nor preaching nazism to his fellow students on campus. Barth was also an active member and former officer in the American League for Peace and Democracy in Oklahoma. In 1939, police officials in Guthrie, Oklahoma, arrested him for distributing what they termed radical literature.²⁶ Despite these interviews, the Dies Committee did not launch any further investigations in Oklahoma. In December of 1940, Representative Martin Dies of Texas stated that the committee would soon release the investigative report on the five interviews. He also said that the “Oklahoma situation” was not “comparable to . . . the great industrial cities of the East” in reference to the level of subversive individuals and activities.²⁷

The investigation of Rev. Nick Comfort, Rev. Paul Wright, and Rev. John B. Thompson stirred those concerned with civil liberties or civil rights in America and Oklahoma into action. On October 21, thirty Oklahoma City pastors drafted and signed a

list of communist front organizations used by state and local governments during the 1951 loyalty oath controversy in Oklahoma. Fred Hansen to Governor Murray, April 30, 1951, Box 1A, Folder 17, Record Group 8-N-2-1, Governor’s Papers, Governor Johnston Murray, Oklahoma State Archives, Oklahoma City, OK.

²⁶ “Barth Called As Dies Group Continues Investigation,” *Oklahoma Daily*, October 22, 1940.

²⁷ “Dies’ Report On State Due,” *ibid.*, December 14, 1940.

public letter proclaiming their support of Rev. Paul S. Wright. Rev. Wright was a well-liked and well-known minister of the largest Presbyterian Church in the state with over three thousand members at that time.²⁸ The letter avowed,

Through a period of years we . . . have come to know and appreciate Paul S. Wright personally and professionally. His high-minded, sincere, [*sic*] Christian leadership has come to be genuinely regarded throughout the city and state. His unquestioned loyalty to the best traditions of human freedom, civil rights, and the American way of life has established him as a dependable guide in matters of personal, social and civic concern. We here declare our confidence in his integrity and our faith in his patriotism.²⁹

In November, several ministers began forming and joining committees and organizations tasked with supporting initiatives they believed would benefit their community or opposing ideas they believed would cause the community harm. Some called for investigations into activities or matters that they thought adversely affected their community. Of primary concern for some of the ministers were the violations of the basic civil rights of some groups in the state by private citizens, state and local authorities, or government agencies.³⁰

In the United States, it is common for religious leaders to involve themselves in civic and social issues within their communities. In Oklahoma City and Norman, this was also true for several local pastors concerned with social outreach in their parishes. Many of these ministers were members of the larger Protestant denominations at that time such as the Baptist, Methodist, and Presbyterian churches.³¹ Of course, local Roman

²⁸ “Synod Speakers Challenge Future State Churches, Cite Need for Youth,” *ibid.*, October 17, 1940. The First Presbyterian Church located just northwest of the State Capitol remains a beautiful landmark in Oklahoma City.

²⁹ “30 Pastors Voice Support of Wright,” *The Daily Oklahoman*, October 22, 1940.

³⁰ See Wayne A. Wiegand and Shirley A. Wiegand, “Sooner State Civil Liberties in Perilous Times, 1940-1941, Part I: The Oklahoma Federation for Constitutional Rights,” *Chronicles of Oklahoma* 84 (Winter 2006-2007) : 444-463.

³¹ See Bob Cottrell, “The Social Gospel of Nicholas Comfort,” in *An Oklahoma I Had Never Seen Before: Alternative Views of Oklahoma History*, ed. Davis D. Joyce (Norman, OK: University of Oklahoma Press,

Catholic clergy as well as Jewish rabbis did outreach in their neighborhoods and on occasion worked with the Protestant mainline ministers on some issues. These religious leaders provided non-governmental leadership on both the local and state levels. When these clergymen worked in solidarity through their denominational organizations or issue oriented groups, they provided the community at large a means by which to deal with a wide variety of moral, social, economic, political, or religious issues. Their training and profession gave them the tools necessary to promote an agenda, raise financial support to carry it out, and rally a network of volunteers from their congregations for a variety of public gatherings or activities.³²

The Oklahoma Federation for Constitutional Rights (OFCR) had quietly been forming since the summer of 1940 under the leadership of Rev. Paul Wright. The plan was to create a statewide organization that included more than just pastors or professors from Norman or Oklahoma City.³³ The Federation grew with the cooperation of community leaders. Several ministers from Oklahoma City and Norman joined the committee hoping to monitor civil rights in the state. Church pastors such as Dr. Paul Wright, Dr. Nick Comfort, and Dr. John B. Thompson helped spearhead the formation of the committee. Other non-Presbyterian ministers from around the state also were members. For example, Oklahoma City pastor, Dr. Hugh B. Fouke was one of several council members of OFCR. Dr. Fouke was minister of the Wesley Methodist church and very involved with social and community issues in the city. The OFCR also enjoyed the

1994), especially 202, 205, 223; Martin E. Marty, "Introduction: Faith Matters," in *Religion In American Public Life: Living with Our Deepest Differences*, Azizah Y. al-Hibri, et al. (New York: W. W. Norton & Company, 2001), 16-17.

³² Robert T. Handy, *A Christian America: Protestant Hopes and Historical Realities*, (New York: Oxford University Press, 1984), 146-147.

³³ "Committee On Liberties Includes Local Professors," *Oklahoma Daily*, October 29, 1940.

cooperation of educators, labor representatives, and others. Several professors employed at the University of Oklahoma joined and provided the group with their leadership and talents. They were professor, Dr. Charles M. Perry, professor of philosophy and chair of his department, and physicist Dr. J. Rud Nielson. Other OU professors who helped to sponsor the formation of this group included Dr. Willard Z. Park, Dr. Maurice Halperin, Dr. J. L. Bender, and Edward Murray Clark. Also on the Federation leadership council was Miss Vilona Cutler who served as the general executive secretary for the Young Women's Christian Association.³⁴ Miss Helen Ruth Holbrook, the general secretary for the YWCA on the OU campus also assisted in the OFCR.³⁵

The creation of the Oklahoma Federation for Constitutional Rights appeared to gain momentum shortly after the Presbyterian Synod and the Dies Committee investigation of the three Presbyterian ministers. Sponsors of the civil rights initiative issued the first public announcement calling for formation of the Federation. Those interested in participating in the founding of the organization would meet in Oklahoma City at the downtown Skirvin hotel on November 15, 1940.³⁶ Organizers sent out notices and pamphlets detailing the upcoming civil rights conference. Newspaper articles described the participants and purposes of the fledgling committee while also announcing the meeting to the public. A significant controversy arose over the formation of this organization and its pending conference at the Skirvin.

The idea of an Oklahoma Federation for Constitutional Rights in 1940 was controversial for several reasons. The foremost reason why the creation of this group

³⁴ "Defense Urged For Civil Rights," *The Daily Oklahoman*, October 27, 1940.

³⁵ "Committee On Liberties Includes Local Professors," *Oklahoma Daily*, October 29, 1940.

³⁶ "Six Faculty Members On Rights Group," *ibid.*, November 10, 1940.

was so contentious related to the fundamental purposes of the Federation, which were to call attention to civil rights violations in the state and to educate the public concerning the liberties and rights of all citizens. Organizers believed there had been a rise in the number of violations of civil liberties and civil rights in Oklahoma. The movement issued a statement of the group's purpose.

In view of the constant need of defending our traditional and constitutional rights, and especially in these days of national and international crisis with multiplied threats of suppression of free speech and the free assemblage of minority groups; and in view of the current violations of these rights in Oklahoma . . . and in view of the obvious fact that this trend, if unchallenged and unstemmed, [sic] will shortly follow the pattern of the death of democracy. . . . We, the citizens of Oklahoma, we believe it is most urgent . . . to defend . . . those liberties in the [sic] critical period of history.³⁷

Recent events in the state provided concerned citizens with the motivation to form the OFCR. They wanted to investigate the infringement of basic constitutional rights no matter who the victim or perpetrator happened to be. They planned to defend the rights of minorities in the state. The Federation's concerns included the treatment of Jehovah's Witnesses over the last few years, the recent increase in the number of criminal syndicalism charges brought by authorities, and the firing of Professor Streeter Stuart from Southeastern State College.³⁸ A second reason for the growing clamor over this group concerned the membership of this new organization. Sponsors of the OFCR included prominent ministers of the large mainline denominations who were very active in the community, as well as respected members of the OU faculty. Their involvement gave immediate legitimacy to the charge that some of Oklahoma's citizens were being deprived of equal rights because of their race, religion, creed, or associations.

In the days before the civil rights conference in Oklahoma City, the rhetoric

³⁷ "Defense Urged For Civil Rights, *The Daily Oklahoman*, October 27, 1940.

³⁸ These three points were some of the concerns the civil rights group enumerated in a pamphlet describing the purposes of the group and announcing the November 15 meeting, *ibid.* See also "PM Reporter Finds Oklahoma Returning to Vigilante Ways," *The Daily Oklahoman*, November 19, 1940.

between supporters and detractors intensified. Oklahoma City manager W. A. Quinn warned anyone wishing to join the civil liberty group “to not stick your neck out.” He continued,

There is no question of free speech involved in recent prosecutions under state syndicalism statutes. . . . People can still say what they think, but they’ve got to be responsible for their statements.³⁹

On November 12, the governor involved himself in the debate. Governor Phillips declared that the OU professors who were sponsoring the civil rights group had “no business” dealing in such matters. He went on to state, “They are hired to teach school down there at Norman, not go around the state working on something which does not concern them.”⁴⁰ The governor seemed to be telling the professors not to attend the upcoming conference and to disassociate themselves from this group. University Professor Dr. John F. Bender responded to the governor’s statements by reassuring Phillips that the faculty members were acting as private citizens and that work done for the committee was not done on school time or property. The next day the governor continued to take verbal jabs at the OU faculty. Phillips said that he hoped the group would send him a petition “with all their names attached” because he would send it “to the FBI for their information.” The governor stated that these professors were “sadly misguided” and that he “considered these things none of their business.” He went on to say that they were “wasting their time” and perhaps did not “have enough to do down there in Norman.” The governor then threatened to come down to OU personally “to do some checking myself.”⁴¹ Most of the professors who were targets of the governor’s

³⁹ “Civil Liberties Groups Warned,” *Oklahoma Daily*, October 29, 1940.

⁴⁰ “Phillips Raps Six Profs in Rights Group,” *ibid.*, November 13, 1940.

⁴¹ “Charges Fly As Phillips, Faculty Spar,” *Oklahoma Daily*, November 14, 1940.

verbal barbs did not respond. Dr. Willard Z. Park did reply, suggesting that the governor was unaware that faculty members at OU typically carried a greater course load than instructors at other institutions. Park also stated that the organization was not concerned about either the governor or the FBI. Park said, “I can’t see why the FBI would be interested in investigation of any group that is trying to uphold the constitution.”⁴²

All the professors who sponsored the creation of this new civil rights group ignored the warnings of Governor Phillips and attended the November 15 conference anyway. Approximately two hundred people attended the Friday evening conference in Oklahoma City where they voted to create the Oklahoma Federation for Constitutional Rights. This was one of the first statewide civil rights organizations in the Sooner state. Throughout the evening members proposed, debated, and voted on numerous resolutions. Attendees voted to affirm their loyalty and support of both the U.S. Constitution and the Bill of Rights. They also resolved to condemn the firing of Streeter Stuart, the unconstitutional treatment of minority groups by both legal authorities and extra-legal assemblies, the efforts to control labor, and the “persecution of any religious minority,” particularly the Jehovah’s Witnesses sect.⁴³

This inaugural meeting had both supporters and detractors in attendance, which contributed to the contentious character of the evening. Some attendees came not to offer assistance, but to cause trouble by creating chaos in the hall, starting arguments, and resisting proposed resolutions. The pastor of the Trinity Baptist Church of Oklahoma City, Reverend Dr. W. B. Harvey, attended the meeting at the Skirvin hotel that evening not as an ardent sponsor of the OFCR but as one of its most vocal detractors. A later

⁴² Ibid.

⁴³ “Rights Are Wronged In Hot Parley,” *Oklahoma Daily*, November 16, 1940.

report accused the minister of nearly causing a “riot” during the meeting.⁴⁴ Reverend Harvey voiced his disapproval of measures and debated certain resolutions brought to the floor during the meeting. He attempted to add an amendment to the resolution concerning Jehovah’s Witnesses. Rev. Harvey proposed a measure calling on the Witnesses to “refrain from conducting themselves as public nuisances by refusing to leave private premises when politely asked to do so by the property owner.”⁴⁵ His provision was not included in the final resolution, but this would not be the last time the pastor attempted to disrupt the Federation’s agenda. Edith Walker, one of the editors of the student newspaper at OU, the *Oklahoma Daily*, reported that this type of action by some attendees was an effort to nullify everything the Federation was attempting to accomplish. She said that “hecklers” present at the meeting worked to cause “confusion, and create unfavorable publicity.”⁴⁶ She went on to say the sponsors and founders of OFCR denied accusations that they were communists and fascists simply because they were willing to fight for the civil rights of minorities.

The following Monday, Dr. A. B. Adams, a dean from OU, spoke to the Oklahoma Municipal League on the issue of civil liberties. Dr. Adams, of the Business Administration College, would deny his lecture was a rebuke to faculty members who helped to create the OFCR on Friday. Nonetheless, the dean had strong words for those who placed personal interests and liberties before those of the nation. He clearly advocated the restriction of personal rights during times of national crisis. He also seemed to argue for action against those unwilling to make sacrifices in order to support

⁴⁴ “City Pastor Terms Perry ‘Communist,’” *ibid.*, December 8, 1940.

⁴⁵ “Rights Are Wronged In Hot Parley,” *ibid.*, November 16, 1940.

⁴⁶ “Liberties Group’s Problems,” *Oklahoma Daily*, November 17, 1940

recent government policies such as the draft. His speech represented a position on civil liberties that the faculty members supporting OFCR fought against and rejected. For example, Dean Adams said,

Now is no time to stress individual rights to oppose the public policies adopted by our government in the interest of preserving our way of life. . . . We should not, however, permit an individual to oppose national defense polices under the guise of the exercise of freedom of speech or freedom of worship. *If Jehovah's Witnesses or any misguided groups, actively oppose enforcement of the selective draft law, or any other national defense measure on the grounds that their actions are dictated by their religious beliefs, they should be punished for their subversive activities* (italics added).⁴⁷

Dr. Adams's sentiment regarding "misguided" religious groups was not out of the ordinary. In fact, such thinking about Jehovah's Witnesses and pacifist sects had already emerged in America during World War I. The attitude that such individuals and groups were dangerously subverting America was part of the mindset that held that only two possible positions existed concerning national defense. For many Americans, particularly during times of growing threats from abroad, it was incumbent upon citizens to support the government because the survival of the nation might be at stake. Citizens like Dr. Adams saw this as a time of crisis, which required compliance with government policies such as mandatory military conscription. Conformity was necessary for security reasons. Nuanced opinions on such points, even those based upon religious convictions, flabbergasted those holding a starkly dichotomous position in which individuals were either for or against America. Some believed that if an individual refusal to support government policies that person was against the country, hence making them a dangerous person deserving punishment for non-compliance. Dr. Adams did not detail what form of punishment he thought appropriate for such non-conformity, only that it was appropriate. In time, federal authorities determined that draft dodging by thousands of conscientious

⁴⁷ "Adams Flays Subversive Activities," *Oklahoma Daily*, November 19, 1940.

objectors, particularly Jehovah's Witnesses, did merit consequences such as incarceration.⁴⁸ Of course, after December 7, 1941, the religious beliefs of nonconformists only separated and isolated them further from an American populace preparing to wage war.⁴⁹

The anti-subversive furor did not let up during the final month of 1940 especially on college campuses as accusations of communism spread. Leaders of the Oklahoma Junior Legislature, a student organization on the campus of Oklahoma A&M, charged that communists ran another student group called the Oklahoma Youth Legislature. These accusations stemmed from the fact that the Oklahoma Youth Legislature decided to allow communist and "Negro" delegates into their proceedings.⁵⁰ After these allegations emerged about the Oklahoma Youth Legislature, a crisis stirred on the OU campus as both the YMCA and YWCA reconsidered their relationship to the Youth Legislature. Many believed the YMCA and YWCA needed to distance themselves from alleged communists. Bob Stone, who was president of the Oklahoma Youth Legislature and the YMCA at OU, stepped down as president of the YMCA. Some suggested that individuals sympathetic to leftist politics and communists took advantage of these Christian organizations.⁵¹

⁴⁸ "Net Is Tightened on Draft Evaders," *New York Times*, May 23, 1942; "Single Day Crack-Down Nets 638 Draft Dodgers," *The Daily Oklahoman*, May 16, 1943.

⁴⁹ The federal government did make allowances for conscientious objectors after the difficulties during the Great War. Regardless of the official exemption policies, young who were Jehovah's Witnesses suffered significant harassment and abuse. A Pacifist Research Bureau study concluded that some local draft boards seemed to ignore the evidence and refuse exemptions. At least four thousand Jehovah's Witnesses went to prison during the war because they refused to fight and the boards refused to exempt them. Shawn Francis Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution* (Lawrence, Kansas: University of Kansas Press, 2000), 266-275.

⁵⁰ "Aggies Blast OYL; Prepare for Own Meet," *Oklahoma Daily*, December 5, 1940.

⁵¹ "OYL and 'Y,'" *ibid.*, December 5, 1940; Letters to the Editor, *ibid.*, December 6, 1940.

In the month of December, faculty members on the campus of OU again faced charges of communism. Early in his administration, Governor Phillips appointed Oklahoma City pastor Rev. Harvey to serve as a member of the State Board of Education. The pastor's appointment was somewhat controversial given his reputation of being an ardent anticommunist as well as an anti-New Dealer. On December 6, Rev. Harvey proposed to the Board of Education, of which he was a member, a six-point resolution to fight communism in the state schools and especially at OU and Oklahoma A&M. The first was for the Board to declare that the primary purpose of government education was to train students to be patriots of the United States. The second proposition was for the State Board of Education to honor teachers who taught and guided students in the path of "Americanism," and to condemn those who did not as "traitors to their country and enemies of Christianity."⁵² The third suggestion was to encourage the ruling boards of the colleges and OU to require the instruction of citizenship and its importance to the American way of life. A fourth proposal was for the Board to make sure that the commissions overseeing public school textbooks were properly examining the authors' beliefs. Rev. Harvey's fifth suggestion was the implementation of a loyalty oath for all teachers in the state schools. His final proposal was that those who failed to follow all of the provisions of his resolution would receive no pay. Essentially, he was proposing that the Board warn all teachers in Oklahoma that funding for salaries would not include appropriations for anyone considered un-American.

According to Rev. Harvey's resolution, the un-American individual would "teach or express opinions that conflict with faith in God, honor to the country, loyalty to

⁵² "Teachers Oath Move Deferred By State Board," *The Daily Oklahoman*, December 7, 1940.

American ideas, allegiance to the flag and respect for the laws of the state and nation.”⁵³

The State Board of Education decided not to take action on the minister’s resolution at that time but set it aside for future consideration. The State Superintendent, A. L. Crable, commented on Rev. Harvey’s proposal to require an oath of allegiance for all teachers. Superintendent Crable stated, “The law now provides for the teacher to subscribe to an oath of allegiance to the state and the United States in the [sic] contracts.”⁵⁴ The superintendent was referring to the oath law passed in 1923.

Anticommunists like Rev. Harvey tended to label individuals based upon their perceptions of acceptable American religiosity and patriotism. Their perceptions were that atheists and non-religious people were easy to brand as ungodly because they were seen as either sympathetic to the godless ideology of communism or were outright supporters of it. Loyal and patriotic Americans supported their country during times of pending war or other crises, and did not criticize or draw attention to problems in America. During these serious times, loyal citizens supported the status quo and did not try to fix or change the way things were because that was too disruptive and served as a distraction from larger problems or threats facing the nation such as Hitler, Mussolini, and Stalin. The expectation was that real patriots would set aside personal rights and liberties in order to preserve the American system.

Rev. Harvey told the Board he was promoting this statewide resolution primarily to force out of education two faculty members who he knew with certitude were communists. At the Board meeting, he stated that one taught philosophy and one taught history. Rev. Harvey also suggested that if the Board did not take action immediately on

⁵³ “City Pastor Terms Perry ‘Communist,’” *Oklahoma Daily*, December 8, 1940.

⁵⁴ “Teachers Oath Move Deferred By State Board,” *The Daily Oklahoman*, December 7, 1940.

his multi-point resolution before the end of the year, it would be impossible to remove the two instructors the next year. The next day, December 7, the pastor publicly named one of the two university professors he believed was communist. The faculty member named was OU professor Dr. Charles Perry, chair of the Philosophy Department and one of the founding members of the recently formed civil rights defense organization known as the OFCR. Rev. Harvey refused to release the name of the second faculty member he charged as being un-American. He said that his information regarding the un-named faculty member was from a reliable student informant at OU, but that he was not prepared to publicize the name of the faculty member. Rev. Harvey had no reservations about disclosing Dr. Perry's name because the minister believed everyone already knew the professor was a communist. The pastor cited his "neighbors and university graduates" as his sources regarding Dr. Perry's communist beliefs.⁵⁵ Rev. Harvey offered additional evidence to support his charge that these two professors were communist, which was that both faculty members "openly advocated the civil liberties union which is communistic."⁵⁶

Rev. Harvey's "evidence" illustrates another form of argumentation employed by anticommunists to prove the culpability of those they charged with radicalism, which was guilt by association. Of course, those opposed to the anticommunists sometimes also employed this same tactic. It became a common defensive tactic to allege associations between anticommunists and groups such as the Ku Klux Klan, fascists, or Nazis simply because they also opposed communism. Opponents of the anticommunists could heap disdain and contempt upon men like Rev. Harvey by linking them with organizations and

⁵⁵ Ibid.

⁵⁶ "Teachers Oath Move Deferred By State Board," *The Daily Oklahoman*, December 7, 1940.

groups widely viewed as despotic and contemptible. In an editorial response in the *Oklahoma Daily*, student editor Ira Banta employed the same guilt by association argumentation in an article that was critical of the pastor's proposals to the school board. She associated Rev. Harvey at least twice with Adolf Hitler while ending her article with a "Heil, Harvey!"⁵⁷

Dr. Perry had avoided making public pronouncements concerning his involvement with the formation of the OFCR. However, he now spoke publicly to defend himself. The OU professor said,

Since I have been charged with being a communist, I will say that I am not defending communists, but with Mrs. [Eleanor] Roosevelt and [Oklahoma] Attorney General Jackson I am interested in defending constitutional rights as laid down in the constitution of the United States.⁵⁸

Ironically, Dr. Perry employed an innocent by association argument to discount the pastor's charge. In addition, the professor's response did not directly respond to the clear accusation that he was a communist. It was vague answers such as Dr. Perry's that anticommunist zealots contended were proof of their original accusations. Several university professors came to Dr. Perry's defense. One professor claimed Rev. Harvey was wrong about Perry and only "headline hunting." Another OU faculty member said the pastor was actually attacking the OFCR through Perry because the minister greatly "dislike[d]" the organization. The university professor added that the charges were "preposterous" and an "unfair" attempt to "convict" someone in the newspapers.⁵⁹

Some of the individuals involved with groups like the Oklahoma Federation for Constitutional Rights and the American Peace Movement would gain notoriety

⁵⁷ "Puppets or Patriots," *Oklahoma Daily*, December 8, 1940.

⁵⁸ "City Pastor Terms Perry 'Communist,'" *ibid.*, December 8, 1940.

⁵⁹ "Perry 'Red?' Profs Still Unconvinced," *Oklahoma Daily*, December 10, 1940.

throughout the state. Many experienced public ridicule because of their involvement or association with these organizations. Groups such as these were the subject of accusations and rumors from late 1940 through 1941. Individuals or events promoting civil rights or peace plans now would come under additional scrutiny beginning in 1941. Although a large number of Americans wanted the United States to stay out of the conflict in Europe, the actions of President Roosevelt in the last several months of 1940 seemed, to many citizens, to be moving the country closer to war. Differences of opinion regarding the trajectory of the country resulted in public debate over the issue, sometimes in public forums and other times in the formation of groups to advocate for one side or the other.⁶⁰ This was true of Paul V. Beck, who lived in Tulsa and wanted to start his own peace movement group in the city. Beck, who taught science in a Tulsa high school and served in the military during the Great War, came under suspicion by some because of his desire to promote a peace plan. The American Legion refused to allow Beck, a veteran, to have a meeting on their property because he advocated peace, which to the group, made him a questionable person.⁶¹ At the same time, national organizations such as American Peace Mobilization started new chapters and enrolled new members across the country as well as in places like Tulsa, Oklahoma.⁶² The increasing political activism—or at least the perception of it by some—stirred politicians to react in an almost reflexive way. By January 1941, state politicians were considering new

⁶⁰ In the city of Tulsa a series of public events, pitting local pastors against each other in formal debates over the issue of war or peace were held in December 1940 and January 1941. “Tulsa Ministers to Debate Again,” *Tulsa Daily World*, January 9, 1941.

⁶¹ “‘Peace Plan’ Hits Snag for Tulsan,” *Tulsa Daily World*, January 1, 1941; “State Department Declines Comment on Tulsan’s ‘Peace,’” *ibid.*, January 2, 1941; “Peace Movement Meeting Sunday Afternoon Here,” *ibid.*, January 3, 1941.

⁶² “Peace Advocates Form New Group,” *Tulsa Daily World*, January 4, 1941.

communist-control legislation, and preparing for a Senate investigation into communist activity in the state because of the heightened concern over subversion on college campuses.

Throughout the next several months, lawmakers in the state would revisit the communist issue and attempt to create legal provisions to protect the citizens of the state from this un-American ideology. Many argued that the threat to Oklahoma's young people and future generations was too great to ignore the possibility that educators with subversive agendas might be teaching at the state's schools. A consequence of this persistent fear resulted in much activity at the state capitol. A pattern developed in the state over the next several years in which the biennial sessions of the Oklahoma legislature for the years 1941, 1945, 1949, 1951, and 1953 all proposed, considered, and in most instances either passed communist-control bills and resolutions or conducted "little Dies" investigations.

CHAPTER 3:

The Anticommunist Purges of 1941

As the new year began, fear of subversive activities in the state increased while rumors of radicalism at the state's leading schools persisted. Some politicians believed the legislature needed to act. On January 8, Governor Leon Phillips spoke before the 1941 session of the Oklahoma legislature. Members of both chambers of the legislature heard the governor's outlook on the state of the state and his plans for the upcoming session. Of course, of great interest to the governor was Oklahoma's economy and balancing the state budget.¹ However, Governor Phillips also voiced his concerns regarding subversives in the state. Phillips told legislators,

You will probably consider further legislation concerning the disloyal, communistic and unpatriotic few of our citizens. . . . I renew to you now, and to the people of Oklahoma, my determination to remove from the payroll those individuals who are disloyal to the form of government under which we live.²

The governor's comments indicated that direct and significant action against communism and "un-Americanism" was pending at the state capitol. There would be a concerted effort statutorily to bar communists from political office, from party politics in the state, and if possible from the entirety of state funded employment, particularly the state's institutions of higher learning.

¹ For more on Governor Leon Phillips tenure as the state's top executive, see LeRoy H. Fischer, ed., *Oklahoma's Governors 1929-1955* (Oklahoma City: Oklahoma Historical Society, 1983), 101-123; James R. Scales and Danney Goble, *Oklahoma Politics: A History* (Norman: University of Oklahoma Press, 1982), 202-220.

² "State Cursed With Too Many Institutions, Says Phillips," *Tulsa Daily World*, January 8, 1941.

During the Eighteenth Legislature, both House and Senate members introduced several bills addressing their growing concerns over communism in the Sooner state. Even before the January session began, at least one lawmaker was preparing his communist-control legislation in advance. Representative C. D. Van Dyck of Grady County had bills ready to present to the legislature on December 19, 1940. The representative had the Attorney General write the anti-Red bills, and had already solicited assurances of support from Senator James A. Rinehart of El Reno for when the measures eventually reached the Senate.¹ In addition, the bills had the endorsement of the American Legion in Oklahoma. The Legion's executive committee voted to give their backing to the effort of banning the Communist Party in the state as well as keeping subversives out of public office.²

Early in January 1941, Representative Van Dyck introduced two bills in the House, House Bill (HB) No. 17, and HB No. 18. Several members of both the House and the Senate signed on as co-sponsors of the proposed bills.³ HB No. 17 was essentially an effort to prohibit members or affiliates of the Communist Party from holding public office in the state of Oklahoma. The intent of this bill was clear—communists in Oklahoma were not eligible to hold positions of authority, power, or influence. Section 1 of the bill stated that “[n]o person, who is directly or indirectly affiliated with the communist party . . . shall be eligible, by election or appointment, to hold any State,

¹ “Anti-Red Bills Drawn In Advance,” *Oklahoma Daily*, December 20, 1940.

² “Legion Indorses [sic] Ban on Radicals,” *Tulsa Daily World*, January 6, 1941.

³ *House Journal, 1941*, 177-178. The Oklahoma legislative process can be confusing and cumbersome at times. For more information about the process, see Jack W. Strain, et al., *An Outline of Oklahoma Government* (Oklahoma: Central State University, 1992); George Nigh, et al, *Oklahoma Government Today: How We Got There* (Oklahoma City: Semco Color Press, 2002), 43-102; see also Christopher L. Markwood, and Brett S. Sharp, eds. *Oklahoma Government and Politics: An Introduction*, 3rd ed. (Dubuque, Iowa: Kendall/Hunt Publishing, 2005).

county, school district or municipal office in this State.”⁴ HB No. 17 passed the House with only one dissenting vote against it and then went to the Senate.⁵

The Eighteenth Legislature of Oklahoma also included, within this legislation, the means of enforcement for this new directive. HB No. 17 would mandate that all state and local officials had to subscribe to an oath of allegiance or be subject to removal from office. Section 3 of the bill stipulated that anyone violating this law “shall be removed from office by a civil action filed in the District Court of the county in which his official office is located.”⁶ It also allowed county attorneys, the Oklahoma state attorney, governor, or any citizen of Oklahoma to bring civil action against violators of the law. In addition, Section 4 required state officials with the authority to make appointments to follow the provisions of this bill or suffer the consequences. Section 4 said, “Any public officer of the State who knowingly or willfully makes an appointment in violation of this provision shall be subject to removal from office”⁷ This section would compel government officers to abide by the law if passed.

The intent of the second bill, HB No. 18, was to outlaw any “political party which is directly or indirectly affiliated with the communist party.”⁸ This law meant that the state of Oklahoma would refuse to recognize any political parties it deemed communistic,

⁴ *Session Laws of Oklahoma, 1941*, 209.

⁵ *House Journal, 1941*, 570-571. The lone vote against the bill was Representative Paul Washington of Oklahoma City. Representative Washington was resolute in his opposition to this bill. He stated to his House colleagues, “First you are forcing the Commies off the ballot. Then it will be the Democratic party. Then it will be the Republican party . . . let’s don’t force the Commies to hide and then come in by subterfuge and gain control of us. I have no use for communism, gentlemen.” “Reds Outlawed on State Ballot,” *Tulsa Daily World*, February 12, 1941.

⁶ *House Journal, 1941*, 210-211.

⁷ *Ibid.*

⁸ *House Journal, 1941*, 178.

seditionous, or rebellious in any election within its borders. In the state house, legislators unanimously adopted the anticommunist HB No. 18, which then moved to the Senate.⁹

The Oklahoma Senate also became embroiled in anticommunist concerns during the 1941 session. The Senate, like the House, was industriously drafting its versions of communist-control legislation. Senator Joe Thompson, from Ardmore, sponsored Senate Bills (SB) No. 3 and No. 4 and, acting with Senator Phil H. Lowery, introduced them on January 7. The Senate's first proposed communist-control bill, SB No. 3, was to prohibit any "persons directly or indirectly affiliated with communist or other subversive groups from filing for office" in the state of Oklahoma.¹⁰ This would make it illegal for any communist to run for public office at any level in Oklahoma. Senator Thompson also drafted the second piece of communist-control legislation considered by the Senate. SB No. 4 stipulated, "no political party advocating the overthrow by force of the State or National government be recognized in the State."¹¹ The bill also declared that individuals associated with such parties or organizations would not get their names printed on election ballots. Whereas HB No. 17 required an oath of allegiance for all state officials, the Senate bills did not mention an oath. However, common elements made the House and Senate bills similar. One clear parallel between HB No. 18 and SB No. 4 was the outlawing of the Communist Party in Oklahoma. The Senate took its anticommunist agenda one-step further with SB No. 3, which prevented communists from running for office.

On January 17, the Senate referred HB No. 18 to Senator Joe Thompson's

⁹ *House Journal, 1941*, 316-319. See also *Senate Journal, 1941*, 1528-1529.

¹⁰ *Senate Journal, 1941*, 69.

¹¹ *Ibid.*, 70.

Committee on Privileges and Elections for study and consideration.¹² Thompson's committee was also examining SB No. 3 and SB No. 4, which the senator sponsored himself.¹³ Referral of pending legislation to committee was part of the legislative process. Committees reviewed the bill, sometimes solicited or accepted public input such as calling in guest witnesses to give their opinion of the proposed legislation, and developed recommendations for additions or deletions within the pending measure.

The Senate Committee on Privileges and Elections spent nearly two weeks reviewing the communist-control bills and interviewing guest witnesses. The committee received numerous letters and telegrams both supporting and opposing the legislation under review. As co-chairman of the Oklahoma Federation for Constitutional Rights, Reverend Dr. Paul Wright requested that the senate committee allow the Federation the opportunity to express its opposition to the bills under consideration, but specifically HB No. 17.¹⁴ On January 23, two OU professors, Dr. Maurice Haleprin and Dr. W. C. Randels, appeared before the committee as guest witnesses to express their opposition to the pending legislation. Both professors made it clear that they were there as representatives of the OFCR and not OU.¹⁵

The Oklahoma Federation for Constitutional Rights held that the communist-control bill would encroach upon the rights and actions of minority groups including

¹² Senate Committee on Privileges and Elections did not receive HB No. 17 until February 3, 1941; see *Senate Journal, 1941*, 265.

¹³ *Ibid.*, 125, 128.

¹⁴ Rev. Paul Wright and the OFCR's objections to the bill also prompted an earlier response from Representative E. B. Weaver, whose committee "Americanism" and National Defense reviewed the bill before the House passed and then sent the measure to the Senate. Weaver sent a letter to Rev. Wright trying to explain the intent of the law. Evidently, the letter did not satisfy Wright and the OFCR because they continued to voice their objections. "Weaver Explains Anti-Red Measure," *Tulsa Daily World*, January 22, 1941.

¹⁵ "Stewart Would Oust O.U. Pair Who Oppose 'Red' Ban," *Tulsa Daily World*, January 24, 1941.

religious organizations and civic clubs. Before the committee, Dr. Haleprin stated that the OFCR was not defending communism or communists but was defending “all political minorities whom we fear might be deprived of their rights.” He also added that such action by the state to restrict political parties and groups would result in their going “underground” and therefore making them “harder to cope with.”¹⁶ One committee member Senator Paul Stewart of Antlers did not appreciate the OFCR’s public opposition to the legislation under review. The senator also did not like the fact that two OU professors represented the Federation, and to make matters worse, publicly opposed the communist-control bill. He responded to the professors’ testimony by saying, “That’s enough for me. There is nothing in this bill but the outlawing of parties disloyal to the American form of government.”¹⁷

From this point forward, the senator from Antlers actively clashed with those who opposed the pending anticommunist legislation. Senator Stewart deemed such behavior as disloyal and un-American. After his encounter with Dr. Haleprin and Dr. Randels, Senator Stewart wanted OU to dismiss both professors.¹⁸ This would be only the first of many public demands by the senator calling for university administrators to fire OU faculty members. Unfortunately, Dr. Haleprin would remain a target for those hunting Reds among the state’s professoriate. The OFCR responded to the senator’s inflammatory charges by accusing Stewart of trying to intimidate the two professors who disagreed with him.¹⁹

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid. See also “Senate’s ‘Red’ Probe Welcomed by Bizzell,” *Oklahoma Daily*, January 30, 1941.

¹⁹ “Stewart Scored By Rights Group,” *Tulsa Daily World*, January 29, 1941.

Tommie Jelks, representative of Grady County, introduced a bill in the House on January 27 to protect America by looking into un-American activities at the state schools. Representative Jelks wanted a large committee made up of both senators and representatives to look into the rumors and numerous allegations of communism at OU and Oklahoma A&M. This large special committee was to have the authority to subpoena witnesses.²⁰ The representative proposed that the legislative committee find out if faculty members were teaching or promoting subversive ideologies. Representative Jelks's resolution also suggested that the students attending both OU and Oklahoma A&M be the subject of investigation as well. The proposal said that some students attending either the university or the college "are partially financed by communists and communistic organizations . . . fascists [*sic*] organizations and . . . [Nazi] organizations under the [guise] of liberalism." The representative argued that subversives would use the state schools, faculty, and students to create a fifth column to "break down and destroy pure and undefiled 'Americanism'" required action by the legislature. In addition, he stated, the fact that some "so-called liberal professors" remained on the state payrolls was an oversight that needed addressing by the proposed investigative committee because "[n]o such conditions should be tolerated."²¹

Jelks's special committee would not merely review pending legislation and interview citizens, who supported or opposed the bills under consideration, as Thompson's senate committee had done for the last two weeks. This committee's sole task would be to investigate the Nazi, fascist, and communist menace in Oklahoma, particularly on the campuses in Norman and Stillwater. Many claims of subversion or

²⁰ "Red Probe is Asked in State Colleges," *The Daily Oklahoman*, January 28, 1941.

²¹ "Patriotic Wave Stirs Up House," *Tulsa Daily World*, January 28, 1941.

conspiracy, like those expressed by Jelks, were typically non-specific generalizations. Jelk's charges never named a specific organization or person connected to this grand conspiracy to undermine American education. Jelks withdrew his resolution in order to make some changes, but he planned to re-submit it to the House in the very near future. The House session that day ended with all the representatives standing and reciting the pledge of allegiance and singing *God Bless America*. These patriotic exercises occurred after members learned that the old American flag that flew over the state capitol had, earlier in the day, been replaced with a new flag.²²

On January 28, the Senate Committee on Privileges and Elections met again to hear testimony from supporters of the anti-subversive and communist-control legislation as well as scheduled testimony from Rev. Paul Wright of the OFCR. The morning session provided both tension and drama for spectators. The senators polled the spectators in the room to determine who favored the bills and who did not. Senator Stewart demanded that one audience member, Dr. M. Shadid, a physician from Elk City, inform the committee of his position on the pending measures. An argument ensued between the senator and Dr. Shadid, who wished to remain a neutral observer of the proceedings. Another person in the audience was the Rev. Harvey who heartily endorsed the anti-radical bills when quizzed. Rev. Harvey used the occasion to say,

If this same group (OFCR) was in Russia they would be shot instead of getting a respectable hearing. The Oklahoma ConFederation [*sic*] for Constitutional Rights is communist from beginning to end. The communists in this country are trying to bore into our life. They are trying to get into the labor organizations into the churches and into the schools.²³

²² Ibid.

²³ "Wood Is Summoned For Stormy Hearing on Anti-Radical Bill," *Tulsa Daily World*, January 29, 1941.

The pastor seemed to contradict himself by suggesting that Russian communists would shoot members of an organization he believed was communistic. Of course, the minister meant to say that dissent was a dangerous endeavor in Russia. Many on the committee and in the room that morning were in agreement with Rev. Harvey's assessment.²⁴

The first witness to appear that morning was Randell Cobb, state American Legion Commander. Mr. Cobb supported the anticommunist measures under review by the senators. Mr. Cobb said the Legion endorsed the anti-radical bills and believed they were in accord with the U.S. Constitution. The Legion in Oklahoma would be a staunch supporter of the communist-control legislation taken up by the legislators during this session.²⁵

When Rev. Wright appeared before the senators later that day to answer questions about his disapproval of HB No. 17, the proceedings turned into a spectacle. Senator Stewart tried to bait the minister into answering who he thought would be a better president—Roosevelt, Stalin, Hitler, or Mussolini. Rev. Wright thought the line of questioning was not relevant to the issues before the committee so he refused to answer numerous versions of the same question. The senator interpreted the pastor's noncommittal responses as defiance and requested that the committee excuse the minister from the meeting. The committee agreed that Rev. Wright was not cooperative so they moved to have him excused without hearing his testimony.²⁶ Later that day, Robert Wood, one of two Communist Party leaders in the state sentenced to ten years in prison

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ibid.; see also "Changes May Stay in Bill of Governor," *The Seminole Producer*, January 28, 1941.

under the criminal syndicalism law in 1940, criticized the senators for not allowing Rev. Wright to speak before their committee.²⁷ He charged that the committee conducted their meetings like fascists, and the entire enterprise was “rabid Hitlerism.”²⁸

Communist Party Secretary for the state of Oklahoma, Robert Wood wanted to appear before the committee regarding HB No. 18, which would outlaw the Communist Party in the state. Committee members finally agreed to hear Wood, one of their most vocal critics, on January 28 and invited him to appear the next day at the capitol. He and several associates ran a bookstore in Oklahoma City called the Progressive Book Store, which the city police raided in July of 1940. Police arrested Wood and several others in the raid and charged them under the state’s criminal syndicalism law. The only people to face prosecution and conviction in Oklahoma for essentially being members of the Communist Party (CP) were Robert Wood and his wife Ina Wood, Alan Shaw, and Eli Jaffee.²⁹ Senators also wanted to hear from Eli Jaffe, an associate of Wood and a high-ranking member of the CP in the state. Senators were curious about communism and wanted to asked questions about the membership and the current activities of the party. However, both Wood and Jaffe failed to appear the next day, January 29, at the morning session to which they were invited. Their failure to appear angered Senator Stewart who

²⁷ “Alan Shaw Is Convicted In Trial Monday,” *Oklahoma Daily*, December 10, 1940. On November 8, 1940 Robert Wood posted bond and was released. Shirley A. Wiegand and Wayne A. Wiegand, *Books on Trial: Red Scare in the Heartland* (Norman, OK: University of Oklahoma Press, 2007), 89.

²⁸ “Wood Is Summoned For Stormy Hearing on Anti-Radical Bill,” *Tulsa Daily World*, January 29, 1941.

²⁹ After Shaw’s conviction in December 1940, the Associated Press reported, “the verdict in effect outlawed the communist party in the state.” “Alan Shaw Is Convicted In Trial Monday,” *Oklahoma Daily*, December 10, 1940. Mr. Shaw was part of the criminal syndicalism cases in Oklahoma City in 1940 and 1941. See James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 13-18; Wiegand and Wiegand, *Books on Trial: Red Scare in the Heartland*.

would take action later that day to remedy what he considered a public slight against the committee.³⁰

Nonetheless, the Senate Committee on Privileges and Elections continued to hear from witnesses on what turned out to be its last public session devoted to considering the pending anti-radical and anticommunist legislation. The committee heard from supporters of the bills who wished to encourage the legislators to take decisive action against Reds in the state. Since Robert Wood failed to appear that morning, the committee called on Dr. Rembert Gillman Smith, a pastor from Tulsa, to give his opinion on the bills. Dr. Smith represented a group he started known as the Oklahoma League Against communism, nazism, and fascism. The Methodist minister worked with his League for three years resisting the spread of these ideologies in his city. The minister claimed before the committee that five hundred communists lived in Tulsa and he had proof that some Tulsans were providing financial assistance to the state's CP.³¹ Pastor Smith had had a very personal conflict with Robert Wood the previous year. Early in 1940, Dr. Smith filed a lawsuit against Wood for comments made by him in a Tulsa newspaper. The suit alleged that Wood publicly claimed that the minister was a promoter of fascism in America. The minister's libel suit against Wood went to Tulsa district court where Wood's lawyers stalled the trial for nearly ten months. For several of those months, Wood was preoccupied with his arrest and trial in Oklahoma City for criminal syndicalism. Despite the delays in the trial, the pastor eventually won his case. The

³⁰ "Senate Orders State Red Hunt, Colleges First," *Tulsa Daily World*, January 30, 1941.

³¹ *Ibid.*

court agreed with Dr. Smith's claim and granted a \$33,000 judgment against Wood in November 1940.³²

A second witness heard that morning was Milt Phillips of the American Legion. Mr. Phillips served as state adjunct for the Legion as well as editor of the Legion's newspaper *Oklahoma Legionnaire*. Mr. Phillips would go on to have a long career in the newspaper business in Oklahoma.³³ Milt Phillips was very actively working with the Legion and the legislature to oppose the threat of radicals and communists. He reported to the senators that the Legion was actively investigating suspected fifth columnists. He said the Legion operatives had "infiltrated" suspected radical organizations in order to obtain evidence of subversive activities.³⁴ Phillips went on to tell the committee that the Legion had no proof that communists were on the campus of OU or other colleges. He also stated that the Legion had "plenty of evidence of sympathy for the communist party among the professors . . . in many instances, the sympathizers are crackpots who are publicity seekers."³⁵ The American Legion, according to Phillips, believed that OU had no actual communists on campus, just some sympathizers. The Legion's position would be less severe than that of Senator Stewart, who was convinced that many on the faculty were "damn red."³⁶

The events of the previous six months had created the appearance of heightened

³² "Red Leader Loses \$33,000 Libel Suit," *The Daily Oklahoman*, November 20, 1940.

³³ With his brother Tom Phillips, Milt Phillips eventually purchased *The Seminole Producer* in 1946. Milt would also purchase several other rural weekly and daily papers in the state. "The History of the Seminole Producer, <http://www.seminoleproducer.com/producerhistory.htm>.

³⁴ "Senate Orders State Red Hunt, Colleges First," *Tulsa Daily World*, January 30, 1941.

³⁵ "Senate's 'Red' Probe Welcomed by Bizzell," *Oklahoma Daily*, January 30, 1941.

³⁶ "Steward Says Faculty Group Is 'Damn Red,'" *ibid.*, February 19, 1941.

communist and subversive activity around the state, which for the anticommunists was evidence enough to propose the initiation of a “little Dies” committee. Clearly, most of the activity in the state was not communist or subversive activity, but instead a flurry of anti-subversive and anticommunist activity based upon or reacting to old and persistent rumors that never seemed to disappear. The prosecution of known communists in Oklahoma City, the public accusations by leading politicians that subversives were in churches and schools, the allegations of communist infiltration of campus groups, the creation of a controversial civil rights organization, and the proposal of several communist-control bills in the House and Senate all served as proof for many that a very active and dangerous threat to Oklahomans existed. Evidence of anticommunist activity became the undeniable proof of communist activity in prewar Oklahoma.

During the morning session of January 29, the Senate’s Committee on Privileges and Elections decided to present a motion to change the objective of the committee. Later that day, the Senate committee proposed on the floor of the Senate a resolution to initiate a “little Dies” type of investigation of subversive groups in the state. There would be several official reasons given in the motion seeking additional authority to investigate the communist issue. The committee stated that during its deliberation it discovered

that the Communist party [*sic*] is active as an organization in this State, and . . . there is reason to believe that there are professors and teachers employed . . . by this State that are affiliated with organizations sympathetic to the Communist party.³⁷

In Senate Resolution (SR) No. 15, the committee argued that it was the state government’s obligation to know what was going on in state institutions and to uncover the existence of disloyal citizens working to harm or destroy those institutions from within. SR No. 15 reminded senators that it was a common practice of Soviet

³⁷ *Senate Journal, 1941, 226.*

communists, Italian fascists, and German Nazis to attempt to conquer other nations from within. However, one practical but unofficial motivation was part of the basis for requesting the additional subpoena authority from the Senate. Impetus for the request stemmed from the refusal of Robert Wood and Eli Jaffe to appear before the Committee on Privileges and Elections, which granted both men the opportunity and time to comment on the pending communist-control legislation as per their own requests.³⁸

Senator Stewart wanted the power to call in uncooperative witnesses, and to look into “all schools of higher education and in every state department” for subversives.³⁹ Senator Thompson read his committee’s resolution to the Senate, which immediately adopted it. Senate Resolution No. 15 authorized the Committee on Privileges and Elections, chaired by Thompson, to investigate subversive activities throughout the state but particularly within the state’s educational institutions. The Senate empowered the Thompson Committee with the authority to compel witnesses to appear before it by issuing subpoenas and requiring all witnesses to give their testimony under oath.⁴⁰ With the passage of SR No. 15 and the creation of the Thompson Committee, Representative Jelks’s similar proposal calling for a House investigative committee with subpoena power disappeared.

Not all senators thought that a full-scale investigation into communism in the state was necessary. Senator Tom Anglin from Holdenville stated he thought the whole enterprise was unnecessary. Anglin, “the senate’s ultra conservative,” said, “I see no

³⁸ “Senate’s ‘Red’ Probe Welcomed by Bizzell,” *Oklahoma Daily*, January 30, 1941.

³⁹ “Senate Bloc After Wood,” *The Seminole Producer*, January 29, 1941.

⁴⁰ *Senate Journal*, 1941, 226. For a different perspective on the Thompson Committee investigation, see Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 23-30.

peril . . . and I see no use on earth in spending a lot of money on it.”⁴¹ Senator James C. Nance of Purcell also voiced concern over the senate probe of the state schools. Senator Nance insisted that the focus should not be on OU or Oklahoma A&M only. Nance, who represented the Norman area tried to redirect the investigation away from his district by suggesting that Oklahoma City and Tulsa were more likely locations for communist groups and individuals because the bigger cities had more industry. Senator Nance was not opposed to an investigation of communists or even running them out of the country. His primary concern was for the reputation of OU and Oklahoma A&M, as well as for the constituents of his district. He was afraid that the investigation would result in portrayals of them “as centers of radicalism in the newspapers of the nation.”⁴² He believed there might be the occasional “crackpot” in Norman or Stillwater but that the vast majority of those employed at OU and Oklahoma A&M were not communists.⁴³

Many members of the Senate wanted the newly empowered committee to go after other individuals and groups suspected of being soft on communism. Even Senator Nance said that if communists were found they should be incarcerated “in internment camps until you get a boat load [*sic*] and send them back to the land they love so well.”⁴⁴ Another member suggested that the state should “put those monkeys behind the walls at McAlester,” one of Oklahoma’s state prisons. A third senator wanted to send them overseas but only provide transport halfway across the ocean.⁴⁵

⁴¹ “Senate Orders State Red-Hunt, Colleges First,” *Tulsa Daily World*, January 30, 1941.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

During the discussion on the floor of the state's senate that day, Senator Stewart voiced his concerns on the paramount issue of subversive activity in the state. As he spoke, Senator Stewart directly challenged the Christian veracity of Rev. Wright. He said,

I'm a Presbyterian. My father preached that gospel for 60 years. No socialist, no communist, nothing un-American had any place in his mind or head. . . . It makes no difference to me where this investigation hits. I have no one to protect. . . . I think the time has come . . . for prompt and heroic action. I want to clean the pay rolls. . . . I am going to give my best efforts to bringing them to light and kicking them out.⁴⁶

Senator Stewart also interjected race into the upcoming investigation of the OFCR when he highlighted the involvement of Roscoe Dunjee, the editor of a local newspaper, *The Black Dispatch*. Mr. Dunjee was an African-American who served as an executive for the OFCR. Senator Stewart castigated certain members of the Federation for mixing with other races. He said, "It ill becomes a college professor in our state to identify himself in a mixed group."⁴⁷ Of course, many of those associated with peace movements in America at that time were also interested in civil rights issues. Many of these groups invited minorities to join and work in their organizations.⁴⁸

Support of the legislative probe was not limited to zealous anticommunists or "super-patriots." The *Tulsa Daily World* expressed moderate support in an editorial that recommended the committee take a cautious approach in order to prevent the process from becoming a crusade resulting in political persecutions. The editorial did not say the investigation should not happen. It did suggest that "considerable justification" for

⁴⁶ "State Senate Sets Up Its Own 'Dies Probers'," *Oklahoma Daily*, January 30, 1941.

⁴⁷ Ibid.

⁴⁸ Bob Cottrell, "The Social Gospel of Nicholas Comfort," in *An Oklahoma I Had Never Seen Before: Alternative Views of Oklahoma History*, ed. Davis D. Joyce (Norman, OK: University of Oklahoma Press, 1994), 207; Lawrence S. Wittner, *Rebels Against War: The American Peace Movement, 1933-1983* (Philadelphia, PA: Temple University Press, 1984.), 215-217.

looking into such matters as “foreign-born” political ideologies made sense. It also clearly supported an investigation of the state’s schools. The article read in part that,

Going into Oklahoma schools and finding out if there is blatant or insidious teaching of communism is important. . . . The so-called intelligentsia seems to have a yen for weird doctrines. . . . More will be accomplished by broadening the scope of the inquiry and the legislation than being too specific and confining attention to a few locations. . . . If the schools of the state are being undermined by foreign influence, let’s uncover the facts in co-operation with the proper federal and state officials.⁴⁹

A second *Tulsa Daily World* editorial one week later would continue to express the paper’s support of the Senate investigation. The editors said in part,

We believe the public sentiment will back up an official effort to rout these entrenched fellow travelers from the schools and churches. . . . The appearances are that the legislative inquiry will not get far, but it has already served a purpose of fixing public attention upon the Red taint in Oklahoma.⁵⁰

The other leading daily newspaper in the state, *The Daily Oklahoman*, editorialized that the investigation would make this legislative session more interesting than typical years. It called the investigation “a welcomed diversion . . . something different—something for headlines and for excitement . . . public sentiment is in favor of stamping out any subversive influences.”⁵¹ The editorial also suggested that many politicians believed that the work of Thompson’s committee would enliven the routinely dull schedule and procedures of the state’s political process.

The next days and weeks would not be routine or dull outside of the state capitol. Reports of increased FBI activity in the state circulated in the newspapers. In Tulsa, on January 30, special agent H. E. Anderson told a room full of local lawmen that the Bureau was actively investigating numerous cases throughout the state. Anderson said

⁴⁹ Editorial, “A Word of Caution,” *Tulsa Daily World*, January 31, 1941.

⁵⁰ Editorial, “Red Hunt Drags,” *ibid.*, February 8, 1941.

⁵¹ Editorial, *The Daily Oklahoman*, January 31, 1941.

that each day agents looked into up to thirty-five reports of subversion. He also said approximately two hundred Oklahoma men currently were evading the draft in the state. He further warned local policemen not to be too zealous with such cases. Special Agent Anderson stated that the FBI had no evidence of any sabotage in the state, but the Bureau was ready if anything did happen. Tulsa Police Chief Ralph Colvin told the assembled officers that “[m]any of the reports we have received in Tulsa about radical activities have been motivated by neighborhood quarrels and such.”⁵² Local officials claimed that reports of suspicious activities in the Tulsa area were higher than ever. The FBI office in Tulsa increased its staff from one agent to four or five agents, who were very busy investigating reports of draft dodgers and fifth columnists. The local postmaster stated he received at least one report each week of potential fifth column activity. The U.S. Marshal’s office in Tulsa claimed it investigated two to three charges of suspicious activity every single day. Investigators did admit that a very high percentage of their investigations were what they termed “false alarms.”⁵³

Oklahomans also learned that the FBI had been conducting investigations on the campus of OU since May of 1940. President of OU, Dr. W. B. Bizzell invited the Bureau to come and determine if any communists were on campus.⁵⁴ The president of the Board of Regents, Lloyd Nobel, stated that the board gave Bizzell permission to invite the Bureau onto campus. The regents believed no communists were on campus and that the

⁵² “Police Are Told Of FBI Activity,” *Tulsa Daily World*, January 31, 1941.

⁵³ “G-Men Increase Staff For Tulsa ‘Column’ Probes,” *ibid.*, February 11, 1941.

⁵⁴ “Bizzell Gets Professionals To Hunt Reds,” *The Daily Oklahoman*, February 2, 1941.

investigation would clear up suspicions that the university was a hotbed of radicalism.⁵⁵ The FBI would investigate reports of subversives on the Norman campus again in April when a father complained that his son was coming under the influence of radicals.⁵⁶

A more notorious organization took advantage of the heightened tension created by the start of the senate's Red hunt to attempt to reassert itself in state politics. The Ku Klux Klan reactivated during the state's Red probe into alleged radicals at Oklahoma A&M and OU. The state's head Klansman, J. W. Reed, said that the Klan wanted to defend Oklahoma from Nazis, fascists, and communists and supported the efforts of the legislators to pass communist-control bills and conduct an investigation into allegations of radicalism. Reed, who held the rank of grand dragon in the Klan, stated that the Ku Klux Klan was investigating communists in the area. He claimed that the Klan learned that the Communist Party in the state had recently "purged the party ranks . . . and had decided to concentrate on winning sympathy among preachers, college professors, school teachers and labor leaders."⁵⁷ The Klan also planned to distribute pamphlets in order to educate the public regarding the OFCR, several local ministers, and OU professors.⁵⁸ On July 22, robed Klansmen wearing hoods descended on Norman, Oklahoma to canvass the OU campus and downtown areas with pamphlets decrying communism.⁵⁹ The Klan was reacting to a similar campaign on July 16 undertaken by local communists. Communist

⁵⁵ "Board of Regents Promises Aid In Senatorial Probe," *Oklahoma Daily*, February 4, 1941.

⁵⁶ "Federal Agents Probe Alleged Campus Reds," *Oklahoma Daily*, April 5, 1941. The student newspaper mistakenly printed the wrong date for this issue. The issue reads March 5, 1941, but it should read April 5, 1951.

⁵⁷ "State Ku Klux Klan Dragon Claims Group Reorganized To Fight Subversive Units," *The Seminole Producer*, February 13, 1941.

⁵⁸ "Klan Breaks Into Red Probe Here," *Oklahoma Daily*, February 14, 1941.

⁵⁹ "City, Campus Get Another Barrage," *ibid*, July 24, 1941.

Party members distributed leaflets all over Norman promoting resistance to Adolf Hitler and support for the rights of communists in the state.⁶⁰ A few days after the Klan papered Norman with their propaganda, Governor Phillips warned that he would not tolerate any extra-legal activity by the Klan. The governor said, “If there is any trouble, those fellows will find themselves down at McAlester in a cell adjoining the communists.”⁶¹

Back at the state capitol on January 30, Senators Paul Stewart and Joe Thompson introduced SB No. 96. This piece of legislation, birthed in the midst of the growing anticommunist furor in the state, stirred more reaction from the public than the other communist-control bills pending in the legislature. Specifically SB No. 96 prohibited any person affiliated with the Communist Party or any other subversive groups from being

eligible to be appointed or employed as president, professor, dean, instructor, superintendent, principal or teacher in any State Institution or Public School in this State; requiring a statement relative thereto to be filed; providing for the dismissal of such persons; . . . and . . . the ouster of officers making appointments or employing certain persons.⁶²

The next day, SB No. 96 went to the Senate Committee on Privileges and Elections, and essentially languished there for most of the remainder of the legislative session. On May 12, the committee finally reported to the Senate a “do pass” recommendation for this bill that required all teachers to swear they were not communists.⁶³ The Senate voted the next day overwhelmingly for the new oath for teachers. Not a single senator voted against the measure.⁶⁴ The last minute efforts of Senator Stewart to push through an

⁶⁰ “City ‘Painted’ Red By Communist Notes,” *Oklahoma Daily*, July 17, 1941.

⁶¹ “Ku Klux Is Warned By Governor,” *ibid.*, July 26, 1941.

⁶² *Senate Journal*, 1941, 235.

⁶³ *Senate Journal*, 1941, 1626.

⁶⁴ “Teachers’ Oath Voted,” *Oklahoma Daily*, May 14, 1941. The Senate vote was 32 to 0 in favor of SB No. 96, with twelve senators not voting, excused, or deceased. *Ibid.*, 1699.

anticommunist teacher's oath would fail because the legislative session ended before the House could take action on the pending bill.

Final passage of any communist-control legislation introduced during this session was now on hold until the Thompson Committee could conduct a thorough investigation of communists in Oklahoma, particularly at OU and Oklahoma A&M. The committee would continue to hear testimony and subpoena witnesses into the month of February. It would complete its charge and report to the Senate in May with its recommendations. As will be seen later, the committee's investigation and subsequent report would illustrate the co-mingling of politics and religion at that time.

During the last days of January and through the first weeks of February, the Thompson Committee heard testimony from both friendly and unfriendly witnesses. Some of those brought before the committee hurled accusations of "un-Americanism" at individuals and groups or merely repeated rumors of communism in the state. These allegations and epithets against groups and individuals generated colorful statements and heated debates for newspaper reports. Even the governor got involved, pronouncing allegations as he did in 1938, 1939, and 1940. Governor Phillips was the first witness to appear before the newly empowered Thompson Committee, demonstrating his support of the process. The governor had much to interject into the debate over communism in the state. He said,

It is in the interest of the people of Oklahoma that we prosecute disloyal fifth columnists. There has been too much of it. . . . It has been sort of a fad in educational circles, and sometimes in church circles, of wanting to go after freak theories of government. . . . I said this two years ago, and I think now, that the state of Oklahoma should not be supporting them.⁶⁵

The governor's comments about strange ideas in some of the churches was likely

⁶⁵ "‘Little Dies’ Probe Opens in Oklahoma," *The Seminole Producer*, February 4, 1941.

connected to the recent scrutiny of local ministers involved in both civil rights and peace movement groups in 1940. At the end of the previous year, the governor had had sharp words for some local ministers and college professors.

The Thompson Committee hearing continued into February and would be the longest running investigation of communism by the state. Pastor of the Wesley Methodist church in Oklahoma City, Dr. Hugh Fouke was present at the Senate investigative hearing on February 11, 1941 to support fellow OFCR members subpoenaed by the committee.⁶⁶ Another minister Dr. Nick Comfort, also of the OFCR, appeared before the Thompson Committee that day answering questions related to his connections to the Federation. Senate investigators were particularly interested in Rev. Comfort because he was the dean of the Oklahoma School of Religion, which had associations with the University of Oklahoma. Many state officials considered the OFCR an organization influenced by communist or fellow travelers, and therefore Rev. Comfort's connection to it and OU was of keen interest to the Thompson Committee.⁶⁷

Dr. Nick Comfort, a Presbyterian pastor, was one of the original founders of the Oklahoma School of Religion, which started in 1927. A few years later Rev. Comfort became the director of the school, which he remained for the rest of its history. This school was a non-denominational program set up to provide college level theological or religious instruction on the campus of the University of Oklahoma. There were no

⁶⁶ Pastor Fouke would appear as a witness before the committee on February 18 because of his association with the OFCR. "Stewart Says Faculty Group Is 'Damn Red,'" *Oklahoma Daily*, February 19, 1941.

⁶⁷ "Civil Rights," *The Daily Oklahoman*, February 12, 1941.

official connections between Rev. Comfort's school and the University, but it did use OU facilities, and students taking courses through the school could receive OU credit.⁶⁸

Rev. Comfort had a long and somewhat controversial ministry in central Oklahoma.⁶⁹ Rev. Comfort was active in local civil rights and the peace groups in central Oklahoma, which made him a contentious figure to those opposed to such organizations. In early 1939, Rev. Comfort had a public dispute with Representative H. Tom Kight of Claremore, in Rogers County. Representative Kight publicly charged that the Oklahoma School of Religion, headed by Rev. Comfort, was communistic. The representative arranged for Rev. Comfort to address the charges at a conference at the capitol with the House Legal Advisory committee. However, Rev. Comfort responded to Kight in a letter published in the newspapers. The dean of the School of Religion vigorously denied the charge against the school. He also demanded that if he were to meet with the committee that it should be an open meeting transcribed by a secretary. He argued that since Representative Kight had publicly accused the school, then it was only fair that the hearing be public as well.⁷⁰ The representative from Claremore was not pleased with Rev. Comfort's letter in the newspapers, which was essentially calling on Kight either to prove his charges or be quiet. Representative Kight cancelled the proposed meeting at the capitol with Rev. Comfort, claiming that he had violated their agreement by

⁶⁸ "Regents Offer To Aid School of Religion," *ibid.*, November 8, 1941. Because of the close association between OU and the Oklahoma School of Religion, many have mistakenly identified professors of the school as members of the University's faculty. This is especially true for Rev. John B. Thompson, identified in numerous books and newspaper articles as a professor of religion at the University of Oklahoma, which he was not.

⁶⁹ For more on the life and work of Rev. Nick Comfort, see Bob Cottrell, "The Social Gospel of Nicholas Comfort," *Chronicles of Oklahoma* 61 (Winter 1983-84): 386-413. See also *Robert C. Cottrell, The Social Gospel of E. Nicholas Comfort: Founder of the Oklahoma School of Religion* (Norman: University of Oklahoma Press, 1997).

⁷⁰ "Phillips Told Some Are Red In University," *The Daily Oklahoman*, January 29, 1939.

submitting his letter to the newspapers. Comfort responded to Kight's change of mind by challenging the representative's truthfulness in the matter. Rev. Comfort said,

Now is it not a fact that your cry of betrayal of confidence is a trumped up and flimsy attempt to avoid an open hearing on your slanderous accusations concerning the school of religion? Come on out in the open, Tom, and back up your unwarranted misrepresentation of the school. Don't get cold feet now but call a public hearing in which you prove the Oklahoma school of religion is communistic or else be man enough to admit publicly you have misrepresented it.⁷¹

There would be no hearings in 1939 investigating the School of Religion or Rev.

Comfort. In fact, the entire episode just faded into oblivion after Comfort's sharp words to Kight. Comfort was the target of anticommunist attacks by several local Baptist ministers and the American Legion. In 1940, the Legion forced Rev. Comfort's dismissal as veterans' chaplain at the Central State Hospital in Norman, a position he had held for fifteen years.⁷² The Legion claimed that the minister was a defender of communism. The charges that Rev. Comfort was a communist defender or sympathizer gained him local media attention.

Before January 1941, the Board of Regents at the University of Oklahoma determined not to include any of the School of Religion courses in the university's official spring semester catalogue. President of the Board of Regents Lloyd Noble stated that the board was only following guidelines it had established in the spring of 1940.⁷³ In previous years, the School of Religion courses had always been included within the OU catalogue. This may have contributed to the widespread misconception that the School of Religion was part of the University of Oklahoma. The Regents seem to have been trying to preempt any potential problems that might result from OU's association with Rev.

⁷¹ "Comfort Raps Kight's Stand," *The Daily Oklahoman*, February 1, 1939.

⁷² "Comfort to Talk On Price of Free Speech," *ibid.*, April 7, 1940, 6-A.

⁷³ "Comfort Hits Regents With Force Charge," *Oklahoma Daily*, January 9, 1941.

Comfort's school. By demonstrating that the two schools were separate entities, the board could deflect criticism from OU, particularly because of the charges of communism leveled at Rev. Comfort and some of the School of Religion faculty members in recent months. Emil R. Kraettli, who was secretary of OU's Board of Regents, commented on the removal of the School of Religion courses from OU publications. He stated, "It seemed the only way to eliminate the criticism that the school of religion was part of the university."⁷⁴ In addition, a significant number of OU alumni opposed the close relationship between the university and the School of Religion. An editorial in the alumni periodical, *Sooner Magazine*, voiced growing concern over the number of allegations of communism aimed at the university because of its connections to the School of Religion. The article cited numerous newspaper editorials from around the state that discussed these charges of communism on campus, noting that even the *Tulsa Daily World* called for an investigation of the university.⁷⁵ The alumni article concluded that it was now time to take action "to protect its (OU's) good name."⁷⁶ Many of the students attending the university at the time tended to view Rev. Comfort and the School of Religion as no threat to the university or its reputation.⁷⁷ By the fall semester, after the Thompson Committee investigation concluded and anticommunist passions subsided, OU returned to its previous practice of including School of Religion courses within the official university catalogue of classes. In fact, the relationship between the

⁷⁴ "New Schedule Omits Listing In Religion," *ibid.*, January 8, 1941.

⁷⁵ *Tulsa Daily World* editorial discussed on p. 104.

⁷⁶ *Sooner Magazine* article reprinted in OU student newspaper. "Shall We Speak Now of Defense," *Oklahoma Daily*, January 10, 1941.

⁷⁷ There were several letters to the editors and articles expressing concern over the treatment of Rev. Comfort. "Say When," *ibid.*; "Dear Editor," *ibid.*, January 11, 1941; "Dear Editor," *ibid.*, January 15, 1941.

university and the school became friendly again, and the School of Religion maintained a good association with OU for several years.⁷⁸

In 1941, the American Legion again went after Comfort by pressuring the Thompson Committee to force OU to sever ties with him and his school.⁷⁹ The official Thompson Committee report would recommended that the University of Oklahoma distance itself, that is, “disassociate” from Rev. Comfort and his school.⁸⁰ Despite all of the efforts over the years to ruin him, he remained active in the community. His School of Religion, a privately funded institution, closed in May 1946, due to lack of financial support.⁸¹ Later that same year in November, Comfort became vice-president of another controversial organization forming in Oklahoma, the state chapter of the National Council of American-Soviet Friendship, which saw itself as an organization interested in educating the public regarding international relations.⁸² In 1948, Rev. Comfort joined the Progressive Party of Oklahoma and worked to put former vice-president Henry Wallace’s name on the ballot in the state as a third party presidential candidate.⁸³ He also served on the state’s Progressive Party executive council. However, in September 1949, Comfort made a very public break with the state’s Progressive party. In a letter to the Oklahoma

⁷⁸ “Religion Courses to Be Included in Schedules,” *Oklahoma Daily*, July 11, 1941; “Regents versus Senate Committee,” *ibid.*, July 13, 1941.

⁷⁹ Rev. Comfort believed most of his difficulties with OU stemmed from “the personal fight on me by Governor Phillips and the American Legion.” “Comfort Hits Regents With Force Charge,” *ibid.*, January 9, 1941.

⁸⁰ “Civil Rights Group Branded Un-American, Subversive By Senate ‘Little Dies’ Unit,” *The Daily Oklahoman*, May 8, 1941.

⁸¹ “Financial Starvation Closes Norman School of Religion,” *ibid.*, May 26, 1946, 18-A.

⁸² “Soviet Friendship Group Organized,” *The Daily Oklahoman*, November 10, 1946, 11-A.

⁸³ “State Wallace Parley Called,” *ibid.*, February 22, 1948, 1-A.

Progressive Party, which local newspapers printed, he ended his short-lived relationship with the political organization by writing,

For several months I have been in a quandary concerning my relationship with the Progressive Party in Oklahoma. Had I dreamed it would sink into a front for communist activity, I would not have gone into it. . . . I am glad to do what I can to defend the rights of all people including communists, Roman Catholics and all others and shall do so as long as I live. But from sad personal experience, I have found both communists and Roman Catholics have loyalty centered outside of the United States. . . . And, that both, alike, will all too frequently stoop to any means to further the ends of their totalitarian organizations. . . . I am unalterably opposed to totalitarianism in all its forms. I have no sympathy for communist tactics. They are so stupid as to be foredoomed to failure among thinking people. The communist appeal to force is contrary to all that I hold dear. Their appeal to class struggle is a denial of my concept of the brotherhood of man. Their teachings that the ends justify the means is the antithesis of my notion of intellectual integrity and plain every-day honesty. Their doctrine of materialistic and economic determinism seems to me to ignore a chief characteristic of man, namely, his idealism. Their practical and dogmatic atheism seems to me to rob man of his most comforting, energizing, and reasonable source of power: namely, the belief in and experience of a good God who made and loves us all. . . . I hereby submit my resignation. Please have by [*sic*] name removed from the executive committee and all material that has to do with the party.⁸⁴

The path of Rev. Comfort's ministerial career is somewhat illustrative of individuals with similar beliefs. Religious groups and individuals who defended civil rights and promoted peace often found themselves under attack for alleged communist ties or sympathizing with causes common to front organizations. As the postwar years progressed and the nature of Soviet Union became better known, many who sympathized ideologically with communists, or more directly, affiliated with front organizations sponsored by the Soviet Union, began to distance themselves from communism for ideological reason as well as fear of unwanted public scrutiny.

In early 1941, the Thompson Committee had focused its scrutiny on Rev. Comfort and soon would turn their attention to other council members of the Oklahoma Federation for Constitutional Rights. In all, five council members would eventually testified before

⁸⁴ "Dr. Nick Comfort Quits State Progressives in Blast at Reds," *ibid.*, September 18, 1949, 19-B. Rev. Comfort also reviewed numerous books from the 1930s to the 1950s for *The Daily Oklahoman*. For more, see "Death Claims Rev. Comfort, Rites Pending," *The Daily Oklahoman*, March 28, 1956.

the Senate investigative committee. The senators also subpoenaed Rev. John B. Thompson as well as Dr. Paul S. Wright to appear before their committee. Thompson was pastor of the Norman First Presbyterian Church and the director of the Presbyterian Foundation in Oklahoma. Although a young man, he was a very politically and socially active minister. He headed numerous organizations in the years before World War II. He was director of the Committee to Defend America by Keeping Out of War, which soon became the American Peace Mobilization (APM). He also served as chair of the Southern Conference of Human Welfare.⁸⁵ In September 1940, APM elected him as the permanent chairman of the organization, which was working to keep America out of the war in Europe and to stop conscription. Like many peace oriented organizations before the spring of 1941 and after World War II, Rev. Thompson's group endured charges of being used by communists or working with them.⁸⁶

Rev. Wright, who had been senior pastor at the First Presbyterian Church in Oklahoma City since 1935, served as the OFCR's co-chairman. Like these other pastors, Wright was active in local community work. Wright first appeared before Senator Joe Thompson's committee on Privileges and Elections on January 28, 1941 to answer recent charges that the OFCR sought "communist help from outside of Oklahoma." Rev.

Harvey, pastor of the Trinity Baptist Church in Oklahoma City, had previously leveled

⁸⁵ "Peace Parley Called Free From Reds," *The Daily Oklahoman*, August 28, 1940. Germany's invasion of the Soviet Union in early 1941 created a shift in the political policy of the Communist Party of the USA as well as front organization, which had been promoting peace but began advocating war against the Nazis. For those peace activists morally opposed to war the attack on the Soviet Union did not alter their position of non-violence. After America's entry into World War II, anticommunist sentiment decreased dramatically as the U.S. allied with the Soviet Union to defeat the Axis Powers.

⁸⁶ Ibid. "Norman Minister Heads Peace Group," *ibid.*, September 3, 1940.

these charges against the Federation after the group denied him access to their meetings.⁸⁷ Rev. Harvey, a staunch anticommunist in Oklahoma City, also charged, “when churches are infested with communists and fifth columnists, as we have some evidence of their being here in our own city, it’s time to do something about it.”⁸⁸

In this atmosphere, many called before the Committee experienced significant scrutiny and public disapproval. Rev. Wright seemed to succumb to pressure from his own congregation, which reminded him of his primary obligation to his church community. On February 1, Rev. Wright resigned as co-chairman of the OFCR after his first encounter with the senate committee and Senator Stewart. The minister stated,

It has become clear to me that I must make a choice between working in this organization, thereby imperiling the best interest of the church, or giving my undivided attention to my parish, which, I am persuaded, is my first duty. I have made my decision.⁸⁹

On October 6, 1941, just four months after the release of the final Thompson Committee report, Rev. Wright resigned from the pulpit of the First Presbyterian Church in Oklahoma City. After six years of ministry and community activism, the pastor moved his family to a new pastorate in Portland, Oregon.⁹⁰

The “little Dies” Thompson Committee drafted a report of its hearings and issued its findings and recommendations to the Senate on May 7, 1951. The committee concluded that the Communist Party did indeed exist in Oklahoma and was very active. After interviewing Robert Wood and Eli Jaffe, known leaders of the party in Oklahoma,

⁸⁷ Rev. Harvey had previously attended a meeting of the OFCR on November 15, 1940, at which he nearly caused a riot and was constantly attacking the organization and its members in the press. “Civil Rights Unit Objects to ‘Red’ Ban Measure,” *The Daily Oklahoman*, January 19, 1941.

⁸⁸ “Harvey Asserts ‘Reds’ Infest City Churches, Urges Action,” *ibid.*, January 27, 1941.

⁸⁹ “Pastor Withdraws From Federation,” *The Seminole Producer*, February 2, 1941.

⁹⁰ “Civil Rights Unit Plans New Drive,” *The Daily Oklahoman*, February 12, 1941; “Paul Wright To Be Pastor At Portland,” *ibid.*, September 11, 1941; “Final Sermon Here Preached by Wright,” *ibid.*, October 6, 1941.

the committee discovered that thirty local party cells with at least one thousand members existed in the state. The committee suspected more members than those admitted to by Wood and Jaffe.⁹¹

This search for Reds in the state was indeed a political exercise, yet within this political arena, religion served several political functions in the anticommunist debate, but from two very distinct perspectives. A casual reading of the report shows the religious dividing line when it came to the question of how to deal with communism in Oklahoma. The first use of religion observable in the report was the use of traditional Christian beliefs, symbols, and language to connect sacredness to nationalism and a political agenda. The first example is subtle, and appeared when the authors of the report pointed to the current international crisis in 1941 as the justification for vigilance in Oklahoma.⁹² They stated,

It is your committee's belief that the American way of life, and the democratic action of free people throughout the world, and *the cause of Christianity; and those principles involved* in all three are being fought for upon the battle fields of the world today (italics added).⁹³

Here the committee clearly puts forward the notion that Christianity is a central pillar to the ideal of America, of which atheistic communism is the antithesis. However, in the committee's final recommendation to the Senate there is a more dramatic illustration of the use of religion. The language of the Thompson Committee exemplifies the melding of American patriotism and Christian imagery into "Americanism." The conclusion to the report read,

⁹¹ *Senate Journal, 1941, 1509.*

⁹² The crisis of 1941 as seen by Oklahoma legislators was the spread of communism, fascism, and nazism. Nonetheless, the Thompson Committee's report focused more on the perceived communist threat to the state.

⁹³ *Senate Journal, 1941, 1507.*

its is your committee's sincerest hope that we have helped to call to the attention of the citizenship of the State of Oklahoma, that the time may come in the near future when this nation may be offered only "blood, sweat and tears," therefore, let us all help to hoist high the stars and stripes and to it once again, renew our pledge of loyalty, for surely when our young men are asked to bleed and die, our citizenship as a whole should direct their activities to those strictly in keeping with the spirit of true Americanism.

For the consecration of mankind to the cause of Christianity Jesus Christ the Savior allowed his blood to bathe the cross which he carried under pain and suffering to the highest point of Calvary; when the young men of America unselfishly, and patriotically, stand ready to bathe a million crosses in their blood, to say the least our citizenship can relieve them from the pain and burden of carrying the cross to their Calvary.

If we are to dedicate the lives of these young men to our belief in freedom and our belief in God, then as it will be their duty to fight and destroy . . . then we as an awakened citizenship must arise to the occasion and cope with the Fifth Column in our midst. . . . Behind the guise of free speech we cannot permit it to poison the blood stream of the very life of this nation. What this nation needs is to have every possible light of investigation thrown upon its activities . . . to stamp them out of existence as you would the dangerous reptile which has crawled, unseen into our midst (italics added).⁹⁴

The religious imagery used by the committee vividly dramatized the seriousness of the cause to protect America and its freedom and the ultimate price true patriots should be willing to make in order to maintain it.

The report also illustrates another image of religion and anticommunism. This second perspective is that those who do not conform to a more mainstream interpretation of religion in America are "crackpots." The report stated

that only the theoretical crack-pot fool would advocate openly and admittedly action which would definitely be un-American and subversive. For example, the conscientious objector who through his belief has been unable to conform to the principles required, if we are to have an adequate defense of this nation of ours, he is willing for the finger of public criticism to be pointed at him for his failure in doing his part. . . . The danger of un-American and subversive activities lie[s] in . . . the purpose of causing throughout this nation of ours . . . above all things, a dissatisfaction with the Christian way of life as we know it and have lived it (italics added).⁹⁵

The Thompson Committee Report concluded that a couple of groups in Oklahoma merited further attention by state officials and deserved consideration as "fellow traveler

⁹⁴ Ibid., 1514-1515.

⁹⁵ Ibid., 1508.

organizations.”⁹⁶ One group was the Oklahoma Federation for Constitutional Rights. According to the report, the OFCR was the creation of “outside influence” and “liberal minded citizens” in the state, and its purpose was to spread discord among the public regarding civil rights issues.⁹⁷ The American Peace Mobilization committee was the second group singled out by the Senate committee, primarily because of the Rev. John B. Thompson’s leadership. Both of these organizations fit into the broad categorization of groups considered un-American or subversive during the country’s second Red Scare. The first category included groups established to confront civil rights concerns or abuses at the federal, state, or local levels. The second type of organization concerned itself with the international crisis and promoted peace as an alternative approach to foreign relations with fascist, Nazi, and communist nations during the prewar years. After the war, the focus shifted to promoting peaceful relation between the United States and the Soviet Union. Another characteristic seen in both types of groups was their association with religious-minded individuals or organizations. For example, within the Oklahoma Federation for Constitutional Rights, ministers served in leadership roles while many Federation members belonged to religious institutions and local congregations. In the Federation, members of the religious community worked with representatives of academia, labor unions, and alternative media outlets.

Thompson’s Committee also singled out individuals for special censure. The Senate committee characterized Rev. John B. Thompson as a fellow traveler primarily because of his leadership in the American Peace Movement. The committee reported to the Senate

⁹⁶ Ibid., 1512-1513.

⁹⁷ Ibid., 1510.

that the influence and teachings . . . in view of his (Rev. Thompson) activities in connection with the students of the University of Oklahoma, constitute a bad and unamerican [*sic*] influence upon the students. . . . Reverend John B. Thompson, who poses on one hand to be a loyal American citizen and yet . . . is issuing public statements to the effect that democracy is going to pot, and who admits that he is a good citizen, yet by his own testimony had never been able to find time to vote but once in his life, that his action and spirit is in the judgment of this committee, strictly unamerican and subversive in nature.⁹⁸

The committee also claimed that Maurice Halperin, a member of OU's faculty, and Dr. Nick Comfort, dean of the School of Religion in Norman, were such a significant threat that the Board of Regents for the University of Oklahoma needed to take action. The report recommended that the Board terminate Halperin's employment at the university, and that they end any relationship with Dr. Nick Comfort's School of Religion.⁹⁹

Immediately after the Thompson Committee issued its report to the Senate with its eleven recommendations, several of those who felt victimized by the investigation responded. Leader in the OFCR and American Peace Mobilization released statements condemning the committee's actions. The OFCR criticized, in particular, the Thompson Committee recommendation "to the Board of Regents that they discharge from the Faculty, one Maurice Halperin."¹⁰⁰ The Federation said,

The selection of one professor who has played a less prominent part in the activities of the Federation than several other professors smacks of *religious* and racial *intolerance* and is alarmingly close to the program of the Ku Klux Klan, which publicly supported the work of this senate committee (italics added).¹⁰¹

Halperin told the media that he was not a communist and could not understand why the committee singled him out for special consideration. Nonetheless, he did inform the

⁹⁸ Ibid.

⁹⁹ Ibid., 1512-1513.

¹⁰⁰ Ibid. "Civil Rights Group Branded Un-American, Subversive By Senate 'Little Dies' Unit," *The Daily Oklahoman*, May 8, 1941.

¹⁰¹ "Norman Groups Attack Charges of State Senate," *The Daily Oklahoman*, May 9, 1941.

press that he was “of Jewish extraction and [was] of the Jewish religion.”¹⁰² The professor’s statement seemed to reinforce the OFCR’s charges linking racial and religious intolerance to the Thompson Committee investigation.¹⁰³ By the end of 1941, Halperin was no longer on the OU campus. Halperin was the only University of Oklahoma faculty member who was a victim of the 1941 red hunt in the state. After a long drawn out affair, the OU Board of Regents in effect fired Dr. Maurice Halperin on June 30, 1942.¹⁰⁴

Regarding the charges against American Peace Mobilization, Rev. John B. Thompson stated that the Committee’s claims that the group was secretive and subversive were unfounded. Rev. Thompson said, “Perhaps the illiteracy of this report should be overlooked, but I must challenge the logic, the facts, and the motives of such a clumsy, face-saving outburst. I consider it an insult to an enlightened electorate.”¹⁰⁵ He

¹⁰² Ibid.

¹⁰³ For more on Oklahoma’s Jewish community and anti-Semitism, see Henry J. Tobias, *The Jews in Oklahoma* (Norman, OK: University of Oklahoma Press, 1980); Amy Hill Shevitz, “Past and Future: The Life of the Oklahoma Jewish Community,” *Chronicles of Oklahoma* 75 (Spring 1997) : 4-19.

¹⁰⁴ George Lynn Cross, *Professors, Presidents, and Politicians: Civil Rights and the University of Oklahoma, 1890-1968* (Norman, OK: University of Oklahoma Press, 1981), 135. For more on the Dr. Maurice Halperin story and details regarding the specific evidence, his possession of a Soviet gold bond, which ensured his fate with the OU Board of Regents, see *ibid.*, 124-125, 133-134; see also James A. Robinson, “Loyalty Investigations and Legislation in Oklahoma” (M.A. thesis, University of Oklahoma, 1955), 70-81. According to recently declassified Venona records, Dr. Halperin was a communist and gave U.S. government information to the Soviet Union. See Wayne A. Wiegand and Shirley A. Wiegand, “Sooner State Civil Liberties in Perilous Times, 1940-1941, Part 2: Oklahoma’s Little Dies Committee,” *Chronicles of Oklahoma* 85 (Spring 2007) : 22, 25-28, especially 32 n. 55. This recently discovered evidence raises the question of whether Dr. Halperin’s perjured himself in his testimony before the Thompson Committee. This is difficult to determine because the evidence points to seditious behavior only after Halperin left OU. Students and faculty at OU vouched for Halperin’s loyalty and decried the attacks on him by state politicians and anticommunists. It is possible that Halperin’s experience in Oklahoma radicalized him and he became a communist after he left the university, *ibid.*

¹⁰⁵ “Norman Groups Attack Charges of State Senate,” *The Daily Oklahoman*, May 9, 1941. Thompson and other members of the OFCR seemed to express their aggravation not only about the specifics of the committee’s findings, but the anti-intellectual bias expressed in the report. See Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1963), 40-42.

concluded that those who believed that the American Peace Mobilization's agenda was subversive must consider popular sovereignty, the freedom to criticize elected officials, the application of the Bill of Rights to minorities, and freedom of speech all subversive endeavors.¹⁰⁶

Unlike partisan politics at the federal level during this era, party politics in state government seemed to play little role in the introduction of communist-control legislation in Oklahoma. During the Depression era of the 1930s, Democrats gained control of Oklahoma politics and dominated both the statehouse and the governor's mansion throughout the next decades. Although the Democratic Party clearly controlled state politics, a division between supporters of the New Deal and those in opposition to President Franklin Roosevelt's programs was growing in the party. The political dynamics in the state during this period involved several variables. There was a divide between New Dealers in the party and those who supported a more conservative approach to economics. There also existed a divide between urban and rural politics in the state. Rural Oklahomans, farmers in particular, had different concerns than the business and industry interests of city inhabitants, which further complicated the unity of the state's Democratic party machinery. In addition, clear differences of opinion appeared between demographic groups depending on levels of education.¹⁰⁷ This is the generally accepted demographic interpretation of Oklahoma politics during the mid-twentieth century. It is apparent that the anticommunist attitudes and actions of state and

¹⁰⁶ Ibid. In 1948, Rev. John B. Thompson left Norman, Oklahoma for Chicago. Rev. Thompson became the dean at the Rockefeller Memorial Chapel at the University of Chicago. "Former Norman Dean Is Heard in Chicago," *ibid.*, January 12, 1948; "Wyoming Minister Coming to Norman," *ibid.*, March 14, 1948. In 1949, Rev. Thompson again sat before an investigative committee, this time in the state of Illinois. For more on Rev. Thompson and the American Peace Mobilization, see Ralph Lord Roy, *Communism and the Churches* (New York: Harcourt, Brace, and Co., 1960), 152-160.

¹⁰⁷ See Scales and Goble, *Oklahoma Politics: A History*, especially 154f.

local politicians were not the result of partisan divisions between Republicans and Democrats. There were however, within the Democratic Party of Oklahoma at that time, factions willing to employ anticommunist rhetoric more readily than some of their fellow party members. Opposition to communism may have developed along social and demographic lines. It was true that most of the legislators who supported communist-control bills tended to come from or represent rural districts while those few who opposed or resisted such legislation came from more urban areas. A classic assumption of inhabitants of rural areas was that they tended to be less educated and more religious and therefore were more fearful of subversive influences upon society.¹⁰⁸ Yet, even these distinctions may be inaccurate considering Oklahoma's history of both progressive and socialist political sympathies within rural farm communities. In addition, support for anticommunist legal action was popular among a significant number of urban dwellers as well as highly educated professionals and academicians.¹⁰⁹

Democrats' dominated state politics after the election of 1940.¹¹⁰ Allegations that some politicians used the public's fear of communism for their own political gain persisted. As previously pointed out, Governor Phillips used anticommunist rhetoric when it suited his political agenda. During a 1941 special election in the state, one candidate accused his opponents of red baiting in the primary election for the vacant

¹⁰⁸ Richard Hofstadter, *The Age of Reform: From Bryan to F.D.R.* (New York: Alfred A. Knopf, 1955).

¹⁰⁹ Two recent studies question the viability of the rural versus urban argument in Oklahoma. One study argues that the rural experience in the state was unique from that of Kansas. This suggests that generalizations about rural culture can be tenuous, see Steven Knoche Kite, "After The Fall: Radicalism and Reform On The Great Plains, 1896-1923" (Ph.D. diss., Oklahoma State University, 2003). Another recent study also seems to question classical assumptions about rural populations as it argues that prohibition in Oklahoma was primarily a cultural struggle between the middle and working class populations and not a rural versus urban conflict, see James Edward Klein, "A Social History of Prohibition in Oklahoma, 1900-1920" (Ph.D. diss., Oklahoma State University, 2003), 25.

¹¹⁰ In 1940, Republicans won only two seats in the Senate and seven in the House. "Here Is Roster of Legislature," *The Daily Oklahoman*, November 11, 1940.

seventh congressional district seat. Dr. M. Shadid, a physician from Elk City and founder of the Cooperative Hospital, ran as a candidate in the Democratic primary in the seventh district. During the primary, his challengers branded him a socialist. In the end, Dr. Shadid lost in the special election.¹¹¹ In addition, charges surfaced during the Thompson Committee investigation in 1941, that the Democrat committee members used the investigation to promote the election of a candidate for Congress. Recommendation ten of the Thompson Committee report responded to the accusation stating, “[T]his committee apparently did not elect a Congressman from the Seventh District as some members of the Senate and others thought it might.”¹¹²

Nonetheless, the primary recommendation of the Senate investigative committee was that all bills dealing with the communist threat “do pass” the legislature.¹¹³ Notwithstanding this hearty endorsement by the Thompson Committee, SB No. 4 aimed at outlawing subversive political parties, and SB No. 96, which was to prevent the appointment or employment of known communists in schools, did not become law.¹¹⁴ SB No. 4 failed to pass perhaps because it was very similar in intent to that of HB No. 18, which did become law. SB No. 3, which banned communists and other subversives from running for elective office in the state, passed the House with 107 ayes to 3 nays, and the Senate voted unanimously for it. Governor Phillips signed SB No. 3 into law on May 12,

¹¹¹ “Runoff Primary Bill ‘Approved,’” *Tulsa Daily World*, January 28, 1941; “Duke Lawyer Files As Independent in Seventh District,” *The Daily Oklahoman*, February 23, 1941, 14-A. The Thompson Committee subpoenaed Dr. Shadid to appear before them in mid-February. The doctor told the committee that he once was a socialist until President Roosevelt’s New Deal program lured him into the Democratic Party. “Doctor Raps ‘Little Dies,’” *The Seminole Producer*, February 18, 1941.

¹¹² *Senate Journal, 1941*, 1514; “Civil Rights Group Branded Un-American, Subversive By Senate ‘Little Dies’ Unit,” *The Daily Oklahoman*, May 8, 1941.

¹¹³ *Senate Journal, 1941*, 1512.

¹¹⁴ *Ibid.*, 2588.

1941.¹¹⁵ In the Senate, HB No. 17, which made it illegal for a communist to hold public office, and HB No. 18, which outlawed communists and other seditious parties, both passed unanimously.¹¹⁶ The two House Bills then went to Governor Phillips, who signed both into law on May 14, 1941.¹¹⁷

HB No. 17 became state law on June 6, 1941, and with the new law came the newest version of Oklahoma's loyalty oath. This oath became the template for the state's future anticommunist oaths. Public officials in the state declared with the new oath:

I _____, do hereby swear that I am a citizen of the United States and the State of Oklahoma and have been for three years next preceding the filing of this statement; that I will support and defend the Constitution of the United States and the Constitution of the State of Oklahoma; that I am not affiliated directly or indirectly with the communist party, the Third International, or with any foreign political agency, party, organization or government, nor do I advocate revolution, teach or justify a program of sabotage, force or violence, sedition or treason, against the government of the United States or of this State, nor do I advocate directly or indirectly, teach or justify by any means whatsoever, the overthrow of the government of the United States or of this State, or change in the form of government thereof, by force or any unlawful means, and *that I will take up arms in the defense of the United States in time of war, or National Emergency, if necessary* (italics added).¹¹⁸

¹¹⁵ *House Journal, 1941, 763. Senate Journal, 1941, 1704-1705, 2557. Session Laws of Oklahoma, 1941, 100-102.*

¹¹⁶ *Senate Journal, 1941, 1528-1530. Session Laws of Oklahoma, 1941, 209-210 (for HB 17), 91-93 (for HB 18).* Robinson states that the vote in the Senate was 35-4 with Senator James C. Nance, from Purcell, voting "no" on HB 17; however, the Senator voted for HB 18. Robinson, "Loyalty Investigations and Legislation in Oklahoma," 82. Robinson also points out that Nance was a vocal critic of the 1941 Senate investigation—as well as the 1939 Red-hunt—and the pending legislation. James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 24-25. However, according to the Senate documents, the record clearly states that regarding HB 17, the "Ayes" were 35, "Nays: None," and "Not Voting: Hammond, Harbison, Nance, and Sibley. -4 (italics added)." *Senate Journal, 1941, 1530.* In addition, Nance was one of the three "Not Voting" for HB 18, and that Senator Robert B. Harbison, from Altus voted for the bill. *Ibid., 1529.* Senator Nance, who represented the Norman area where OU is located, did not vote against the bills, which he had criticized in the newspapers. Perhaps it would have been too great a political risk for him to cast votes against these bills in the politically charged atmosphere of the day. Nonetheless, the Senator would make a bold stand in 1949 when he helped put an end to the ill-famed Cantrell Committee hearings discussed below.

¹¹⁷ *House Journal, 1941, 3605-3608.*

¹¹⁸ *Ibid., 210.*

The last sentence of the oath became one of the points of contention during the 1951 controversy. The idea of relying upon citizens to use force or violence in order to protect the nation in times of dire crisis was not novel. The notion of regular citizens standing in the breach to stave off ruin and destruction dated back to the Revolutionary War era, when minute men and militias took up arms to defend their families and communities from the British. This line caused great difficulty for conscientious objectors and those with religious scruples. However, when the new oath law passed in 1941 the press and public gave it very little notice. Nonetheless, it soon became apparent that certain religious minorities would have to violate their religious convictions in order to hold public office in Oklahoma during the 1940s. Jehovah's Witnesses had already experienced trouble in both the state and nation because of their refusal to salute the American flag and their efforts to avoid the draft. These issues would cause problems for members of this sect in Oklahoma as well. At the time, some believed that this oath would cause problems for Jehovah's Witnesses in the state who would not be willing to sign an oath. If this were true, then anyone with scruples against the loyalty oath did not run for political office or accept appointments in Oklahoma after 1941.

Some argued that the intent of HB No. 17 was to require that all state employees, except for teachers at the state colleges and the University of Oklahoma, swear by oath that they were not communists.¹¹⁹ The bill did not require all state employees to affirm

¹¹⁹ Robinson uses the word "employees" when discussing both the 1941 and 1945 legislation, which intended to exclude communists from public office. He concludes that those elected or appointed to public office meant all state employees, except for teachers, see Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 37-38; Robinson, "Loyalty Investigations and Legislation in Oklahoma," 85. Nowhere in the anticommunist bills or laws passed in either 1941 or 1945 does the word "employees" appear in the language of the statute. Additionally, if HB No. 17 included all state employees, why were teachers the exception? If HB No. 17 included state employees, why propose SB No. 96 to prevent schools from appointing or employing communists? Finally, if the legislation from 1941 or 1945 did encompass all state employees, then the legislation of 1951 was also unnecessary and redundant. However, after the

their opposition to communism. By the time the state legislature decided to take action so that teachers and college professors also should swear an oath of loyalty and disavow communism with SB No. 96, time had run out and the session had ended. The 1941 oath law barred all communists from holding public office in Oklahoma. In 1945, the legislature would reconsider the oath law, but it did not repeal the oath or append any additional requirement. In 1949, state politicians would attempt again to require teachers and students at the state colleges and the University of Oklahoma to swear an oath, but once more the effort fell short. However, in 1951 legislators would pass an oath bill requirement for all state workers including all employees and teachers at all public schools, colleges, and the University of Oklahoma. Therefore, the 1941 oath banned communist from public office, while the 1951 oath would ban communists from public employment. The requirement that all state employees swear an anticommunist oath of allegiance would not happen until 1951. Demanding all to sign would be the only way to ensure that teachers and professors had to sign oaths.

Perhaps of greater significance in 1941, was that the passage of the communist-control bills and the new oath of allegiance seemed to usher in a new period of religious politics in Oklahoma. Would this be the last major political battle by religious leaders who advocated a vital social gospel message and ministry in the state? Men such as Rev. Wright, Rev. Comfort, and Rev. Thompson fought the good fight for the social gospel in central Oklahoma and throughout the state with their parachurch organizations and committees. Issues such as social justice, economic justice, race relations, pacifism, and

passage of the 1951 anticommunist legislation many state employees, who were not teachers, were in jeopardy of losing their jobs, or lost their jobs because they refused to sign an anticommunist oath. If Robinson's assertion is correct, how did these individuals gain employment with the state, which was supposedly excluding communists from the payroll as early as 1941? Others repeat Robinson's incorrect assertion, see Wiegand and Wiegand, *Books on Trial*, 229-230.

peace movements drew the attention and energy of these pastors. These men were of the old school of religious progressivism within Protestant mainline denominations, particularly the Presbyterian Church, U.S.A.; however, mainline denominations were on the decline in Oklahoma.¹²⁰

Ministers who fought against communist ideology seemed to be on the rise in the state. During the 1940s and 1950s, evangelical, independent fundamentalist, pentecostal and charismatic churches were increasing in numbers as some of the traditional denominations were shrinking.¹²¹ Perhaps the growth of these more theologically conservative and traditional churches, an increasingly conservative religiosity of Oklahomans, as well as a demographic shift away from progressivism and socialism contributed to the willingness of many citizens to accept the ban on communist politicians and office holders. In addition, there continued to be numerous pastors from different denominations preaching against the evils of atheistic communism despite a scandal surrounding one of the leading Red hunters in central Oklahoma in the pre-war years, Rev. Harvey. The minister suffered significant damage to his reputation in 1942, but not in relation to any political controversies. After several years as pastor at one of the largest Baptist churches in Oklahoma City, Dr. W. B. Harvey resigned.¹²² Yet, no

¹²⁰ At the Oklahoma Presbyterian Synod in 1940, of concern to the denominational leadership was the declining membership of many of the churches in the state. At least twenty-seven Presbyterian churches faced the possibility of closure because of significant erosion of congregations. At the same church conference, discussion focused on how the Oklahoma churches could target young people and college students for membership recruitment. In fact, the Synod allocated monies to the First Presbyterian Church in Norman to renovate its facilities in an effort to attract students to the church, particularly those who grew up in the Presbyterian Church. "Presbyterian Synod Asks Probe Of Firing of Durant Instructor," *The Daily Oklahoman*, October 18, 1940.

¹²¹ See, George M. Marsden, *Understanding Fundamentalism and Evangelicalism* (Grand Rapids: William B. Eerdmann Publishing Company, 1991), 98-102.

¹²² Rev. Harvey became embroiled in a very public and humiliating scandal. The scandal was front-page news in Oklahoma City's leading newspaper. Harvey's wife discovered evidence that her husband was

shortage of ministers willing to take up the patriotic cause of preaching the gospel of Jesus Christ as well as “Americanism” existed, especially after the war.

Nevertheless, change had come to the Sooner state. A change of opinion and attitude toward certain pastors and professors. Traditional leaders in the community who sought to promote peace and fight for the civil rights of all Oklahomans had become targets of allegations and investigations. For some the actions of the pastors and professors had become disruptive to the general welfare of the state particularly at a time when the prospects for war seemed very real. Increased anxiety over world events heightened the fear of what subversives and radicals in state might be able to accomplish. Of serious concern was that a rogue teacher might introduce subversive thinking in the colleges and universities. Legislators felt obligated to investigate rumors and suspicions of subversive or communist activities in or around the institutions of learning. Unfortunately, for a few targeted individuals this resulted in ruined reputations, and the undermining of their service in the community.

telephoning and writing a woman in another city and informed some church members of her intention to divorce her husband. Shortly thereafter, several young women at the Trinity Baptist Church accused the minister of inappropriate sexual advances, which Rev. Harvey denied. The pastor initially agreed to leave the church amidst these scandalous accusations of impropriety. Shortly thereafter, he sought to reconcile with his wife and the church. At a congregational meeting, evidence of Rev. Harvey’s behavior was brought before the church. Harvey sought forgiveness, but nearly all members of Trinity Baptist voted to discipline him by revoking his membership and denying him fellowship with the church. Of even greater significance, the church voted to revoke his preaching license, which the Baptist General Convention accepted. “Trinity Church to Hear Row Over Harvey,” *The Daily Oklahoman*, September 21, 1942; “Harvey Quits Trinity Church, Leases Shrine,” *ibid.*, September 24, 1942; “Harvey Reconciled, Church Refuses His Reinstatement,” *ibid.*, October 15, 1942; “Harvey Contends Trinity Church Action ‘Unwarranted,’” *ibid.*, October 16, 1942.

CHAPTER 4: The Early Postwar Years

The years between the passage of the 1941 communist-control legislation and loyalty oath and the 1951 oath controversy saw new efforts by politicians and patriots to continue strengthening the security of the state. After the attack on Pearl Harbor and America's entry into the Second World War, the issues that concerned Oklahomans centered on a new priority, which was winning the war. The United States now allied with the Soviet Union to defeat Hitler and nazism. Much of the pre-war anticommunist rhetoric used by politicians and agents of the federal government nearly disappeared. The united front against Hitler required cooperation between President Roosevelt and Soviet Premier Joseph Stalin. In order to obtain some degree of mutual respect and trust so that the alliance could at least function and hopefully reach its goals necessitated a tempering of political and ideological differences. Anticommunism did not completely disappear during the war, but the activities of anticommunists were less frequent and their opinions less significant. However, after the war ended, anticommunist behavior and beliefs began gaining wider acceptance and appeal with each succeeding year.

In 1945, the war in Europe neared a conclusion and fighting in the Pacific theater continued progressing in America's favor. The Soviet Union remained America's valued ally in the fight against the Nazis. Anticommunist sentiment remained low in the state with the newspapers reporting no significant activity. Yet the state

legislature of Oklahoma reconsidered the 1941 loyalty oath law again in 1945. Early in the legislative session, lawmakers sought to amend Oklahoma’s loyalty oath with HB No. 65 sponsored by Representative Ben Huey of Boise City. The House sought to provide some relief with regard to the residency requirement. When HB No. 65 went to the Senate chamber several senators saw this as an opportunity to completely repeal the 1941 oath law. Despite their efforts, the House would not go along with the Senate. Legislators repealed the three-year residency requirement for office seekers in Oklahoma—the only change to the law. This was not a new oath, as some seem to suggest, but the same oath with the phrase “and have been for three years next preceding the filing of this statement” removed.¹ On March 7, 1945, Governor Robert S. Kerr signed HB No. 65 into law with little fanfare.² This would be the first in a long list of additions and deletions to the state loyalty oath officially catalogued as O.S. Title 51, §36. The legislative history of the Oklahoma oath is rather extensive, and over the next six decades court decisions and shifting political attitudes resulted in numerous changes—most of which are outside the scope of this work. Oklahoma still requires public employees and officers to sign affidavits swearing to support the United States and its Constitution, as well as Oklahoma and its constitution.³

¹ *Session Laws Oklahoma, 1945*, 153. James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 38-39. The author suggests that this 1945 oath was new. He writes, “The oath was quite similar to that passed in 1951 but stirred little public interest. Even *The Daily Oklahoman*, which noted that the 1941 law was not repealed, failed to note that *a new oath was added to the old law* (italics added).”

² *House Journal, 1945*, 221, 1358.

³ In January 2001, I signed the oath as a Teaching Associate for the Oklahoma State University History Department. I have no recollection of this at all, but the department secretary, Susan Oliver, said that I fulfilled this obligation for employment. In August 2006, I swore out an oath affidavit for the second time as an instructor at Seminole State College in Seminole, Oklahoma. In the interest of full-disclosure, I have reproduced this oath in the Appendix. For an outline of the evolution of the loyalty oath in Oklahoma, see *Oklahoma Statutes Annotated: Title 51 Officers*, 474-481.

After World War II, an anticommunist mood resurfaced throughout America, and Oklahoma legislators came to believe it necessary to address the threat of communism in their state.⁴ The first real hint of any anticommunist tempest in the state happened with a strange motion made by Representative William Langley of Stillwell. On March 4, 1947, Langley motioned for the reading in the chamber of a definition of communism. He also moved for the printing of this definition in the House's *Journal*. Part of the definition the House heard that day came from a report issued by the United States House of Representatives in 1931.

The following is a definition of communism, a worldwide Political organization advocating: 1. *Hatred of God and all forms of religion*; 2. destruction of all private property and inheritance; 3. absolute social and racial equality; promotion of class hatred; 4. revolutionary propaganda through the Communist International, stirring up . . . strikes, riots, sabotage, bloodshed, and civil war; 5. destruction of all forms of representative or democratic governments, including civil liberties, such as freedom of speech, of the press, of assembly, and trial by jury; 6. the ultimate and final objective is by means of world revolution to establish the dictatorship of the so-called proletariat into one world union of soviet socialist republics with the capital at Moscow (italics added).⁵

⁴ Relations between the U.S. and the Soviet Union grew colder in 1946 as the two superpowers had growing disagreements over issues ranging from how to deal with Germany to how to interpret Winston Churchill's "Iron Curtain" speech in Missouri. One clear signal that anticommunism had resurfaced was the U.S. Congress's decision to make HUAC a permanent standing committee in 1945 after the defeat of the Nazis. By 1947, HUAC turned its attention to Hollywood to investigate the influence of communism on the movie industry. For HUAC, see The Fund for the Republic, *Digest of the Public Record of Communism in the United States* (New York: The Fund for the Republic, Inc., 1955), 606-613.

⁵ *House Journal, 1947*, 824-825. Langley also read into the official record, "communism has also been defined as an organized effort to overthrow organized governments which operate contrary to the communist plan now in effect in Russia. It aims at the socialization of government, private property, industry, labor, the home, education, private ownership of property, inheritance, religion, and family relations." The reading also included Webster's definition of communism followed by a short reference to "Karl Marx and Friedrich Engles [*sic*], two apostate jews [*sic*]." *Ibid.*, 825. Typically, the order of business in legislatures frequently juxtaposes unrelated issues side by side. Rep. Langley's motion came immediately after the House referred HCR No. 5 to committee. The HCR requested that the state board of regents set aside sufficient funding for Oklahoma's only African-American state college, Langston University, in order for the school to gain accreditation. The business following the reading of the definition on communism was seemingly unrelated to Langley's motion. Immediately following Langley's motion and reading into the record the Congressional report, House business dealt with real estate deeds, an act designating holidays, property transactions, authority for executors to invest for minors, and attaching property owned by the United States government to Oklahoma school districts. Langley's motivation is unclear, but the history in the South of anticommunist reaction to emerging race issues in America during the postwar years makes this suspicious. *Ibid.*, 822-825f.

Apart from this seemingly anomalous entry into the official House record, little anticommunist fervor became apparent at the statehouse in 1947.

Nonetheless, fear of domestic communism began to stir across the nation with the occasional warning by anticommunists to schools, parents, and young people of the dangers of front organizations.⁶ In addition, the familiar anticommunist adage that educators were inculcating their students with communist propaganda began reappearing in public discourse.⁷ During the postwar years, parents feared the possibility that communists could infiltrate the public school system and convert their children. Both educators and administrators began to mount a counteroffensive in the ideological war for the minds of America's youth. In 1947, under the leadership of Dr. John B. Studebaker, Director of the Office of Education, a nationwide campaign known as the "Zeal for American Democracy" program began promoting American democracy in the nation's public schools.⁸ This happened to be just one of many proactive programs initiated during the early Cold War years to address growing fears that communists were subverting American institutions.

In the fall of 1948, the debate over the federal government's communist-control loyalty and security program came to Oklahoma City. President Harry Truman made a presidential election campaign stop in the city on September 28, and delivered a forceful

⁶ Editorial, "Sheep's Clothing," *The Daily Oklahoman*, March 22, 1947; John Flynn, "Who Owns Your Child's Mind?" *Reader's Digest*, October 1951, 23-28; Arthur D. Morse, "Who's Trying to Ruin Our Schools?" *McCall's*, September 1951, 26.

⁷ Editorial, "That Red Scare," *ibid.*, August 11, 1947.

⁸ "Reds Seeking Child Converts Clark Claims," *ibid.*, February 15, 1948. For more on Dr. Studebaker's campaign see Edna Jan Jacobs, "Zeal for American Democracy: Civic Education and the Cold War, 1947-1954" (Ph.D. diss., Southern Illinois University, 1999).

speech at the Oklahoma State Fair grandstand. The President wasted little time in denouncing Republican efforts to criticize him for being weak on the domestic threat of communism in America. Truman reminded the crowd and his radio audience that he, not the Republicans, had initiated the current federal security program. He told the crowd that the federal government had required its employees to swear they were not communists since 1939, but that his 1947 program aimed at going after those employees who lied. The President strongly affirmed the belief that subversives worked within the federal government and that they were a serious threat to the nation. Truman declared,

There is no doubt that they, as well as other disloyal persons, have tried to worm their way into the Government service. So, in 1947, I set up the employee loyalty program to require an individual check on all Federal employees and to discharge them if they were found to be communists, or if there were other reasonable grounds for doubting their loyalty. This was a real program to meet a real situation.⁹

Clearly, Truman took a tough stand on internal security. Some later argued that the blame for the second Red Scare fell primarily upon the president for creating the climate of fear in America. The next year when anti-Red sentiment was on the rise, Truman criticized the growing hysteria. *The Daily Oklahoman* pointed out that Truman, the presidential candidate, promoted an anticommunist agenda during his run for office.¹⁰

Regardless of the events unfolding on the federal level, during the late 1940s, most of the pro-communist activity in Oklahoma remained relatively minor compared to prewar radicalism. One case in 1947 involving a freshman student at OU, who had served as a merchant marine, is illustrative of this trend. Campus police arrested the freshman after an argument between him and two other students over politics. The Cleveland County Sheriff took David Feldman to the county jail after officers discovered

⁹ Editorial, "Hysteria and Snipe Hunts," *The Daily Oklahoman*, June 23, 1949.

¹⁰ Ibid.

him carrying a concealed weapon. The two students with whom Feldman argued were veterans of the war and at least one of the veterans was active in the local chapter of the American Legion. The reason this story gained so much attention at the time was probably because police not only found a hidden knife on Feldman, but also his Communist Party membership cards issued in 1946 and 1947. The young man would appear before a judge on the weapon charge, but his membership in the Communist Party gave him notoriety as OU's radical.¹¹

In 1949, the Oklahoma Twenty-second Legislature again tried to deal with the reemerging suspicion of communist subversion in the state with a new stricter loyalty oath. Walter Baily of Vinita, Oklahoma introduced HB No. 48 on January 10, 1949. This bill would require that all state, county, and city employees sign an affidavit of loyalty before they could receive their paychecks. The differences between this proposed bill and the existing oath of allegiance were significant. HB No. 48 would require all government employees to swear allegiance, which meant not just elected or appointed officials of the state, but everybody including custodians, secretaries, and grounds keepers. The pending bill also included consequences for those employees who did not sign—no paycheck. In addition, the bill specifically made it illegal for any school board or board of regents to:

employ, or vote to employ, any person as a teacher, principal, superintendent, dean or president of the school, college or university governed by his board, unless and until said person has taken and subscribed to the statement, under oath, prescribed in the Act and filed the same in the office of the county clerk.¹²

Those officials who hired teachers without obtaining a signed oath would be subject to a

¹¹ "OU Jails A Junior Radical," *ibid.*, December 18, 1947.

¹² *House Journal*, 1949, 58.

fine of up to \$500 and thirty days in jail. During discussion of his bill, Representative Bailey stated that he was in favor of expanding the bill under consideration. Bailey said, “I’d even like to take it a step further and make the students swear they’re not communists, too.”¹³

The House referred the bill to the Education Committee on January 11. By February 2, the Education Committee returned Representative Bailey’s bill to the full House with the recommendation to pass the legislation. HB No. 48 emerged from committee now requiring that all teachers from kindergarten to university professors take an anticommunist oath, as well as all college students in the state. A few days later, on February 8, the House members debated the measure. Representative Robert Cunningham, of Oklahoma County, wanted to stiffen the punishment for violators of the oath by making it a felony offense. Cunningham’s amendment failed to pass. Other representatives seemed heartily to approve the addition of college students to the bill. William Card, from Medford, claimed to have direct knowledge of students enrolled at OU who were members of the Communist Party. Representative Card believed the party paid the students to go to the university. Another House member from Okmulgee, Edgar Boatman, expressed concern that some out-of-state students attending the university could be communists sent to Norman by the party. Of course, some legislators opposed the inclusion of students, like William L. Jones of Okemah, yet he was in the minority.¹⁴ On February 8, the House voted 102 to 6 to approve the bill, and then sent the bill to the

¹³ “Red Oath Asked For All Teachers,” *The Daily Oklahoman*, January 11, 1949.

¹⁴ “House Approved Bill to Make College Students, Teachers Swear They Are Not Reds,” *ibid.*, February 8, 1949.

Senate.¹⁵

There was swift reaction to the passage of HB No. 48 by the Oklahoma House. Immediate opposition appeared from several organizations such as the state branches of the Progressive Party and the Communist Party. Local leaders of the Congress of Industrial Organizations (CIO), and the Mine, Mill and Smelter Workers union publicly opposed the measure.¹⁶ However, the magnitude of resistance to the communist-control bill in Norman was a surprise to state politicians. On the Norman campus, numerous organizations and students began immediately to mobilize opposition. A resolution stating nine reasons for opposing the pending measure became the rallying point for those who did not like this bill. Over 1,500 OU students and several professors signed petitions supporting the nine-point resolution. Campus groups also endorsed the resolution, which argued in part that HB No. 48 was discriminatory, unnecessary, unconstitutional, unclear, stifling, oppressive, and un-American.¹⁷ In the student newspaper at OU, editorials and letters to the editor criticized both the bill and the representatives who supported it. *The Daily Oklahoman* also came out in opposition to the oath requirement for college students. In an editorial by Elmer T. Peterson, he called the anticommunist oath for students “incompetent, irrelevant, and immaterial.”¹⁸ The article went on to point out that

¹⁵ *House Journal, 1949*, 169.

¹⁶ “Students’ Red Oath Attacked,” *The Daily Oklahoman*, February 10, 1949. The CIO was at this time also embroiled in a controversy with the federal government over anticommunist and oath requirements for the organization.

¹⁷ “Nine OU Groups Rise in Protest Over Senate Anti-Red Oath Bill,” *ibid.*, February 11, 1949. The nine groups supporting the resolution were: The Hillel Foundation, Independent Men’s Association, Independent Women’s Association, The League of Young Democrats, Oklahoma Civil Liberties Union, OU Student Senate, Westminster Foundation of the Norman Presbyterian Church, YMCA, and YWCA. *Ibid.*

¹⁸ Editorial, “It’s Incompetent And Irrelevant,” *The Daily Oklahoman*, February 16, 1949.

the legislators did not understand communists or their methods. The idea that the communists would use the Communist Party as the means for subverting American institutions and converting Americans to their philosophy was naïve on the part of those supporting such legislation.¹⁹

Members of the House reacted to this resistance from OU. A few representatives suggested that opposition to the communist-control bill on the Norman campus confirmed their lingering suspicions that communists were at the University of Oklahoma. On February 14, Representative D.C. Cantrell of Stigler introduced a resolution in the House. This resolution, HR 15, called for the creation of an investigative body in order to determine if, in fact, any member of the faculty at the University of Oklahoma was a Communist Party member or sympathetic to communistic ideology. Cantrell's resolution read:

Whereas, the Communist Party notoriously advocates a program of revolution, sabotage, force, violence, sedition and treason; and its policies contemplate the overthrow of the government of the United States and the State of Oklahoma by unlawful means; . . . it is an admitted fact, of common knowledge to all, that some of the Nation's large schools and universities have faculty members and instructors who openly subscribe to and publicly advocate the platform and policies of communism; . . . there have been publicly circulated numerous and repeated disquieting rumors pertaining to the communistic beliefs and teachings of a small number of the members of the faculty of the University of Oklahoma.²⁰

The next day, February 15, 1949, the House began to reconsider Representative

¹⁹ Elmer T. Peterson suggested that the legislators read about "encroaching socialism," which suggested a communist methodology of gradually introducing ideas and objectives into America through the existing political parties and system until the communists reached their objectives, *ibid.* Peterson had written numerous editorials for *The Daily Oklahoman* since 1948 warning Oklahomans of the threat of communists taking over American institutions. He repeatedly referred to a couple of articles written by H. Stephen Raushenbush in 1929 and published in *The New Leader* and other "left wing" journals. In these articles, Raushenbush suggested an alternative approach for communism that envisioned a less violent revolution in which government institutions and industry gradually transitioned to socialism. Raushenbush used New Deal programs as his examples of how the transition could occur. Peterson believed that Oklahoma politicians needed to read and be familiar with Raushenbush's articles and theory of encroaching socialism, "Communism Has Brilliant Scheme," *The Daily Oklahoman*, November 24, 1948; "How Communism Enters Back Door," *ibid.*, November 28, 1948; "Some Ministers Think Curiously," *ibid.*, July 23, 1950.

²⁰ *House Journal*, 1949, 202.

Cantrell's resolution to initiate an official investigation of the University of Oklahoma. Several representatives submitted minor amendments to modify HR 15; however, House members moved to adopt only one modification. Representative Edwin Langley, of Muskogee, wanted to expand the investigation to include all the state's top colleges, not just the University of Oklahoma. Cantrell opposed amending his resolution. He reportedly shouted, "The house has showed me it is not in favor of stamping out communism."²¹ Nonetheless, the House decided by a one-vote margin, 49 to 48, to change the resolution so that all colleges and universities in the state would be included in the House committee's investigation, not just the University of Oklahoma. Interestingly, after this change to House Resolution 15, Representative Cantrell made a motion to strike the resolution from the calendar and remove all mention of it from the record—the House took no action on his motion. It seems as if the Representative was not having misgivings about his original resolution—he just did not want it weakened or changed by any amendments.²²

The Twenty-second Legislature created an investigative body to hold hearings in order to look into the rumored communist infiltration of Oklahoma college campuses. An editorial that appeared in *The Daily Oklahoman* decried the pending large-scale probe of all the state's colleges as unjustified. The editor argued,

It is no crime in Oklahoma to advocate the establishment of the socialist state. But it is a crime of extreme gravity to advocate the creation of a socialist state . . . by the use of arson and assassination and high explosives. Where no violence is taught no crime is committed.²³

²¹ "Farmer to Lead Red Hunt in State Colleges; Student Oath Bill Killed," *The Daily Oklahoman*, February 16, 1949.

²² *House Journal*, 1949, 208-209.

²³ Editorial, "Going Too Far," *The Daily Oklahoman*, February 17, 1949.

Regarding the allegations against OU, the newspaper concluded that if anyone in Norman was indeed teaching or advocating violence, then it was not the legislature's duty to deal with the situation, but the local district attorney's office.²⁴ According to the *Tulsa Daily World*, official probes such as the Cantrell hearings "hardly ever protect our schools."²⁵ In 1941, *The Daily Oklahoman* endorsed the Thompson Committee investigation of communism in Oklahoma's senior schools and the *Tulsa Daily World* grudgingly recognized its merit. However, in 1949, the state's leading daily newspapers did not endorse the Red probe of the state schools.

While the House of Representatives was reacting to opposition and preparing for an official investigation into OU and other state colleges, the Senate was considering what action to take on HB No. 48. Senators reacted differently than the state representatives to the public outcry against the oath. On February 15, Senators overwhelmingly agreed to kill the House version of the bill and completely dropped the idea of requiring college students to swear an oath of loyalty. The Senate established a special committee to rewrite the legislation. One of the members of this committee was Senator J. C. Nance. The committee's re-draft of HB No. 48 was simply an oath of allegiance that would be required of all employees, including faculty, at Oklahoma's institutions of higher learning.²⁶ Senator Nance re-emerged as a critic of communist-control legislation and the new investigation he felt unfairly targeted the University of

²⁴ Ibid.

²⁵ Editorial, "Watchfulness," *Tulsa Daily World*, February 25, 1949. The next day, when the probe became "sidetracked," the paper took a more critical tone, charging that the investigation was "improper and futile" and had "injured" the state. Editorial, "Wrong-Way Red Hunt," *ibid.*, February 26, 1949.

²⁶ "Option? Make Faculty Swear U.S. Allegiance," *The Daily Oklahoman*, February 16, 1949.

Oklahoma and its faculty. However, compared to his efforts in 1941 to redirect criticism away from OU during the Thompson Committee hearings, Senator Nance's criticisms of Cantrell's hearings were more direct and forceful.²⁷

Nevertheless, the Cantrell Committee hearings moved forward. Several embarrassing incidents occurred while the hearings were in session. The House investigators would conduct only three days of inquiry before the entire episode collapsed.²⁸ The committee was having difficulty locating any communists on the OU campus. According to one published account, the investigators "uncovered a whole nest of Democrats, Presbyterians and a sprinkling of native-born Texans, but no communists." The only Republican on the committee, John Camp, of Waukomis, was hopeful "that the committee [would] be able to dig up a Republican before it [concluded] its probe."²⁹ The hearings not only determined the political orientation of eleven OU department chairs, but also their denominational allegiances.³⁰

On February 24, during committee hearings at the state capitol, Senator Nance and Representative Joe Smalley, who also represented Norman, politely interrupted the proceedings to make a statement. Nance asked Cantrell to end the hearings that were

²⁷ Senator Nance was critical of the 1941 Thompson Committee investigation that focused primarily on the campus of OU, as well as a supporter of the effort in the Senate to repeal the 1941 oath and communist-control legislation.

²⁸ The 1941 Thompson Committee investigation initiated by the Senate conducted at least fifteen meetings during its existence. *Senate Journal, 1941*, 1506.

²⁹ "Probers Uncover 11 OU Democrats," *The Daily Oklahoman*, February 24, 1949.

³⁰ Of the eleven witnesses the first day, the majority were Presbyterians. In all, five Presbyterians, one ex-Presbyterian, two members of the Christian Church, two Methodists, and one Episcopalian testified before the committee. *Ibid.*; "Probers Fail to Find Commies Active At OU As State Quiz Begins," *Tulsa Daily World*, February 24, 1949.

turning into a “communist bug-a-boo” and “a wild goose chase.”³¹ After both Nance and Smalley made their statements, the committee excused the remaining witnesses for the day, ending the 1949 red-hunt in Oklahoma. Cantrell resigned the chairmanship and committee immediately, and Representative Edwin Langley, of Muskogee, became the new chair. The remaining members of the committee then cancelled all scheduled hearings. The investigators would rely upon the state colleges and universities to submit reports of their own investigation of communist activity on campuses, if any. On March 1, the committee sent out letters to all the state colleges and OU with instructions for administrators and department heads to sign enclosed affidavits swearing that no communists were among the faculty.³²

On May 12, the House’s select committee submitted its official report as required by HR 15. Langley reported that the initial hearings conducted by the committee proved to be impractical. The committee decided to require only sworn affidavits from school administrators, who would conduct their own in-house investigation of communists. The colleges and universities of the state fully complied with this request. There were no communist activities found on any campus among the faculty or student bodies. The only exception was a small group at OU, which the administration and FBI were aware of and observing. The committee officially thanked all the administrators for their cooperation in this matter.³³ The colleges and universities in the state were free of

³¹ “OU Professor Quiz Is Ended Abruptly,” *The Daily Oklahoman*, February 25, 1949.

³² “Affidavits Ready For Faculties,” *ibid.*, March 1, 1949.

³³ *House Journal*, 1949, 982. The following institutions cooperated with Langley’s investigation: Benedictine Heights College, Oklahoma City University, Langston University, Southeastern State College, Central State College, East Central State College, Northwestern State College, Northeastern State College, Oklahoma College for Women, The University of Tulsa, Phillips University, Oklahoma Baptist University, Panhandle Agricultural and Mechanical College, Southwestern Institute of Technology, Bethany—Peniel

communist subversion.

Several books written on McCarthyism, loyalty investigations and oaths recount what many consider one of the more embarrassing episodes in Oklahoma's past. Unfortunately, for Cantrell, his investigation of communism on college campuses became a moment of infamy in Oklahoma political history.³⁴ The failure of the House's investigation of higher education did not bode well for HB No. 48. Ultimately, the re-worked HB No. 48 failed to win passage during the legislative session.

Despite the failures in 1949 of the Twenty-second Legislature to strengthen communist-control legislation or conduct a successful probe into perceived subversion in the colleges, state officials had not set aside their desire to confront what they believed was the continuing threat of communism in the state's institutions. In fact, unknown to most Oklahomans was the continuing anticommunist work of the Legislative Council at the state capitol. In the fall of 1950, the Legislative Council was busy researching communism and possible communist-control initiatives for the next legislative session.

College, Oklahoma Agricultural and Mechanical College, The University of Oklahoma, and School of Medicine. Ibid.

³⁴ Robinson deals with this notorious investigation. Typically, scholars cite or repeat Robinson's account; see Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 31-38; see also M.J. Heale, *McCarthy's Americans: Red Scare Politics in State and Nation, 1935-1965* (Athens: University of Georgia Press, 1998), 12, 19. Representative Cantrell, who chaired the investigation, was a 68-year-old farmer, who for sixteen years represented his community in the Oklahoma House. Cantrell was not well spoken and did not hide the fact that he had only completed the fourth grade. However, throughout the entire proceeding of the committee hearings, Cantrell was polite and considerate to all those who testified. He worked hard to limit the disruption to OU faculty members' class schedules. Although he was a simple man, he seemed genuinely concerned over the possibility that communists were on the campus of OU and he wanted to find out if that was true or not. Cantrell seems to embody the populist style of politics in Oklahoma. He was a farmer who worked in government to improve the lives of the people in his community. He also seems to epitomize someone with what Richard Hofstadter termed anti-intellectual sentiments. His first inclination was not to trust the institutions of higher education or the faculty when he heard rumors of subversives and communists on campuses. However, he was not an unreasonable man because once he realized there was nothing to the rumors or charges he dropped the matter. His anti-intellectual sentiment stemmed not from his lack of education, but his lack of understanding intellectuals because he could not relate to their lives. He seemed a practical man. "Farmer to Lead Red Hunt in State Colleges; Student Oath Bill Killed," *The Daily Oklahoman*, February 16, 1949. See also, Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1963).

The staff for the Council was not very large. Jack A. Rhodes served as the Director of the Legislative Council, with Jack W. Strain as the Assistant Director, and J. William Cordell serving as secretary. The Council's commission was to perform research for the state legislators in order to assist them with background data on pending issues and any other duties necessary for the creation of legislation. On October 19, 1950 under the direction of Strain, each state attorney general in America received a letter from the Oklahoma Legislative Council requesting specific information. The letters stated:

We are compiling data relative to the states [*sic*] having anti-communist oaths as a requirement for holding a governmental job or position. Consequently, we would appreciate receiving data which would reveal whether your state has an anti-communist oath requirement (a) for state employees, (b) county employees, and (c) municipal or city employees. If your state does require an oath, will you kindly send us a copy of it [*sic*].³⁵

The Council received forty-four replies to their request for information. The staff collected, collated, and analyzed the data creating a survey of how other states were dealing with the communist issue. In addition, the researchers studied communism and sought out published materials so that they could provide information primarily to state officials, but also upon request to private citizens. In several letters from students, concerned citizens, and even state politicians, it is clear the Council was gaining a reputation of being local experts on both communism and anticommunist programs.³⁶

During the final months of 1950, the Council was researching in preparation for the next legislative session. In September, *The American Political Science Review* printed an article by William B. Prendergast entitled "State Legislatures and Communism: The Current Scene." Assistant Director, Jack Strain wanted to make this article available to legislators for the new session. He sent letters to both the publisher

³⁵ Jack W. Strain to R.V. Bottomly, October 19, 1950, Box 2-B, Folder 2, Record Group 64-4, Legislative Council, Oklahoma State Archives, Oklahoma Department of Libraries, Oklahoma City, OK.

³⁶ Jack W. Strain to Jerry Gore, November 3, 1951, Box 2-B, Folder 2, Record Group 64-4, *ibid*.

and the author seeking permission to reproduce copies for distribution to Oklahoma lawmakers. In a letter to Prendergast dated October 21, 1950, the Assistant Director of the Legislative Council revealed a portion of the legislative agenda for 1951. Strain told Prendergast that “[w]e have one proposed bill relative to anti-communist [*sic*] oath which will be submitted at the coming session of the legislature.”³⁷ This letter to Prendergast is significant because it is evidence that, prior to the 1951 legislative session, a new oath bill was in development. It seems evident that state house officials were using the Legislative Council to design a new and stronger loyalty oath for Oklahoma. All of the research and work done by the Council to survey loyalty legislation from every state suggests a carefully planned effort on the part of some politicians. Despite the failures of the previous year to strengthen loyalty and security concerns in the state, work continued behind the scenes at the capitol so that officials could re-introduce communist-control legislation during the 1951 term.

The year 1950 was also an election year in Oklahoma. During the election cycle, politicians said little if anything directly about the need for new anticommunist legislation in the state. In fact, the Legislative Council produced a report for the incoming twenty-third legislative session, summarizing recommended actions the new legislature might want to address. Much of this summary dealt with economic and budgetary concerns. Nowhere within this document was there mention of any proposed measures to change the communist-control law in Oklahoma.³⁸

³⁷ Jack Strain to William Prendergast, November 21, 1950, Box 2-B, Folder 3, Record Group 64-4, *ibid*.

³⁸ “The State Legislative Council: Report and Recommendations to the Twenty-Third Legislature, December 2, 1950,” bound in *Oklahoma State Legislative Council Biennial Reports, 1948-1966*, located in State of Oklahoma Law Library at Oklahoma State Capitol.

Many state officials saw the Legislative Council as crucial to the effectiveness of the state's legislative session. The newly elected governor, Johnston Murray, noted in his first state of the state address at the statehouse the importance of the Council. He said:

In my judgment, the State Legislative Council is a most beneficial instrumentality of government. It keeps in touch with the needs, demands and requirements with which each session is confronted. As a fact-finding body it can ascertain the true reasons behind and supporting such needs, requirements and demands, and is a long intelligent step toward simplifying legislative problems and making it possible for you to complete your work more efficiently and with greater dispatch. It should be strengthened, encouraged and continued.³⁹

In the election campaigns of 1950, the most pressing concerns in the state of Oklahoma were government spending and taxation. Johnston Murray ran as the Democratic candidate for governor focusing on the need to help "Plain Folks" in the state. His greatest concern was that the ever-growing budgets of the federal and state governments placed too great a tax burden on average citizens. Murray and many of the state's Democrats tended to be more fiscally conservative than New Dealers. Murray campaigned on controlling state spending, not raising any new taxes, cutting government waste, and running the state government efficiently. He did express some concern over the growing threat of communism abroad and related concerns in Oklahoma. During his campaign, he clearly embraced the Democratic party's platform on communism that stated:

We, as Democrats, pledge that we will continue a vigilant and aggressive campaign against communism and all subversive groups and organizations which give their allegiance to any alien power. We recommend that the Legislature enact adequate laws to make membership in the communist party a crime and punishable as such.⁴⁰

³⁹ "Governor Johnston Murray State of the State Address, January 8, 1951," Box 3, Folder 1, Record Group 8-N-7-1, Governor's Papers, Governor Johnston Murray, Oklahoma State Archives, Oklahoma Department of Libraries, Oklahoma City, OK.

⁴⁰ "Inaugural Address," Murray Johnston Collection, Box 74, Folder 4, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

The outbreak of hostilities on the Korean peninsula in June 1950 did affect politics in Oklahoma in the 1950s. The gravity of the situation in South Korea created a number of concerns for Murray, who won the gubernatorial election in November by a thin margin. In a press release issued on December 11, 1950, the governor-elect said:

I am very sure that all Oklahomans join me in anxiety concerning the threat of marching communism, which we must prepare, in every way, to halt. The Korean crisis dictates that we bend every effort toward full and complete cooperation with those in command of our natural resources.⁴¹

Murray felt it was necessary to cancel some of his victory celebrations because of the growing international problems. In particular, he cancelled a Women's Democratic Council Victory luncheon in order "to attend the Interstate Oil Compact meeting, at Houston, on December 11."⁴² The fear was that the growing conflict in Korea would put additional strains on the state's economy and natural resources. Two specific concerns were the possible decrease in college enrollment because of the drafting of young men, and the additional tax burdens for businesses and citizens because of the hostilities in Korea.

During the years immediately after World War II, Americans began to appreciate the potential threat of communism around the world and here in the U.S. In response to these threats many states began enacting security measures to ensure the safety of their existing governments and citizens. From 1945 to 1950, politicians in Oklahoma worked to strengthen communist-control legislation enacted in 1941. Not all of their efforts were successful, yet they were persistent and seemingly dedicated to the notion that Oklahoma

⁴¹ "Immediate News Release by Johnston Murray," Murray Johnston Collection, Box 45, Folder 1, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

⁴² Ibid.

politics and the state's agencies and institutions should be free of subversives, radicals, and in particular communists.

Nonetheless, the New Year would begin with a new governor and a new state legislature. In Oklahoma, the New Year was full of potential and hope for a better day for the state and its citizens. For dozens of Oklahomans the potential and hope for a good year would diminish as the new legislative year progressed. The choices and experiences of some state employees would challenge their faith in American justice, fairness, and liberties. Within six months, many individuals' reputations were tarnished; some would lose their jobs, while many others were unsure of their futures. Unfortunately, many of the community leaders who fought against the encroachment of civil rights by the state in 1941 and 1945 were now gone. Would anyone stand up for those soon to be alienated by the state? For these Oklahomans, 1951 would not be a very good year.

PART II:
The New Loyalty Oath of 1951

CHAPTER 5:

Anticommunist Politics and Opposition to the Oath

During the first several days of 1951, state and local officials across the state of Oklahoma took oaths of office and swore allegiance to their nation and state as required by law. This included both elected and appointed officers, district court judges, courtroom reporters, bailiffs, county commissioners, state representatives, senators, and even the governor.¹ On January 8, 1951, Johnston Murray's father—William “Alfalfa Bill” Murray, former Oklahoma governor—swore his son into office as the new governor of Oklahoma. One of his first acts as governor was to sign both the oath of office and the state loyalty oath enacted in 1941 and amended in 1945. Former governor “Alfalfa Bill” not only did the swearing in of his son, but also witnessed and notarized the signing of both the oath of office and the state loyalty oath.²

In his state of the state address, the new governor reiterated to the Twenty-third Legislature of Oklahoma his concern over the threats of communism abroad. He said

¹ “County Aides Take Oaths,” *Stillwater Daily News Press*, January 2, 1951. “Nine Courthouse Judges Take Oath,” *Oklahoma City Times*, January 8, 1951.

² “Oaths of Office,” Box 2, Folder 4, Record Group 8-N-7-1, Governor’s Office Records, Oklahoma State Archives, Oklahoma Department of Libraries, Oklahoma City, OK. The loyalty oath signed by the governor was the amended version of the 1941 oath. The Governor’s Office had numerous copies of the oaths printed and bound in dark blue velvet-like binders with gold lettering commemorating the occasion. Original signed and notarized oaths are located at the Oklahoma State Archives.

As these words are spoken . . . this nation and all the free nations of the earth stand in the greatest peril known to their existence. We sought by diplomatic intercourse, even to the extent of turning our heads while small nations have been encircled and enslaved, to avert the condition that now confronts us, instead of satisfying or appeasing the grasping, selfish designs of the Monster which menaces us . . . they brazenly seek to impoverish and enslave the world. . . we must forego give and sacrifice everything and all things necessary to make us strong and keep us strong to the end that free men will love us and tyrants will fear us. Let us therefore, here and now, make solemn compact and agreement that the safety and defense of this our nation shall be of first and primary consideration in all of our deliberations. Let us now resolve that we will subordinate all things to this purpose, and that we will limit or curtail any and all government agencies, institutions and expenses to whatever extent or degree is necessary to enable our people to carry the cruel burden of taxes that shall be impressed upon them during this national emergency (italics added).¹

Regarding the threat of communism within the state of Oklahoma, the governor stated:

Thanks be to the intelligence and high moral standards of the citizens of Oklahoma, the problem of communism and communistic thinking *has not as yet been too great a menace in this our State. Its presence, however, must be admitted* and by the processes of infiltration and its cunning underground methods, it is found lurking in many places. It is contrary to every concept of decent thinking, destructive of our ideals of freedom and would, if permitted: destroy our government and substitute therefore the enslavement which now curses and renders almost helpless the lives of a great portion of this earth. *I urge you to check all of our laws carefully in this connection to determine whether or not sufficient preventive measures are provided for; if not, they should be strengthened.*

There is no room for communism or communistic thought in Oklahoma. I do not favor its control; I favor its complete obliteration and elimination, and to this end I shall exert every possible effort. I know that you will do likewise (italics added).²

Anticommunist speeches like Governor Murray's, or other forms of anticommunist political activity tended to encourage an atmosphere of fear in postwar America. This was true also in Oklahoma where most citizens were more accepting than others of stepped up security measures and decreases in their own civil rights.³ This

¹ "Inaugural Address," Murray Johnston Collection, Box 74, Folder 4, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

² Ibid.

³ David Caute, *The Great Fear: The Anti-communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 11. Stouffer's polling data gathered before 1955 suggested that the fear in America was not great. He said, "[we] have found no evidence that the country as a whole is suffering from quivering fear or from an anxiety neurosis about the internal Communist threat." Samuel A. Stouffer,

apprehension affected all levels of government. Many communities passed loyalty oath legislation that required public employees to swear allegiance to the United States so that “[in] schools, universities, [and] town halls, a continuous, pious mumbling of oaths were heard--the liturgy of fear.”⁴ This anti-Red fervor manifested itself very early in the new legislative session of the Oklahoma Twenty-third Legislature. Actually, before the inauguration of Governor Murray, on January 3—only the second day of the session—the House of Representatives had proposed anticommunist legislation. The new bill reintroduced a proposal from 1949 requiring all government employees to sign an oath. According to early published reports “the non-communist oath bill, authored by seven house members, would make it a felony for public employees to advocate the overthrow of the government by unlawful means. Those refusing to take the oath would be fired.”⁵

Representative William K. Shibley introduced House Bill (HB) No. 8 in the state house. Shibley was from Bristow, in Creek County, about twenty-five miles southwest of Tulsa. He had served in the legislature since 1947.⁶ The bill also had several co-sponsors including Gene Stipe from McAlester; Bill Haworth of Fort Gibson; Richard Smith from Tahlequah; Dave L. Smith of Claremore; and Dale Griffin from Cloud Chief.

Communism, Conformity, and Civil Liberties: A Cross-section of the Nation Speaks Its Mind, (Gloucester, MA: Peter Smith, 1963), 220.

⁴ Diane Ravitch, *The Troubled Crusade: American Education, 1945-1980* (New York: Basic Books, Inc., 1983), 93. Ravitch points out that the fear of communism experienced in this country began with the Russian Revolution and continued throughout the period between the 1920's and 1950's. Perhaps a more understandable analogy for Americans in the post-9/11 world is the “fear” of terrorism. For most, this “fear” is more of an awareness of potential danger that probably will not interrupt everyday existence, but does cause anxiety in certain situations.

⁵ “State Solons [sic] Introduce Bills; Oppose Video,” *Stillwater Daily News-Press*, January 3, 1951.

⁶ Rep. Shibley had a long career in Oklahoma politics. He served from 1947 through the 1963 session. See George G. Humphreys, *A Century to Remember: A Historical Perspective on the Oklahoma House of Representatives* (Oklahoma City, OK: Oklahoma Legislature, 2000).

All the sponsors were Democrats from smaller communities in the state. In fact, in the Twenty-third Legislature, only 19 of 118 members were Republican. Democrats controlled both the legislature and the governor's mansion.⁷ On January 3, the Local-State-and-Federal Government Committee of the House, chaired by Charles Ozmun of Lawton, received the act for immediate review. Ozmun passed it out of his committee on January 10 without any public hearings and a "do pass" recommendation.⁸

Initial media reports were skeptical about the prospects of the new oath bill becoming law in the state. One newspaper reported that the bill was "shot-gunned" through the House committee, but that the same thing had happened in 1949 when the bill later expired in a Senate committee.⁹ Several legislators did not oppose HB No. 8 "for fear of being branded pro-communist." Privately, and off-the-record, they did not think the bill was practical as a tool to locate and deal with communists, and would "only give state and local agencies . . . a tremendous amount of paper work to do."¹⁰

Interestingly, the first version of this bill proposed by Shibley was very similar to HB No. 48, which had failed to make it out of the Senate Revenue and Taxation Committee in 1949.¹¹ As of January 11, Shibley's oath bill remained rather generic. The oath required signers to "support and defend" both the state and nation and the laws of the lands. Signers were to promise they did not "advocate" the overthrow and destruction

⁷ "Members of Twenty-Third (23) Legislature," George Lynn Cross Presidential Records, Box 78, Folder "Legislature," Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

⁸ "Anti-Red Oath Bill Gets Do-Pass Recommendation," *The Oklahoma Daily*, January 10, 1951; "House Speeds Bill Providing Anti-Red Oath," *Oklahoma City Times*, January 10, 1951.

⁹ "Loyalty Oath Bill Debated," *Stillwater Daily News-Press*, January 10, 1951.

¹⁰ *Ibid.*

¹¹ "House Speeds Bill Providing Anti-Red Oath," *Oklahoma City Times*, January 10, 1951.

of Oklahoma or America, and had not belonged to any group “within” the past five years that wanted to “overthrow the Government . . . by force or violence or other unlawful means.”¹²

Clearly missing from this early version was any specific mention of communism or the Communist Party. In addition, this original version made no mention of the “bear arms” clause that dated back to the 1941 loyalty oath. Several individuals at the time thought little opposition would form against this version of HB No. 8. A.R. “Bert” Larason, floor leader in the House, told reporters that he expected “little opposition to the measure.”¹³

However, when HB No. 8 emerged from committee for its second reading in the House, legislators began attaching amendments to the bill. Unfortunately, there would be confusion in some of the newspapers and among state politicians as to what was actually added to the bill making its way through both chambers of the legislature.¹⁴ On January 11, House members amended the bill making the act more specific. One change was to make certain that the act not only included all government “officers and employees of the State, county, school district, municipality or public district,” but also teachers in particular.¹⁵ According to one news report, “university professors . . . in fact, all school teachers . . . were added to the list . . . who may have to swear they are not

¹² See Appendix A for Representative Shibley’s proposed oath in its entirety. “The House of Representatives, Thursday, January 11, 1951,” George Lynn Cross Presidential Records, Box 78, Folder “Legislature,” Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

¹³ “House Speeds Bill Providing Anti-Red Oath,” *Oklahoma City Times*, January 10, 1951.

¹⁴ Since newspaper reporting over the amendments added to HB No. 8 was irregular or just not reported on by several major media outlets, greater reliance is placed upon official records of both the House and Senate in reconstructing the evolution of the amendment process of the bill, see p. 166 n. 58.

¹⁵ *House Journal 1951*, 480. See Section 1.

communists.”¹⁶ Representative Shibley told the media that the purpose of this change was “specifically to include university and college employes [*sic*].”¹⁷

Shibley’s amended bill moved to its final readings in the House on 15 January and passed with 107 members voting for the new oath, 11 members “excused,” and no 1 voting “opposed.”¹⁸ The Speaker signed the bill and it became the first piece of legislation to pass during the 1951 session. The House then sent its proposed anticommunist loyalty oath to the Senate. In the Senate, revisions and additional amendments to HB No. 8 created even greater opposition to legislators’ latest efforts to rid the state of the “Red scourge.”

It is clear that the anti-Red legislation of 1951 was not the result of an impulsive notion of certain state politicians. The state had a persistent record of wrestling with the perceived problem of communism in the government and schools. Dating back to 1941, officials chronically feared communists winning elections or receiving appointments to state, county, or municipal office. There had been persistent rumors since the first Red Scare that communists were influencing young people on the college campuses. During the previous ten years, two out of three efforts by House leadership succeeded in creating or strengthening the state’s anticommunist oath. The Senate and the House both launched their own “little HUAC” investigations in the state. Even the much-derided House investigation in 1949, chaired by Cantrell, initially received significant support and approval notwithstanding its limited duration. It was unclear if the mounting

¹⁶ “Anti-Red Oath for Teachers Likely,” *The Daily Oklahoman*, January 12, 1951.

¹⁷ “House Approves Loyalty Oath Bill for Teachers,” *Oklahoma Daily*, January 12, 1951. Throughout this period, newspapers spelled the word “employees” or “employee” with only one letter “e” like “employes.” Since this was so common, please excuse the limited use of [*sic*] in quotations.

¹⁸ *Ibid.*, 128-129.

opposition to HB No. 8 was going to be enough to stop the momentum of the growing anticommunist fervor of 1951. Perhaps of greater significance to the fate of the pending legislation was the heightened reporting by the media that both foreign and domestic communism were endangering the nation and state—something Oklahomans simply could not ignore.

When Representative Shibley’s anticommunist oath bill passed the House on January 15, 1951, few Oklahomans noticed, much less opposed it. Early opposition to the bill came from the college campuses in the state. The version of HB No. 8 that passed the House specifically included college faculty, and public schoolteachers.¹⁹ Initially, this stirred little reaction among the employees at both the University of Oklahoma and Oklahoma A&M.

The first real opposition to HB No. 8 came from the student newspaper at Oklahoma A&M, *The Daily O’Collegian*, or *The O’Colly*. In the Friday edition of 12 January 1951, the student editor took issue with the bill after it emerged from committee, before state representatives amended, passed, and sent it to the Senate the following Monday. Although the legislation did not yet mention communism specifically, the intent of the law was apparent to even the college editorial staff. The editorial read in part:

¹⁹ The new bill would require “all university employees from the janitor to the president” to sign an oath. “State Anti-Commie Bill Won’t Work Cross Believes,” *The Oklahoma Daily*, January 13, 1951.

No American should be limited in political choice by signing such a statement. No loyal communist would mind signing such a statement. Therefore, why bother? This question needs consideration here at A. & M., where nearly half of the people on this campus are employed by the state directly or indirectly. It will not do the job it is designed to do, keep communists out of public office and out of the schools. It will restrict free political thought. It will violate the long-standing principle that the U.S. government is subject to criticism by its citizens. It will do this while purporting [*sic*] to combat communism When we bar the communists from our country, we get rid of only men. Their ideas remain We will not get rid of communists and their ideas by driving them underground. We will easily be rid of them by spotlighting the men defending communism. The proposed plan for keeping communism out of Oklahoma politics will only make it harder to locate them.²⁰

The O'Colly editorial expressed the types of arguments initially brought against this legislation. Early in this debate, those opposed to the oath contended that the legal requirement would primarily dampen the political thought and expression of Oklahomans, and it simply would not be an effective way to control communists.

Newspapers in Norman and Stillwater reported that on the campuses a few people thought the new oath requirement might create civil rights concerns. However, at the time George Cross, President of the University of Oklahoma, said that he did not think this act “would cause much interest down here [at OU] one way or the other.”²¹ President Cross stated that OU’s hiring practice for years included screening of potential employees to determine if they were members of the Communist Party. The implication was that the university did not hire known members of the Communist Party. President Cross expressed concerns regarding the pending legislation, but also understood why legislators wanted to strengthen and expand the existing oath. He said,

I don’t believe an oath would do any good, because communists don’t object to swearing to a lie. At the same time if people would feel more secure with an oath, I see no reason why we shouldn’t have an oath. I don’t believe the bill will catch any communists, but on the other hand I’m not opposing it.²²

²⁰ “*The Editorial Spotlight*,” *The Daily O’Collegian*, January 12, 1951.

²¹ “OU Welcomes Loyalty Oath,” *Stillwater Daily News-Press*, January 12, 1951.

²² *Ibid.*

Nevertheless, some feared the pending oath bill would create controversy on the state's college and university campuses. According to OU's student newspaper, "a situation which could lead to a tragic disruption similar to that experienced by the University of California" was possible at the university.²³ This was a reference to the oath controversy that erupted when the Board of Regents for the California university system required employees to sign an oath of allegiance. The uproar began in March of 1949 and continued for nearly three years as the University of California schools dealt with three different oath controversies in that state.²⁴

On January 14, a letter writing campaign in opposition to the new oath began on the Stillwater campus. Several individuals over the next several days began sending letters to Governor Murray in an attempt to get him to oppose the pending legislation in the House. One letter was from Werner C. Baum, Assistant Professor in the Botany and Plant Pathology department at Oklahoma A&M. Professor Baum wrote the governor to voice his opposition to the pending bill. Baum spelled out several reasons for opposing the new oath. He stated,

I feel that the oath violates the spirit, if not the letter, of our democracy; the oath assumes that a man is guilty before he has been so proven . . . the oath intimidates the individual with the threat of removing his means of livelihood and is therefore *a form of coercive thought control* . . . the oath is incapable of achieving its purported objectives, inasmuch as a bona fide subversive would undoubtedly have *no compunctions* against taking the oath falsely; at the same time many people who might not believe in the oath would sign it in order to keep their jobs (italics added).²⁵

²³ "Oklahoma," *Oklahoma Daily*, January 13, 1951.

²⁴ For more on the University of California oath problem, see David P. Gardner, *The California Oath Controversy* (Berkeley: University of California Press, 1967).

²⁵ Werner C. Baum to Governor Murray, January 14, 1951, Box 1-A, Folder 17, Record Group 8-N-2-1, Governor's Papers, Governor Johnston Murray, Oklahoma State Archives, Oklahoma Department of Libraries, Oklahoma City, OK.

As with most letters received by the governor's office, the state's chief executive tried to respond personally, but typically just sent a standard reply letter back to each sender. In most cases the governor's assistant attorney, LeRoy Powers, replied to those informing the governor of their opposition to the oath bill. Powers's typical response was to express the governor's appreciation for the citizen's concern and letter, but when it came to legislation pending in the House or Senate, citizens needed to contact their representative or senator, not the governor's office.²⁶

Governor Murray also received a letter from Miss Luella Nietz, who was an Assistant Professor in the Department of Music at Oklahoma A&M. For Nietz, the pending oath requirement was deeply troubling. She said,

The signing of the oath does not actually serve to weed out communists or other subversive elements, for they would not hesitate to take such an oath. On the other hand, some of us who are loyal citizens consider the signing of an oath undemocratic in that it restricts freedom of thought and is indicative of fear and hysteria rather than deep thinking and wise action. Consequently, those of us who wish to maintain the democratic ideal *cannot conscientiously sign it*, and the oath will only serve to force us out of the educational system (italics added).²⁷

Powers's reply was little more than acknowledging that the governor's office received Nietz's letter.²⁸

Another noteworthy letter sent to the governor during the early stages of the legislative process was from a married couple working at Oklahoma A&M—a Mr. and Mrs. A. D. Ziebur. Nancy Ziebur was a Research Assistant in the Zoology Department and her husband Allen was an Assistant Professor in the Math Department. The Ziebur's opposed the oath because they believed it would result in a weaker democracy. They

²⁶ LeRoy Powers to Werner C. Baum, February 2, 1951, *ibid.*

²⁷ Luella Nietz to Governor Murray, January 14, 1951, *ibid.*

²⁸ LeRoy Powers to Miss Luella Nietz, February 2, 1951, *ibid.*

admitted that they thought communism was a real threat to America but said that the oath was not the appropriate solution to the problem. Their letter read,

We think on the basis of the communists' record, that the perjury involved in signing a loyalty oath would be a matter to cause them little concern. . . . On the other hand, we feel that there is real danger that the oath and the precedent thereby set could be positively harmful to our democratic society. *To make the holding of certain beliefs a punishable offence is a step which should not be taken lightly*—no matter how abhorrent those beliefs may be. To ask for a denial of certain thoughts is an invasion of privacy which has not heretofore been part of our democratic system. Perhaps the greatest danger of the proposed oath is that it sets a precedent. If it were adopted, it would then be possible *to ask for a denial of belief in the principles of socialism, catholicism [sic], or in any system of beliefs not popular with the majority* (italics added).²⁹

The official response to the Ziebur's included a rebuttal to their claims that the new law would somehow punish or outlaw certain beliefs or opinions. Powers sought to clarify for the couple that the pending bill simply would punish those who perjured themselves by swearing falsely to the oath.³⁰

In response to a letter sent to Governor Murray from Paul Palmer, the governor's office forwarded the letter to the office of Representative Gene Stipe, a co-author of HB No. 8. Palmer, an Oklahoma A&M student and employee in the school's library, expressed concern that a new oath would not bother disloyal Americans. In response, Representative Stipe argued that the oath requirement would be effective in dealing with communists or disloyal Americans because perjury is a punishable offense. Anyone caught falsifying an oath would be subject to prosecution by the state. Stipe contended that loyalty oaths have been part of the American republic since its beginnings and even presidents and governors are required to take oaths in order to serve in those positions of authority. He proposed that if it is acceptable to require oaths of elected officials, it made sense to make those who work for state officials take an oath as well. The

²⁹ Mr. and Mrs. A. D. Ziebur to Governor Murray, January 16, 1951, *ibid.*

³⁰ LeRoy Powers to Mr. and Mrs. A. D. Ziebur, January 19, 1951, *ibid.*

Representative's letter then took a more personal direction when he said to Palmer, "If you are opposed in principle to such an oath, you can avoid the necessity of taking it by not being an employee of the taxpayers of our state."³¹ Stipe clearly believed that the oath did not violate any democratic ideals or principles and was a necessary tool for the state to protect Oklahomans from subversives.

There were a few other letters sent to the capitol during the first weeks stating concerns or outright opposition to the pending bill. Two other letters from employees at Oklahoma A&M reached the governor during those first few days after HB No. 8 passed in the House. One lengthy letter from a Robert A. Rohwer argued that the governor should veto this legislation because the net results would be the opposite of those intended. Rohwer argued that fear was the motivation behind the push to pass this bill. The assurance of security created by the oath would lessen the fear of citizens, lulling them into a sense of complacency. This would lead to the lowering of security—therefore making Oklahoma less safe. Rohwer then indicated that he did not intend to sign the loyalty oath if it passed.³² Another letter from Joseph D. Mandell voiced his protest by categorizing the oath as an absurdity that served no real purpose.³³ Obviously, HB No. 8 was beginning to stir people either to accept or oppose the legislation, and soon several individuals would take action either for or against the oath. Some like Rohwer and Mandell simply voiced their opposition. Others like Werner C. Baum, Luella Nietz,

³¹ Gene Stipe to Mr. Paul G. Palmer, 1 February 1, 1951, *ibid.*

³² Robert A. Rohwer to Governor Murray, January 15, 1951, *ibid.* There is no evidence that Robert Rohwer ever refused to sign the required oath; his name does not appear on the lists of non-signers at A&M, see Appendix D.

³³ Joseph D. Mandell to Governor Murray, January 18, 1951, *ibid.*

Paul Palmer, and Nancy Ziebur would actively resist the encroachment on their civil liberties by the state.³⁴

Despite such opposition, some Oklahoma newspapers again began printing editorials and articles containing accusations of communist trouble both on college campuses and within government agencies. An editorial in a Stillwater newspaper argued that the new oath needed to pass the state legislature. The editor speculated that those who had opposed the last effort to update the state's oath in 1949 and those opposed to the current effort did not understand the practical implications of its passage. The idea that the oath might encroach upon someone's rights was "just plain bunk." The goal of the oath was not to diminish academic freedom on campuses. The oath "merely puts the professor on record that he is either an American or a potential enemy of America." Educators should have the ability to explain the different types of governments in their curriculums, but the "slowest student" should understand that the American form is best. The editorial concluded that anyone who taught communism "as a way of life is traitorous to America and to those who might be in the classroom."³⁵ Such thinking created a dilemma for teachers. Instructors who taught about other forms of government might find themselves labeled communists or communist sympathizers, and a danger to students in the classroom. Suddenly, the expectation of academic freedom became synonymous with treason. Such hyperbole reinforces David Cate's interpretation that the fear of communism endangered democracy itself. In the case of

³⁴ There will be a more detailed account of these objectors in the next chapter.

³⁵ "Oath is Needed," *Stillwater Daily News-Press*, January 14, 1951.

Oklahoma, fear among citizens allowed state officials to disassemble the freedoms they sought to protect.³⁶

On January 22, another editorial entitled “Loyalty Board Busy” defended the federal government’s ongoing loyalty investigations across the nation. The federal government investigated over two million federal employees during a four-year period. This review of federal workers resulted in the firing of 294 people. In addition, approximately 2,800 resigned their positions during the investigative process. The editors of the *Stillwater Daily News-Press* lauded “the wisdom displayed in setting up the loyalty review board,” which was effective and therefore must continue screening federal employees.³⁷ The rationale was that if the federal government was actively searching for radicals, subversives, and communists, then there must be a problem with these types of individuals infiltrating the government. The results of the review process sounded impressive with nearly three hundred employees fired and around 2,800 resigning. The fact that the program fired or forced out nearly 3,100 employees seemed to convey that many potentially dangerous people no longer worked for the government.³⁸ Yet, the loyalty program forced out only an infinitesimal fraction of the total number of federal workers. Nonetheless, the point of the editorial was to illustrate that programs designed to promote loyalty and security did serve a vital purpose in protecting America, and programs like the Loyalty Board seemed to get results, which was significant when considering the efforts of state senators to pass a new loyalty requirement.

³⁶ Caute, *The Great Fear*.

³⁷ “Loyalty Board Busy,” *Stillwater Daily News-Press*, January 22, 1951.

³⁸ *Ibid.*

In the Senate chamber, further modifications to HB No. 8 enflamed growing passions against the oath. Initially, Senators referred the bill to committee for review on January 16, and two days later the Committee Review (CR) recommended a “do pass” for the oath.³⁹ However, on January 24, Senator Everett S. Collins from Sapulpa withdrew the bill from the calendar in order to re-refer the bill to the Local, State, and Federal Government Committee for more consideration. The committee had received several letters of protest from Stillwater, Oklahoma, which was part of Collins’s senatorial district made up of Payne and Creek County. The senator claimed that most of the opposition to the pending legislation came from his home district. The letters focused on the fears that the bill would “be contrary to our ideals, religion, and philosophy of life.” Others cited concerns that the new oath would “diminist [*sic*] our civil liberties,” or that this was “only another step toward socialism.”⁴⁰ The notion that the bill might be in conflict with the religious or philosophical scruples of some Oklahomans was one of the initial arguments against the passage of HB No. 8. Religious scruples remained one of the main concerns of those opposed to the passage of this oath as well as part of the legal arguments used in court cases following its implementation by the state.

Senator Collins responded to the letters criticizing the pending bill. He said,

I most heartily agree with your thinking wherein you believe that in all probability the bill would not obtain results intended. However, I’m not in accord with views that certain people would become incensed . . . and think it inconvenient . . . as to the matter of inconvenience in subscribing to such an affidavit many thoughts travel through my mind. One stands paramount in my thinking—what would those men fighting in Korea think about the inconvenience of pledging or reaffirming allegiance for a free world that they are fighting for and have such a great admiration and great respect for?⁴¹

³⁹ *Senate Journal, 1951*, 115, 122.

⁴⁰ “Loyalty Oath Opposition Is From This City,” *Stillwater Daily News-Press*, January 25, 1951.

⁴¹ *Ibid.*

The editorial staff at the *Stillwater Daily News-Press* agreed with the Senator's opinion regarding those opposed to the oath. In an editorial the next day, the editors called the opposition "a bunch of hog wash from intellectual bums . . . the same silly arguments put up by employes [*sic*] at the University of California." They also speculated on how anyone could come up with "such stupidity."⁴²

This editorial would come to exemplify the tone and approach used by most defenders of HB No. 8. This type of thinking was simply an argument for safer state institutions, which safeguarded the American ideas of freedom, justice, and democracy.⁴³ The editorial comments pointed to some of the first assumptions expressed in the press regarding the emerging debate over this bill. Many believed it was essentially the professoriate class in opposition to the bill. If criticism came out of Stillwater, it must have come from the College. A second assumption suggested that if a professor was critical, then only two explanations were possible. First, the professor might be intelligent but lack the common sense to realize the need for increased loyalty and security concerns in America during a time of war. Second, professorial opposition might indicate a latent sympathy for communism. For many citizens either implication was dangerous to the state's security and the welfare of Oklahoma's institutions of higher learning. Nonetheless, because of mounting opposition, particularly from his district, Senator Collins made a motion for a second committee review of the bill in order to give concerned individuals the opportunity to be heard. Senator A. E. Anderson, from Elk

⁴² Editorial, "Stupidity At Its Worst," *ibid.*, January 26, 1951.

⁴³ The general attitude of many of those who supported the loyalty oath and defended it against criticism exemplified the classic perception of anti-intellectualism in America. The anger exhibited toward members of college and university faculty clearly supports the notion that highly educated members of Oklahoma's population were not to be trusted. The ridicule of professors in the newspaper and in legislative session would only increase as debate over the new loyalty oath continued. See Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1963), 38-44.

City, the chair of the committee, convened a public hearing on January 30 in the Senate Lounge.⁴⁴

On the day of the hearing, the *Stillwater Daily News-Press* endorsed the loyalty oath bill and the amendments proposed by the Senate. The public knew the oath was for all public employees including teachers, but the Senate committee proposed additional requirements such as banning communists and requiring that signatories be willing to fight, if necessary, for America. The newspaper's editors argued that HB No. 8 would make it easier for officials to go after known communists. Opponents contended that such laws merely drove the intended targets underground, which would make it more difficult to locate suspects. In a rather convoluted argument, supporters claimed that the law would not make those individuals already known to be communists unknowable by forcing them to hide their beliefs or affiliations. In addition, communists who took the oath would perjure themselves and be subject to criminal charges. The editors further approved the notion of requiring public employees to be willing to defend the nation in the case of a dire emergency. The editorial stated, "Some may object to taking up arms, but they should realize they have the luxury of independence won by those who have taken up arms."⁴⁵

The Senate hearing gave those opposed to the pending legislation an opportunity

⁴⁴ *Senate Journal, 1951*, 145. Robinson confuses the Local, State, and Federal Government committee hearings, chaired by Senator Anderson, on January 30 with a later hearing chaired by Senator Keith Cartwright, chairman of the Military and Veterans Affairs committee on February 14. Cartwright chaired a special combined hearing of both senate committees on that day. "Proposed Loyalty Oath Is Due Hearing Today," *The Daily Oklahoman*, February 13, 1951. Robinson based his information on an interview he conducted with Senator Keith Cartwright in 1955 concerning the oath controversy. James A. Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma* (Norman, OK: Bureau of Government Research University of Oklahoma, 1956), 43.

⁴⁵ "Loyalty Oath Is Needed," *Stillwater Daily News-Press*, January 30, 1951.

to voice their concerns in a public forum. This would be the first hearing held for the 1951 Oklahoma loyalty oath bill. The committee listened to statements from two employees from Oklahoma A&M. Both Paul Palmer and Mrs. A. D. Ziebur,⁴⁶ earlier in January, were part of a letter writing campaign to Governor Murray opposing the proposed oath, and now appeared as witnesses before Anderson's committee. Palmer, a veteran, was a student who worked in the library, and taught English at the college. Representative Gene Stipe had previously sent a letter to Palmer telling him to quit his job at the college if he did not like the oath. Before the committee, Palmer expressed his concern that the proposed oath was not a good way "to make democracy stronger."⁴⁷ Ziebur, a research assistant in the Zoology Department, repeated the main points from her letter to the governor to the senators, saying that such legislation illustrated weakness "and the communists would welcome requirement for such a law."⁴⁸ After hearing from Ziebur and Palmer, Senator Anderson and his committee immediately issued their review of HB No. 8 to the full Senate with the recommendation to pass the bill.⁴⁹

As opposition to the anticommunist oath began gradually increasing, so did support in favor of the legislation. A couple of insignificant events occurred in Oklahoma during the weeks legislators were considering the anticommunist oath. Both of these minor episodes stirred up local curiosity in the state and contributed, at least locally, to arguments for increased vigilance against the spread of communism in

⁴⁶ Mrs. A. D. Ziebur was Nancy Kent Ziebur's married name. See p. 155 n. 29 above. She would be one of the seven interveners in *Wieman v. Updegraff* case involving employees of A&M. Many accounts misspelled her name as Ziebuhr. Newspapers also reported that she worked as a researcher for the Atomic Energy Commission on the A&M Campus.

⁴⁷ "Senate Get Bill On Loyalty Oath," *The Daily Oklahoman*, January 31, 1951.

⁴⁸ *Ibid.*

⁴⁹ *Senate Journal*, 1951, 160.

Oklahoma City and stronger communist-control measures at the state and local level.

On January 23, the Oklahoma City police arrested John Jefferson Mescher for selling communist newspapers and soliciting signatures for a petition seeking the release of individuals incarcerated in the state of Virginia. There were no specific local laws that prohibited the sale of *The Daily Worker* or petition drives within the city limits. The charge against Mescher was “breach of the public peace by willingly distributing or circulating literature, which language, by its common acceptance is calculated to cause a breach of the peace or an assault.”⁵⁰ The city did not have any specific laws or ordinances banning communist literature. The use of this “public peace” ordinance allowed officials a wide range of interpretation when considering what types of written speech were acceptable within the city. Unfortunately for Mescher, the arresting officers deemed the communist newspapers he was distributing as unacceptable and potentially dangerous to the order of the community. Mescher would have a second encounter with the Oklahoma Police Department exactly four months later. On May 23, during the height of the oath controversy, Oklahoma City police detectives again arrested Mr. Mescher. City police again took the retired city man into custody for selling *The Daily Worker* on the northeast side. Evidently, after his first arrest in January, the city police decided that Mescher was significant enough of a threat to put him under police surveillance. Oklahoma City Police Detectives followed him and “kept track of who he

⁵⁰ “Police Fine City Man for Selling Communist Paper,” *Oklahoma City Times*, January 25, 1951. Walter Gellhorn refers to the 1950 case in Oklahoma City when Alan Shaw the, Communist Party leader for both Oklahoma and Arkansas, tried to conduct a clandestine meeting in a secluded field. The local police got word of the meeting and raided it, arresting everyone they captured. The charge was disorderly conduct, see Walter Gellhorn, ed., *The States and Subversion* (Ithaca: Cornell University Press, 1952), 383. For additional information on Alan Shaw, see Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 39-40.

sold papers to.”⁵¹ Mescher appeared before Police Court Judge Mike Foster, who fined the man \$20 for disturbing the peace on the northeast side of the city. Keith McMillian, an assistant municipal attorney assigned to the police court, explained the city ordinance relating to subversive literature to city journalists. The lawyer for the city essentially claimed that in Oklahoma City the determination of subversive content was based not on the substance of the material but upon how the community reacted to the literature. McMillian said, “The ordinance provides that any person selling or distributing literature that causes unrest or friction in a neighborhood is guilty of breach of the peace.”⁵² Mescher refused to speak to journalists at the time. Police records indicated an arrest of Mescher in 1942 related to some activities with well-known local communist, Alan Shaw.⁵³

A second event also gained attention in the local media at that time. On January 31, Oklahoma City radio station KLPR fired one of its program producers for conducting a call-in poll asking his Oklahoma listeners if America should stay in or get out of the Korean conflict. The controversy erupted after *The Daily Worker* published the radio station’s listener poll. The final tally in the poll was 412 listeners wanted the U.S. out of Korea while only six callers indicated that they wanted America to continue participating in the war. The hullabaloo was too much for the station owner and management so they terminated Maurice Ogden. Ogden had a history of being identified as a local radical who associated with communist causes. As a student at OU, in the late 1940s, he had a

⁵¹ “City Pensioner Fined For Sale of Red Paper,” *Oklahoma City Times*, May 23, 1951.

⁵² Ibid.

⁵³ Ibid. An *Oklahoma City Times* reporter attempted to get Mescher to respond to several questions, such as was he unhappy with the American government, and if believed the communists in Russia would pay his pension.

reputation of taking controversial positions, and in 1950, he faced accusations that he was a communist, which he denied. Although no one found evidence proving him a communist, he resigned from his job as a union organizer.⁵⁴

The initial public hearings on HB No. 8 conducted by the Senate on January 30, 1951 were just the first of several hearings, debates, and arguments between those in favor of the anticommunist oath and those opposed to it. Yet, during the next several weeks, the state of Oklahoma became embroiled in a debate that raised numerous issues, which divided the citizens over loyalty, security, and legal concerns. This happened when the public perception of the communist threat in America was converging with a growing communist threat overseas.

There were already several significant amendments attached to HB No. 8 when the Senate referred the bill to committee for a third time on February 6 for more study and consideration, as well as another public hearing on February 14. Senator Keith Cartwright chaired a very well attended meeting, although it had snowed heavily the night before. A large number of out-of-state opponents of the bill came to the capitol to attend the hearings. Cartwright had to move the hearings to the Blue Room in order to accommodate the large number in attendance.⁵⁵ By February 28, Senator Cartwright's committee issued its review, which was a recommendation that the Senate, "do pass" HB No. 8 as amended.⁵⁶ The Senate amendments to Shibley's bill included the process by which the agencies administered the oath. The Senate amendments (SA) clarified who

⁵⁴ "Radio Quiz Like Red Party Line; Producer Fired," *The Daily Oklahoman*, February 1, 1951. See also Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 31, 39.

⁵⁵ "Proposed Loyalty Oath Is Due Hearing Today," *The Daily Oklahoman*, February 13, 1951; Robinson, *Anti-Sedition Legislation and Loyalty Investigations in Oklahoma*, 43.

⁵⁶ *Senate Journal*, 1951, 115, 122, 160, 178, 292.

had to take the oath. They established a deadline for when existing and new employees had to submit signed oaths. The Senate also increased the penalty for an employee who failed to sign the oath, failed to sign within a thirty-day period, perjured themselves, or joined a group that advocated the violent overthrow of the state or federal governments. According to the SA, each of these offenses would lead to the “forfeit of any public office or employment held by such persons.”⁵⁷

Senators reinserted a phrase that was part of the existing oath requirement in 1941 and 1945 when they added the “bear arms in case of emergency” phrase to Shibley’s bill. Perhaps the representatives believed the threat of fifth columnists in America was real enough to warrant requiring signers to accept this most extreme form of civic duty. Whether the addition of this phrase had its basis in real or imagined fears or a combination of each is unclear. Nevertheless, competing political interests were using ever-escalating patriotic rhetoric for their own benefit.⁵⁸

The numerous amendments to HB No. 8 began to produce considerable opposition to the oath, and contributed to both the political and legal difficulties the bill encountered in the statehouse and eventually in the courts. One such addition to HB No. 8 was a requirement that oath takers swear to their loyalty for the five previous years. The oath read, “[T]hat within the five years immediately preceding the taking of this oath . . . I have not been a member of any party or organization, political or otherwise, that

⁵⁷ *House Journal, 1951*, 480-482. See the last sentences in Sections 1, 6, and 7 of the act.

⁵⁸ *House Journal, 1951*, 480. See Section 2 of the act. In the House and Senate *Journals* amended changes to bills were designated with italicized print. The *House Journal* is the clearest evidence available detailing the Senate’s additions to the bill, before the House voted to approve the Senate’s version of HB No. 8 on March 21, 1951. Confusion over when and if HB No. 8 was or was not amended became a small part of the conflict to emerge with the passage of the new oath. The author is relying upon the accuracy and veracity of the official records of both the House and Senate to reconstruct the process by which HB No. 8 became law. For the controversy, see pp. 178-179 below.

advocated the overthrow of the Government.”⁵⁹ The most controversial amendments the Senate added to HB No. 8 were the additions that singled out communist organizations and reliance upon the United States Attorney General to determine what groups or affiliations were communistic. The first issue was the specification that employees must also swear that they were not members of the Communist Party. One of the longer sections added to the oath clarified the anticommunist purpose:

That *I am not affiliated directly or indirectly* with the Communist Party, the Third Communist International, with any foreign political agency, party, organization or Government, or with any agency, party, organization, association, or group whatever which has been officially determined by the United States Attorney General or other authorized agency of the United States to be a communist front or subversive Organization; nor do I advocate revolution, teach or justify a program of sabotage, force or violence, sedition or treason, against the Government of the United States or of this State; nor do I advocate directly or indirectly, teach or justify by any means whatsoever, the overthrow of the Government of the United States or of this State, or change in the form of Government thereof, by force or any unlawful means (italics added).⁶⁰

In addition to the anticommunist section, the Senate established the means by which the state of Oklahoma would determine who was a communist and which organizations were communistic. The amended version of the oath required employees to swear,

I have not been a member of The Communist Party, The Third Communist International, or of any agency, party, organization, association, or group whatsoever which has been officially determined by the United States Attorney General or other authorized public agency of the United States to be a communist front or subversive organization (italics added).⁶¹

These additions to the anti-Red oath raised civil rights concerns and legal questions that would take months and even years for the legislature and courts to resolve. Yet,

⁵⁹ *House Journal, 1951*, 480-481.

⁶⁰ “Preliminary Draft Not Final,” George Lynn Cross Presidential Records, Box 78, Folder “Legislature,” Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma. See also Section 2 of the act in, *House Journal, 1951*, 480.

⁶¹ *House Journal, 1951*, 480. See Section 2.

regardless of the growing negative attention focused on the loyalty oath bill, most senators remained committed to this piece of legislation.

Throughout the months of February and March, state senators continued to hold hearings on HB No. 8, and worked to improve the pending act. On March 15, the Senate voted on its amended version of HB No. 8. The bill passed with 38 senators voting for the measure, 1 not voting, and 4 members excused.⁶² The Senate sent the amended act back to the House for consideration. In less than one week, the Oklahoma legislature voted on the amended version of the bill. On March 20, the amended act came before the House for consideration and debate. The next day, Representative Shibley, who had originally introduced HB No. 8 in January, made a motion for the House to accept the Senate's amendments to the bill. The vote for passage of the bill was 109 legislators for and none against, with the remaining members excused.⁶³ Shortly after the legislature passed this new anti-Red oath, Governor Murray stated he would sign the measure soon. Murray went on to say he would sign the communist-control bill "for its psychological effect . . . I realize that communists will swear to a lie."⁶⁴ Even the governor recognized and was willing to point out the weaknesses inherent within oath requirements. It was less a tool to catch communists, and more a process by which to encourage conformity while providing a comforting sense of harmonious community.

The prospect of a new anticommunist loyalty oath in Oklahoma seemed almost assured with the passage of HB No. 8 by the state legislature and the pending signature of

⁶² *Senate Journal, 1951*, 371.

⁶³ *House Journal, 1951*, 479-482, 489-490.

⁶⁴ "Loyalty Oath Signing Soon," *Stillwater Daily News Press*, March 22, 1951.

Governor Murray. The muted voices of opposition would soon clamor for the governor to veto the bill, and when that failed, challenge state legislators to address serious flaws in the bill with corrective amendments. However, among the voices of opposition were a few who disagreed so strongly with the anti-Red bill that they would eventually refuse to abide by the new mandate. These individuals would be the objectors, who out of political, moral, or religious scruples, would refuse to conform or comply with the oath requirements.

The first real objector to emerge publicly in the 1951 Oklahoma loyalty oath controversy was a faculty member from the University of Oklahoma. On March 28, Richard A. Bodge, who taught English at OU, sent a letter to the editor of the *Oklahoma Daily* stating his objections to the oath and that he would not sign. In his letter, he gave four reasons why he objected to the pending oath. He believed requiring only public employees swear the oath was both coercive and discriminatory. He also argued that the state should not restrict the rights of communists, and he feared this bill would begin a process of limiting the freedoms of Oklahomans.⁶⁵

Bodge created a stir on the OU campus and even captured attention of some alumni. One alumnus from Oklahoma City, Roy L. Mayer, quickly responded to English's objections to the new oath measure. Mayer sent a letter to the Board of Regents urging "the immediate and unequivocal dismissal of Richard A. Bodge from the faculty of the University for his evident and flagrant refusal to sign the oath." Mr. Mayer stated that many of his fellow businessmen and classmates from his days as a student at

⁶⁵ "Instructor Refuses to Sign Oath," *Oklahoma Daily*, March 28, 1951; "Faculty Member Expresses Opinion on Anti-Commie Oath," *ibid*.

OU thought as he did about Bodge. He also told the board that his fifteen year-old son would soon be preparing for college, “but if the University continues to condone such thought and action . . . I certainly will not permit my boy’s enrollment at Oklahoma.”⁶⁶ Emil R. Kraettli, who was the secretary for the Board of Regents, responded to the outraged alumnus. The board wanted to assure Mayer that the “university did not condone the teaching of ideologies that are contrary to our democratic form of government . . . [and] that teachers and all employees are expected to support the Constitution of the United States and the State of Oklahoma.”⁶⁷ The secretary made a point to inform Mayer that the English instructor’s appointment would expire very soon. Indeed, Bodge had less to lose with his public statements objecting to the oath than most public employees. According to OU President, George Lynn Cross, Bodge’s temporary two-year contract to teach at the university was set to expire on June 1 and was not to be renewed. President Cross stated the Regents’ refusal to renew Bodge’s contract had nothing to do with his public letter.⁶⁸ Bodge’s letter also ignited a debate that spread beyond the Norman campus of OU.

Shortly after Bodge’s letter appeared in the newspaper, others began to express concern over the bill and called for the governor not to sign the legislation. The student newspaper at OU, the *Oklahoma Daily*, became a leading source of information and opinion both for and against the anticommunist oath. During the next several weeks,

⁶⁶ Roy L. Mayer to Board of Regents, March 28, 1951, George Lynn Cross Presidential Records, Box 79, Folder “Loyalty Oaths,” Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

⁶⁷ Emil R. Kraettli to Mr. Roy L. Mayer, March 31, 1951, *ibid.*

⁶⁸ “‘Oath’ Draws Faculty Opinion; Not All Praise,” *Oklahoma Daily*, March 29, 1951; “Professor to Shun State Loyalty Oath,” *The Daily Oklahoman*, March 28, 1951; “Anti-Red Oath Dangerous, Says OU Professor,” *ibid.*, March 29, 1951.

faculty members and students wrote letters to the editor, submitted articles, or responded to questions from staff reporters explaining what they liked or disliked about the oath. For some supporters of the oath, it was “much better to lose a little freedom by shackling the fangs of subversive elements than it is to be so ‘democratic’ as to . . . eliminate all thought of freedom for the rest of us.”⁶⁹ Others urged full cooperation with the legislature and governor in order to protect democracy from those trying to destroy it.⁷⁰ Those who opposed the oath argued that such efforts were counterproductive and “often hysterical, seldom logical, and sometimes dangerous to the civil liberties guaranteed by the Constitution.”⁷¹ One writer argued that all loyalty oaths were good for was establishing “a legal basis for guilt by association.”⁷² Responding to all the excitement and growing protest on the OU campus, *The Daily Oklahoman* entered the debate in support of the anticommunist oath. The editors of the paper disagreed with Bodge and those who were arguing the oath requirement violated the principle of academic freedom and the civil rights of communists. The editor argued one could not “concede that anybody who is friendly to a conspiracy to overthrow the government has the right to hold any kind of office of trust under any unit of government,” and those who disagree “are dead wrong.”⁷³

Two basic positions emerged during the early phase of the public debate on whether the state of Oklahoma should or should not have a mandatory oath of allegiance

⁶⁹ “Reader Says Bodge Wrong About Reds,” *Oklahoma Daily*, March 29, 1951.

⁷⁰ “Eaton Says Oath Protects Prof Freedom,” *ibid.*, March 30, 1951.

⁷¹ “Reader Says Bill Aims At Expression of Opinion,” *ibid.*

⁷² “Loyalty Oath Creates Guilt By Association,” *ibid.*, March 29, 1951.

⁷³ Editorial, “No Sacred Cows,” *The Daily Oklahoman*, March 31, 1951.

for all public employees. Two readers' letters included in the *Oklahoma City Times* weekly feature, "Friday Forum," illustrate the fundamental positions. J.W. Reed's letter exemplified the argument in favor of the loyalty oath. Reed's primary concern in the oath matter was security. The Oklahoma City resident argued that faculty members such as Bodge

should know and he should teach his pupils that the first obligation of any government is self preservation. . . . Findings of our FBI have revealed that the enemies within our gates have been and are using the rights and privileges of free citizens in a free country as weapons to destroy both citizenship and the republic. . . . However, when it becomes obvious that alien dupes are using such rights as a protection in their schemes to destroy our American system, it then behooves all good citizens to help devise ways and means to curb and forestall such activities. . . . Yes, tolerance is a splendid virtue, but when we tolerate the intolerance of those who would destroy our nation, then tolerance ceases to be a virtue and becomes treason.⁷⁴

A second letter to the "Friday Forum" was from a contributor known only as J. E. H. J.'s letter is illustrative of the position that an oath is ill advised and counterproductive to the liberties and freedoms of a democracy. In a practical sense, the purpose of an oath is to uncover traitors, but such individuals are unreliable when it comes to telling the truth. Unfortunately, those who get into difficulties with oaths tend to be scrupulous citizens who are willing to lose their jobs to stand up for what they believe is right.

Loyalty oaths . . . are oaths of denial, oaths that say in effect a man, and a profession are suspected of treason. . . . Surely the injury done to freedom in the name of security is greater than could be done even if an unsuspected communist flourished on one campus. The insistence on mental conformity, on witch-hunting, on persecution for belief, in imprisonment-by-loss-of-job, in the revival of heresy is the greatest blow to democracy. In the real need to protect a democracy against a totalitarian uprising, democracy must not in a panic destroy itself. You cannot protect democracy by denying democracy.⁷⁵

During the period of the 1951 oath controversy, numerous Oklahomans sent letters to their local newspapers and editors supporting or opposing the anticommunist pledge of

⁷⁴ Friday Forum, "One Critic Lauds Anti-Red Oath; Another Sees Program as Futile," *Oklahoma City Times*, April 6, 1951.

⁷⁵ Friday Forum, "Practical, Idealistic Viewpoints Weighed," *ibid.*

allegiance. As the debate evolved and new information became public, the basic arguments of each side remained rather constant. Interestingly, the arguments employed during the twentieth-century oath crises in Oklahoma were remarkably similar to current twenty-first-century concerns on how to balance security measures with protecting civil liberties. For example, the Zieburns argued in 1951 that denying or weakening civil liberties only weakened democracy.⁷⁶

Editors, journalists, professors, students, and the occasional letter-to-the-editor writer were not the only Oklahomans reacting to the news that Bodge objected to the pending oath measure. Oklahoma politicians began responding to the criticism and objections to the bill that they created and voted to pass. Representative Shibley, who introduced HB No. 8, disagreed with Bodge, saying that the English instructor “ought to have a good spanking.” The representative meant Bodge’s view should result in his dismissal, stating, “That’s what the bill is for.”⁷⁷ On the same day Shibley was commenting on Bodge, he revealed that three professors from Oklahoma A&M sent him letters opposing HB No. 8. The representative alerted the FBI to the content of the letters and handed them over to the Bureau as evidence that might merit further investigation. Based upon the letters he received, Shibley claimed he now believed “the real pinks are at A&M.”⁷⁸ The editors of the *Stillwater Daily News-Press* immediately responded to Shibley’s statement. The newspaper said the representative’s statement regarding the three professors was “irresponsible.” After interviewing the three faculty members from

⁷⁶ David Cole, “The New McCarthyism: Repeating History in the War on Terrorism” *Harvard Civil Rights-Civil Liberties Law Review* 38 (Winter 2003) : 1-30. For the Zieburns, see p. 154-155.

⁷⁷ “Three Aggie Profs Called ‘Real Pinks,’” *Stillwater Daily News-Press*, March 28, 1951.

⁷⁸ *Ibid.*

Oklahoma A&M who opposed the oath, the editors believed they were not communists, just “confused on the difference between academic freedom and loyalty to the United States form of government.” The editorial staff, although they disagreed with Shibley’s remarks, supported the pending oath bill. The editors said,

To permit a teacher who does not believe in the American form of government to instruct American students is to invite disaster. Those who believe in communism are certainly lacking in average intelligence, since the principles of communism deny the rights of individuals. It is also known that communists are very clever liars and think nothing of twisting the truth to fit their own evil goals.⁷⁹

The two sides of the anticommunist oath debate had thus far avoided provocative hyperbole and name-calling. Yet, that was about to change.

Within a few days of Representative Shibley’s charge that some Oklahoma A&M professors were “pinks,” the tone of the political debate changed. R. T. Stuart, a long-term member of the Oklahoma A&M Board of Regents who once served as chairman, became indignant when he heard that professors on the Stillwater campus opposed the proposed anticommunist oath. Stuart, also known as Colonel Stuart, brought colorful language and intimidation to the debate over the oath. Regarding the three professors who wrote representative Shibley, Stuart said, “These communists—what they want is publicity, and I don’t propose to give them any.” Yet, for the next couple of days, Stuart kept making statements to journalists, which the newspapers obligingly printed. Stuart went on to issue the most widely remembered quote of the controversy when he famously declared, “Any man who opposes that bill is nothing but a Damn communist He

⁷⁹ Editorial, “Loyalty Oaths,” *Stillwater Daily News Press*, March 30, 1951. This editorial reveals the logic used by some backers of communist-control legislation who believed communists were simultaneously below average intelligence and clever liars. If one assumed that communists were liars who were not very smart, then the anticommunist oath was a trap to cause them to perjure themselves and then suffer the consequences. In Oklahoma, the penalty for perjury was one to fourteen years in a state prison. Therefore, according to this logic, the primary purpose of the oath was to entrap people and not simply prevent them from being on the public payroll. “Murray Says he Will Sign Anti-communist Oath Bill,” *The Daily Oklahoman*, March 22, 1951.

ought to be willing to sign it every morning before sunrise.”⁸⁰ The next day, several newspapers ran articles repeating what the Colonel had to say. Stuart told reporters that he discussed the issue with other members of the Board and they agreed that those professors who refused to sign the oath would face dismissal. In fact, if a professor “grudgingly” signed the anti-Red oath they should lose their job. Stuart did not know who the professors were and had not yet seen the letters.⁸¹ The Colonel said,

All we’ve got is rumors of protest. But I’ll tell you this, no teacher with communistic tendencies has any business teaching our youth. They ought to be proud to take the oath. They’ve got to feel right about it. They’ve got to be enthusiastic about taking it.⁸²

On April 5, the Board of Regents met for a regularly scheduled meeting on the Stillwater campus. Colonel Stuart spoke only briefly to journalists after the meeting. He said, “This is a question for the federal authorities to investigate. The regents did not discuss the three professors because we have not been informed as to who they might be.” Another Regent, Fred G. Drummond, told reporters, “I don’t believe you will find we have any (communists) here. We certainly don’t know of any.”⁸³ Stuart went on to say, “I am personally of the opinion that there are no communists on the A&M faculty.” Drummond agreed with Stuart, telling reporters, “If Col. Stuart had felt that there were communists on the A&M staff he would have brought the matter up. I do not believe we have communists here either.”⁸⁴ It seems that the regents, particularly Colonel Stuart, had a major change of heart when it came to charging members of the faculty with being

⁸⁰ “Teachers May Be Fired Over Anti-Red Oath,” *Tulsa Tribune*, April 4, 1951; “Three A&M Profs May Be Discharged,” *Stillwater Daily News-Press*, April 3, 1951.

⁸¹ “Fire on Red Oath Delays Murray OK,” *Oklahoma City Times*, April 4, 1951.

⁸² “A&M to Oust Oath Dissenters,” *Stillwater Daily News-Press*, April 4, 1951.

⁸³ “Aggie Regents Repeat: Sign or Be Dismissed,” *The Daily Oklahoman*, April 6, 1951.

⁸⁴ “A&M Faculty Believed to Be Free of Reds,” *Stillwater Daily News-Press*, April 6, 1951.

communists. On Tuesday, April 3, Stuart seemed ready to fire at least three professors, but by Thursday, April 5, he had softened his position and rhetoric. One possible dilemma of finding communist faculty members or employees at that claimant's own institution was explaining how they got there, and who was in charge when they infiltrated. This could reflect poorly upon the administration and the Board of Regents at Oklahoma A&M. Yet, Stuart would later take a harder stand against opponents of the loyalty oath as the controversy progressed.

During the first week of April, potential problems with HB No. 8 began appearing. The governor's office was studying the new oath before a final decision on whether or not to sign the bill. Governor Murray was receiving and soliciting advice about the new oath from several different perspectives, including his lawyer Edward M. Box. The governor also asked President Cross of OU if he had any concerns about the pending oath. Some of the concerns that seemed to be gaining attention included the requirement that oath takers swear they had not been part of a subversive organization for the past five years, the provision in which the United States Attorney General's office would determine what groups were communistic or communist front organizations, and the bear arms clause. President Cross told the governor that provisions in the bill might be unconstitutional, particularly the section that requires signers to bear arms in case of an emergency. Governor Murray thought the bill had enough "leeway for [conscientious] objectors" in it.⁸⁵ The governor also heard from the American Legion leadership. R. M. Mountcastle, who served on the Legion's Legislative Committee as chairman, sent a telegram to Governor Murray encouraging him to sign HB No. 8 into law. He told the

⁸⁵ "Murray Listens To Cross' View," *Norman Transcript*, April 3, 1951.

governor, “We need such legislation at this time.” He also encouraged the governor to endorse the “oath bill as written.”⁸⁶

Governor Murray had indeed been studying the merits of HB No. 8. The governor had two primary concerns about the oath bill. First, he wanted to make sure that the bill reflected the will of the people of Oklahoma. Second, he needed to know if the oath was legally sound—constitutional. Regarding his first concern, the governor learned on April 4 that the public’s reaction to the new oath was turning somewhat negative. LeRoy Powers sent the governor a memo stating that the Legislative Council at the state capitol was receiving “a great many telephone calls from people objecting to two provisions in the Bill.”⁸⁷ According to the memo, the two provisions were the use of the Attorney General’s list to identify communists, and the bear arms clause. Regarding the bear arms provision, the memo stated,

This latter provision, would, of course, be *objectionable to some people on religious grounds and would preclude conscientious objectors from holding state jobs*. I have no particular sympathy for conscientious objectors but *this could be attacked as a form of religious discrimination*, and therefore, as unconstitutional. Somebody will undoubtedly attack this thing, and we ought to try to have it in such shape that it won’t be kicked out (italics added).⁸⁸

The governor already thought the bear arms requirement would pass any constitutional test, but he remained unsure regarding the provision allowing the United States Attorney General the authority to determine who or what was communistic for the state of Oklahoma. Governor Murray decided to ask the state’s Attorney General for his informal opinion on this section of HB No. 8. In a memo sent to the Attorney General from the

⁸⁶ “Red Oath Bill Changes Asked,” *Oklahoma City Times*, April 5, 1951.

⁸⁷ Memo, LeRoy Powers to Governor Murray, April 4, 1951, Johnston Murray Collection, Box 68, Folder 2, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

⁸⁸ *Ibid.*

governor's office, Murray was "of the opinion at this time that the U.S. Attorney General is 'plain not capable to determine' whether an organization is communistic or not."⁸⁹ The memo also stated that the governor planned to request that the House recall HB No. 8 in order to deal with the constitutional issues in Section 2.

As the governor considered his options regarding the new oath and more citizens learned of the pending legislation, discussion and debate grew.⁹⁰ Newspapers printed the entire oath so their readers could exam for themselves what Governor Murray was planning to sign.⁹¹ Soon, confusion erupted over which version of HB No. 8 was actually on the governor's desk, awaiting his signature. Student editor of the *Oklahoma Daily*, Leif Olsen, uncovered the confusion when his paper printed what it believed was the correct oath on Thursday, March 29. The next day, the *Oklahoma Daily* reported that the oath printed in the Thursday edition was an earlier version, and that the oath in Friday's edition was the version the governor was to sign. By April 4, Olsen believed that some legislators were unsure of which version they voted on when it passed in both the House and Senate. He also suggested that the most controversial elements of the new oath were in the latest version before the governor, but not in the oaths voted on by legislators. The first objectionable section was the "bear arms" clause, and the second dealt with the U.S. Attorney General's office determining what groups or organizations were communistic. According to Olsen, some senators remembered these sections of the oath, while others

⁸⁹ Memo, Minnie Mae Powell (of Governor Murray's Office) to Attorney General, April 4, 1951, *ibid*.

⁹⁰ It was during this period that various groups and organizations on the campuses of OU and A&M began meeting to determine the impact of HB No. 8, and for some, to develop a plan of action either to support or oppose the oath. Rev. Nick Comfort, a victim of the 1941 oath crisis, became active in public discussions on the campus of OU. "'Y' to Discuss Loyalty Oath," *Oklahoma Daily*, April 5, 1951.

⁹¹ "Oath to Be 'Must' for All Workers on Public Rolls," *The Daily Oklahoman*, April 1, 1951, 19-A.

could not. Olsen suggested that state employees including professors at OU “may have been misled” by those in favor of the new oath.⁹²

The confusion over which version of the oath was about to become law would now be a story picked up by a large daily newspaper—the *Oklahoma City Times*. The *Times* seemed to support the findings of Olsen, by reporting there appeared to be “discrepancies between the original bill and the one [the governor] was about to sign into law.” It also claimed that the two provisions identified by Olsen in the *Oklahoma Daily* were not part of the original bill and legislators added them “with the knowledge of only a handful of lawmakers.”⁹³ The *Times* article also suggested that this confusion was one of the considerations of the governor when he decided to send the bill back to the legislature for revision, late on Thursday, April 5. However, the governor never indicated that this was one of the reasons for requesting a recall of the bill.

Governor Murray sent the official request to recall Enrolled HB No. 8 to the Speaker and members of the House of Representative for reconsideration. The governor stated he “whole-heartedly” supported the intent of the bill and the motives of the representatives who supported it. However, he was concerned with the constitutionality of parts of the bill, which he outlined in the request. Regarding the requirement to bear arms the governor stated,

⁹² Whether some sort of “bait and switch” conspiracy happened, as Olsen suggested, or simply confusion in either the staff room of the *Oklahoma Daily* or the legislature remains unknown. “This Is The Oath,” *ibid.*, March 29, 1951; “Final Loyalty Oath Differs From Original,” *ibid.*, March 30, 1951; “The Eight o’Clock,” *ibid.*, April 4, 1951.

⁹³ “Session Speed to Halt Red Oath Law,” *Oklahoma City Times*, April 6, 1951.

It is my personal feeling that every citizen should be willing to defend his country, in whatever manner and to whatever extent may be necessary, but I am also cognizant that neither the State nor the Federal Constitutions make the willingness to bear arms a requisite for citizenship or holding public office; and further, that *there are some people whose religious beliefs prevent their bearing arms, yet who are willing to serve in non-combatant capacities in the armed forces* (italics added).⁹⁴

The governor also reminded the House members of the limited amount of time remaining on the calendar for the legislative year. The last day the House could recall the bill was Monday, April 9 when the bill would automatically become law without the signature of the governor. The governor's office sent the recall request on Thursday, but the House adjourned before it reached the capitol building.⁹⁵

On Saturday, April 7, a Presbyterian minister spoke out in opposition to the oath bill. Dr. Kenneth Feaver, the pastor of the Norman Presbyterian Church stated that he believed the new oath would encroach upon the personal liberties of Oklahomans. Dr. Feaver said this was his opinion, and not that of his church or the Norman Ministerial Alliance, of which he served as president. He believed the oath was discriminatory because the state only required certain citizens to swear allegiance. He also thought that such laws could be the initial steps toward totalitarianism, which he had witnessed firsthand in Germany before the war. Dr. Feaver said the most offensive part of the proposed oath was the requirement to bear arms in defense of the country. The pastor believed this section violated the rights of conscientious objectors.⁹⁶ Rev. Feaver's opposition to the bill illustrates an obvious difference between this oath controversy and

⁹⁴ Johnston Murray to The Speaker and Members of the Honorable House of Representatives Twenty-Third Oklahoma Legislature, April 5, 1951, Johnston Murray Collection, Box 68, Folder 2, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

⁹⁵ Ibid. See also "Murray Throws Out Loyalty Oath Bill," *Stillwater Daily News-Press*, April 4, 1951; "Anti-Red Bill in Time Pinch," *The Daily Oklahoman*, April 6, 1951; "Murray Asks House to Recall Oath Bill," *Oklahoma Daily*, April 7, 1951.

⁹⁶ "Norman Minister Says Oath Bill Could Mean Step Toward Statism," *Oklahoma Daily*, April 7, 1951.

the loyalty oath controversy of 1941. In 1941, several ministers in Oklahoma City, Norman, and Tulsa were very active in their opposition or support of the earlier oath. However, up to this point in the 1951 oath controversy, Rev. Feaver was the lone clergyman speaking his mind in the debate.

Monday, April 9, became a pivotal day in the 1951 loyalty oath controversy. The governor wanted the new oath improved by the legislature but the House and Senate did not officially receive the governor's request until Monday, the last day to reconsider the bill. The House and Senate had to vote on whether or not to accept the governor's request to revise HB No. 8. Many legal and political decisions faced the politicians of Oklahoma that day. Governor Murray had sought the advice of several people before deciding to send the bill back to the House. The governor's lawyer, Edward Box, received the unofficial opinion that the governor had requested from the Attorney General on Monday. It was a nine-page commentary on the constitutionality of the bill. The Attorney General's opinion on the oath would matter in the weeks and months to come, but it did not matter on this day. In a "confidential memo to Governor Murray" that day, Box did not discuss any legal theory or the Attorney General's opinion. Instead, Box suggested a political strategy that would benefit the governor no matter what the state legislature decided that day. Box stated,

In view of the apparent unconstitutionality of the Bill, have you considered the proposition of permitting it to become a Law without your signature, and simply announce that you are doing it this way because although believing in the principle of the Bill you cannot see your way clear to give your consent to the enactment of a Law that contains unconstitutional features.⁹⁷

⁹⁷ Confidential Memo, Box to Governor Murray, April 9, 1951, Johnston Murray Collection, Box 68, Folder 2, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

Although his attorney was looking out for his political interests, the governor would not take Box's advice.⁹⁸

On Monday, the American Legion exerted significant political pressure on legislators in both the House and Senate to ignore the governor's appeal to reconsider the oath bill. Representative Shibley, who had introduced the bill originally, claimed that the Legion was pressuring lawmakers to support the oath in its current form. Shibley said, "The pressure from the American Legion was too great."⁹⁹ Elmer Fraker, the Legion's State Adjutant, clearly opposed the governor's request. He said,

We're for the bill as it is written now. We don't want any loopholes for communist sympathizers and fellow travelers to get through. Why should we have such a tender conscience as to who might be cramped a bit on this oath and yet are so callous toward the dangers of communism; the great danger to this country are the communists inside and outside it.¹⁰⁰

When asked by reporters to comment on a question raised about the oath, concerning membership in groups later identified as communist front organizations, Fraker replied,

My personal opinion is that if a man is in good faith, no one is going to persecute him. If a professor joined an organization in good faith and got out of it when he learned it was controlled by the communists, he could then sign the oath. I wouldn't consider I was telling a lie if I got out as soon as I learned it was a communist front organization. They're just splitting hairs. The oath is not just for college professors, and apparently those raising objections are just a few at the university.¹⁰¹

In order for an official recall of HB No. 8 from the governor to be heeded, both the House and Senate had to approve the request. In the House, representatives voted 49

⁹⁸ Ibid.

⁹⁹ "Legion Blocks Recall of Bill On Loyalty Oath," *Stillwater Daily News-Press*, April 9, 1951.

¹⁰⁰ "Author Won't Recall Anti Red Oath Bill," *The Guthrie Daily Leader*, April 9, 1951.

¹⁰¹ "Oath Bill Author Balks at Recall; Battle Looms," *Oklahoma City Times*, April 9, 1951.

to 45 to approve the recall. In the Senate, the recall failed to pass, which put the decision regarding the new oath back in the governor's mansion.¹⁰²

Yet, the senators were not content with denying the governor's request and took the occasion to defend the oath and attack those who opposed it. In fact, the rhetoric in the legislature was rather bitter. Inciting the legislators, Representative John Levergood exclaimed, "We're dealing with a bunch of rats and termites. We ought to cut their heads off." Senator Keith Cartwright attacked OU President George L. Cross and sarcastically referred to faculty members who opposed the oath as "intellectual giants." He went on to say,

This has caused talk that legislators didn't know what they were doing when they passed the bill and the American Legion is a bunch of old maids. It may be that this is unconstitutional. Let the courts decide it and not a bunch of super intellectuals at OU. I think Dr. Cross overstepped the bounds when he came up here to oppose this. I think this body should rise up and tell the professors where to head in. I know and you know it won't catch any communists. Red-blooded Americans won't object to it.¹⁰³

Representative Harold Shoemaker agreed with Cartwright that the courts should decide on the constitutionality of the oath. He said this was a time of national emergency, clearly in reference to the war in Korea. He also stated that he thought it was "time to do something to show three, four, or five misguided professors at the university this senate knows what it is doing." Representative Robert S. Taylor told the chamber that those objecting to the oath requirement "should hunt for a job somewhere else."

Representative Lucian Spear said that the professors who opposed the oath bill "should have been fired immediately when they even hinted they would not take the oath."

Representative James Douglas said, "There is not room in our institutions for those stupid

¹⁰² "Oath Now Law as Recall Fails," *Oklahoma Daily*, April 10, 1951.

¹⁰³ "Anti-Red Oath Now State Law but Test in Court is Expected," *The Daily Oklahoman*, April 10, 1951.

enough to be duped. They should be punished.” Senator George Miskovsky ranted against the governor’s effort to recall the oath bill. Miskovsky said,

When a bill passes the senate and house we put on it the stamp of approval as law. The chief executive can either sign it into law or veto it. Any professor who rants and snorts about the oath because he is inwardly pink will have to sign it. They can go where the climate is more mild. What if a few reds and pinks object to it. Not any red-blooded American will object to it. The poor chief executive has been duped by smooth talking propagandists. They’re the best propagandists in the world. We’ve got to make decisions in this state, the governor, the senate and the house. If the governor is not able to say ‘yes’ or ‘no’ now is the time to start learning.¹⁰⁴

Senator Miskovsky was a boisterous advocate for the loyalty oath, and obviously agitated about opposition to the bill. At one point during his rant, he shouted, “It’s time we start getting rough with these Reds.”¹⁰⁵ Clearly, senators and representatives were upset with all the criticism they had received in the newspapers and among those opposed to the oath. On this day, they would have the last word in the matter of the anticommunist oath.¹⁰⁶

On that same day, the Senate passed a resolution honoring Colonel R. T. Stuart, a member of the Board of Regents at Oklahoma A&M. Essentially, the Senate Resolution (SR) congratulated the Stuart for his interpretation of the loyalty oath and strong public stand against faculty members who were opposed to the oath. The Senate adopted SR 18, which commended the Regent “for his remarks to the press wherein he described the enthusiasm an employee . . . should have when asked to sign said oath.” The resolution went on to offer more congratulations to the Colonel “for the stated policy of dismissing any recalcitrant or other misguided professor who indicates he would object to signing

¹⁰⁴ Ibid.

¹⁰⁵ “Oath Now Law as Recall Fails,” *Oklahoma Daily*, April 10, 1951.

¹⁰⁶ Ibid.

said noncommunist oath.” SR 18 also included comments regarding the governor’s effort to recall the oath bill, as well as saying that the courts would resolve the oath’s constitutionality problems.¹⁰⁷

Several factors created the heightened sense of anxiety in the Oklahoma community, which would ensure the passage of the oath at this particular time. The news media kept the threat of the Red menace in the public mind with stories about the Alger Hiss and Rosenbergs’ trials. Hiss went to jail on perjury charges the third week in March, and the next week a federal court convicted both Julius and Ethel Rosenberg on espionage charges. HUAC was again questioning members of the Hollywood film industry, which was just one of several government investigations occurring at the time. The United States’ war effort in Korea temporarily faltered as the communists pushed close to Seoul. Truman fired General MacArthur in early April, which many Americans believed to be a mistake.¹⁰⁸ Many Oklahomans were serving active duty in Korea, which heightened anxiety for family members here at home.¹⁰⁹ The Federal Bureau of Investigation informed Congress that, if full-scale war erupted with the communists, the Bureau would immediately incarcerate fourteen thousand people. It was a time of

¹⁰⁷ *Senate Journal, 1951, 500-502.*

¹⁰⁸ “Goes to Jail,” *Stillwater Daily News-Press*, March 23, 1951; “Convicted of Espionage,” *ibid.*, March 30, 1951; “Film Actors Called in Probe,” *ibid.*, March 1, 1951; “Commission Will Study Anti Loyalty Knots,” *ibid.*, January 24, 1951; “Reds Break Through UN Line To Attack Vital Supply Road,” *ibid.*, April 24, 1951; “Poll Shows Majority Opposed To Dismissal of MacArthur,” *The Daily Oklahoman*, April 19, 1951.

¹⁰⁹ During the Korean War, 96,000 Oklahomans served in Korea, 597 of these were killed in battle, and 1,552 were wounded in action. H.L. Fitzpatrick, ed., *The Oklahoma Almanac: Golden Anniversary Edition* (Norman, OK: Oklahoma Almanac, Inc., 1957), 277.

national emergency.¹¹⁰

On April 9, 1951, the anticommunist oath became law in Oklahoma. This law required all state employees to swear allegiance to the United States and Oklahoma by signing an oath. Governor Johnston Murray signed the bill into law a short time after the Senate voted not to recall the bill. The governor signed HB No. 8 because of significant public pressure--despite concerns expressed by the state's Attorney General. The governor said that he supported the oath in principle, but thought it had several weaknesses. The governor assumed the legislature would amend the unconstitutional sections of the oath later, or a court test would resolve the issues. According to the new law, every state employee had to sign the oath within thirty days, or before the deadline set for midnight of May 9. Those employees who did not sign an oath were subject to termination.¹¹¹

The new anticommunist oath contained three primary elements. The first was a specific pledge to support the United States and the Constitution. The second element stated that the signer swore to no current or previous affiliation with any communist or subversive organization during the previous five years. The third point of the oath stipulated that the signer "will" take up arms for the defense of this country and its laws. It was this final point that created a religious dilemma for many of the objectors. They believed the "bear arms" clause was a violation of their first amendment rights to freedom

¹¹⁰ "FBI Ready to Nip Reds if War Hits," *The Daily Oklahoman*, April 28, 1951. J. Edgar Hoover announced one week earlier that the number of known Communists in America was 43,217, "43,000 Potential Spies," *The Norman Transcript*, April 19, 1951.

¹¹¹"Anti-Red Oath Now State Law but Test in Court is Expected," *The Daily Oklahoman*, April 10, 1951.

of religion, and therefore, an infringement upon their religious beliefs by the state.¹¹²

The specific wording of Oklahoma's loyalty oath made it unique. The oath included the phrase stating that the signer "will take up arms in the defense of the United States in time of War, or National emergency, if necessary." Studies of the different state loyalty oaths indicate that Oklahoma's oath was the only one with a "bears arms" clause. Only a few state oaths even came close to Oklahoma's version. Some state oaths required that the signer must "defend" the Constitution of the United States and the Constitution of the state. Where other states' oaths allowed for loose interpretations, Oklahoma's oath went beyond the vague notion of defending America. The state was requiring employees to swear that they would actively use physical force to protect and defend the state and nation in times of emergency. Therefore, the Oklahoma oath became more of a challenge to anyone with pacifistic scruples who opposed any use of force, especially bearing arms. This was why a number of employees in Oklahoma were unable to sign an unaltered oath.¹¹³

In 1951, the Red menace in Oklahoma was a rather paltry threat to the citizens or authorities in the state. Individuals such as Mescher, Ogden, and Shaw seemed ill equipped to subvert or violently overthrow the state or local authorities even if they wished. The authorities never found any evidence suggesting this was ever their goal. Despite this lack of evidence, Oklahoma lawmakers believed they needed to act in order

¹¹² See Appendix B, entitled "Oath of Allegiance." "Oath's Arms Clause Held Non-Effective," *The Daily Oklahoman*, May 6, 1951; "8 A&M Profs Join OU Aides In Oath Fight," *Stillwater Daily News Press*, May 7, 1951.

¹¹³ See Appendix C, D, and E. See Joseph Bryson, *Legality of Loyalty Oath and Non-Oath Requirements for Public School Teachers* (Asheville, NC: The Miller Printing Co., 1963), 1-3; 82-85. See also Ralph Russell Doty, "A Critical Analysis of Loyalty Oaths and Loyalty Oath Statutes for Teachers" (Ph.D. diss., University of Minnesota, 1968), especially 48-52; and Table I.

to remedy any potential communist threat. Their solution was an oath of allegiance. Polling data from the period suggests, “More people [were] bothered about the possibility that Communists [would] convert other Americans to Communism than about espionage or possible sabotage in case of war.”¹¹⁴ The fear of communism was real. Unfortunately, in Oklahoma, the oath law uncovered only those with political and or religious scruples—conscientious objectors. Did the oath give a level of comfort to the citizens of Oklahoma? Perhaps it did. Did the lawmakers suppress the Red menace threatening the state? There is little evidence that in 1951 any communist threats in the state or on the college or university campuses were real. On the other hand, over the next several weeks it would become very clear that the oath violated the rights of numerous individuals and damaged their reputations and livelihoods. The oath was to ensure conformity and unity, but for many individuals, it infringed upon their civil rights by dismissing their religious beliefs.

¹¹⁴ Stouffer, *Communism, Conformity, and Civil Liberties*, 186.

CHAPTER 6:
Objection to the 1951 Oath

In the weeks and days before the May 9 deadline for signing the loyalty oath, those opposed were a vocal minority in the state. Yet, opposing the oath was very different from objecting to it. One could criticize how poorly written the oath was, question the constitutionality of sections of the bill, or debate how the new legal requirement violated the freedoms and liberties of public employees and officers. Opponents of the new law argued that the entire effort was a political witch-hunt meant to enhance the position of one person or group at the expense of others. An opponent might also simply dislike the new oath for purely academic reasons. Of course, it took a degree of courage and commitment for someone to express opposition to the anticommunist oath. In fact, it may have been politically and socially dangerous to oppose it. Nevertheless, those who objected to the oath numbered fewer than those who expressed intellectual opposition to it for a variety of reasons they considered offensive. Objectors willingly suffered the consequences of their position, such as risking the loss of their job. These individuals would forfeit position, reputation, and livelihood instead of violating their conscience. These conscientious objectors refused to sign the required affidavit or altered the oath in some manner. Not only did the non-signers refuse to sign for political reasons, but many also refused because of their religious beliefs.

The objectors' responses to the state mandated oath requirement varied from

person to person. Most objectors tried to avoid any public exposure of their unwillingness to sign the oath. Many simply resigned and moved to different jobs in order to protect their reputations and escape public vilification. These individuals are difficult to identify. Some degree of evidence does exist, making it possible to detect many, but not all of them. Some objectors were more vocal and willing to risk public scrutiny by talking with the media, or by fighting for their job or their salary in court. These conscientious objectors were victims of an anticommunist purge within Oklahoma's state, county, and municipal government.¹

Just as employees responded to the Oklahoma loyalty oath in a variety of ways, supervisors and department heads throughout the state used different tactics for enforcing the new law. Some administrators strictly enforced the new requirement for employees, while others tended to be more lenient. As will be shown, some supervisors immediately dismissed employees for failure to sign or for simply altering the affidavit, while others allowed staff to continue working for months without taking any action against them. Even within a single institution such as the University of Oklahoma uniform enforcement of the oath proved difficult to achieve. At the University of Oklahoma, several professors who refused to sign the oath had their wages temporarily frozen. British officials informed three professors from Britain that if they signed the oath, their British citizenship would be in question.² One OU professor lost his job because of alleged ties to communism more than a year after he signed the oath. Similar oath enforcement episodes occurred at both of the two leading academic institutions in the state, yet some

¹ See pp. 204-222.

² "Professors At OU Won't Sign Oath," *The Daily Oklahoman*, May 3, 1951.

differences in the processes and outcomes at OU and Oklahoma A&M emerged in the first days of the passage of the oath bill.³

The varying levels of enforcement by supervisors as well as the attitude of administrators at each institution or agency partially explain why some employees resisted the oath process. At the University of Oklahoma, the administration seemed more sympathetic to the concerns of the faculty. In addition, President George Lynn Cross worked with the governor and other politicians prior to the passage of the loyalty oath bill, in an effort to resolve potential problems. After the bill became law, President Cross continued to work with the university's regents, faculty, and staff to resolve unforeseen difficulties that the new law could create.⁴

At Oklahoma A&M, the administrative leadership reacted differently than that of OU. Administrators seemed less sympathetic to some faculty members' concerns about the implementation of the new loyalty oath. There were at least two possible explanations for why employees at Oklahoma A&M experienced less support from those in charge. First, throughout much of the oath crisis the absence of Oklahoma A&M's President created deficiencies within administrative leadership at the college. After World War II, Dr. Henry G. Bennett served in several positions for the federal government. In 1949, he worked on an agricultural survey of Germany for the U.S. army, and served as special mission counselor to the Ethiopian government during the spring of 1950. In November of 1950, President Truman appointed him to a full-time and permanent position as Assistant Secretary of State. Dr. Bennett's appointment to the

³ George Lynn Cross, *Professors, Presidents, and Politicians: Civil Rights and the University of Oklahoma, 1890-1968* (Norman, OK: University of Oklahoma Press, 1981), 195, 221-222.

⁴ *Ibid.*, 193-202.

State Department's new initiative known as the Point Four program required him to travel extensively and to spend a great deal of time in Washington, D.C. Yet, regardless of Dr. Bennett's new duties, the Board of Regents refused to let him resign his position at the college. Dr. Bennett served twenty-four years as president of Oklahoma A&M, yet during the oath crisis he was away from the college working in Washington, D.C. or traveling around the world, and therefore, unavailable to provide advice or guidance to administrators, employees, and faculty members.⁵ A second and perhaps more significant explanation was the attitude of the college's de facto leadership in the absence of Dr. Bennett—the Board of Regents. Very early in the debate, when three Oklahoma A&M professors expressed their opposition to the new oath bill under consideration, members of the Board of Regents angrily denounced them. The highly respected Regent, Colonel R. T. Stuart, provocatively charged, “any man who opposes this bill is nothing but a damned communist,” and threatened “anyone who doesn't sign the oath is out.”⁶ Colonel Stuart's personality, his reputation as a “bitter foe of communists and fellow travelers,” and his wholehearted support of the anticommunist oath would set a precedent for how the college carried out its enforcement.⁷

Another possible explanation for the different levels of oath enforcement around the state stemmed from the intense media attention given to Oklahoma's two leading

⁵ Tragically, while traveling on Point Four business, Dr. Bennett and his wife, as well as several members of his staff, died after their plane crashed into a mountain near Tehran, Iran on December 22, 1951. “A&M Regents Keep Seven Presidents,” *The Daily Oklahoman*, May 8, 1951; “Dr. H.G. Bennett, Wife, At Least 19 Others Die In Plan Crash in Iran,” *ibid.*, December 24, 1951.

⁶ “Three A&M Profs May Be Discharged,” *Stillwater Daily News-Press*, April 3, 1951; “Teachers May Be Fired Over Anti-Red Oath,” *Tulsa Tribune*, April 4, 1951; “Fire on Red Oath Delays Murray OK,” *Oklahoma City Times*, April 4, 1951. OU President Cross suggested that the statements made by Colonel Stuart expressed the “consensus of the A and M regents,” Cross, *Professors, Presidents, and Politicians*, 182-202, especially 198.

⁷ “Eight A&M Professors Face Firing Over Loyalty Oath,” *Stillwater Daily News-Press*, May 8, 1951.

schools. As the state's leading university, OU would understandably receive a significant amount of media coverage during this episode. In addition, based upon experiences from the anticommunist oaths and investigations of 1941 and 1949, the news media anticipated any controversy to center around the OU campus in Norman.⁸ During the early weeks of the 1951 oath debate, OU indeed became the primary focus of media coverage.

However, inflammatory remarks in early April by Oklahoma A&M Regent, Colonel R. T. Stuart, began to shift some attention away from OU and toward the Stillwater campus. In early May, when Oklahoma A&M Professor Malcolm Correll publicly stated that he and several other faculty members intended to oppose the loyalty oath, journalists began paying greater attention to the developing debate in Stillwater. A few days later, Norman lawyer Paul Updegraff won an injunction against Oklahoma A&M, which would prevent the college from paying employees who did not sign the new loyalty oath. Despite Updegraff's protest, the court decided the injunction applied only to Oklahoma A&M in Stillwater and not to OU. OU faculty members were not part of the court test to determine the constitutionality of the new loyalty oath. The state's news media intensified their attention on Oklahoma A&M. This exposure put additional pressure upon the administrators and Regents, who seemed to be following the lead of Colonel Stuart, whose prominence resulted in the college strictly enforcing the new law.⁹

Before the May 9 deadline arrived, public debate and opposition to the bill began to build at both the University of Oklahoma and Oklahoma A&M. Initially, most

⁸ See chapters three and four.

⁹ Cross, *Professors, Presidents, and Politicians*, 197-199; "Professors Map Eleventh-Hour Battle on Oath," *The Daily Oklahoman*, May 5, 1951; "Eight at A&M Promise Stout Red Oath Fight," *ibid.*, May 8, 1951; "Ruling in Oath Row Stops Pay of Non-Signers," *ibid.*, May 10, 1951; "Judge Believes 'No Pay' Oath Ruling Doesn't Apply to OU," *ibid.*, May 11, 1951.

objections came from the University of Oklahoma, where several hundred professors favored amending the law. Senator Joe Smalley, from Norman, sought to change the oath law in order to allow for exemption of foreign professors, those whose conscience prevented them from bearing arms, and those who had unknowingly joined a subversive organization within the last five years.¹⁰ Smalley championed the new SB No. 343, which would amend HB No. 8 and address the changes the senator sought in the oath. Regarding the bearing of arms clause, SB No. 343 stated that any state worker who had “religious scruples against bearing arms may . . . insert the words ‘or render non-combatant service.’” Faculty and students at OU and Oklahoma A&M backed Senator Smalley’s proposed amendments.¹¹

On April 24 and 25, the joint House and Senate Veterans and Military Affairs Committee, chaired by Senator Keith Cartwright, held hearings to consider Senator Smalley’s suggested changes to the loyalty oath. Senator Smalley voiced his concerns that the oath, in its current form, might trap or “injure innocent people or infringe their constitutional rights.” He also did not like the bad publicity OU and some of the

¹⁰ “Revamped Oath Bill to Go to Legislature,” *Norman Transcript*, April 20, 1951; “Smalley Plan Draws Help of Students,” *Oklahoma Daily*, April 24, 1951. At the same time Senator Smalley and the joint House and Senate Veterans and Military Affairs Committee conducted hearings on proposed changes to the new loyalty oath law, lawmakers considered a new bill to improve Oklahoma’s public school curriculum. On April 23, Representative Ben B. Easterly, from Alva, introduced House Joint Resolution (HJR) No. 26, co-sponsored by Senator Oliver C. Walker of Dale, Oklahoma. HJR No. 26 expanded upon the anticommunist legislation already passed by the legislature during the session. The House resolution called for the State Board of Public Affairs “to purchase anti-communist literature, charts, films, plaques, and other materials, to be . . . placed in all classrooms . . . public libraries . . . all State institutions and . . . buildings.” The House referred the resolution to the Veterans and Military Affairs Committee as well as the Committee on Education, which issued a “do pass” recommendation. The bill passed the House by unanimous consent and then moved to the Senate where in the closing days of the legislative session Senator Ray Fine, from Gore, motioned to postpone HJR No. 26, which essentially killed the bill. Senate politicians proposed HJR No. 26 in order to “teach our youth the danger of communism to the American way of life.” *House Journal, 1951*, 700, 747, 755, 822, 888; *Senate Journal, 1951*, 1236, 816, 1041.

¹¹ “Brief of The Board of Regents et al., Plaintiffs in Error,” appendix III, *The Board of Regents, et al, also Robert M. Wieman, et al v. Paul W. Updegraff*, Case No. 35160, Supreme Court Civil Case Files, Oklahoma Department of Libraries, Oklahoma City; *Senate Journal, 1951*, 685, 687.

professors were suffering, and did not wish for anyone to lose their job. The president of the Oklahoma Conference of Seventh-Day Adventists, J. C. Klement, also spoke at the committee hearings. Klement spoke on behalf of the conscientious objectors who could not sign the oath because of their pacifistic beliefs. Klement told the committee,

Seventh-Day Adventists have been throughout their history 'non-combatant.' Yet they have served their country, and the government has recognized there is need for medical men, for non-combatants, and so it is in that capacity that we have served.¹²

Senator Cartwright responded directly to Klement's comments about conscientious objectors. The senator said, "for my life I can't see where we have a place for them on the state payroll. I'm sorry, but that's the way I feel about it."¹³ The senator then reminded everyone that America was currently at war against communist aggression. Representative Ben Easterly, of Alva, and co-chair of the committee, asked Klement, "What would happen to the United States if everyone shared your belief?" To which Klement replied, "If everyone in the world shared my belief, there'd be no more conflict."¹⁴ Another witness, who testified before the committee, also directed his responses to Klement's statements. Ray Krumme, who served on the draft board at Bristow, adamantly disagreed with Klement and was unhappy with foreigners teaching at the schools. Krumme said, "Why should we allow these monkeys to come over here to our schools and teach cutting our throats? Why let those foreign worms get into the apple barrel?"¹⁵ After two days of hearings and some vitriolic comments, the committee could

¹² "Session Group Rebuffs Oath Foes at Parley," *Oklahoma City Times*, April 24, 1951.

¹³ *Ibid.*

¹⁴ "Hot Questions Shot at Critics Of Oath Law," *Oklahoma City Times*, April 25, 1951.

¹⁵ *Ibid.*

not decide on any recommended changes to the oath.¹⁶

As the debate intensified, some supporters of the oath continued to question the patriotism, integrity, and intelligence of those voicing their concerns about the legislation. Many people made accusations against the schools and especially those faculty members who opposed the oath. In a letter to the editor, a Tulsan referred to the professors opposed to the oath as “a serious menace to our country.”¹⁷ An editorial in the *Tulsa Tribune* stated that the “little parasitic professors” at OU and Oklahoma A&M were “suffering from conscience constipation.”¹⁸ Amid this growing public debate and name-calling, the senate would not amend or modify the loyalty oath. On May 2, when the senate finally considered Smalley’s SB No. 343, the senators voted seventeen to seventeen on the motion to change the oath. However, the vote fell six votes short of the twenty-three needed to pass any changes to the oath.¹⁹

In early April, the first organized resistance as well as individual opposition to the loyalty oath surfaced at Oklahoma A&M. Students belonging to the Westminster Foundation of the Presbyterian Church met and decided to take action to seek to repeal the oath and provide assistance to those refusing to sign. The Foundation centered its

¹⁶ “Senators Fail to Recommend Changes in Oath,” *Norman Transcript*, April 25, 1951; *Senate Journal*, 1951, 703.

¹⁷ “People’s Forum,” *Tulsa Tribune*, April 10, 1951.

¹⁸ Editorial, “Not Fit to Teach,” *Tulsa Tribune*, May 10, 1951.

¹⁹ “Anti-Red Oath Now State Law But Test in Court Is Expected,” *The Daily Oklahoman*, April 10, 1951; “Professors Map Eleventh-Hour Battle on Oath,” *ibid.*, May 5, 1951; “State Attorney Promises Red Oath Decision,” *Tulsa Tribune*, May 3, 1951; *Senate Journal*, 1951, 711, 723. On May 2, several senators attempted to attach amendments to SB No. 343. Senator Harold Shoemaker tried to add the entire United States Attorney General list to the loyalty oath. Senator Louis Ritzhaupt motioned to amend Senator Smalley’s bill to include a section stating “that a public officer or employee who is a member in good standing of a recognized religious organization that has in their code of religion that it is against the ten (10) commandments to bear arms, that will take human life . . . may after the words, ‘take up arms,’ and before the words, ‘in the defense of the United States,’ . . . insert the words, ‘or render non-combatant service.’” *Senate Journal*, 1951, 718-723.

opposition to the oath on the unconstitutionality of the “bear arms” clause. The students formed a committee, which made plans to garner support against the oath and to solicit greater participation among the different chapters of the Westminster Foundation at other schools and among their fellow students on the Oklahoma A&M campus. Alan Thomson, a student and employee of Oklahoma A&M, headed the committee. On April 17, the group released a statement to the press calling on the legislature to repeal the law because it restricted religious freedom. Thomson read a prepared statement to the press that included the following:

This resolution was accepted by the Westminster foundation [sic] on Sunday night at a congregational meeting. . . . This oath gives to the attorney general the right to declare what organizations an employe [sic] of the state of Oklahoma may or may not belong to. . . . The clause pertaining to the bearing of arms denies to certain religious organizations and individuals the right of public employment in Oklahoma because of their religious beliefs.²⁰

By the end of that week, opposition to the oath had spread to the faculty at Oklahoma A&M. Two faculty members, who had earlier stated they were contemplating whether they should sign the oath, confirmed that they would not sign for religious reasons. The newspapers described one of the faculty as “a Quaker and the other of Peace church leanings.” The executive vice-president of the college hoped to safeguard the anonymity of those “who sincerely cannot sign the bill for religious reasons.”²¹

On April 22, at the third annual Oklahoma Unitarian Assembly, held in Oklahoma City, several student groups voted to oppose the state’s oath law. Students from all regions of the state attended the assembly on Sunday. Delegates from OU, Oklahoma A&M, Oklahoma City University, and the University of Tulsa listened to several

²⁰ “Student Church Group at A&M Fights Red Oath,” *The Daily Oklahoman*, April 18, 1951; “Anti-Oath Profs Backed By Students,” *Stillwater Daily News-Press*, April 18, 1951.

²¹ “Quakers at A&M Question Signing,” *The Daily Oklahoman*, April 11, 1951; “A&M Seeking Privacy for Red Oath Objectors,” *ibid.*, April 22, 1951.

speakers throughout the day and then voted to pass a resolution in opposition to the current oath and in support of Senator Smalley's proposed amendments. The group planned to send copies of its resolution to Governor Murray, the Secretary of State, the American Legion, and the Veterans of Foreign Wars.²²

On the OU campus, organized student opposition to the new loyalty oath rapidly gained momentum. In one week, six student organizations passed resolutions declaring opposition to the oath law. The groups included the YMCA, YWCA, and a ministry of the Christian Church called the Disciples Student Fellowship. Additionally, the Wesley Foundation of the McFarlin Methodist Church, the student senate, and the Students for Democratic Action all joined the growing student opposition on campus. The YMCA and the Wesley Foundation presented the same five reasons for opposition to the oath law. One of the five stated that the law

forbids the state of Oklahoma the services of any person who, in following his conscience and his religious convictions, feels that he cannot participate in war. We feel that being a conscientious objector does not in any way hinder a person's ability to teach in the best Christian and democratic tradition. We therefore oppose this abridgement of the basic right to freedom of religion.²³

Public forums meant to educate the student body on the facts and merits of the oath controversy began to be held on campus. Students who had questions about the controversy could attend special meetings held at OU. During one such meeting, students asked panel members questions about the new law. The panel included Lief Olsen, editor of the *Oklahoma Daily*, and local pastor Rev. Kenneth Feaver. Both Olsen and Feaver opposed the oath as written. Approximately 125 people attended the meeting at which discussion centered primarily upon the history and legality of the oath law. In

²² "Student Group Meeting Here Hits Red Oath," *Oklahoma City Times*, April 23, 1951.

²³ "'Y' Opposes Oath Law," *Oklahoma Daily*, April 26, 1951; "WF Opposes Red Oath," *ibid.*, April 27, 1951.

addition, Rev. Finis A. Crutchfield, pastor of the McFarlin Methodist Church, sent a letter voicing his opposition to the oath.²⁴

On May 6, a group of over seventy Methodist Oklahoma A&M students meeting at the First Methodist Church in Stillwater signed a petition in opposition to the oath. The petition listed several reasons for their belief that the oath was ill conceived. The petition stated that the “[p]rovisions of the bill denying religious freedom and the right of the visiting foreign professors to be paid are contrary to democracy.” The students also expressed their disdain for communism and voiced their opinion “that there was no finer ideal than that of democratic government.”²⁵

The Oklahoma State Attorney General issued an opinion later that day stating that the signers could modify or alter the wording of the oath. This contradicted an earlier statement made on May 4 by the Secretary of State’s office, which said it would not accept any defaced oaths. According to published accounts, the decision of the Attorney General contained six primary points. First, those who refused to bear arms could agree to serve in noncombatant roles. Second, the Attorney General declared the section dealing with “future lists of subversive groups issued by the U.S. attorney general” as unconstitutional. Third, non-signing employees could not legally be terminated. Fourth, all elected or appointed state employees did not have to sign an oath. Fifth, any contracted employee was not obligated to sign an oath until their contract came up for renewal. The final point stated that foreign professors had to sign the oath, but note their status as non-citizen. The Attorney General’s legal opinion encouraged those who

²⁴ “Four OU Student Groups Declare Oath Opposition,” *The Daily Oklahoman*, April 26, 1951; “Two More Groups Hit Oath Law,” *Oklahoma Daily*, April 27, 1951.

²⁵ “8 A&M Profs Join OU Aides In Oath Fight,” *Stillwater Daily News Press*, May 7, 1951.

opposed this oath of allegiance.²⁶

Individual faculty members at both OU and Oklahoma A&M planned to challenge the anticommunist oath in court. At OU, professors devised a variety of possible responses to the new requirement for employees. There were ideas on how the university should react to the oath as well as plans for how to test the law in court. Carl Ritzman, from the Speech Department at OU, wanted the university to take an official stand against the oath and adopt specific policy measures to direct a possible court test. He said the faculty needed to do this “to preserve the respect of the students . . . [who have] mistaken our discretions for timidity . . . and our querulous resolutions . . . as a poor substitute for action.”²⁷ Professor Malcolm Correll, of Oklahoma A&M said, “[students] and faculty at A&M must join in this last-ditch stand against the oath that will admittedly expose not one communist and will cause many innocent people to suffer.”²⁸ On May 7, eight professors at Oklahoma A&M announced to the news media that they would join thirteen employees at OU to test the constitutionality of the new law by refusing to sign the oath.²⁹ On the evening of May 8, ten employees of Oklahoma A&M met at Dr. A. H. Diamond’s home to sign the loyalty oath forms after crossing out the

²⁶ Ibid.; “Parts of State Loyalty Pledge Are Ruled Out,” *The Daily Oklahoman*, May 7, 1951.

²⁷ Carl Ritzman to Howard Larsh, May 10, 1951, Horace Cornelius Peterson Collection, Box 10, Folder 8, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

²⁸ “Organized Resistance To Oath Sought,” *The Daily O’Collegian*, May 5, 1951.

²⁹ “Professors Map Eleventh-Hour Battle on Oath,” *The Daily Oklahoman*, May 5, 1951; “8 A&M Profs Join OU Aides In Oath Fight,” *Stillwater Daily News Press*, May 7, 1951; “Eight at A&M Promise Stout Red Oath Fight,” *The Daily Oklahoman*, May 8, 1951.

sections to which they objected. The employees then hired legal counsel to represent them for the anticipated test of the law in court.³⁰

Faculty groups and organizations at both institutions expressed disfavor with the new law because of presumed constitutional problems, yet did not spearhead direct action against the oath. Faculty organizations provided more of a supportive role than one of leadership during the crisis. At OU, individual faculty members and the faculty senate searched for ways to address their concerns about the oath in a productive manner. The OU Chapter of the American Association of University Professors (AAUP) met on campus to discuss the oath and possible solutions for those faculty members anticipating difficulties because of the new law. The AAUP at OU had been discussing possible strategies to test the constitutionality of the oath in court and began soliciting donations to help pay attorney's fees. Members of the OU chapter agreed with Senator Smalley's suggestion to amend the oath bill, but if the legislature did not amend the oath, they wanted it "repealed."³¹

On the Oklahoma A&M campus, faculty members began to express their opposition to the oath and worked to develop a unified and organized resistance to the law. Some professors hoped to reactivate the school's AAUP chapter in reaction to the new oath requirement.³² A large public forum at Oklahoma A&M organized by over thirty faculty members convened to discuss the "issues of political and religious freedom

³⁰ "First Suit Over Anti-Red Oath Filed at Norman," *The Daily Oklahoman*, May 9, 1951

³¹ "Eight at A&M Promise Stout Red Oath Fight," *ibid.*, May 8, 1951; "First Suit Over Anti-Red Oath Filed at Norman," *ibid.*, May 9, 1951; "Judge Believes 'No Pay' Oath Ruling Doesn't Apply to OU," *ibid.*, May 11, 1951.

³² For more information on the history of the AAUP see p. 262, n. 36.

raised by the loyalty oath and the attorney general's ruling."³³ Over one hundred faculty members and several students attended the meeting. Some suggested the formation of a faculty senate in order to give faculty members better representation at the college. Faculty also expressed concern that the new requirement discriminated against foreigners and those of certain religious convictions. Dr. Paul B. Foreman, who taught Sociology at the college, decried the attacks in the newspapers on anyone opposed to the oath especially the smearing of conscientious objectors. Dr. Foreman recalled his personal experiences during World War II when he witnessed the service of non-combatants. He said that during the war, "the army respected these religious groups, and did not brand them as traitors. The Nazis picked the Jews as scapegoats, and persecuted minorities."³⁴ Others in attendance, such as Assistant Professor Raymond J. Young, expressed objections to the stifling effect of the new law on classroom instruction. Young said that instructors might not want to teach certain topics, "which might be misunderstood as advocating the subject. We don't want a sterile classroom which would . . . result under the club of this law."³⁵

The Objectors—Who Refused to Sign

In the days leading up to the deadline for all public employees to sign the new loyalty oath, all reports suggested that the vast majority of public workers would swear to the required oath. Yet, some individuals began hinting that they might not conform to the

³³ "Aggie Professors Debate AAUP Unit," *The Daily O'Collegian*, May 10, 1951.

³⁴ "Aggie Faculty Members Speak Their Minds On Loyalty Oath," *The Daily O'Collegian*, May 11, 1951.

³⁵ *Ibid.*

mandate of the state and refuse to sign. The vast majority of those who ended up refusing to sign or choosing to alter their oaths were on the campuses of OU and Oklahoma A&M. The sizable pool of employees at each school may account for the larger number of non-signers at these locations. However, other non-signers not associated with the two leading schools in the state did exist. A survey of Oklahoma's oath objectors would be incomplete without reference to the few scattered and lone objectors around the state.

On Saturday, April 28, 1951, Coley Newman became the first state employee to lose his job because of the new oath requirement. Newman had only worked for the state of Oklahoma for six months as an accountant in the Department of Public Safety. The state did not fire Newman or force him to quit. He resigned in protest of the loyalty oath, which he described as "not only outrageous, but silly." He submitted his resignation to his boss, the Public Safety Commissioner, Coble Gambill. Newman explained why he planned to quit his job on May 8. He stated the oath requirement that signers must bear arms in defense of America if necessary troubled him. He said, "I am not a Pacifist [*sic*] or a conscientious objector, nor do I have any scruples of any kind against military service for my country. I am a combatant veteran of World War II, and I am willing to bear arms in defense of my country at any time." He claimed he could not sign the oath because it violated the constitutional rights of others. He stated, "I cannot and will not aid, by submission to any agency or body which would abridge the religious freedom of any of my friends who are Quakers and my fellow-citizens who hold other scruples against combatant military service, or would terminate their employment."³⁶

Newman repeatedly denied he had "ever been a member of the communist party

³⁶ "State Employee Quits, Blasts Loyalty Oath," *Norman Transcript*, April 29, 1951; "State Employee Quits Over Oath," *Stillwater Daily News Press*, April 29, 1951.

or any of its affiliates.” In fact, he had previously signed a loyalty oath at the University of Oklahoma when he had applied for a teaching position, and worked as a production director at the OU radio station, WNAD. Newman thought that the state legislature needed to protect the state against communist influences. However, he considered the anti-Red oath poorly written. His co-workers in his department told him that he should go ahead and sign the oath despite, “inept phraseology and doubtless unconstitutional provisions because its intent is right even if its phrasing is wrong.”³⁷ Newman’s dramatic and very public protest of the loyalty oath differed greatly from the actions of most of his fellow objectors.

On April 30, Allen Smith became the second state employee embroiled in the loyalty oath controversy when he submitted his signed loyalty oath to his supervisor, Dr. Charles Smith. Mr. Smith worked as an employee for the Central State Hospital in Norman, Oklahoma. The state had operated the Central State mental hospital for many years. Smith worked for the hospital as the superintendent of poultry, a position also referred to as "poultryman." The hospital came under the administration of both the State Mental Health Board and the State Board of Affairs. Therefore, the hospital required its employees to sign the new oath. Confusion surrounding Smith’s oath led to the first court case concerning the new oath requirement for all state employees.³⁸

On Wednesday, May 2, Allen Smith claimed that Central State Hospital had fired

³⁷ Ibid. According to one newspaper report, Newman, who grew up in Oklahoma City, aspired to be a novelist, writing at least one book entitled *Neither Season Nor Sorrow*. However, the author could not determine if the New York firm William Sloan Associates actually published his novel. “State Employee [*sic*] Quits Over Oath,” *The Daily Oklahoman*, April 29, 1951. Newman evidently went back to school after quitting his state job because he graduated from Yale in June of 1953, “Yale Will Graduate Ten From Oklahoma,” *ibid.*, June 22, 1953.

³⁸ “Petition,” *Allen Smith v. Charles Smith*, Case No. 16185, District Court of Cleveland County, Norman, Oklahoma. “State Hospital Official Fired Over Red Oath,” *Tulsa Tribune*, May 4, 1951.

him for altering the oath that he signed. Smith said that when he signed his oath, he wrote on the oath that he would only serve as a non-combatant. A twenty-year member of the Church of Christ, he claimed he could not in good conscience sign the oath promising to bear arms in case of an emergency. Because of his religious beliefs, the poultryman sought the advice of his senator, Joe A. Smalley of Norman, and another hospital employee. Both told him that he could make the alteration. This contradicted the counsel of the poultryman's supervisor, Dr. Charles Smith, who said he could not alter the oath. Dr. Smith stated that he did not have the authority to allow employees to alter the affidavits. Dr. Smith said, on May 2, he informed the poultryman that he risked no pay for the month of May unless he signed an unaltered oath. Dr. Smith denied firing Allen Smith, stating that he only informed the poultryman of the consequences of noncompliance.³⁹ However, the poultryman believed he had lost the job he had held for the last three years, so he hired a local Norman attorney, Paul W. Updegraff, to take legal action to get his job back. Updegraff filed the petition in the Cleveland County District Court of Norman on May 8. Smith claimed the hospital had fired him, and as a result, he did not receive pay for the month of May. The petitioner requested a writ of mandamus to compel his employer to accept the altered oath. According to the plaintiff's petition, Smith's strongly held religious beliefs caused him to cross out the bearing arms section of the oath and write in its place his willingness to serve in a non-combat role. Smith told the court that if he simply signed an unaltered oath he would be violating his religious beliefs by swearing falsely as well as violating state law by committing perjury. Smith offered to swear to a different oath that did not contain a promise to bear arms.

³⁹ "Pay Denied Central State Man For Amending Loyalty Oath," *Norman Transcript*, May 3, 1951.

Updegraff argued that the oath was unconstitutional and therefore invalid.⁴⁰

In District Court on May 11, Judge Tom Pace issued an alternative writ of mandamus ordering Dr. Charles Smith, the defendant, to accept Allen Smith's oath and give him his job back or appear before the court on May 23, 1951.⁴¹ This began a long series of answers, petitions, and replies between the attorneys for both the plaintiff and the defendant. The attorneys for the defendant, Dr. Charles Smith, were Mac Q. Williamson, Attorney General of Oklahoma, and his assistant, Fred Hansen. Although Allen Smith seemed to be suing his boss at the hospital, he was actually suing the state of Oklahoma. In the court records presented by the defense, Dr. Smith claimed that on April 30, after Smith refused to sign an unaltered oath, he immediately went on his annual two-week vacation. Dr. Smith said that after the poultryman left that day he never returned to the hospital.⁴² In the plaintiff's answer, Smith claimed that his vacation time ended on May 15, and that before he went on vacation, he never executed a proper oath. According to the legal requirements of the oath bill, an employee on leave when the deadline of May 9 expired had thirty days upon returning to work to sign an oath. For Smith, this deadline fell on June 15. Updegraff then argued that the hospital's legal maneuverings prevented his client from executing an oath by June 15. In addition, Smith petitioned the court to grant his client his entire pay for the month of May.⁴³

On May 24, 1951, Judge Pace finally issued his judgment in *Smith v. Smith*.

⁴⁰ "Petition," *Allen Smith v. Charles Smith*, Case No. 16185, District Court of Cleveland County, Norman, Oklahoma.

⁴¹ "Alternative Writ of Mandamus," *Allen Smith v. Charles Smith*, Case No. 16185.

⁴² "Answer," *Allen Smith v. Charles Smith*, Case No. 16185.

⁴³ "Answered Petition," *Allen Smith v. Charles Smith*, Case No. 16185; "He Did Not Sign Still Wants Job!" *Oklahoma Daily*, May 23, 1951.

Judge Pace's decision did not rule on the different constitutionality questions raised by the oath. Judge Pace accepted the Oklahoma Attorney General's opinion that the bill's language allowed room for non-combatant service to fulfill the oath law requirements.

The judge ruled that Allen Smith

attempted to modify the oath by inserting his own language in a portion thereof. . . . [S]uch insertion . . . was merely an attempt on the part of the plaintiff in his humble way to preserve the constitutional rights as to his religious belief, which rights have been guaranteed by our Constitution, and by the Constitution of the United States, as recognized by Mr. Chief Justice Hughes when he stated in *United States vs. MacIntosh*, 283 U.S., Page 63: 'Congress has thus recognized that one may adequately discharge his obligation as a citizen by rendering non-combatant as well as combatant service;' that when the legal . . . meaning of the language in the oath became available . . . he confirmed his willingness to subscribe to the oath contained in the Act, and thereby corrected the honest mistake that he had previously made.⁴⁴

Judge Pace also ruled that the hospital had to reinstate Mr. Allen Smith to his previous position once he signed an unaltered oath with one minor exception. In consideration of Smith's religious faith, the judge allowed Smith to affirm to the oath rather than swear to it.⁴⁵

The Attorney General's office notified Dr. Charles Smith at Central State Hospital of Judge Pace's ruling. Fred Hansen informed the hospital that the state did not plan to motion for a new trial and accepted the Judge's decision in this case. The hospital had to allow Allen Smith to fill out a new oath, reinstate him, and then pay him what the hospital owed him up to May 9.⁴⁶

Other state, county, and municipal agencies faced some opposition as they worked to implement the new oath requirement for all public employees. The City

⁴⁴ "Judgment of the Court," *Allen Smith v. Charles Smith*, Case No. 16185.

⁴⁵ "State Rehires Employee Who Altered Oath," *Tulsa Tribune*, May 24, 1951.

⁴⁶ Fred Hansen to Dr. Charles Smith, May 24, 1951, *Allen Smith v. Charles Smith*, Case No. 16185; "Allen Smith Ordered Returned to His Job," *Oklahoma Daily*, May 24, 1951; "Oath Signing Returns Job," *Stillwater Daily News-Press*, May 24, 1951.

Auditor of Tulsa reported the successful collection of loyalty oaths from employees in every municipal department. One employee of the city park department altered his oath before submitting it to his supervisor. The employee claimed that the requirement to bear arms violated his religious beliefs, but that he would willingly serve in the nation's military as a non-combatant. Tulsa Auditor, S. Maxwell Smith, said that the city accepted the man's altered oath, and would take no action because of Attorney General Williamson's recent ruling on the new law.⁴⁷

In McAlester, reports spread that a city worker had lost his job because of the state's new oath requirement for all public employees. Apparently, Dolph Keener, who had worked for the city as a parking meter maintenance man since the early 1940s, affirmed an altered oath before the May deadline and then submitted it to the city clerk. Keener refused to swear to the portion of the oath requiring him to take up arms in defense of the nation, and he struck it from his oath.⁴⁸ He cited his beliefs as a member of the Church of Christ in McAlester as preventing him from subscribing to bearing arms. Although Keener submitted an altered oath, the city allowed him to remain on the payroll for the next seven months. However, on January 4, 1952 the city decided to take action after the Oklahoma Supreme Court decided against the Oklahoma A&M employees in Stillwater who had altered their oaths based upon the Attorney General's opinion. The city gave Keener an opportunity to sign an unaltered oath, but he refused. He said, "I will

⁴⁷ "City Auditor Waits Loyalty Oath Orders," *Tulsa Tribune*, May 7, 1951. See p. 201.

⁴⁸ Initial reports mistakenly stated that Keener refused to sign an oath, which was not true. He signed and submitted an altered oath on time. "McAlester Employe [*sic*] Fired on Oath Law," *The Daily Oklahoman*, January 5, 1952.

affirm every day that I'm not a communist, but I cannot agree to bear arms."⁴⁹ A city official said, "We waited as long as we could, but the . . . court upheld the oath law and there was nothing else we could do . . . he was a faithful employe [*sic*], and we hated to see him go."⁵⁰ Keener believed published accounts of his dismissal gave the impression he was a communist. He adamantly denied such charges. He said that he would

assist [his] country in any way with the exception of actively bearing military arms. Engagement in the prosecution of war is contrary to my religious concepts, and I would be false to my church and myself if I participated in such action.⁵¹

Keener told reporters his search for a new job continued, but that he would like his old job back if the state ever overturned the oath requirement.

By May 9, 1951, nearly all twenty-thousand state employees had signed an oath. However, forty-nine Oklahoma A&M personnel had a problem with signing it. Eight individuals refused to sign. Forty-one employees signed the oath, but only after altering the affidavit in some manner. By May 10, enforcement of the loyalty oath requirements resulted in the termination or forced resignation of twenty employees at the Oklahoma A&M. The firings created additional repercussions for married staff. When the college fired Nancy Kent Ziebur for not signing an unaltered affidavit, her husband, Allen D. Ziebur, an Assistant Professor of Mathematics, resigned his position.⁵²

⁴⁹ "Discharged City Employe [*sic*] Says He Is Not communist," *The McAlester News-Capital*, January 8, 1952.

⁵⁰ "Anti-Red Oath Ends in Firing," *The McAlester News-Capital*, January 4, 1952.

⁵¹ "McAlester Man Says Oath on File," *The Daily Oklahoman*, January 7, 1952.

⁵² "Eight at A&M Promise Stout Red Oath Fight," *The Daily Oklahoman*, May 8, 1951. Assistant Professor Ziebur officially resigned on June 30, 1951. "Minutes of the Board of Regents for the Oklahoma A&M Colleges, July 5, 1951," Oliver S. Wilham Papers, p. 19, Special Collection, Edmon Low Library, Oklahoma State University, Stillwater, Oklahoma. See Appendix D for a complete listing of all twenty terminated employees and job titles. Also listed are those foreign employees who signed altered loyalty oath forms. This information came from the original oaths filed by A&M for the Secretary of State's Office in 1951. "Loyalty Oaths--Signed, Non-United States Citizens" [includes all original altered forms signed by citizens and non-citizens], 1951, President's Papers, 1908-1968, Special Collection, Oklahoma

The Board of Regents directed Oklahoma A&M to fire immediately all eight employees who did not sign the oath, which included six student employees; however, this did not apply to the other colleges that came under the authority of the Board. According to the Board's own records, two other employees at A&M Colleges altered their oaths. At Eastern Oklahoma A&M College in Wilburton, Oklahoma, E. R. Jensen struck through each occurrence of the word "swear" in the oath. Luther Cowling also altered the oath he signed. Cowling worked part-time at Northeastern Oklahoma A&M College in Miami, Oklahoma. Cowling marked through the word "swear" in the oath stating his religious convictions prevented him from swearing oaths. He referred to his membership in the Assembly of God denomination as the basis for his belief. In addition, the Board knew of at least fourteen cases in which other employees had not signed the oath by the May 9 deadline. At Connors State Agricultural College in Warner, Oklahoma, two part-time employees failed to sign in a timely manner. Two student workers at Northeastern Oklahoma A&M, eight employees at Langston University, and two people at Oklahoma A&M in Stillwater all missed the deadline for signing the oath. Administrators did not dismiss Jensen or Cowling, and gave all fourteen who missed the deadline the opportunity to sign the oath late without any difficulty. Unlike OU and Oklahoma A&M in Stillwater, most of these smaller and rural institutions avoided controversy related to the oath.⁵³

State University Library, Stillwater, Oklahoma; "Loyalty Oaths Correspondence, 1951-1952" [a list of students who resigned rather than sign oath typed on college stationery], President's Papers; Frank and Gillian Bonsall to President Bennett, 11 May 1951, President's Papers. Robert Wieman to B. B. Chapman, 22 October 1985, Berlin Basil (B. B.) Chapman Collection, 1940's-1980's, Special Collection, Oklahoma State University Library, Stillwater, Oklahoma.

⁵³ *The Board of Regents, et al, Robert M. Wieman, et al v. Paul W. Updegraff*, Case No. 35160, Case Made, p. 156-158, Supreme Court Civil Case Files, Oklahoma Department of Libraries, Oklahoma City. According to Langston University President Dr. G. L. Harrison, the school's eight employees failed to sign

On the Oklahoma A&M campus, the college took immediate action against student employees. College officials forced three students, Alan Thomson and Paul Palmer from Stillwater, and Judy Anderson a student from Oklahoma City, to resign their positions at the library for refusing to sign. These students were pacifists who could not sign because of the bearing arms section of the oath. Two other student employees who did not sign worked for the campus postmaster. The college offered the two post office employees, Leland Eugene (Gene) Copeland and Lonzo Green, two options; they could either quit their jobs or not receive compensation for any work after the May 9 deadline. Both Copeland and Green stated that they did not have any personal reasons for not signing. They just considered the oath unconstitutional and unfair. The two refused to sign the oath because it worked “a hardship on a minority group, religious and otherwise.”⁵⁴

Alan Thomson, the spokesperson for the Westminster Foundation, had spoken critically of the oath three days before the deadline. A few months later, the local draft board charged Thomson, a theology student, with draft evasion and sought his indictment. News reports labeled him a communist simply because of his pacifism. Colonel P. T. Heffner told the press that Thomson "has been a leader in the pacifists--or you might say communistic groups." Thomson said, “I believe primarily on religious grounds that war is an immoral act and that Christians are called not to engage in it.

the prescribed oath by the midnight deadline on May 9, did sign the affidavit on May 17. It is unclear why the eight did not sign or why the school allowed them the opportunity to sign late. The employees included: Zilmon N. Dilworth, Arvella R. Franklin, Isaac Hargrove, Freddy B. Hicks, Flora Ellen Irvin, L. C. Rector, Addye Reynolds, and Alvyn Richey. Ibid.

⁵⁴ “Ruling on Oath Row Stops Pay Of Non-Signers,” *The Daily Oklahoman*, May 10, 1951; “Judge Believes ‘No Pay’ Oath Ruling Doesn’t Apply to OU,” May 11, 1951; “Aggie Professors Debate AAUP Unit,” *The Daily O’Collegian*, May 10, 1951; “Two More Ags Quit Jobs Over Loyalty Oath,” *The Daily O’Collegian*, May 11, 1951.

Therefore I question the government's rights to compel its citizens to bear arms."⁵⁵

The remaining forty-one employees in fact signed the oath, but altered the document in some manner. The college and the press referred to these individuals as non-signers, despite having affixed their signatures to the legal documents. Twenty-seven non-American citizens resisted signing an oath promising to "support and defend the Constitution of the United States and the Constitution of the State of Oklahoma . . . without reservation." Most foreign employees merely indicated on their forms that they were citizens of other countries.⁵⁶

The remaining non-signers consisted of fourteen American citizens on staff at Oklahoma A&M who refused to sign the oath as written. These individuals changed the documents they signed and then submitted them to the college. Nine crossed out the phrase "that I will take up arms in the defense of the United States in time of War, or national emergency, if necessary." Most gave religious or ideological reasons for voiding this section of the oath. A tenth non-signer merely crossed out the word "swear" three times, and the word "oath" once, and then wrote that he would only serve in a noncombatant capacity. For these alterations to their oaths, they risked losing their jobs. By order of the District Judge Albert C. Hunt, every non-signer at Oklahoma A&M had their wages withheld starting on May 9. For the non-signers, the fear they would lose their jobs now became very real.⁵⁷

Clarence B. Loomis, Assistant Professor of Adult Education, and the Director of

⁵⁵ "Thompson [*sic*] A Pacifist, Not Commie," *The Daily O'Collegian*, November 1, 1951; "Aggie Says AP Quote Inaccurate," *The Daily O'Collegian*, December 13, 1951; "The Story Of Alan Thomson," *The Daily O'Collegian*, November 6, 1951.

⁵⁶ See Appendix C.

⁵⁷ "Ruling in Oath Row Stops Pay Of Non-Signers," *The Daily Oklahoman*, May 10, 1951. See Appendix D for list of names of those terminated at Oklahoma A&M for altering oaths.

Community Development in Stillwater, Oklahoma, modified his affidavit. As an ordained minister in the Congregational Church, he believed it wrong to “take up arms,” but remained willing to serve in any noncombatant role. Dr. Loomis took action to voice his concerns about the conflict between his religious scruples and the state's oath requirement. On April 15, he sent a letter to Dr. O. S. Willham, Executive Vice President of Oklahoma A&M, stating that he would sign the oath with reservations. On May 8, Dr. Loomis signed his oath, adding an attachment that read:

I am unable to agree to “take up arms”. [*sic*] I am willing to register and to engage in any form of non-combatant service, but I cannot kill, even an enemy. My reasons for this attitude are grounded in my religious beliefs. . . . I dedicated my life to building . . . a better world after the teachings of Jesus. . . . I came to believe that one cannot follow the teachings of Jesus and bear arms in war. I have held this belief for over thirty years. This belief has deepened as I have observed the futility of the last two world-wars, and have seen growing evidences of the power of “intelligent, purposeful, goodwill”, [*sic*] to secure the ends we all seek. . . . For forty years I have engaged in Christian service . . . and during the past four years [have served] in Oklahoma. My record will reveal, I believe, a continuous . . . creative experience, and not in subversive activities.⁵⁸

Dr. Loomis continued to fight for his job in a letter sent to President Bennett on May 25. This letter repeated Dr. Loomis’s reservations about signing the oath, but included several reasons why he wished to stay at the college. He wanted to continue his work with the Community Development Program, which was just beginning to make progress. He also stated that he and his family liked Stillwater and did not want to move. Perhaps his greatest concern was his fear that, at his age, it would be difficult for him to start his career over, somewhere else. In his postscript, he stated that he was an ordained minister and hoped that this would make some kind of difference in his case.⁵⁹

Harold A. Coonrad, Assistant Professor in the Secretarial Administration

⁵⁸ Clarence B. Loomis to Dr. O. S. Willham, April 15, 1951, President’s Papers, 1908-1968, Special Collection, Oklahoma State University Library, Stillwater, Oklahoma; “Loyalty Oaths--Loomis, C. B.,” 1951, President’s Papers.

⁵⁹ Clarence B. Loomis to President Bennett, May 25, 1951, President’s Papers.

Department, was a Seventh-Day Adventist. His wife, Mrs. Coonrad, served as an active member in the Oklahoma Federated Seventh-Day Adventist Dorcas' Welfare Society in Stillwater.⁶⁰ As an Adventist, he could only serve in the armed forces as a noncombatant. In World War II, he had served as a medic in the U. S. Army. Coonrad crossed out the "arms" clause in the oath and wrote, "Served in the armed forces in a non-combatant capacity." He also included an attachment with his signed oath. It read:

TO WHOM IT MAY CONCERN: It is a privilege to sign an Oath of Allegiance to the Government of the United States and the State of Oklahoma. As a Seventh-Day Adventist, I cannot but object to the phrase, "take up arms," as written into the original oath. The position of Seventh-Day Adventists has always been one of loyalty to and cooperation with the ruling authorities. Their stand has historically been one of non-combatancy [*sic*] in time of war. The right of non-combatant status for Adventist youth is recognized by the United States Government. . . . The non-combatant position is not taken with the view to escape danger; on the other hand, many have been killed while serving as medical soldiers with combat units. I served . . . for three years during World War II, a year and a half of which was spent with combat forces in the invasion of the Philippines. . . . I have no desire to avoid personal danger, and would gladly lay down my life for my country if need be. I have been through one war and will go through others if I am needed. And I do thank God, with all humility, that He has let me live in a country where I can be loyal to my Government and also to my conscience, which I so deeply feel in this respect.⁶¹

For many of those who crossed out the "bear arms" phrase, it became a matter of principle. Lillian Schmoe marked out the clause and wrote, "My religious beliefs do not allow me to bear arms." Samuel Lee, an Associate Professor of both Chemistry and Physics, and a Quaker, refused to sign the oath for the same reason.⁶² Several were conscientious objectors willing to perform non-combatant service for the country. Many of those who crossed out the bear arms clause were already ineligible to serve the country in a combat role. The women were automatically exempt and many of the men past the

⁶⁰ "Oklahoma Federated Seventh-Day Adventist Dorcas' Welfare Societies," *Stillwater Daily News-Press*, April 13, 1951.

⁶¹ "Loyalty Oaths—Loomis, C. B.," 1951, President's Papers; Harold A. Coonrad, a member of the School of Commerce, did not want his name mentioned to the press. Adelia N. Hanson and Joseph A. Stout, Jr., *A History of the Oklahoma State University College of Arts and Science* (Stillwater, OK: Oklahoma State University, 1992), 176.

⁶² Hanson and Stout, *Arts and Science*, 174

age of eligibility. Ten out of the fourteen American employees nullified the “bear arms” section of the affidavit.⁶³

On May 9, 1951, the same day that forty-nine Oklahoma A&M personnel refused to sign the oath as written, over seventy-five employees at OU made the same decision. A variety of people had different reasons for not signing.⁶⁴ Some of the more obvious non-signers included the foreign nationals teaching at the university. The new oath put foreign faculty members in the difficult position of swearing allegiance to America and promising to bear arms in her defense while being loyal citizens of other nations. Some foreign instructors had no apparent difficulty with signing the oath. Several instructors from China signed the oath without reservation.⁶⁵ This may have been because they were Nationalist Chinese, and their homeland had come under the control of Mao’s communist regime. However, employees from Canada, England, and South Africa were unsure what action to take.

Elwyn O. Hughes, a tenured Assistant Professor of biological sciences, had taught at OU for six years. Dr. Hughes, a Canadian in the process of becoming an American citizen, distinguished himself on campus by speaking out against the new oath law. He feared that swearing the oath might jeopardize his native citizenship and his chances of successfully becoming an American. Regarding the loyalty oath, Dr. Hughes decided not to sign it. He thought the oath violated the religious freedoms of conscientious objectors, who could not sign because of the requirement of signers to bear arms in case of national

⁶³ “Loyalty Oaths—Signed, Non-United States Citizens,” 1951, President’s Papers; *The Daily O’Collegian*, May 25, 1951.

⁶⁴ “OU Drops 48 For Failure To Sign Oath,” *Stillwater Daily News-Press*, June 5, 1951. The number of OU employees involved in this controversy according to this researcher is forty-nine.

⁶⁵ “Briton Puzzled At Loyalty Oath,” *The Daily Oklahoman*, April 19, 1951.

emergency. He also did not appreciate the jibes hurled at pacifists during the debates over the oath. He submitted his thoughts on the oath and the surrounding controversy to the OU student paper, the *Oklahoma Daily*. At OU many of those who objected to the oath and refused to sign, submitted letters or brief statements to the editors of the *Oklahoma Daily* for publication. Fortunately, these letters to the editor provide a valuable record of the thoughts and reasons why many OU employees refused to conform to the state's requirement to sign an oath to continue working for the university. Dr. Hughes stated,

During World War II . . . the Society of Friends (Quakers) organized ambulance services which served in the North African and European campaigns. Other legitimate conscientious objectors offered themselves as experimental subjects for investigations of starvation and disease. Many veterans (I wish I could say all) feel that we owe these men a debt of gratitude. Now the legislature of Oklahoma has denied conscientious objectors the right to retain employment by the state. Such action . . . denies the spirit of the Constitution of the United States. . . . I shall not sign any oath which denies employment to loyal American citizens. I shall not change this stand even if the legislature permits further employment of aliens such as myself.⁶⁶

After submitting his public letter to the newspaper, many people questioned him about it. He replied the next day with additional comments printed in the editorial pages. He said,

Some people have registered surprise that I should make any public statement on the so-called 'loyalty' oath. To me it is much more surprising that there has been such a prolonged silence throughout the state to an act which limits religious freedom.⁶⁷

Several students at the university were sympathetic to the plight of foreign instructors and professors on campus like Dr. Hughes. One of those students, Merry Carolyn Freeling, worked in the library. In protest of the unfair treatment the foreign instructors suffered because of the oath, she decided not to sign.⁶⁸

⁶⁶ "Prof Protests, Refuses To Sign Loyalty Oath," *Oklahoma Daily*, May 3, 1951.

⁶⁷ "Hughes Says Oath Will Kill True College," *Oklahoma Daily*, May 4, 1951.

⁶⁸ "Faculty Backs Revision Move In Oath Law," *Oklahoma Daily*, May 5, 1951.

Dick Underwood, one more employee of the University of Oklahoma who objected to the oath because of religious scruples, chose not to sign the loyalty oath because he consciously objected to the bear arms sentence. Underwood worked for the University of Oklahoma Press as an Associate Art Editor. During World War II, he served for four years as a non-combatant in the Civilian Public Service. Underwood released a public statement for the newspaper to print. He stated,

It is because I am concerned about the defense of the Constitution that I deplore the recent passage of the Oklahoma 'Loyalty Oath' law—a law which, in my opinion, is patently contrary to the federal Constitution in several respects. The right to religious freedom, guaranteed by the First Amendment, is flagrantly abridged by that clause of the oath which requires a state employe [*sic*] to swear to take up arms. The federal government . . . has recognized for many years the rights of conscientious objectors to refuse to bear arms. This 'loyalty' oath runs contrary to that recognition. It is my belief that participation in mass murder, whether by means of gas chambers and concentration camps or through participation in war, is incompatible with the tenets of Christianity. For this reason, I cannot swear, without perjuring myself, that I will take up arms . . . I will not sign the Oklahoma loyalty oath, and that I will oppose it by every legal means possible to me.⁶⁹

Donald Reece, another conscientious objector on campus and a collegiate athlete, set to receive an athletic scholarship at OU, refused to sign the oath. He considered the oath a “stupid piece of legislation,” and believed it primarily violated religious freedom. He wrote an open letter to state legislators in which he stated,

The loyalty oath is definitely a step towards destroying this religious freedom. In regards to conscientious objectors for religious reasons, I would like for you congressmen to demonstrate the constitutionality of the . . . oath No, congressmen, I will not sign your loyalty oath, even though it means that I will not receive my athletic scholarship for the month of May.⁷⁰

⁶⁹ “Pay Denied Central State Man For Amending Loyalty Oath,” *Norman Transcript*, May 3, 1951.

⁷⁰ “Angry Athlete Censures Legislature for Oath Bill,” *Oklahoma Daily*, May 10, 1951.

One more student at OU declared her objection to the oath. Harriet Cavert McDaniel worked as a graduate assistant at the university. In support of those who were religious conscientious objectors, she stated her unwillingness to sign.⁷¹

Several other students either employed at the university or receiving scholarships, decided not to sign the loyalty oath for a variety of reasons. Phil Smith, a student athlete and a NCAA national champion on the Sooner wrestling team declared that he would not sign the oath. He stated, “When a law of this type exceeds what is necessary for protection it becomes an instrument of persecution, rather than of protection. This law is an outrageous attack on civil liberties and I choose to align myself with those who are fighting it.”⁷² Delmar V. Swander, a graduate research assistant, said, “Although there is no provision in the oath to which I could not subscribe without mental reservation. I can not [*sic*] subscribe to the requirement of such an oath as a condition of public employment.”⁷³ Lois Solberg, a graduate student who worked for the short course and conference department, stated she would not sign the oath because she found it “unconstitutional and undemocratic.” Elaine Hulse, a freshman on scholarship, refused to sign the oath and faced having to leave OU. She said, “I don’t believe the state has a right to dictate to people. The oath violates every Democratic principle we have.”⁷⁴

A few oath objectors had their own unique reasons for objecting to the state’s new oath law. Robert Gardner really did not fit into any category of non-signer. This art instructor did not qualify as either a foreigner or a conscientious objector. Gardner said

⁷¹ “Reader Will Keep Oath As Souvenir of Employment,” *Oklahoma Daily*, May 8, 1951.

⁷² “Faculty Backs Revision Move In Oath Law,” *Oklahoma Daily*, May 5, 1951.

⁷³ “Staff Member Refuses To Sign Loyalty Oath,” *Oklahoma Daily*, May 9, 1951.

⁷⁴ “Faculty Backs Revision Move In Oath Law,” *Oklahoma Daily*, May 5, 1951.

that he objected to Oklahoma's oath and refused to sign it because of its negative nature. He refused to swear not to be this or that. He stated that he would only sign an oath of allegiance to the American "constitutional form of government."⁷⁵

Had anticommunism in Oklahoma evolved? Had it become more humane, more respectable, more controlled, and more efficient? In 1951, the state determined which groups of individuals were dangerous, why they were a danger, and what steps to take in order to protect society from that danger. The institutionalization of anticommunism promised protection and brought conformity. As the methods of the anticommunist purges of the Great War era, such as mob rule and vigilantism became outdated, merely opposing the oath no longer resulted in a physical attack or tarring and feathering by an irate crowd.⁷⁶ In 1951, Oklahoma did not employ investigations or government panels of intimidation to coax compliance out of non-government personnel and private organizations. The new communist-control oath allowed for a more organized effort. This new effort proved tolerable for the majority, but harmful to a limited number of citizens. Violation of the state law seemed to be clear and easy to determine—failure to sign the required oath affidavit in the prescribed manner before the established deadline. Those who failed to comply were subject to specific penalties; in this case, it meant dismissal from employment. Yet, regardless of the legislature's efforts to ensure both security and conformity in state institutions, problems developed that state leaders did not anticipate. Legislators failed to produce a humane and respectable mandate that considered how to deal with non-American citizens or those unwilling to conform

⁷⁵ "Art Professor Reaffirms He Will Never Sign 'Oath,'" *Oklahoma Daily*, May 5, 1951.

⁷⁶ "Mob Spirit Sweeps Over Oklahoma," *Harlow's Weekly*, March 27, 1918; "More Mob Violence," *ibid.*, April 24, 1918.

because their values differed from the majority. The new loyalty oath also entailed costly and prolonged tests in the judicial system. The judicial process would address the legal and constitutional flaws in the law and attempt to resolve the problems the oath created for institutions and individuals. The court cases cost the state significant time, energy, and money. Once the courts had their say, the state restarted the process of creating and implementing a new oath in 1953. Unfortunately, the 1953 oath also became an administrative nightmare for officials trying to abide by the new law.

Legal Action Against the Oath

The question of the constitutionality of the loyalty law oath reached the court much sooner than anticipated. On May 9, Paul W. Updegraff, a lawyer from Norman, filed a lawsuit in the District Court of Oklahoma County. He filed suit seeking an injunction to prevent the state from issuing paychecks to anyone who did not sign the oath at Oklahoma A&M.⁷⁷ District Judge Albert C. Hunt granted a temporary injunction against the Regents of Oklahoma A&M preventing them from paying anyone who altered their oath or did not sign. Judge Hunt then set a date of May 18 for the court to determine if it would allow or rescind Updegraff's petition. The next day, against the protests of Paul Updegraff, the judge ruled that his restraining order forbidding the state

⁷⁷ "Ruling in Oath Row Stops Pay Of Non-Signers," *The Daily Oklahoman*, May 10, 1951. Paul Updegraff also represented Allen Smith, who petitioned the Cleveland County District Court to reinstate him to his position at the Central State Hospital after his dismissal for failing to sign a loyalty oath before the deadline of May 9. Updegraff would take the opposite side when filing suit to prevent non-signers from receiving pay. He believed his civic duty obligated him to seek an injunction against those who did not sign the oath. He said, "Yes, it's true I'm on both sides of the fence . . . it's only because I don't know what the law is and I want to get it interpreted by the courts quickly." "Professors Seek Quick Oath Test," *ibid.*, May 13, 1951. *The Board of Regents, et al, Robert M. Wieman, et al v. Paul W. Updegraff*, Case No. 35160, Case Made, p. 15-16.

to pay non-signers applied only to Oklahoma A&M and not to employees of OU.⁷⁸ The court test unexpectedly turned into a battle to protect the jobs of the Stillwater employees who had not signed the affidavits or had modified the forms before signing. For the next several days, dozens of college employees struggled to balance their convictions with their desire to keep their jobs.⁷⁹

Early media reports claimed Oklahoma A&M and OU fired several professors for noncompliance with the new law, but only seven employees became interveners in the Updegraff court cases. Colonel R. T. Stuart, responding to the news that some professors at both OU and Oklahoma A&M would test the oath in court, said, “Anybody who doesn’t sign that oath will be gotten rid of. . . . They’ll all be fired when their contracts are up.” Stuart, responding to a question about what the board would do if the professors were to win their court case, said it “won’t make any difference. Anyone who doesn’t sign the oath is out.”⁸⁰

Paul Updegraff’s lawsuit against the Oklahoma A&M Board of Regents, the State Treasurer, and the State Auditor created a strange combination of defendants in the case. Shortly after Judge Hunt issued the restraining order, the court clerk began issuing subpoenas to all the defendants including Board members. On May 17, the Oklahoma County Sheriff’s office served Colonel R. T. Stuart a subpoena to appear in District Court on May 17. By the time Colonel Stuart received his subpoena, the court had granted several additional individuals permission to intervene in the case. On May 12, Judge

⁷⁸ “Judge Believes ‘No Pay’ Oath Ruling Doesn’t Apply to OU,” *The Daily Oklahoman*, May 11, 1951.

⁷⁹ “No Checks for Workers Who Balk at Oath,” *Tulsa Tribune*, May 9, 1951.

⁸⁰ *Ibid.*; “Eight at A&M Promise Stout Red Oath Fight,” *ibid.*, May 8, 1951; “State Hospital Employe [*sic*] First To Test Oath,” *Oklahoma Daily*, May 9, 1951; “Professors Who Balk at Oath to be Fired,” *Tulsa Tribune*, May 8, 1951.

Hunt granted Robert Wieman, Werner Baum, and Nancy Ziebur consent to intervene in the case. Two days later, the judge did the same for Malcolm Correll, Luella Nietz, Lillian Schmoe, and Samuel Lee. Each of these interveners worked at Oklahoma A&M, altered their oaths, and now faced the possibility of not receiving their pay by order of the court. Now Colonel Stuart and the Board of Regents found themselves as defendants in a lawsuit, and on the same side as the non-signers. The Colonel found himself in a quandary because if he and the Regents won their case so would the non-signers of the oath.⁸¹

On May 18, at a hearing in the Oklahoma County District Court, seven employees from Oklahoma A&M became interveners in the *Updegraff v. The Board of Regents, et al.* The attorneys for the Oklahoma A&M employees, Robert and Don Emery, presented a “Consolidated Petition in Intervention” to the court contending that the loyalty oath law violated the rights of their clients. In the petition, each intervener asserted their loyalty to the United States. The attorneys argued that the oath violated the Constitution of the State of Oklahoma on several points. The interveners claimed the oath violated Article II, Section 15 of the constitution, which prohibits bills of attainder and laws that break contracts. They argued that the oath did not allow due process according to Article II, Section 7. The petition also claimed that the oath violated Article I, Section 2 of the Oklahoma Constitution, which provides “that no religious test shall ever be required for the exercise of civil and political rights; that . . . the Oath . . . constitutes a religious test as a requirement for the exercise of civil and political rights.”⁸² The petition claimed the

⁸¹ *The Board of Regents, et al, Robert M. Wieman, et al v. Paul W. Updegraff*, Case No. 35160, Case Made, p. 20, 27-28

⁸² *Ibid.*, 36-37.

oath violated numerous provisions of the U.S. Constitution including Article I, Section 10 regarding impairing contracts; Article VI, Section 1 dealing with treaties; and the fourteenth amendment ensuring due process rights of citizens. However, one of the primary points argued that the oath served as a religious test, which was a violation of both civil and political rights.⁸³ The petition asserted,

That intervenor [*sic*] has not taken the Oath; that each intervenor, except Ziebur and Wieman, conscientiously and sincerely believes that war and the use of force between nations is contrary to the Will of God, and is forbidden by divine law, and that in obedience to these principles, and as a matter of religious faith and obligation, each intervenor, except Ziebur and Wieman, cannot and will not, because of his aforesaid religious convictions, bear arms against his fellowman.⁸⁴

The Emerys would argue in the District Court, Supreme Court of the State of Oklahoma, and before the Supreme Court of the United States that the 1951 Oklahoma oath requirement amounted to a religious test.⁸⁵

The next day, when Judge W. A. Carlile gave his ruling, he focused primarily upon the petition that argued the oath was a restriction of religious beliefs. According to published accounts, the judge said that he believed in freedom of religion and worship, but this case did not concern a religious test for state employees, but a loyalty test. He believed the country was “facing a terrible danger. . . . These people want all the other protections of the government but they say they wouldn’t fight to defend this country, if

⁸³ *Ibid.*, 33-42.

⁸⁴ *Ibid.*, 40-41.

⁸⁵ “Brief of Plaintiffs in Error,” *Werner C. Baum, et al v. Paul Updegraff, and The Board of Regents, et al*, Case No. 35160, p. 81-89, [Printed Brief in box containing Case Made] *The Board of Regents, et al, Robert M. Wieman, et al v. Paul W. Updegraff*, Case No. 35160, Case Made. See also “Brief of the Board of Regents et al., Plaintiffs in Error,” p. 20-23; “Brief of Amicus Curiae,” p. 11-14; “Brief of Defendant in Error,” p. 31-44; “Reply Brief of Plaintiffs in Error,” p. 10-11 [Printed Briefs in box containing Case Made], *ibid.*

necessary. . . . I say it's a travesty on justice. It's an outrage, for people like that to draw public funds."⁸⁶

Judge Carlile granted a permanent injunction that blocked the state from paying the Oklahoma A&M employees who did not sign the oath. In addition, the judge ruled: "that the intervenors [*sic*] did not take the oath as prescribed, and willfully refused to take the oaths. The board of regents, state auditor, and state treasurer are enjoined from paying the salaries after May 9 and their employment is terminated."⁸⁷ On May 20, the Board of Regents met in Oklahoma City and discussed the practical implications of the judge's decision regarding the interveners and those who modified their oaths. The Regents decided these individuals could not return to their classes the next day—Monday morning. The Board would arrange to contact each person affected and inform them that the court might modify its ruling concerning foreign employees as well as possibly allowing personnel to complete their contracts.⁸⁸

In a letter to the editor, Luella Nietz wrote that she believed the decision handed down by Judge Carlile was "based chiefly on the bearing arms phrase." She took issue with those who labeled anyone refusing to take up arms to defend the United States as a disloyal citizen. As a conscientious objector, she held that war did not provide a lasting solution to the world's problems and that only peace could offer any real sense of security.⁸⁹ By May 21, the judge relaxed his original decision. He granted the foreign

⁸⁶ "Holdouts on Oath Are Ordered Fired," *The Daily Oklahoman*, May 20, 1951.

⁸⁷ *Ibid.*

⁸⁸ "Minutes of the Board of Regents for the Oklahoma A&M Colleges, May 20, 1951," Oliver S. Wilham Papers, p. 4-8.

⁸⁹ "Conscientious Objectors Upheld," *The Daily O'Collegian*, May 25, 1951.

nationals an additional ten days to sign new oaths that included an attachment stating they were citizens of a foreign country.⁹⁰

As their jobs ended at the college, the legal battle for the interveners had only begun. Both the Oklahoma and United States Supreme Courts heard this case on appeal.⁹¹ The United States Supreme Court ruling did not address the issue of whether the loyalty oath violated the employee's religious freedom. The decision focused on the political and civil rights restrictions created by the oath, specifically, the section that states the signer has had no affiliation with any subversive groups on the United States Attorney General's official list. On this much narrower application of the law, the court decided in favor of the teachers and ruled the Oklahoma loyalty oath of 1951 unconstitutional. In December 1952, the Supreme Court made its ruling. Unfortunately, for the seven employees, the legal maneuverings did not end until May 1957.⁹²

The religious and moral convictions of these conscientious objectors found an unsympathetic audience in Oklahoma. Many considered this a time of national emergency because of the communist menace. To many in the state the dangers faced by the nation were more important than the rights of the individual. During the debate over the loyalty oath law in April, the statements of many elected officials illustrated their perceptions of the nonconformists. Senator Cartwright could not reconcile his experience

⁹⁰ "Judge Relaxes Loyalty Oath For Foreign Exchange Teachers," *The Daily Oklahoman*, May 22, 1951.

⁹¹ "Educators To Appeal Oklahoma Oath Case," *New York Times*, May 20, 1951.

⁹² "Other States Claiming Faculty Members Protesting Red Oath," *The Daily O'Collegian*, July 13, 1951; "Supreme Court To Give Oath Decision Today," *ibid.*, September 25, 1951; "State Supreme Court Upholds Loyalty Oath," *ibid.*, October 19, 1951; "Oklahoma's Oath of Loyalty Killed," *New York Times*, December 16, 1952; "Chronology" [last page of Faculty Assistance Fund financial statement], 1958, Berlin Basil (B. B.) Chapman Collection.

in the Marine Corps during World War II with a citizen claiming to be opposed to taking up arms. He said, the Marine Corps “didn’t deal with theorists or conscientious objectors.” He also believed the senate should collectively “tell the professors where to head in.” Cartwright admitted that this oath would not stop a communist, but any “[red] blooded American won’t object to it.” This mirrored the sentiment of several senators who believed those refusing to sign the oath were “stupid,” “screwballs,” “misguided,” “duped,” or “inwardly pink.” Even Judge Carlile could not contain his personal opinion of the “non-signers” when he said that anyone unwilling to sign this oath deserved no consideration before him. He wondered what George Washington would think about this if he were alive. These public officials openly questioned the patriotism of those opposed to the oath.⁹³

The religious scruples that prevented the objectors from signing the oath conformed to the traditional religious and theological sectarian positions. The statements of Alan Thomson, Dr. Clarence Loomis, and Dr. Harold Coonrad each contained the basic elements of pacifism based upon religious beliefs. They renounced taking up arms to defend the United States. Thomson said that war was immoral and that, as a Christian, he must refuse to bear arms. Dr. Loomis believed that, as a follower of Jesus Christ, he could not kill anyone. This included the enemies of the United States. Dr. Harold Coonrad believed in his church’s historic position of non-combatant participation in the defense of America.

⁹³ “Anti-Red Oath Now State Law but Test in Court is Expected,” *The Daily Oklahoman*, April 10, 1951; “Holdouts on Oath Are Ordered Fired,” *ibid.*, May 20, 1951. “Objections that loyalty oaths were useless means of discovering disloyalty, or that this one transgressed American constitutional liberties, or that some people might have religious convictions against swearing oaths or bearing arms were only taken by the zealots as proof of unpatriotic sentiment.” Hanson and Stout, *Arts and Sciences*, 174.

Oklahoma's oath of allegiance illustrated the ideological struggle between democracy and communism at home and abroad. The communist threat in Oklahoma seemed just as real as on the battlefield in Korea. If pacifists promoted peace, then they opposed the war against the communists, making themselves an enemy of democracy and freedom. The anticommunist fervor twisted the traditional meaning of words making peace and freedom incompatible. In addition, any affiliation or association with communism appeared as friendship with the Soviet Union.⁹⁴ The United State Attorney General created a list of subversive organizations including groups and associations deemed friendly to the Soviet Union. Those listed by the United States Attorney General and anyone refusing to sign an oath of allegiance were subversives. The public viewed those who opposed the oath, even for religious reasons, as dangerous. Anticommunists viewed Mr. Alan Thomson, Dr. Clarence Loomis, Dr. Harold Coonrad, and a significant number of those fired at Oklahoma A&M and OU as dangerous to state and national security because of their religious beliefs.

It is therefore necessary to determine how religious ideologies interacted with and contributed to the growing anticommunism in the state. During the 1941 anticommunist investigations, two distinct religious perspectives became part of the debate. In the 1951 oath controversy, the religious beliefs of some individuals resulted in their termination from state employment. Part three discusses what set these groups apart from the

⁹⁴ David Caute, *The Great Fear: The Anti-communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 176. "The word "peace" signified in the collective consciousness not merely the absence of war, but also a particular conception of world order, the Weltanschauung of the Soviet Union, The Pax Sovietica. In the same way, the word "freedom" symbolized the opposing, rival world order, the Pax Americana. Both Washington and Moscow were now committed not merely to a Manichaeian struggle for the allegiance (or subservience) of the world, but also to absolute conformity among their own citizens." Ibid., 176-177.

mainstream, how their values made them susceptible to charges of nonconformity, and why the anticommunist purges affected only a small minority of Oklahomans.

PART III:
Religion and Anticommunism

CHAPTER 7:

Religious Traditionalists versus Religious Progressives

It is easy to portray life in America during the decade after World War II in idealized terms. Many families across the country became affluent. Men returning from war benefited from the G.I. Bill, which helped them go to college or get a loan for a home. Most assuredly, the middle class in America began to grow and many young people of that generation had more advantages and opportunities than previous generations. Not only were Americans gaining economically, many were embracing religion during this period. Increased religiosity characterized much of America during the postwar years. While church attendance increased, so did a growing sense of identification with Christianity within the broader culture. A significant portion of the expanding Christian culture advanced a militant anticommunism, while some within mainline Protestant denomination moved in a different direction. Throughout the 1940s and into the 1950s an internecine battle within Protestantism fought for the heart and soul of devout Americans. In Oklahoma, this debate began before World War II during the anticommunist purges of 1941.¹

¹ Winthrop S. Hudson, *Religion in America* (New York: Macmillan Publishing Company, 1987), 329-331, 374-375; Robert T. Handy, *A Christian America: Protestant Hopes and Historical Realities*, (New York: Oxford University Press, 1984), 186-190; George M. Marsden, *Understanding Fundamentalism and Evangelicalism* (Grand Rapids: William B. Eerdmann Publishing Company, 1991), 101-102.

During both prewar and postwar years, American religiosity continued increasing as European religious participation dropped off dramatically. Typically, historians have focused on the religious revivalism of the 1950s, yet American church membership grew significantly during the prewar years as well. In America there occurred a resurgence of religious participation in various denominations and churches within Protestantism. According to a National Council of Churches (NCC) report in 1951, church membership was up 51.5% from 1926 to 1949, while the U.S. population increase for the same period was only 30%. Perhaps the largest growth happened in the Pentecostal movement. This particularly occurred in the southern states known as the Bible Belt. A second large movement within Protestantism was the growth of Evangelicalism. The 1951 NCC report also noted the growth of smaller religious groups and denominations “characterized by an intense evangelistic spirit and generally [teaching] the second coming of Christ. Once thought of as appealing especially to the socially disadvantaged, they are now apparently bringing into their ranks large numbers of the ‘comfortable’ portion of the population.”¹ Both pentecostalism and evangelicalism fit into this category described by the NCC report. Growth in both of these movements led to the creation of new churches, religious schools, colleges, and other ministries. The number of churches and church membership grew significantly. Denominations such as the Methodist or Baptists conducted membership drives in order to boost church rolls or Sunday School programs. Polling data and church statistics from the era indicate steady growth

¹ “Membership In Churches Is Soaring,” *Stillwater Daily News-Press*, April 3, 1951. See also National Council of Churches of Christ in the USA, *Yearbook of American and Canadian Churches Compilation of Statistical Pages, 1916-2000*, [CD-ROM], 2001.

throughout America. For a growing number of Oklahomans, religion either remained or became an important part of their lives.²

For many living in Oklahoma, being an American meant being a Christian. Therefore, many people who were not churchgoers or “born again,” still identified themselves with Christianity.³ Sociologists and historians typically identify this cultural experience as “civil religion,” as termed by Robert N. Bellah in 1965. The concept of a civil religion in America continues to elicit diverse opinions and debate. Some question whether there really is such a thing. Others think it exists, but are not sure how to define it, while a few do not agree with the terminology used to describe the phenomenon of civil religion. The amount of scholarship on this issue grew significantly during the 1970s, 1980s, and 1990s in light of the growth of the religious right as a political force. There are several different definitions given by scholars attempting to identify this cultural milieu. One definition of civil religion describes it as the melding of politics and religion in such a general way as to be tolerable to a significant number of citizens. The basic elements of such a civil religion include a general acceptance or belief in the existence of God, that God can use American democracy to serve His purposes, and

² According to a nation-wide survey taken in 1954, 63% of the respondents indicated that they had attended church in the previous month. Women accounted for 37% of the church parishioners, whereas men only 26%. The survey data indicated that of the 37% who did not go to church during the previous month 17% were women and 20% men. These percentages are a derivation of figures from Table 2 in Samuel A. Stouffer, *Communism, Conformity, and Civil Liberties: A Cross-section of the Nation Speaks Its Mind*, (Gloucester, MA: Peter Smith, 1963), 170. See also Handy, *A Christian America: Protestant Hopes and Historical Realities*, 186-190; Hudson, *Religion in America*, 351-355.

³ As a young pre-teen boy, this author’s paternal grandfather attended Sunday School for the first time ever in Oklahoma City. During the class, the teacher asked all those who were Christians to raise their hands. My grandfather, who had never been to a church, never claimed a previous conversion experience, did not know, or understand the basic tenets of any institutionalized Christianity raised his hand. When asked why he raised his hand, he said because he was an American and that Americans were Christians. His response proved both wanting and amusing to his classmates trained in the creed of their church. Unfortunately, the episode embarrassed him and he would remember it the rest of his long life.

because of this—America is an exceptional nation. In addition, nationalism is the bond that holds these general beliefs together.⁴

In America, there is a long history dating back to the colonial period, which combines patriotic and Christian religious symbolism in both sacred and political speech, for the purpose of encouraging national unity or action. Several of the preceding chapters have pointed out that, in the state of Oklahoma, this happened with regularity beginning with the Great War and continuing through the pre-World War II years. There existed a correlation between the growing patriotism of the postwar years and the increasing religiosity of Oklahomans, in particular, and the rest of the nation, in general. Both civic and religious leaders used Judeo-Christian symbolism and language to express civic pride and American nationalism. Christian sentiment became part of the hyper-patriotic lexicon of the postwar years. During this period, the United States Congress modified the pledge of allegiance to include the phrase “under God,” the federal government stamped all coined money with “In God We Trust,” and a National Day of Prayer became an annual part of executive politics. Symbolic “Americanism” and Christianity became emblematic of the patriotic culture of the era.⁵

Religious symbolism provided a common language to defend American culture from the ideological threats of atheistic communism. This patriotic and religious vocabulary gave politicians and citizens the symbols by which to attack and defame communism and its adherents, while affirming traditional elements of Christianity. Some

⁴ Richard V. Pierard, “Civil Religion,” in *Evangelical Dictionary of Theology*, ed. Walter A. Elwell (Grand Rapids, MI: Baker Books, 1996), 248-250. See also Richard V. Pierard, and Robert D. Linder, *Civil Religion and the Presidency* (Grand Rapids, MI: Zondervan Publishing House, 1988), especially vii-64.

⁵ William Martin, *With God on Our Side: The Rise of the Religious Right in America* (New York: Broadway Books, 1996), 40.

refer to the use of religious themes in the broader culture as the means by which social and governmental institutions gain legitimacy and solemnity.⁶ The fear that communists might conspire to influence schools and churches in Oklahoma drew the attention of religious leaders who rallied to warn their parishioners and the broader community of the pending threat to state institutions. With the first Red Scare, Bible believing, devout Protestants responded to the threat of communism with great zeal and energy. Patriotic and religious symbolism provided a way for Americans to unite against a common foe.

The tendency is to ignore the use of religious language and symbols within public discourse as empty rhetoric that merely represents a generic attempt to resurrect some sort of hagiographic patriotic sentiment from America's past. However, such expressions of religiosity can and do reflect a level of religious adherence and conformity within the culture.⁷ During the 1940s and 1950s, even separatist Protestant fundamentalists became involved in the anticommunist revival and participated in the civil religion of the era.⁸ Before this time, these independent fundamentalists were people who believed that mingling with the world led to corruption, and that the primary obligations of a Christian included loving and obeying God and faithfully promoting the gospel faith that had been handed down to them in the Bible. Fundamentalists also tended toward an individualistic predisposition that reinforced their separatist tendencies. Therefore, they forsook worldliness, which for some fundamentalists known as dispensationalists included political action or even concern. The millenarian beliefs of many mitigated their

⁶ Kenneth D. Wald, "The Religious Dimension of American Anti-communism," *Journal of Church & State* 36 (Summer 1994): 483.

⁷ Ibid.

⁸ George M. Marsden, *Understanding Fundamentalism and Evangelicalism*, 101.

concerns with the present political and social realities in America or the world. The expectation of a catastrophic eschatological scenario essentially made them political agnostics. Yet, many within this religious culture actively pursued political and social goals usually in the form of anticommunist crusades. Even the nationally celebrated evangelist Billy Graham preached against the evils of communism.⁹

Yet, many Bible believing Christians in Oklahoma and America considered communism both a powerful and real threat to their faith, understanding of reality, and way of life. Threatening the affections of devout people causes them to react to that threat in some way. Many Christians considered communism an incarnation of evil that required exorcism from society and politics. In their view Marxist ideology challenged the fundamental foundations of religion and viewed organized religion as corrupt and part of the root cause keeping humanity down. Since communism was essentially an anti-God and anti-religion ideology, those whose lives centered on their religious beliefs and practices became troubled by its spread overseas. That threat became motivation to take action to protect what they held to be true and good.¹⁰

Several individuals and organizations took action to defend traditional Christianity and America from communist incursions. Rev. Carl McIntire, a Presbyterian minister in New Jersey had grown up in Oklahoma and briefly had attended Southeastern State College before he eventually went to Princeton to study theology. McIntire became

⁹ George M. Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870-1924* (New York: Oxford University Press, 1980), 206-211. This of course changed dramatically during the 1970s and 1980s, when many fundamentalists became interested in American politics. The scholarship on the emergence of conservative religionists in politics is extensive. Of many titles, see William Martin, *With God on Our Side: The Rise of the Religious Right in America*, especially 22-46.

¹⁰ Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870-1924*, 206-211.

one of the most prominent anticommunist fundamentalist pastors in America during the postwar years. Rev. McIntire worked tirelessly to fight those he believed to be the foes of the Christian church and American institutions. He categorized liberal theologians, such as Dr. John C. Bennett of Union Theological Seminary, and churchmen like Bishop G. Bromley Oxnam of the Methodist Church as false prophets bent on destroying the truth of the Bible as well as American capitalism.¹¹ He also focused his attacks upon the ecumenical movement and liberal clergymen who seemed sympathetic to communism. He wrote two books, *Modern Tower of Babel* and *Servants of Apostasy*, to document church leaders and groups such as the National Council of Churches and the World Council of Churches, which he believed to be just as dangerous as the United Nations.¹² In addition to the books, Rev. McIntire also published a weekly newspaper entitled *The Christian Beacon* well into the 1990s, and for years hosted a daily radio program heard by up to twenty million listeners. Ralph Lord Roy challenged those like McIntire who promoted a “libertarianism” within Protestantism.¹³ Rev. Roy, an ordained Methodist minister, defended mainline Protestant denominations and attacked fundamentalists in his

¹¹ Carl McIntire, *Modern Tower of Babel* (Collingswood, NJ: Christian Beacon Press, 1949), 139-151, 152-164.

¹² Carl McIntire, *Servants of Apostasy* (Collingswood, NJ: Christian Beacon Press, 1955).

¹³ Roy describes McIntire’s brand of “libertarianism” as a movement that embraced individualism, free enterprise, decentralization of the government, and the elimination of socialistic laws and programs such as social security. One such “libertarian” said, “We stand for free competitive enterprise—the economic system with the least amount of government and the greatest amount of Christianity.” Roy argues that this movement promoted a particular political and economic position through churches. Ralph Lord Roy, *Apostles of Discord: A Study of Organized Bigotry and Disruption on the Fringes of Protestantism* (Boston, MA: The Beacon Press, 1953), 286, 285-307.

book *Apostles of Discord*. Roy attempted to link individuals and groups associated with McIntire to the Ku Klux Klan, *Protocols of the Learned Elders of Zion*, and HUAC.¹⁴

In Oklahoma, several pastors fought against the communist menace in the state. In 1949, a young minister ordained in the Disciples of Christ church started a radio ministry in Tulsa, Oklahoma. Rev. Billy James Hargis worked throughout the 1950s and 1960s fighting communism throughout America and around the world. His daily and weekly radio programs typically included sermons decrying communists, the National Council of Churches, and the clergy he considered apostates. The minister also traveled and conducted evangelistic meetings. He also published a magazine entitled *Christian Crusade*. Rev. Hargis gained some notoriety with a much-publicized scheme to float portions of the Bible by helium-filled balloons behind the Iron Curtain and into East Germany in 1953. The balloon project continued for several years.¹⁵ In 1960, the United States Air Force training manual used two of Hargis's anticommunist pamphlets as primary sources. The manual caused trouble for the Air Force and Congress held hearings to investigate the matter.¹⁶ Other Oklahoma ministers who engaged in anticommunist ministries included Dr. W. B. Harvey of Oklahoma City and Rev. Edward Frederick Webber.¹⁷ Rev. Webber, a Pentecostal minister, caused a stir in 1940 when he

¹⁴ David K. Larsen, "Carl McIntire," in *Biographical Dictionary of Evangelicals*, ed. Timothy Larsen, David Bebbington, and Mark A. Noll (Downers Grove, IL: InterVarsity Press, 2003), 393-39; Roy, *Apostles of Discord: A Study of Organized Bigotry and Disruption on the Fringes of Protestantism*, 186-198.

¹⁵ Billy James Hargis, *Communist America: Must It Be?* (Tulsa, OK: Christian Crusade, 1960), iii-viii.

¹⁶ Ralph Lord Roy, *Communism and the Churches* (New York: Harcourt, Brace, and Co., 1960), 420.

¹⁷ See chapters 2 and 3 for Dr. Harvey.

promoted on his radio program a variety of anticommunist activities including a communist book burning in the city.¹⁸

A significant contingent of religious minded people whose beliefs and theology gave them a different perspective from the anticommunists on patriotism and the employment of religious symbolism also ministered in Oklahoma. For them, the trouble was not overseas in some other country. They believed America had many problems of its own that needed solutions, such as social justice, civil rights, and race issues. They saw the nation as hypocritical because it claimed freedom and equality for all, but in reality, this was only true for those of a certain race, ethnicity, religion, or politics. For them, a patriot fought for freedom and equality for everyone, and loyal Americans defended those groups and individuals denied liberty and justice. Those churchmen who embraced a modernist or progressive understanding of Protestant Christianity, in many instances, fought for social and political justice based upon the morality of their religious faith. In Oklahoma, Rev. Nick Comfort exemplified the modernist clergy who embraced a social gospel within this branch of mainline denominational Protestantism.¹⁹ Unfortunately for Rev. Comfort and his coreligionists, after World War I these forms of Christianity were beginning to lose their theological and denominational hegemony across America.

The large Protestant denominations in America during the first decades of the twentieth century contained a variety of theological and social traditions. Liberal theology grew to become one of the more prominent traditions within Protestantism

¹⁸ Shirley A. Wiegand and Wayne A. Wiegand, *Books on Trial: Red Scare in the Heartland* (Norman, OK: University of Oklahoma Press, 2007), 58-59.

¹⁹ See chapters 2 and 3.

during the second half of the nineteenth century with prominent leaders such as Congregational pastor Henry Ward Beecher. Protestant liberal theology commonly identified itself as theologically and socially modern and progressive. Theologians and scholars of liberal theology like Horace Bushnell, also a pastor of a Congregational church, applied critical analysis based upon nineteenth century scientific inquiry to key beliefs of Christianity.²⁰ This skepticism led to a form of non-traditional or non-orthodox Christianity that no longer believed the Bible to be God's Word, but instead, considered it just a collection of myths, fables, and moral lessons written by men. Christ was no longer the Son of God, but a good man and teacher. Jesus was no longer the savior, but an example of a good person for people to emulate. Man was not a sinner needing salvation, but a good person who needed encouragement or instruction in order to act ethically. No wrathful God existed, just a loving divinity. These theologians denied the existence of heaven or hell, and believed in only the here and now. The meaning behind Christian traditions, holy days, symbols, words, songs, artwork, architecture, and history changed fundamentally.²¹ The basis of the new liberal Christian theology became less about religion and more about ethics. Liberal theology essentially became an ethical system of social control couched in familiar sentimental Christian religiosity. If churchgoers did not believe the traditional gospel message that individual sinners needed salvation from their sins and God's wrath, how were they to interpret the great commission to go into all the world preaching the gospel? If individuals did not

²⁰ Hudson, *Religion in America*, 249-252.

²¹ "Divinity Schools Held Too Liberal," *New York Times*, July 20, 1953.

need saving, it was clear that society needed saving from poverty, hunger, disease, crime, violence, greed, and injustice.²²

The social gospel movement became a second prominent tradition within Protestant Christianity during the late nineteenth century. Ministers such as Washington Gladden and Walter Rauschenbusch were part of a movement reacting to significant changes in modern American life.²³ Industrialization, urbanization, and immigration rapidly changed life in America and created new problems in growing communities. The social gospel movement took part in the reform effort to improve society based upon traditional Christian principles. These principles included being kind to each other, doing works of mercy or charity for those less fortunate, and even loving your enemies. The New Testament taught followers of Christ to be good neighbors, to serve one another, and to be good stewards of what God had given them. They believed that if Christians embraced and lived according to these high standards, then society could dramatically improve for the better. However, over time many identified the social gospel movement with those Christians who embraced a liberal theology. This was primarily because many liberal Christians viewed the social gospel approach to community service as the practical application of their ethical beliefs. Unfortunately, those who rejected liberal theology would identify the social gospel movement with liberal Christians and denominations.²⁴

Throughout the twentieth century, a pattern emerged among orthodox Christians for identifying non-traditional ideas and causes to avoid and resist in order to remain uncorrupted by liberal theology. It was simple, first, reject anything advocated or linked

²² Richard V. Pierard, "Theological Liberalism," in *Evangelical Dictionary of Theology*, 631-635.

²³ Hudson, *Religion in America*, 288-293.

²⁴ N. A. Magnuson, "The Social Gospel," in *Evangelical Dictionary of Theology*, 1027-1029.

to modernist Christians. If a Rev. Nick Comfort or Rev. John Thompson, who were liberal in their theology, were for peace or racial justice then these issues were taboo for the pastor or Christian who held traditional doctrines. Second, for orthodox Christians the primary focus was the spreading of the message of salvation and forgiveness through the person and work of Jesus Christ. This was the Great Commission and everything else was a secondary matter including social and political action. Third, Christianity has a long history of social and political passivity; again, the mission of the believer is to change men's hearts and minds not society or the political arena.²⁵

The emergence of Neo-orthodoxy after The Great War essentially destroyed the philosophical underpinnings of nineteenth century Protestant liberal theology. The writings of theologian Karl Barth and other scholars such as Reinhold and Richard Niebuhr demonstrated the ethical basis for the social gospel was bankrupt. One of the primary arguments against the social gospel movement was its utopian view of humanity. This positive view of humanity formed the theological foundation of the movement, which the Great War proved to be unrealistic.²⁶ It would be nearly a generation before the theological shift in the divinity schools and seminars filtered down into the churches. Yet, demographically the number of Americans identifying themselves as Christian liberals was declining, while at the same time growth within evangelicalism, fundamentalism, and the charismatic or faith movement increased.²⁷

²⁵ Marsden, *Fundamentalism and American Culture: The Shaping of Twentieth-Century Evangelicalism, 1870-1924*, 206-211; idem., *Understanding Fundamentalism and Evangelicalism*, 100-101.

²⁶ See J. Neal Hughley, *Trends in Protestant Social Idealism* (New York: King's Crown Press, 1948); Handy, *A Christian America: Protestant Hopes and Historical Realities*, 159-184.

²⁷ Robert V. Schnucker, "Neo-orthodoxy," in *Evangelical Dictionary of Theology*, 754-756; idem., "Karl Barth," *ibid.*, 126-127.

In the 1951 oath controversy in Oklahoma, clergymen spoke both in favor of and in opposition to the new oath. However, the involvement of local ministers on either side of this debate was not as great as that of the ministers' involved in the anticommunist investigation and oath debate of 1941. Nevertheless, some public opposition to the 1951 oath did emerge. Early in April, Dr. Kenneth Feaver, minister at the Norman Presbyterian Church, and one of the few clergymen to speak out against the oath prior to it becoming law, thought the oath would violate the liberties of Oklahomans.²⁸ In early May, during an effort by Senator Smalley of Norman to amend the new loyalty oath, the Ministerial Alliance of Norman voiced its support of the senator. The Alliance wished to see the rights of religious objectors and citizens of other nations protected by amendments to the oath law. In a statement released by the Alliance, the pastors said that they lauded the state legislature for its patriotism and desire to protect democracy in light of the current threats. However, the Alliance went on to say that it

wishes to go on record as being opposed to the 'Loyalty Oath' in the form in which it was recently passed It threatens the constitutionally guaranteed right of liberty of conscience. It arbitrarily passes judgment upon state employees without clear evidence or trial. It denies non-citizens opportunity for public service. The Alliance therefore . . . encourages the state Legislature to re-examine its recent action and to bring forth a general oath of reaffirmation of loyalty to the Constitution of the United States and to the Constitution of the State of Oklahoma which is proper and consistent with the rights and dignity of citizenship²⁹

Dr. Feaver and five other local ministers, as well as two women members of the Alliance, signed the statement.³⁰

A significant number of Oklahomans held their religion as a high priority during this period. Within the religious community, there existed at least two factions embroiled

²⁸ "Norman Minister Says Oath Bill Could Mean Step Toward Statism," *Oklahoma Daily*, April 7, 1951.

²⁹ "Ministerial Alliance Asks Oath Changes," *Norman Transcript*, May 6, 1951.

³⁰ *Ibid.*

in the anticommunist controversy. Rev. Harvey and Rev. Webber represented a faction that promoted a traditional and conservative Protestantism actively opposed to atheistic communism and any person or group who sympathetically defended the civil rights of communists. Religious leaders in Oklahoma like Rev. Harvey supported anticommunist measures enacted by the state and local governments including the loyalty oaths of 1941 and 1951. Rev. Comfort and Dr. Feaver represented a bloc of Protestants who defended the rights of every American to believe any ideology or associate with any group without fear of recrimination. Rev. Comfort in particular viewed the anticommunist actions of the state legislature as violating the civil liberties of Oklahomans and he forcefully opposed the communist-control legislation and investigations of 1941 as well as the loyalty oaths of 1941 and 1951. The traditionalists adopted a staunch anticommunist position, while the more liberal minded faction opposed them. Both sides defended what they believed to be principles of the Christian faith and the founding political ideas of America. During the 1951 loyalty oath crisis, the debate between religious factions extended to include nonconforming faiths.

CHAPTER 8:

Nonconforming Religious Groups and Anticommunism

This chapter examines the religious background of nonconformists in Oklahoma who risked tarnished reputations, job loss or physical violence because of their beliefs. The chapter will first introduce religious nonconformity and define the basic characteristics found in such groups. Second, a survey of the nonconforming religious groups in Oklahoma during the twentieth century will present their backgrounds and unique beliefs and will discuss their interaction with anticommunism in the state particularly during the 1951 crisis. Those surveyed include the Mennonites, Seventh-Day Adventists, Quakers, and Jehovah's Witnesses. Finally, there will be a comparison of the different challenges and experiences the nonconformists had to face in Oklahoma.

The examination of the particular beliefs held by some nonconformists is relevant to this study. The nonconforming religious groups living in Oklahoma during the period from the Great War to the early Cold War years consisted primarily of citizens hoping to live according to their religious beliefs. Some of these Oklahomans lived a lifestyle that separated them from the general population. Some lived lives considered normal except for some doctrinal beliefs that distinguished them from the dominant churches and religious values of their communities. The nonconforming individuals and sects set

themselves apart from the mainstream because of their unique religious doctrines and practices.¹

Religious sects that refuse to conform to societal norms historically have made up only a small percentage of the overall population, especially when compared to the larger dominant religions, in both the nation and the state of Oklahoma. In the United States, as well as in Oklahoma, Christianity was the foremost faith throughout the twentieth century. In addition, Protestant Christianity, while represented by a number of denominations, held a central place within American society. Yet, the tremendous number of immigrants coming to America beginning in the nineteenth century brought many new religions and faiths to this country. Sociologists refer to these new religions as marginal religious movements that experienced either “accommodation” or “problematization” as they began the process of integration into American society. Several sects classified as marginal religious groups experienced significant difficulty adapting to American culture because they wished to retain traditions of faith and practice alien to American religiosity. This proved problematic, which resulted in some churches gaining reputations as nonconforming religious bodies.²

The Roman Catholic Church is neither a minority faith nor a nonconforming religion in America today. Nevertheless, during the nineteenth century and the first decades of the twentieth century the large Catholic population, while new to America, experienced significant cultural and societal pressures from nativists. Of course, when millions of Catholic immigrants flooded into America, they no longer were a small

¹ See Timothy Miller, ed., *America's Alternative Religions* (Albany, NY: State University of New York Press, 1995).

² Charles L. Harper, and Bryan F. Le Beau, “The Social Adaptation of Marginal Religious Movements in America,” *Sociology and Religion* 54 (Summer 1993) : 172-173.

percentage of the overall number of Christians in the country. Notwithstanding their growing numbers in the nineteenth century, the Catholic Church experienced problematization as both its institutions and Catholic adherents worked to create their own American identity while struggling to maintain their religious and cultural heritage. The Protestants continued to pressure Catholics to conform to the established religious, cultural, and social norms of the nation. The anti-saloon and prohibition campaigns at the local, state, and federal levels of government were efforts to regulate and control certain behaviors in Catholic communities. Protestants also successfully fought to maintain their control within the public school systems. Yet, Catholics continued to demonstrate their patriotism during the major crises of the twentieth century, particularly during the Red Scares. For the most part in Oklahoma, the Roman Catholic Church avoided charges of communist sympathies primarily because of its institutional reputation of resisting atheistic communism in Europe and Asia. Yet, Catholic resistance to communism and support of “Americanism” did not eliminate nativist attitudes or Protestant perceptions that Catholics were dangerously loyal to papal authority in Rome. Nonetheless, Catholics attracted little negative attention as nonconformists in Oklahoma during any period of the Red Scare episodes in the state.³

³ See Donald F. Crosby, *God, Church, and Flag: Senator Joseph R. McCarthy and the Catholic Church, 1950-1957* (Chapel Hill: University of North Carolina Press, 1978), ix-xv, 3-25. There remained anti-Catholic sentiment in Oklahoma during the first half of the twentieth century. This was primarily the remnants of the Protestant disapproval of the institutional hierarchy of the Catholic Church, particularly the authority of the pope, as well as disagreement over doctrinal differences. Even Rev. Comfort who worked to protect the civil rights of Catholics said, “from sad personal experience, I have found both communists and *Roman Catholics have loyalty centered outside of the United States*. . . . And, that both, alike, will all too frequently stoop to any means to further the ends of their *totalitarian organizations*. . . . I am unalterably opposed to totalitarianism in all its forms,” “Dr. Nick Comfort Quits State Progressives in Blast at Reds (italics added),” *The Daily Oklahoman*, September 18, 1949, 19-B.

Several nonconforming religious groups split off from traditional Protestant denominations in the nineteenth century to form their own churches based upon their own interpretation of the Bible or personal piety. Groups such as the Millerites, Seventh-Day Adventists, and the Jehovah's Witnesses had a common heritage that began with distinct millenarian interpretations and understandings of the return of Jesus Christ and the establishment of his kingdom on earth. Traditional Protestantism labeled many of these groups led by charismatic men or women as cults. These cults and the inception of other non-orthodox churches, such as the Mormons, threatened the spiritual hegemony and doctrinal orthodoxy of American Protestantism. Generally, the public perceived such groups as merely a minority within the larger Christian community. Perhaps one exception would be the sects that immigrated to America as congregations—such as many of the Mennonite and Amish communities that eventually settled in Oklahoma.⁴ Nonetheless, not all causes of separation stemmed from religious motivations. In fact, some divisions in society simply resulted from normal behaviors and patterns associated with immigration to America. For example, in urban areas separations within society followed a typical pattern in which immigrants settled into segregated neighborhoods based upon ethnicity, religion, and economic class.⁵

⁴ Marvin E. Kroeker, “‘Die Stillen im Lande’: Mennonites in the Oklahoma Land Rushes,” *Chronicles of Oklahoma* 67 (Spring 1989): 76-98.

⁵ Frank S. Mead, *Handbook of Denominations in the United States*, revised by Samuel S. Hill (Nashville, TN: Abingdon Press), 19-25, 120; James P. Smith and Barry Edmonston, eds., *The New Americans: Economic, Demographic, and Fiscal Effects of Immigration* (Washington, D.C.: National Academy Press, 1997), 58.

Mennonites

The Mennonites have a long theological heritage dating back to the Anabaptists of the Protestant Reformation. Many of their basic doctrines originated in 1527 with the Seven Articles of Schleitheim. This short creed spelled out the basic doctrines accepted by many Anabaptists including Mennonites. The first article distinguished them from some Protestants in that it claimed that baptism was only for believers and therefore they did not practice paedobaptism. Of the seven articles, two are significant for this study. Article six prohibits the use of any force by the church or its members for either punishment or defense. The seventh article expressly forbade the swearing of any type of oath.⁶ The Mennonites got their name from one of their leaders Menno Simons. Within the Mennonite family of faith, there were different conferences and churches that had formed because of differences in faith and practice. Most Mennonites tended to be conservative when it came to Christian doctrines. Key characteristics of Mennonites included knowledge of the Bible, active participation in the church, commitment to serving others, and peacemaking.⁷

Mennonites began settling in Oklahoma at the end of the nineteenth century. Many arrived during the land run of 1889 and others came when more western lands of the Oklahoma territory opened up in 1892. Many of the Mennonites who settled in Oklahoma had a long history of moving from one place to the next. Some were of German heritage, but moved to Russia, then Canada, then Kansas, and finally Oklahoma

⁶ J. C. Wenger, "Mennonites," in *Evangelical Dictionary of Theology*, ed. Walter A. Elwell (Grand Rapids, MI: Baker Books, 1996), 705-706. Another element of article six is that a nonresistant Christian could not serve in a position of authority or in government. Their greatest aspiration was to follow Jesus' example and he refused to be the people's king, *ibid.*, 706.

⁷ Calvin Redekop, *Mennonite Society* (Baltimore, MD: The Johns Hopkins University Press, 1989), 3-12; Cornelius J. Dyck, *An Introduction to Mennonite History* (Scottsdale, PA: Herald Press, 1993), 217-234.

looking for a place where they could peacefully live and practice their faith. Large Mennonite communities settled in western Oklahoma around Washita County. There are also several other settlements across the state. Most of the Mennonites came to the state as farmers so they tended to live primarily in rural community.⁸

During the Great War, the Mennonites throughout Oklahoma encountered “super-patriots” who did not understand or trust these peaceful religious people. The state’s Council of Defense promoted patriotism at the district level with loyalty pledge drives. For most Mennonites and Amish the swearing an oath was wrong and something they would not do. The district council members were also encouraged to watch their neighbors for signs of “un-Americanism.” Many Oklahomans did not trust the Mennonite or Amish communities because they were originally from Germany and still spoke the language of America’s new enemy. For this reason there were suspicions concerning their loyalty to America.⁹ In addition, the Mennonite doctrine of pacifism led many Oklahomans to believe the conscientious objectors were traitors. Many experienced public ridicule, property destruction, and physical violence by vigilante mobs. While many young Mennonite men were willing to serve the nation, they still did not want to violate their belief in nonviolence. Some sought to serve in civilian service work in place of military service but instead were imprisoned. Even those who were not strict adherents to pacifism, the Great War years were hard on the Mennonites. Some

⁸ Marvin E. Kroeker, “‘Die Stillen im Lande’: Mennonites in the Oklahoma Land Rushes,” 76-83.

⁹ See chapter 1.

young men served in noncombatant positions in the military services.¹⁰ Finally, as the war ended the fear and distrust of the Mennonites began slowly to subside.

After the Oklahoma legislature passed the 1941 loyalty oath, some claimed that it prevented Mennonites and other pacifists from running for elected office in the state.¹¹ Similar claims emerged during the 1951 oath controversy, *The Daily Oklahoman* stated, “Opposition to the oath developed slowly and is scattered. Several *members of Peace churches* among students and on the faculty, faced with a ‘bear arms’ sentence that eliminates conscientious objectors, *are the main opposition* (italics added).”¹² It was during the 1951 oath controversy that concern over the impact of the new law on minority religious groups became significant.

In the Senate debate over the 1951 loyalty oath, Senator Louis Ritzhauph, from Guthrie, told his colleagues that the law would prevent Seventh-Day Adventists from working for the state. Ritzhauph, who claimed to be a former Adventist, declared that the sect was pacifistic.¹³ During the same debate, a senator from Clinton, Max Cook, warned his fellow members in the senate that he had received information stating all the employees in the Custer County school district were Amish. The validity of Senator Cook’s claim remains unclear; nonetheless, he moved to amend the oath law during debate in the Senate because he believed it to be in the best interest of his constituents.

¹⁰ Marvin E. Kroeker, “‘In Death You Shall Not Wear It Either’: The Persecution of Mennonite Pacifists in Oklahoma,” in *An Oklahoma I Had Never Seen Before: Alternative Views of Oklahoma History*, ed. Davis D. Joyce (Norman, OK: University of Oklahoma Press, 1994), 80-100. See also O.A. Hiton, “The Oklahoma Council of Defense and The First World War,” *Chronicles of Oklahoma* 20 (March 1942): 18-42.

¹¹ Le[sic] to Horace [Peterson], November 30, 1947, Horace Cornelius Peterson Collection, Box 10, Folder 8, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

¹² “A&M Seeking Privacy for Red Oath Objectors,” *The Daily Oklahoman*, April 22, 1951.

¹³ “Senate Kills Revised Oath Bill,” *Oklahoma Daily*, May 3, 1951.

Senators rejected Cook's call to exempt conscientious objectors from swearing that they would bear arms in an emergency. Real or imagined, some feared there might be a community in Oklahoma where all teachers and school board members would be unable to sign the loyalty oath due to the bear arms clause. The fact that senators did not remove the clause or amend the oath in any way, left some concerned that schools in the district were in danger of closing. Senator Cook reported the area around Custer County as having a large Amish population and therefore susceptible to such a problem. The concern of Senator Cook and others, led to the fear that the oath law of 1951 would disrupt life in Oklahoma. Senator Ritzhauph also argued for exemptions for religious conscientious objectors from the loyalty oath.¹⁴

Several Oklahomans agreed with Senators Cook and Ritzhauph that the new loyalty oath might have potentially harmful consequences on certain religious minorities in the state. One individual that voiced his concern over the unforeseen consequences of the new loyalty oath was Rev. E. N. Comfort. He was one of only a few individuals involved in the 1951 oath debate who had also taken part in the anti-Red controversy ten years earlier. However, he seemed to play a less visible role in the latest dispute. The Reverend participated in a few informational meetings held on the campus of OU in early April of 1951, when the legislature had yet to pass the loyalty oath bill. He continued his limited activities opposing the new oath after it became law on April 9. His interest in the issue compelled him to draft a letter to the state legislators a few days before the May 9 deadline for signing the oath. Rev. Comfort urged the representatives and senators to repeal the oath, which he believed resembled laws from Hitler's Germany and Stalin's

¹⁴ Ibid.

Russia. He also thought that the new oath endangered America's future because it bankrupted the notion of freedom of assembly. He feared that if the politicians did not reverse themselves, then their latest effort to ensure security from subversives in the state would instead drive out Christians who were good citizens of the state. Interestingly, he believed that the oath law would also destroy the local schools in the smaller communities made up of religious pacifists, where teachers with religious scruples against bearing arms would be unable to swear an oath.¹⁵

A week before the May 9, 1951 deadline for signing the anticommunist oath, Governor Murray received a letter from a public school teacher. A twenty-six year veteran classroom instructor sent the letter from Washita County Oklahoma. The letter to Murray included a signed oath of allegiance that had the "bearing arms" section crossed out. In this letter, the schoolteacher warned the governor that if the legislature did not amend the bill, school districts in southwestern Oklahoma would close down. She reasoned that a significant number of unorthodox religious people living in the western county worked for the school districts there. Many of the people in the area, being religious pacifists, could not sign the oath. The letter stated, "Teachers and school board members are members of the Amish religious sect and will not sign the arms bearing requirement due to their beliefs."¹⁶ The southwestern corner of Oklahoma, particularly Washita County had a concentration of Mennonite wheat farming communities.¹⁷

However, a review of local daily and weekly newspapers in Washita County and

¹⁵ "'Y' to Discuss Loyalty Oath," *Oklahoma Daily*, April 5, 1951; "Ministers Urge Oath Changes," *Norman Transcript*, May 6, 1951.

¹⁶ "Teacher Avows She Won't Sign Full Red Oath," *Oklahoma City Times*, May 3, 1951.

¹⁷ Printed on every front page of the *Washita County Enterprise* published in Corn, Oklahoma, under the newspaper's masthead read the statement, "The largest wheat growing settlements in the United States."

surrounding towns provided no evidence of any school closings or difficulties resulting from large numbers of public schoolteachers refusing to adhere to the 1951 loyalty oath requirement. In fact, no reports surfaced of any teacher, apart from this letter writer, refusing to sign the required affidavit in the southwestern part of the state.¹⁸

In May 1951, Governor Johnston Murray received a letter from the Committee of Reference and Counsel for the Mennonite Brethren Conference, Southern District. In this letter, J. W. Vogt, the chairman of the committee, informed the governor that the Mennonite Brethren Churches in Oklahoma had some reservations about the new oath. Mr. Vogt said that the Conference agreed with the intent and spirit of the oath and that they did need to protect the state from subversive influences. However, the Conference had difficulties with a portion of the anticommunist vow. Mr. Vogt stated,

the phrase which refers to the bearing of arms cannot constitutionally be applied to persons who due to conscience and religious scruples refrain from bearing arms. the Mennonite Brethren Church has always been known as one of the Historic Peace Churches, which holds that its members cannot do combatant duty in times of war or peace . . . we as a conference stand upon the rights and privileges as granted under the present Federal Draft laws, and upon the rights of our state constitution which provides that 'No religious test shall be required for the exercise of civil and political rights.' *Members of our denomination will therefore sign the loyalty Oath or Affirmation with mental reservation as pertaining to the bearing of Arms [sic] (italics added).*¹⁹

Mr. Vogt's letter to Governor Murray provides a simple explanation. The Mennonite Churches would instruct their members to sign the oath if their employer required it.²⁰

In addition, the establishment of their own schools and colleges may have allowed the Mennonite communities to circumvent any issues presented by the loyalty oaths of

¹⁸ A search of seven local newspapers in and around Washita County revealed no mention of any problems in the southwestern corner of the state resulting from Governor Murray signing the loyalty oath bill in 1951. *Clinton Daily News, Sentinel Leader, The Cordell Beacon, The Custer County Independent, The Southwestern, Washita County Enterprise, Weatherford News.*

¹⁹ J.W. Vogt to Mr. Murray, n.d., Johnston Murray Collection, Box 45, Folder 3, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

²⁰ "Mennonites Laud Loyalty Oath Law," *Oklahoma City Times*, May 26, 1951.

the late 1940s and early 1950s. Typically, the state did not require private institutions to submit oaths of allegiance. This held true in Oklahoma despite the fact that several private religious colleges and universities voluntarily submitted oaths of allegiance signed by their employees.²¹

A second reason for the seemingly non-existent controversy among the Mennonites related to the fact that these groups tended to be rural farm communities. According to census data from the era, although still very rural, Oklahoma like much of the country saw its rural population shrink while the urban centers experienced growth. One of the co-sponsors of HB No. 8, Dale Griffin of Cloud Chief, came from Washita County where a significant number of Amish and Mennonite communities existed.

Just days before the May 9 deadline for state employees to sign the 1951 oath, Attorney General Mac Williamson issued an opinion on the new loyalty oath requirements. Williamson stated that those individuals with religious scruples against bearing arms had to sign the oath. He interpreted the bear arms clause of the oath to mean that those with scruples could instead perform non-combatant service and therefore sign the oath in good conscience.²² Once hearing the Attorney General's opinion on the

²¹ John B. Turner to Governor Murray, November 30, 1951, Box 18, Folder 7, Record Group 8-N-7-1, Governor's Papers, Governor Johnston Murray, Oklahoma State Archives, Oklahoma Department of Libraries, Oklahoma City, OK. The faculty and employees at the Oklahoma City University signed loyalty oaths and sent them to Governor Murray. The new state law did not require private schools and institutions to submit sworn oaths. However, this Methodist university wished to demonstrate its loyalty by taking this action.

²² Fred Hansen, First Assistant Attorney General to Honorable Johnston Murray, Governor of Oklahoma, April 30, 1951, Johnston Murray Collection, Box 68, Folder 2, Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma. The Attorney General ruled that the bears arms clause of the 1951 loyalty oath was "not unconstitutional, same *cannot constitutionally be applied to a person who has religious scruples against bearing arms*, and hence is of the further opinion that as to such a person said statement in his oath is *of no force or effect and is not binding* thereon. In fact, the above concluding words, 'if necessary', construed *in connection with federal laws permitting persons having religious scruples against bearing arms to render non-combatant service in lieu of bearing arms*, in our opinion

religious issue, Dr. Alvin W. Johnson, who represented the International Religious Liberty Association of Washington, D.C., dropped plans to challenge the oath in court. He had come to the state to challenge the new oath, which the Association opposed because of the bear arms clause. Dr. Johnson said, “We commend the attorney general on his courageous stand, with the interpretation given to the present law, our organization will withdraw all opposition.”²³

The Seventh-Day Adventists

The Adventists trace their denominational heritage back to William Miller and his followers called Millerites. Miller believed he had discovered when the second coming or advent of Christ was to occur. Many of his followers prepared for the return of Christ sometime between 1843 and 1844. When nothing happened, Miller revised his prediction for October 22, 1844. When the advent failed to occur in October many of his followers became disillusioned, forsook Christianity, or simply returned to their old churches. However, small groups continued to believe in the second coming of Christ. These Adventists eventually formed their own denominations with many beliefs and practices that distinguished them from other Protestant denominations. There are different Adventist churches, but the Seventh-Day Adventists are the largest group.²⁴

Key doctrinal beliefs differentiate the Adventists from mainstream Protestantism. One obvious distinction is that Seventh-Day Adventist maintain Saturday as their special

indicates a legislative intent that such a person taking the oath agrees to either bear arms or render non-combatant service (italics added).” *Ibid.*, 4.

²³ “Ruling Merely Delays Bitter Red Oath Test,” *Oklahoma City Times*, May 7, 1951.

²⁴ Mead, *Handbook of Denominations in the United States*, 19-25.

day for worship instead of Sunday like most other Christian denominations. This stems from the Adventists' high regard for obeying the Ten Commandments, and so they set aside the seventh day of the week in obedience to the fourth commandment. Most Adventists abstain from alcohol, tobacco, coffee, and tea, while some advocate vegetarianism.²⁵

As the May 9 deadline approached for all state employees to sign the 1951 loyalty oath the leaders of the Oklahoma Seventh-Day Adventists conference expressed concern over the bearing arms clause. However, when the Attorney General issued his opinion on the oath, the Adventists expressed some measure of relief. They also were hoping that Senator Smalley's SB No. 343 to amend the oath would pass. Mr. H. C. Klement, the president of the Oklahoma Conference of Seventh-Day Adventists came out in support of both Williamson's opinion, and Senator Smalley's pending legislation. Mr. Klement even testified before a joint Senate and House committee reviewing Smalley's proposed bill. Mr. Klement stated

Seventh Day Adventists are nonmembers [*sic*] of subversive organizations, nor are they in any way sympathetic with the program of communism. [Adventists] are not opposed to taking an oath giving assurance of their allegiance and support of the government so long as it does not make compulsory the bearing of arms, but accepts non-combatant [*sic*] as recognized and provided for in the selective service act and recognized by the United States supreme court.²⁶

Mr. Klement reported that Seventh-Day Adventists served faithfully in non-combatant roles for the nation. He said Adventists provided the young men within their denomination the opportunity to enroll in the "church's medical cadet corps training" program in order to prepare them for medical service in the military. In 1951, over three

²⁵ Melvin E. Dieter, "Adventism," in *Evangelical Dictionary of Theology*, 15-16.

²⁶ "Ruling Merely Delays Bitter Red Oath Test," *Oklahoma City Times*, May 7, 1951.

thousand young Adventist men enrolled in the training provided by their church.²⁷ Other sects such as the Friends and Mennonites provided their young men alternative forms of service to the country as well.

The efforts by Senator Smalley and Attorney General Williamson to mitigate the potential problems with the 1951 oath proved unsuccessful. On May 9, all state employees had to sign and submit an oath or face termination. For over one hundred state employees who refused to sign or altered their oaths, the possibility of losing their jobs became a serious concern. Many local groups and organizations worked to support those whose conscience prevented them from signing the oath. At both OU and Oklahoma A&M, the hardest hit institutions in the state, the AAUP began raising funds to help those suffering a hardship because of lost wages or employment stemming from the controversy.²⁸ One of those suffering hardship at Oklahoma A&M was Harold A. Coonrad, Assistant Professor of Secretarial Administration. Coonrad, a Seventh-Day Adventist, altered the oath he signed because he conscientiously objected to the bear arms clause. As a result of his actions the Board of Regents dismissed him.²⁹

Those religious adherents in Oklahoma affected by the loyalty oath received little direct assistance from their denominations. It is probable that those dealing with the question of whether to sign or not received advice from their pastor or leaders in their local congregation. The state officials of the Seventh-Day Adventists and the Mennonite Brethren Conference of the Southern District instructed their membership that they could

²⁷ Ibid.

²⁸ "AAUP Will Aid Intervenors; Oath Court Test Opens Today," *The Daily O'Collegian*, May 19, 1951.

²⁹ See pp. 215-216.

sign the oath, but with mental reservations. Apart from these exceptions, the denominations provided little direction to their members.³⁰

The Society of Friends

The Society of Friends has been around for more than three hundred years. The founder of the movement George Fox initiated a revolutionary form of Christianity that would have a great impact on western culture and religion. Fox introduced a brand of religion that did not require a minister or church, but did allow for a sense of spiritual democracy and equality among the Friends. The Friends adopted radical ideas such as refusing to show deference to those of a higher station in society. They believed all people were equal because all have God's inner light in them. Friends also refused to go to war and to swear oaths. Their beliefs created serious troubles for many of the Society members. Many suffered persecution for their beliefs. In the American colonies, William Penn created the religiously tolerant colony of Pennsylvania. Penn advocated the fair treatment of Native Americans, the outlawing of slavery, temperance, and a simple lifestyle. Over the years the Friends gained a reputation for their promotion of peace and their service to others especially those in need. The American Friends Service Committee (AFSC) formed during the Great War offering service opportunities to conscientious objectors. This organization became a major institution for the Friends meetings and conferences to coordinate relief and community services. Regardless of

³⁰ "Ruling Merely Delays Bitter Red Oath Test," *Oklahoma City Times*, May 7, 1951; "Mennonites Laud Loyalty Oath Law," *Oklahoma City Times*, May 26, 1951.

their relatively small size, the Society of Friends has become widely known as a peace church.³¹

A few non-signers in Oklahoma were members of the Friends Society, commonly known as Quakers. Perhaps one or two dismissed employees at Oklahoma A&M were Quakers who refused to sign the oaths because of the bear arms clause.³² Evidence indicates that the denomination's social services ministry known as the American Friends Service Committee knew little to nothing about the new oath requirement in Oklahoma until May 8, 1951. Several states such as Pennsylvania and California were dealing with either new oaths or older oaths, which may explain the AFSC's inattention to Oklahoma. In an office memo originating in the Philadelphia office of the AFSC, George Loft, an AFSC administrator, reported that he learned about the Oklahoma oath while on a trip to Indiana. He speculated on whether AFSC should take action, especially because of the bear arms clause in the oath. He said, "I am not sure exactly what the AFSC should be doing. Do you think it would be right to at least ask the Friends in Oklahoma to let us know if any members of the society come in conflict with the authorities . . . so that we might consider what help we can give?" He went on to suggest that the AFSC probably needed "to consider more formal procedures for following up and dealing with problems growing out of such legislation." In the interim, he planned to contact an acquaintance at OU for more information concerning the situation.³³

³¹ Mead, *Handbook of Denominations in the United States*, 112-119; James E. Johnson, "Society of Friends," in *Evangelical Dictionary of Theology*, 430-430. For more on American Friends, see also, Thomas D. Hamm, *The Transformation of American Quakerism: Orthodox Friends, 1800-1907* (Bloomington, IN: Indiana University Press, 1988).

³² See p. 216.

³³ George Loft to Harold Chance and Homer Morris, May 8, 1951, "1950s," General Administration, 1951, Loyalty Oaths, The Collections of AFSC's Archives, American Friends Service Committee, Philadelphia,

A second memo in August from Dick Bennett stated that recent discussions between the Ford Foundation and AFSC officials had focused on the oath controversy in Oklahoma. The Foundation suggested establishing a fellowship to help relocate any professor terminated because of loyalty oath problems. The Foundation seemed interested in focusing its attention on Oklahoma, but some at AFSC thought a greater need might exist in California. Bennett said, "There is an amazing lack of information in this part of the country about what is going on in Oklahoma." He suggested that Dr. Lewis Hoskins, the Executive Secretary of AFSC, contact his friend Dr. Robert J. Bessey, Professor of Physics at OU, for information.³⁴ Eventually Dr. Bessey and Dr. Hoskins talked on the telephone and exchanged letters. Dr. Bessey informed Dr. Hoskins that the university's American Association of University Professors (AAUP) had taken steps to handle the situation at OU. Dr. Bessey also suggested that Dr. Theodore Agnew might be a good contact for information about Oklahoma A&M.³⁵ Dr. Agnew, a member of the History Department at Oklahoma A&M and AAUP chapter secretary, responded to AFSC's inquiries about the situation at the college. Dr. Agnew reported that the Oklahoma A&M chapter of AAUP supported those involved in the legal test of the oath, but the organization struggled to pay the lawyer's fees. Dr. Hoskins replied to Dr.

Pennsylvania. Harold Chance served as Director of the Friends Peace Service. George Loft and Homer Morris were staff at AFSC.

³⁴ Dick Bennett to Paul Johnson and Steve Cary, August 27, 1951, *ibid.* Paul Johnson served as executive secretary for AFSC from 1949 to 1950. Steve Cary worked as both staff and volunteer for years, in 1951 as Secretary of the American Section of AFSC, and eventually served as President of AFSC. Richard Bennett was a AFSC staff member.

³⁵ Bob Bessey to Lewis, September 18, 1951, *ibid.*; Lewis M. Hoskins to Robert J. Bessey, September 21, 1951, *ibid.*

Agnew's letter offering any assistance possible.³⁶ This episode illustrates how at least one denominational organization lacked information about the events in Oklahoma. The lack of communication between local members, churches, and centralized bodies limited the role such organizations played in dealing with crises like the one in Oklahoma.³⁷

The Jehovah's Witnesses

Jehovah's Witnesses are not part of the historic peace churches and, by definition, are not pacifists. However, the beliefs of the Witnesses typically result in their practice of refusing to participate in patriotic exercises or serving in the military. Their main objection to this is that Jehovah did not command such matters nor are they honoring to him. Witnesses must only render honor, devotion, and obedience to Jehovah. For example, a Witness would not oppose the use of force if Jehovah commanded it.

The Jehovah's Witnesses also suffered significant harassment and difficulties from Oklahomans during these periods. The Witnesses' nonconformity and approach to evangelism gained the group an unfavorable reputation. Who were the Witnesses and why did they suffer abuse and attacks from anticommunist groups and "super-patriots?"

According to statistics published in the Witnesses publication *Watchtower*, in 1950 the total number of worldwide adherents to the sect numbered 357,889 and 108,000

³⁶ Theodore L. Agnew to Dr. Lewis M. Hoskins, October 18, 1951, *ibid.*; Lewis M. Hoskins to Theodore L. Agnew, November 6, 1951, *ibid.* During the weeks before the May 9 deadline for signing the new oath, faculty members such as Dr. Theodore Agnew worked to activate an AAUP chapter at Oklahoma A&M. "Aggie Professors Debate AAUP Unit," *The Daily O'Collegian*, May 10, 1951. Within a week of the May 9 deadline, an AAUP chapter formed and an executive committee worked to aid those faculty members and employees fighting the new oath requirement. "AAUP Will Aid Intervenors; Oath Court Test Opens Today," *ibid.*, May 19, 1951.

³⁷ A search of the AFSC Archive revealed no evidence of any assistance given to anyone involved in the Oklahoma oath conflict of 1951.

in the United States where the most adherents lived.³⁸ In the 1940s and 1950s, the Jehovah's Witnesses in Oklahoma were still a very small percentage of the total population. While still in its infancy, the Oklahoma Watchtower Tract and Bible Society's first effort at a statewide meeting occurred on June 27 to 29, 1952, at the campus of Oklahoma A&M.³⁹ Even with its small numbers, this religious group experienced significant public controversy and widespread persecution during both the war and the postwar years.⁴⁰ The group's experience in Oklahoma mirrored the difficulties it encountered throughout the nation and the world. It seemed that no matter where the Jehovah's Witnesses lived they had difficulty with public perceptions of loyalty dating back to the Great War. This assessment of the Witnesses caused the organization and its members many difficulties during a time in American history when loyalty became of vital concern to most citizens.

The common perception of Jehovah's Witnesses as a cult clearly indicated that this group's heterodoxy separated it from traditional Christianity. Christianity, particularly Protestantism, is rather complex. This complexity begins with the numerous religious traditions within Protestantism. Within each tradition are different denominations, and within each denomination, a variety of churches exist. However, despite a wide-ranging divergence of ecclesiastical polity and doctrine, there are core beliefs considered essential to the faith, and therefore shared by all. Adherents of traditional Christianity considered the Watchtower Tract and Bible Society as a non-

³⁸ *Watchtower*, August 15, 1950, 256, 249.

³⁹ "Jehovah's Witness to Gather at A&M," *The Daily Oklahoman*, June 21, 1952.

⁴⁰ For more on the persecution of Witnesses during the early 1940s, see Shawn Francis Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, (Lawrence, Kansas: University of Kansas Press, 2000).

Christian religion. The Witnesses formed from a small group once associated with the Seventh-Day Adventists in the nineteenth century. Like the Adventists, the Witnesses were millenarian and deeply interested in prophecy and the end of days. The adherents were students of the Bible and typically held study sessions on Saturdays. Doctrinally, the Witnesses believe that Jesus is not the Christ, the Son of God. They base this on a strict monotheistic interpretation of both the Old and New Testaments. Orthodox Christianity considers the denial of such foundational truths as the deity of Jesus Christ and the doctrine of the Trinity as effectively rejecting essential Christian beliefs and practices. For devout Christians or ordinary American citizens somewhat familiar with Christianity, these individuals were different from typical church people and not part of the mainstream Christian or “church-going” culture in America. For devout Christians they represented a false gospel. Some declared Witnesses heretics or false prophets. Non-Christians became much more familiar with the sect’s cultural characteristics beginning in the 1920s.⁴¹

Jehovah’s Witnesses gained distinction through their zeal to share their faith with others in their community. In the 1920s, the Witnesses began their practice of zealous proselytizing in an effort “to save” as many people as possible. A key biblical passage for the sect is a quotation of Jesus speaking to his disciples shortly before the Passover celebration and his crucifixion. Jesus said, “And this gospel of the kingdom will be preached in all the world as a witness to all the nations, and then the end will come.”⁴²

⁴¹ For a fuller treatment of Jehovah’s Witnesses, see M. James Penton, *Apocalypse Delayed: The Story of Jehovah’s Witnesses*, 2d ed. (Toronto: University of Toronto Press, 1997). See also Irving Hexman, “Jehovah’s Witnesses,” in *Evangelical Dictionary of Theology*, 577-578.

⁴² Matt. 24:14.

Witnesses believed that after the final great battle of Armageddon, those not elected for an eternity in heaven with Jehovah could live forever in a new kingdom on earth ruled by Jesus. For them, evangelizing non-Witnesses was an act of compassion for the lost, and an act of obedience to Jehovah. According to J. N. Hendrix, long-term staff member of the Society's international office in New York City, the reason members needed to spread their message of the "Kingdom of God throughout the inhabited earth [was] to show our loving appreciation as witness to all the nations until the end comes. So doing we make and carry out the life-giving decision in this time of man's crisis."⁴³ To conventional Christians, the sect's engagement in aggressive outreach campaigns was insidious proselytizing by a group that condemned all organized religions not aligned with them.⁴⁴

In Oklahoma, the Witnesses made numerous efforts to convert "the lost" in their community. For example, a couple living in north Oklahoma City filed a complaint against Jehovah Witness Luther Hendrickson for disturbing the peace. Evidently, when Hendrickson visited the neighborhood and spoke to people about his religious beliefs, he approached Mr. and Mrs. Roy Vaughn. After a brief discussion, Mrs. Vaughn asked him to leave, but Hendrickson refused. She said, "I told him I was a Methodist and to leave. He still lingered. My husband took a jack handle and the two had words." Hendrickson told the Oklahoma City Police Court that he was "out on the sidewalk off the property when the argument took place." The court fined the Jehovah's Witness \$7.00 for

⁴³ "Divine Love Is the Only Hope, Jehovah's Witnesses Warn," *The Daily Oklahoman*, August 2, 1954.

⁴⁴ Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, 16-17.

disturbing the peace.⁴⁵ Similar scenarios had happened across America since the 1920s, gaining Witnesses a reputation of sometimes being very annoying or irritating.

Not only did the Jehovah's Witnesses have difficulties because of their minority status and non-Christian theology, but also because of another cultural distinction, which was their nonconformist mind-set. In a speech, Nathan Knorr, president of the Watchtower Tract and Bible Society in the 1950s, reminded thousands of Witnesses of a key doctrine of the sect. He said, "All man-made laws of righteousness, we are to obey, but where a conflict arises between God's law and that of human dictators and human legislatures, then we must recognize Jehovah's sovereignty."⁴⁶ Most Christians would be familiar with this perspective and could agree theoretically with Knorr's sentiment that God's law is greater than man's law. However, some particular application, of this principle separated Witnesses from Christians. For example, in the 1930s, Witnesses began refusing to salute the nation's flag or to say the pledge of allegiance. This, more than any other practice of the sect resulted in the sometimes-violent persecution of its members. The most widespread and violent persecution happened shortly after the United States Supreme Court ruled June 3, 1940 on the *Minersville School District v. Gobitis* case. In this eight to one decision, the Court ruled that the School District had the right to force student participation in patriotic rituals. In this case, the court ruled one must salute the American flag and say the pledge of allegiance despite holding religious convictions opposed to such practices.⁴⁷ For many civil libertarians this was a clear case

⁴⁵ "Member of Sect Fined in Argument," *ibid.*, October 14, 1952.

⁴⁶ "Sect's Doctrine Is Reaffirmed," *The Daily Oklahoman*, July 21, 1953.

⁴⁷ *Minersville School Dist. v. Gobitis*, 310 U.S. 586 (1940).

of the state intruding on the personal religious beliefs of a minority sect and forcing these citizens to comply in direct violation of any due process stemming from their First Amendment rights.⁴⁸ The jurisprudence of this case is the subject of much scholarship and beyond the scope of this research. Still, *Gobitis* deserves mentioning for providing such a watershed moment in the public's perception of Witnesses. Throughout the 1940s, many Americans, including groups like the American Legion and other veteran and patriotic groups, saw Witnesses not only as a fringe religious group, but also as un-American and potentially subversive.⁴⁹

During the 1940s and 1950s, newspapers across the nation reported numerous examples of Witnesses' non-conformity. William Lewis, the principal of the Hall High School in Martinsville, Indiana, lost his job simply because he refused to salute the American flag, which was against his religious convictions as a Jehovah's Witness. Lewis never disparaged or desecrated the United States flag. In fact, he claimed to have the utmost respect for the stars and stripes and everything for which it stood. He simply refused to salute it.⁵⁰

From the late 1930s through the 1950s, cases of young men refusing to serve in the military because of their religious convictions became commonplace in Oklahoma and across the U.S. Failure to comply with compulsory conscription usually resulted in arrest and imprisonment. In 1951, several episodes of young men refusing induction into

⁴⁸ Shawn Peters, in his *Judging Jehovah's Witnesses* quotes Roger Baldwin, the director of the ACLU in 1940. Baldwin was amazed that the high court would so casually set "aside the traditional right of the religious conscience in favor of a compulsory conformity to a patriotic ritual." Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, 69.

⁴⁹ *Ibid.*, 96-123.

⁵⁰ "Principal Fights To Reclaim Job," *The Daily Oklahoman*, October 10, 1951. Mr. Lewis sued the Martinsville, Indiana school board in an effort to get his job back.

military service during the Korean War made headlines in Oklahoma papers. For example, *The Daily Oklahoman* reported on several local young men facing legal troubles because of their religious scruples. Gene Tony Annett, a 23-year-old house painter from Alva, had the dubious distinction of being the first reported draft dodger in the state since the outbreak of the Korean War. Annett claimed that as a Jehovah's Witness, he did not have to serve in the military because it violated his convictions.⁵¹ Witnesses also claimed that each member of the Watchtower Society was a minister and therefore exempt from military duties. During the Second World War, thousands of Witnesses refused any form of service in the military—even non-combatant service—because they believed it a human endeavor and not part of Jehovah's purpose. As a result, many young male members of the Watchtower Society sat the war out in penitentiaries. Other Witnesses in Oklahoma arrested for draft evasion at that time were Ralph Clinton Moody of Cushing, Norman Hugh Hays from Tulsa, and Thomas H. Bouziden, from Alva.⁵² Each of these men had their cases heard in Federal District Court. Judge W.R. Wallace ruled that Hays and Bouziden were not guilty of draft evasion because the hearing board did not give them a fair hearing. Judge Wallace ruled Annett guilty.⁵³ The next year Moody received a guilty verdict for evading the draft. He claimed like the other Witnesses that his religious beliefs did not permit him to bear arms, and that a previous injury of a broken back left him physically unable to serve. U.S.

⁵¹ "Alva Witness Held As Draft Evader," *The Daily Oklahoman*, February 22, 1951.

⁵² "City Man Guilty In Draft Evasion," *ibid.*, September 25, 1952; "Secret FBI Draft File Is Ordered Open by Judge," *ibid.*, September 26, 1952.

⁵³ "Jehovah Witnesses Freed in Draft Case," *ibid.*, November 14, 1952.

District Judge Edgar S. Vaught ordered Moody to return to the draft board for a new evaluation.⁵⁴

Episodes like these made many Americans question the patriotism of Watchtower members. Some concluded that anyone unwilling to serve in the United States military during wartime or refusing to salute the flag and say the pledge must be unpatriotic and anti-American. Many of their critics concluded that Witnesses were communists. Witnesses had to counter the charges by Christians against the Society's unorthodox beliefs, in addition to charges from American society that they were not loyal citizens.⁵⁵

In the postwar years, Witnesses remained a clear minority in Oklahoma as elsewhere in America. In a state where 60% of the population claimed church membership and the American Legion exerted significant state and local influence, it is surprising that nonconformist religious minorities did not experience greater difficulties. However, the Witnesses in the state did experience several incidents that tested their convictions. One episode happened on Sunday, July 17, 1949, in the small southern Oklahoma town of Duncan, about eighty miles south of Oklahoma City. In 1949, Witnesses met in Duncan for a three-day convention, which drew over one thousand attendees. Several residents of the town were uncomfortable with so many Witnesses coming into their community because of the existing public perception of the sect. Some even tried to prevent the Witnesses from being able to meet in the auditorium of the local high school. Local veterans and members of the local Legion Post attempted to get an injunction from a Federal District Judge to stop the convention, and even pleaded with

⁵⁴ "State Man Guilty Of Draft Charge," *ibid.*, April 16, 1953.

⁵⁵ Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, 72-95.

the school board not to allow the group use of the facilities at the high school. Despite these efforts, the Witnesses met. However, on the last day of the meeting approximately twenty men, later said to be veterans of World War II, entered the auditorium during the final evening sermon. The men carried American flags, brass knuckles, and pipes into the meeting and confronted several Witnesses in front of the stage. Fighting broke out and lasted over one hour. The entire Duncan police force, numerous state troopers, and the fire department attempted to restore calm. When the fighting broke out many of the convention attendees immediately left town. Many of the injured were unable to leave. The riot also resulted in significant property damage to the school and the personal property of many Witnesses. Rioters also torched a Witnesses' car during the disturbance. Once officials quelled the disturbance, some of the Witnesses attempted to resume their evening service, but were unable to continue because veterans tossed firecrackers through broken windows into the auditorium. Eventually, the Witnesses gave up and simply went home. The leadership within the American Legion at the state and local post denied any role in the action of the veterans in Duncan. The Legion officially denounced the violence. Clearly, the angry veterans interrupted the meeting and provoked the attack.⁵⁶

The next day an editorial ran in *The Daily Oklahoman* decrying the violence against the Jehovah's Witnesses in Duncan. The article condemned the attack on the sect, but also characterized the anger of the veterans as understandable. It read,

⁵⁶ "Firemen, Police Halt Riot Between Duncan Veterans, Witnesses," *The Daily Oklahoman*, July 18, 1949.

We can appreciate the indignation of men who have fought and suffered to protect their country when their community is *invaded by people who believe that no country, however precious, is worth fighting for*. We can imagine the wrath of men who once fought in the Bulge or Okinawa when religionists begin to declaim, “Throw away your guns and scrap your tanks and let Stalin take your country if he wants.” We are not denying the right of veterans to be terribly angry. *They wouldn't be typical Americans if they failed to grow angry indeed* (italics added).⁵⁷

It went on to point out the right to worship as a bedrock principle of American liberties, and that the actions of the veterans violated the rights of Witnesses. The editorial concluded by suggesting that the veterans had inadvertently helped the sect gain public sympathy because of their brutal attack upon it.

The Witnesses sued the city of Duncan for damages resulting from the riot that broke out at their convention. They lost their case before the Federal District Court in Ardmore. They then appealed to the Federal Court of Appeals and won. After winning on appeal, the Witnesses moved to have the suit dismissed.⁵⁸ It became standard practice of the sect to fight back against persecution and the repression of their liberties in the American judicial system. Numerous cases filled judicial dockets around the nation as Witnesses, with the assistance of lawyers working for the organization, sought remedy in state and federal courts.⁵⁹

There were other efforts by veterans in Oklahoma to prevent Jehovah's Witnesses from meeting in their communities. In 1954, Witnesses in Oklahoma were planning their state convention and searching for a location. They attempted to procure facilities in the towns of Alva and Cushing. Alva is near the Kansas border in north central Oklahoma, and Cushing is southwest of Tulsa. Officials in both locations refused to allow the

⁵⁷ Editorial, “Even Though Indignant,” *ibid.*, July 19, 1949.

⁵⁸ “Religious Group Asks Suit Dismissal,” *The Daily Oklahoman*, March 25, 1952.

⁵⁹ Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, 124-152.

Witnesses the use of their armories as a meeting place. Local veterans, hearing of the Witnesses' overtures, erupted into protests against the use of the armory in Alva as well as the National Guard facility in Cushing. Cushing's Major General Roy W. Kenny, then the state adjunct general of the National Guard, said the meeting "might cause a breach of the peace and damage to our property" especially in light of what had happened in Duncan in 1949.⁶⁰ Despite these denials, the Witnesses were able to hold their state convention in Tulsa that year.

From 1938 to the end of the Second World War, some associated Jehovah's Witnesses with Adolf Hitler and nazism. Later, during the early years of the Cold War, critics accused Witnesses of being communists. Advocates of "Americanism" argued using a simple logic that those unwilling to participate in patriotic rituals were not on the nation's side. Those not on "our" side had to be the enemy and therefore posed a danger to America. In the early 1940s, unwillingness to salute or pledge allegiance to the flag, or serve in the military meant that an individual must be on Hitler's side. In the late 1940s and early 1950s, if someone was unwilling to sign a loyalty oath, which some might interpret as a patriotic ritual, then that person was obviously a communist.⁶¹

Aware of the American public's perception of the Society, the leadership within the Watchtower headquarters in New York City knew significant numbers of Americans

⁶⁰ "Sect Refused Use Of Cushing Armory," *The Daily Oklahoman*, January 5, 1954. Witnesses experienced similar problems throughout America at that time. For example, a few years before the incidents in Alva and Cushing, Oklahoma, members of the American Legion post in Galveston, Texas opposed the efforts of Witnesses to hold their state convention there. A spokesman for the local Legion Post stated they opposed sect meeting in Galveston "because Jehovah's Witnesses are opposed to the defense of our country." "Religious Sect's Parley Opposed by Veterans," *ibid.*, August 25, 1952.

⁶¹ Peters, *Judging Jehovah's Witnesses: Religious Persecution and the Dawn of the Rights Revolution*, 73-75; *Watchtower*, August 15, 1950, 252. Charges of fifth column activities plagued the Jehovah's Witnesses during World War II and the Cold War.

viewed their members as being disloyal citizens or perhaps even communists. Witness leaders and lawyers fought for their religious rights in the courtrooms of America. They also fought the public's perception of them in their publications. Witnesses wanted Americans to know that they were loyal and conscientious citizens, but that they loved their God more than they loved their country. This did not mean that they did not love and respect the United States; they simply put their loyalty and obedience to God first.⁶²

In August of 1950, Witnesses held an international convention at New York City's Yankee Stadium. During the convention, the leaders of the Watch Tower Bible & Tract Society planned to address the seemingly universal charge that characterized the sect as communistic. On August 1 the president of the Society, N. H. Knorr, addressed a packed stadium.⁶³ In a series of resolutions, he declared that the efforts of Witnesses around the world were:

for God and his Kingdom by Christ, we could never be communistic. We denounce the false accusation by our enemies that we are communists. We disavow all connections with or support of communism or any other political element of this old world. Moreover, we make united protest against the persecution of Jehovah's witnesses by the communist powers and by other governmental powers; and we declare the persecution of any religious minority by political governments and by powerful religious hierarchies to be wrong and unchristian and we will have no part in it.⁶⁴

In the August edition of *Watchtower* magazine, the Society's primary publication, two articles appeared that formed the basis of Knorr's address to convention goers. The first article, entitled "Answering the Foes of His Government," made an argument against public perceptions that called Witnesses communists, a fifth column, or a subversive

⁶² "'Witnesses' Leader Explains Doctrine," *New York Times*, July 21, 1953; "'Witnesses' Told To Act Within Law," *ibid.*, July 22, 1953.

⁶³ "60,000 'Witnesses' Open Weeks Rally," *New York Times*, July 31, 1950. Immigration and Naturalization officials on Ellis Island detained five Jehovah's Witnesses coming to New York City for a convention on the suspicion of "extreme pacifism." "Alien 'Witnesses' Give Up Passports," *New York Times*, July 24, 1950.

⁶⁴ *Watchtower*, August 15, 1950, 258-259.

organization. The article presented several specific arguments to prove that Jehovah's Witnesses were not in league with communism. The article argued that the Society had decried communism since the nineteenth century. As proof, the article traced the history of the sect's opposition to communism dating back to *Watchtower* issues from September 1879, June 1883, January 1884, September 1895, and January 1902. The article also claimed that the Society had published a book entitled *The Plan of the Ages* between 1886 and 1929 warning that communism aimed to draw in working class people dissatisfied with existing forms of government. A second argument disputed attacks by leaders of organized religion who characterized the sect as communistic. Smears by Catholics particularly concerned the Society. Catholic publications and leaders from around the world accused Witnesses of working with communists in Poland, Greece, Ireland, and other European nations to weaken the Catholic Church. The Witnesses argued that rather than helping the communists, they in fact suffered persecution and imprisonment throughout the Soviet Union and other countries that included Yugoslavia, Albania, Czechoslovakia, Romania, Bulgaria, Hungary, Poland, and East Germany. The leadership argued,

If Jehovah's witnesses are communistic, as our religious enemies in Christendom declare, then why have the communist powers proscribed those witnesses who bear the name of Jehovah God and confiscated their property and hounded them with fanatical persecution?⁶⁵

On this particular point, mounting evidence existed that in fact, Witnesses suffered significant abuse from communistic regimes. Many nations throughout the world arrested members of the Jehovah's Witnesses society. During the late 1940s and early 1950s, the number of Witnesses arrested on suspicion of spying increased.

⁶⁵ Ibid., August 15, 1950, 249-255.

Newspapers reported that in 1950 the Polish government banned the Society's proselytizing efforts in Poland. This did not deter seven Witnesses. In 1951, Polish authorities arrested them for suspicion of being American spies fomenting revolution. In Czechoslovakia, officials charged eight leaders of the sect with being spies threatening the security of the nation. The Czech government sent the leaders to prison. In September of 1953, over 150 Witnesses faced arrest by the communists in East Germany on the suspicion they were spies for the United States. By 1954, the East German government had outlawed the sect and imprisoned 1,343 Witnesses many of whom served multiple year sentences.⁶⁶

In the August issue of the *Watchtower* and President Knorr's speech at the 1950 Witness convention in New York City, the Society raised one final argument in its defense. Although claiming that the Society did not seek "vindication" from any worldly government, the group did cite in their publications and speeches that the United States government had never officially classified the Witnesses as communists. They argued that in 1948, when the United States Attorney General began listing all communist and subversive organizations, "that the name of Jehovah's witnesses and the Watch Tower Bible & Tract Society nowhere appear."⁶⁷ In addition, the sect did seem to enjoy pointing out the one instance when a government agency inadvertently associated them with communism, and the government officials moved hastily to correct the error.⁶⁸

⁶⁶ "Witnesses' Face Polish Spy Charge," *The Daily Oklahoman*, March 19, 1951; "Czechs Sentence Religious Leaders," *ibid.*, March 30, 1953; "East Germany Seizes Jehovah's Witnesses," *ibid.*, September 19, 1953; "Reds Imprison Nine of Religious Sect," *ibid.*, August, 15, 1954, 2-A.

⁶⁷ *Watchtower*, August 15, 1950, 252.

⁶⁸ In a letter dated December 15, 1949, General C. B. Cates of the U.S. Marine Corps sent a letter apologizing to the Society for "a grave error in stating that Jehovah's Witnesses was [*sic*] associated with communism." The letter went on to state that the memorandum in question was "revised as to eliminate all

Despite the efforts in 1950 to address the American public's opinion of Jehovah's Witnesses, rumors of disloyalty and subversion continued. During the Korean War, concerns plagued Americans as young men died to stem the spread of communism abroad. Apprehension over the selective service and the possible implementation of a Universal Military Training (UMT) law created unease within religious communities, pacifistic organizations, and conscientious objectors. As politicians continued to discuss and debate these issues, pressure on nonconformist groups like the Witnesses remained high, especially since they opposed the Korean War, the selective service system, and the proposed UMT.

Again, the leadership of the Watchtower Bible & Tract Society tried to address the communist issue. The February 8, 1952 issue of the Witness publication, *Awake!* contained a notice advertising a new tract produced by the Society. This new six-page tract, entitled "Jehovah's Witnesses, Communists or Christians?" became available for mass distribution. Witnesses could purchase 250 tracts for only twenty-five cents. The advertisement read in part,

Jehovah's Witnesses, communist or Christian? That question has been raised recently because of false charges by misinformed persons. . . . The tract may be used with telling effect to remove all doubt and it will prove false those making the unfounded charge.⁶⁹

The new tract contained much of the information published in the *Watchtower* in August 1950 with some updated information. The tract reiterated the fact that numerous Witnesses behind the Iron Curtain had suffered persecution and even death. Governments banned the sect, confiscated property, and imprisoned many in slave labor

reference to Jehovah's Witnesses and I shall direct that all copies presently existing which contain such reference be destroyed." *Watchtower* magazine printed a copy of the letter in its August 15 edition. *Ibid.*, 259.

⁶⁹ *Awake!* February 8, 1952, 31.

camps simply because “they maintain strict neutrality toward all political affairs. Hence they refuse to sign the communist-inspired Stockholm peace appeal.”⁷⁰ The tract also discussed why Witnesses had become the objects of persecution by communists and “the Western bloc of Christendom.”

The answer is simple. *It is because they are true, sincere and honest Christians.* Implicit followers of Christ and the apostles. The Bible is their guide. To such *true Christians*, Jesus says: “You will be hated by all people on account of my name.” “If you were part of the world, the world would be fond of what is its own. Now because you are not part of the world, but I have chosen you out of the world, on this account the world hates you. But they will do all these things against you on account of my name, because they do not know him that sent me.”—Matthew 10:22; John 15:18, 19, 21 (*italics added*).⁷¹

Witnesses clearly wanted to distinguish themselves from communism for obvious reasons. Yet, it is possible that even if Jehovah’s Witnesses had proved to the public that they were not communists that the vilification and mistreatment of the sect would have continued simply because of their confrontational and persistent method of recruitment.

For the other nonconforming groups such mistreatment probably resulted because of heightened suspicion during times of crises toward any groups that did not agree with widely held beliefs. One such belief was pacifism, which each group practiced in some form. The Mennonites and Quakers were part of the historic peace churches and known for their non-violent doctrines and practices for centuries. The basis of their pacifism was that violence did not accord with the Christian life and mission described in the New Testament. Not all members of these groups advocated pacifism, but over time it became a significant part of their religious and cultural identity. The Seven-Day Adventists and Jehovah’s Witnesses have no direct heritage with the historic peace churches. However, some Adventists conscientiously objected to fighting in America’s Civil War. It was not

⁷⁰ “Jehovah’s Witnesses, Communists or Christians?” (Brooklyn, NY: Watchtower, 1952), 3.

⁷¹ *Ibid.*, 5-6.

until World War I that many from this denomination began requesting alternative service in the military. Unlike other pacifists, Adventists have served in the military but as noncombatants. Adventists who are pacifists refuse to kill because one of the Ten Commandments forbids it. Jehovah's Witnesses are pacifists but not necessarily because of any doctrine of non-violence. Witnesses refuse to serve in the military for several reasons. One primary reason is that they are not to concern themselves with the affairs of men, but devote themselves fully to Jehovah. Their loyalty is above all to their God and nothing should supplant that primary allegiance. Many people in America and Oklahoma could not understand the beliefs of those who practiced pacifism. Some Oklahomans acted as if the conscientious objectors were not loyal to their community or were simply cowards. Occasionally such misunderstandings led to controversy. Fear such as that seen during wartime can quickly change to paranoia because of a heightened sense of danger. Groups such as the Jehovah's Witnesses and nonconforming sects that did not fit into the mainstream made themselves a target of this type of suspicion. Additionally, during times of war in foreign lands, finding an enemy to oppose on the home front may have given regular citizens a sense of purpose and accomplishment and a feeling that they contributed to the war effort. These sects, whether an actual threat or not, could have provided the public with just that type of enemy.

CONCLUSION

Anticommunism in Oklahoma was a persistent and reactionary populist style of politics used to protect the state from radical, subversive and communist influences but managed instead to victimize political and religious non-conformists. The anticommunist oaths of 1941 and 1951 were part of a ten-year political effort in Oklahoma to rid state government and, in particular, state schools of subversive influences, which resulted not in the purging of communists but, instead, of political and religious nonconformists statewide. Anticommunist sentiment and the precedent for requiring loyalty oaths in Oklahoma had deep roots dating back to the early decades of the twentieth century. Oklahoma, like the rest of America, experienced three periods of significant public apprehension and anxiety because of foreign threats. The first harrowing episode for Americans happened with the country's entry into the Great War in Europe in 1917. The second traumatic period occurred in 1941 when it seemed inevitable that the country would soon be at war with the seemingly unstoppable military machine of Adolf Hitler's Germany, but instead the Japanese staggered America with a stunning and dastardly attack on Pearl Harbor. The third episode emerged at the dawn of the Cold War era when the nation faced the threat of a Soviet Union with atomic bombs, a communist China, a war in Korea, and a growing number of espionage charges against American citizens. Common to each episode were the necessary efforts to mobilize the nation for war abroad as well as on the home front.

By 1951, anticommunism reached its pinnacle in the state with the passage and implementation of a loyalty oath for all public employees including the staff and faculty of all state colleges and universities in Oklahoma. An awareness of and attentiveness to the need for public safety and security inside the United States grew with each new crisis culminating in the removal and barring of all communists from positions of authority and power within the state. Politicians and citizens especially feared the possibility that subversive or communist ideas might infiltrate the state's schools through rogue educators seeking to indoctrinate students.

Oklahoma's political leaders responded to the fear of subversion and the threat of communist indoctrination by creating legislation to control or eliminate the danger to citizens and institutions. Safety concerns provide a reasonable explanation for the persistence of anticommunism in the state during troubled times. Fear motivated many officials and citizens into action whether to create an oath of allegiance, investigate rumors of communism, or require that employees sign an oath in order to "prove" their loyalty. Fear motivated such change. Fear became the justification for accepting government encroachment on personal liberties. A majority of Oklahomans willingly, if not eagerly, abjured some of their own civil liberties to ensure domestic unity and security. Those most likely to suffer during such a period would be the political and religious nonconformists.

It is clear that as the century progressed and America experienced a series of military conflicts abroad, the reaction on the home front gradually evolved both politically and culturally. For example, in Oklahoma during the Great War those who did not conform to community standards of loyalty and patriotism suffered from either the

threat of or actual physical molestation. The victims of this unwanted attention tended to include socialists who were the remnants of Oklahoma's more progressive past. Other victims included individuals or communities with religious scruples against war. Many endured the pain and humiliation of tar and feathering, some the sting of the lash, exile, detention, or possibly incarceration. By World War II, the "super-patriots" in Oklahoma tended not to use most of these extra-legal practices to enforce loyalty. Instead, they relied on institutional enforcement of loyalty by pressuring politicians to pass more far-reaching loyalty and security measures to deal with subversives and potential troublemakers. Patriotic groups and individuals also relied upon peer pressure and shame as mechanisms to ensure conformity to their idea of "Americanism." Typically, public smearing of targeted individuals or organizations became very common during the Cold War era. In addition, politicians used communist-control laws to force the removal of subversives and undesirables from the state payroll. The decline of patriotic vigilantism and mob violence from 1917 to the 1950s exemplified a significant shift in the processes of anticommunism in Oklahoma. Politicians and religious leaders advocated a less violent form of "Americanism." Furthermore, communities increasingly rejected the methods of secretive organizations such as the Ku Klux Klan for the enforcement of social and moral standards.

A clear progression in the political and social history of anticommunism in Oklahoma reflected greater reliance over time on standardized and institutionalized policy and procedures. This process began in 1917 with efforts to create a sense of community and purpose as America prepared for war with Germany. National and state leaders identified our enemies, as communities rallied behind county-level leadership that

enforced conformity, and individuals expressed their patriotism with pledges and oaths. Identification of the enemy and codifying of procedures used to protect the community became central to these developments. These systematic changes resulted in a perception of order and safety for some Oklahomans, but for others fear and anger over what they saw as “witch hunts.” Interestingly, Ellen Schrecker’s interpretive model of McCarthyism as a two-stage progression seems to fit with how patriots dealt with nonconformists and subversives during the Great War. Of course, Schrecker applied her model to anticommunism during the Cold War era. However, her basic model and understanding of the processes may be applicable to other periods and other nonconforming groups.¹

The scholarship concerning anticommunism and loyalty oaths in America during the 1940s and 1950s often overlooks the repression of religious liberty. Scholars tend to focus on academic freedom, tenure, partisan politics, civil rights, institutional anticommunism, race relations, Hollywood culture, and the political implications of communist-control loyalty oaths and investigations. Any mention of the role of religion or religious liberty receives only brief attention. This work is a small addendum to the vast amount of scholarship dealing with civil rights and offers a new perspective that focuses upon the political repression of religious liberty amid the Red Scare and loyalty oath controversies in Oklahoma. It also provides a fuller understanding of how people in Oklahoma perceived of and acted toward “subversives” during times of national crises. It is clear from the controversies in Oklahoma that the infringement of many individuals’

¹ Ellen Schrecker, *No Ivory Tower: McCarthyism and the Universities* (New York: Oxford University Press, 1986). Schrecker understands McCarthyism as a two-stage process. In the first stage, the government establishes the identity of subversives or communists through legislation or administrative regulations in order to control or dismiss them. The second stage in the process is the enforcement of the mandates by agency administrators or employers. See pp. 11 and 28 above.

religious rights took place. The political repression by the state of the personal religious beliefs of some individuals dismissed from employment or forced to resign had a direct impact upon their liberties and lives.

It is clear that in the state of Oklahoma the anticommunist oath legislation violated the Constitutional rights of many state employees. It is also a fact that the loyalty oath requirement in Oklahoma exposed no known communists on the state's payroll. However, the legal requirement did disclose the existence of many employees with religious scruples. Essentially, the 1951 Red oath in Oklahoma exposed and or harmed more people with religious scruples than any communists or fellow travelers.

Both the 1941 and 1951 versions of Oklahoma's loyalty oaths did contain language unique among state oaths. The phrase, "that I will take up arms in the defense of the United States in time of War or National emergency, if necessary," was unique when compared to other loyalty oaths throughout America during this period.

In several ways, events in Oklahoma did not follow the standard interpretation of anti-Red politics in America during the postwar years. Earl Latham, in his *The Communist Controversy in Washington*, described anticommunism as a political event brought on by partisan politics.² However, in Oklahoma during the 1940s and 1950s, red baiting for political advantage over rival parties seemed rare or non-existent because the Democratic Party dominated state politics. In addition, unlike the Deep South, anti-Red politics only occasionally directly concerned race relations. Furthermore, in Oklahoma the sponsors of anticommunist legislation came from small towns or non-urban areas of the state. For this reason, Oklahoma did not fit the urban pattern established in states like

² Earl Latham, *The Communist Controversy in Washington: From the New Deal to McCarthy* (Cambridge: Harvard University Press, 1966).

Michigan and California or the racial pattern seen in southern states such as Georgia. However, one interpretation of possible underlying causes of anticommunism that may correspond in part to the Oklahoma experience is Richard Hofstadter's anti-intellectualism.³ The abundance of anti-intellectual rhetoric during these episodes combined with the anticommunist legislation, which over time focused more on institutions of higher education, may support this theory. The anti-intellectual theory also corresponds to the populist style of politics practiced by anticommunists in the state.

The drafters and supporters of the Oklahoma loyalty oaths in 1941 and 1951 viewed their efforts in part as a way of protecting freedom of religion from the threat of atheistic communism. Yet as the objectors and non-signers attempted to adhere to their own religious beliefs, they suffered harassment from those who created or favored the oath. This leaves one to question what was more detrimental to religious freedom—the oath intended to protect it or the atheistic communism that sought to eliminate it.

Nonconformists in Oklahoma posed a threat to their fellow citizens' sense of national unity. They threatened the stability of the community and endangered the sense of security by appearing to knowingly or unknowingly side with America's ideological archenemy. Many saw these individuals as dangerous, traitorous, and criminal and therefore a menace to society. Oklahomans lauded those who exposed or attacked nonconformists out of a sense of duty or justice as great patriots and heroes.

The anticommunist oaths of 1941 and 1951 in particular were part of a long-term political effort in Oklahoma to rid state government and all of the state colleges and universities of subversive influences. This was part of a populist political style, which responded to national crises with legislation aimed at protecting Oklahomans from

³ Richard Hofstadter, *Anti-Intellectualism in American Life* (New York: Vintage Books, 1963).

perceived threats. The results of these efforts led to the purging of political and religious nonconformists from public employment statewide. However, Oklahoma purged few, if any, communists from public office and state employment. As persistent anticommunism in Oklahoma progressed over the years, it appeared to have had no direct impact on communism, but greatly impacted people of conscience.

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APPENDICES

APPENDIX A


The Oklahoma Loyalty Oath as of January 11, 1951

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Oklahoma against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Oklahoma; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of Oklahoma by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated by force or other unlawful means except as follows: And that during such time as I am a member or employee of the _____ I will not advocate nor become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of Oklahoma by force or violence or other unlawful means.¹

¹ "The House of Representatives, Thursday, January 11, 1951," George Lynn Cross Presidential Records, Box 78, Folder "Legislature," Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

APPENDIX B

1951 Oath of Allegiance as Passed


 1907

OATH OF ALLEGIANCE

UNITED STATES OF AMERICA }
 STATE OF OKLAHOMA } ss:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Oklahoma against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of Oklahoma; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of Oklahoma by force or violence or other unlawful means; *That I am not affiliated directly or indirectly with the Communist Party, the Third Communist International, with any foreign political agency, party, organization or Government, or with any agency, party, organization, association, or group whatever which has been officially determined by the United States Attorney General or other authorized agency of the United States to be a communist front or subversive organization, nor do I advocate revolution, teach or justify a program of sabotage, force or violence, sedition or treason, against the Government of the United States or of this State, nor do I advocate directly or indirectly, teach or justify by any means whatsoever, the overthrow of the Government of the United States or of this State, or change in the form of Government thereof, by force or any unlawful means; that I will take up arms in the defense of the United States in time of War, or National emergency, if necessary; that within the five (5) years immediately preceding the taking of this oath (or affirmation) I have not been a member of The Communist Party, The Third Communist International, or of any agency, party, organization, association, or group whatever which has been officially determined by the United States Attorney General or other authorized public agency of the United States to be a communist front or subversive organization, or of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of Oklahoma by force or violence or other unlawful mean;*

And I do further swear (or affirm) that during such time as I am _____

(Here put name of office, or, if an employee), insert 'An employee of' followed by the complete designation of the employing officer, office, agency, authority, commission, department or institution.

* * * I will not advocate and that I will not become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of Oklahoma by force or violence or other unlawful means.

Subscribed and sworn to before me this the _____ day of _____ 19____

Notary Public, or other officer authorized to Administer Oaths or Affirmations.

My Commission Expires _____ 19____

APPENDIX C

Oklahoma A&M Employees: “Non-Signers” who were Foreign Nationals¹

The following lists the names, job titles, departments, and nationalities of the foreign personnel who signed altered oaths by the May 9, 1951 deadline. Most signed oaths later noting their citizenship. Many continued working at the college.

1. Aronszajn, Nachman, Professor: Mathematics Department; France.
2. Borsu, Luc Charles, Graduate Fellow: Department of Foreign Language; France.
3. Brodnitz, Ernest W., Graduate Assistant: Department of Agricultural Economics.
4. Burn, W. S., Technical Director: Oklahoma Power and Propulsion Laboratory.
5. Chu, An-Shek
6. Couderc, Louis Arthur, Graduate Fellow: France.
7. de Chazal, Louis Edmond Marc: Research Foundation; Britain.
8. Drouven, Gustav: Germany.
9. Ernste, Janneke Wilhelmina, Student Counselor: Willard Hall Department of the Dean of Women; citizen of the Netherlands.
10. Hsi, Eugene Y.C.: Water Plant.
11. Hsi, Eugenia: Home Economics Research.
12. Hsu, Chih-Gung
13. Ko, S. Y.
14. Langenegger, Reinhard, Graduate Fellow: Department of Foreign Language; Switzerland.
15. Li, Ming-yw: China.
16. Ligonnet, Jean Pierre. (Not listed on the original list of 39 “non-signers.”)
17. Notaras, Alec
18. Raag, Helmo
19. Rice, Walter M., Associate Professor: Department of Clinics and Surgery, School of Veterinarian Medicine; Canada.
20. Sanchez, Alfredo C.: Chemistry Department.
21. Samii, Cyrus Babak.: Iran.
22. Staicoupoulon, Lia: Department of Agricultural Economics.
23. Struzenegger, Claire: Home Economics Department.
24. Struzenegger, Otto: Chemistry Department.
25. Thaker, Monohan B., Statistical Clerk: Department of Social and Rural Life.
26. Weigert, Ludwig J., Student Assistant: Department of Physics; Germany.
27. Zirakzadeh, Aboulghassem, Graduate Assistant: Mathematics Department; Iran.

¹ “Loyalty Oaths--Signed, Non-United States Citizens” [includes all original altered forms signed by citizens and non-citizens], 1951, President’s Papers, 1908-1968, Special Collection, Edmon Low Library, Oklahoma State University, Stillwater, Oklahoma.

APPENDIX D

Oklahoma A&M Employees Who Did Not Sign an Oath¹

1. Helen Cline, student: Library, terminated May 1951.
2. +Paul G. Palmer, student: Library, terminated May 9, 1951.
3. +Alan Thomson, student: Library, terminated May 9, 1951.
4. +Judith (Judy) Anderson, student: Library, terminated May 9, 1951.
5. +Gene Copeland, student: Post Office, terminated May 10, 1951.
6. +Lonzo Green, student: Post Office, terminated May 10, 1951.
7. Frank Bonsall, Visiting Associate Professor: Mathematics Department, British citizen left college at end of the spring semester, 1951.
8. Gillian Bonsall, Visiting Assistant Professor: Mathematics Department, British citizen, left college at end of the spring semester, 1951.

Oklahoma A&M Employees Who Signed Modified Oaths²

Oklahoma County District Judge Carlile ordered the termination of the following.

9. *Baum, Werner C., Assistant Professor: Botany and Plant Pathology
10. +Loomis, Clarence B., Director: Community Development Program
11. +Coonrad, Harold A., Assistant Professor: Secretarial Administration, Commerce Department.
12. *Correll, Malcolm, Professor: Physics, Chairman of Physical Sciences
13. Diamond, Ainsley H., Professor: Mathematics, Head of Department.
14. Doty, Robert V.: employee Bennett Dinning Hall.
15. Jennings, Alan Kellerman, Graduate Assistant: Mathematics
16. +*Lee, Samuel Hunt Jr., Associate Professor: Chemistry and Physics
17. Morsillo, Olga: employee at North Murray Hall
18. *Nietz, Luella, Assistant Professor: Department of Music
19. +*Schmoe, Lillian A., Secretary: Psychology Department
20. +Tucker, James O., Graduate Assistant, Student Photographer: Veterinary Medicine
21. *Wieman, Robert Morgan, Assistant Professor: Department of Philosophy
22. *Ziebur, Nancy, Research Assistant: Zoology Department. (Not listed on the Oklahoma A&M administration's original list of 39 "non-signers.")

+ Known to have religious scruples against signing the 1951 loyalty oath.

* Participant in the *Wieman v. Updegraff* Supreme Court Case.

¹ "Loyalty Oaths Correspondence, 1951-1952" [a list of students forced to resign rather than sign oath typed on college stationery], President's Papers, 1908-1968, Special Collection, Edmon Low Library, Oklahoma State University, Stillwater, Oklahoma; Robert Wieman to B. B. Chapman, October 22, 1985, Berlin Basil (B. B.) Chapman Collection, 1940's-1980's, *ibid*.

² "Loyalty Oaths--Signed, Non-United States Citizens" [includes all original altered forms signed by citizens and non-citizens], 1951, President's Papers, 1908-1968, *ibid*.; Frank and Gillian Bonsall to President Bennett, 11 May 1951, President's Papers. Robert Wieman to B. B. Chapman, October 22, 1985, Berlin Basil (B. B.) Chapman Collection, 1940's-1980's, *ibid*.; "Minutes of the Board of Regents for the Oklahoma A&M Colleges, July 5, 1951," Oliver S. Wilham Papers, p. 19, *ibid*.

APPENDIX E
University of Oklahoma Employees Who Did Not Sign Oath¹

1. Betty N. Binkley, Library Assistant, resigned
2. Marcus Freiberger, Student Assistant, former OU basketball player, dropped out of school middle of spring semester, signed oath in August, resigned
3. Harriett Latta, Assistant Counselor, resigned
4. Gilbert H. Lincoln, Librarian, resigned
5. Jess McNulty, Student Assistant, resigned
6. John I. Patton, Library Assistant, resigned
7. Judith G. Simmons, Instructor, Department of English, resigned, but classified as not reappointed
8. Nancy Ann Strong Smith, Typist, resigned
9. Ada L. S. Wood, Library Assistant, resigned
10. Richard A. Bodge, Instructor, not reappointed
11. Ruben Landa, Assistant Professor, not reappointed
12. Marine A. Lee, Instructor, not reappointed
13. Sanford M. Roberts, Instructor, not reappointed
14. Aldon D. Bell, Research Assistant
15. Jack Blubauch, Student Assistant
16. Diane Butler, Student Assistant
17. N.A. Court, Professor
18. Marie Damn, Clerk-secretary
19. Jimmie Rose Dixon, Supply Clerk
20. Robert Gene Dodson, Student Assistant
21. Donald R. Ellegood, Education Assistant
22. Robert E. Gardner, Instructor,
23. George J. Goodman, Professor
24. Elizabeth A. Harper, Research Scholar
25. E. O. Hughes, Assistant Professor
26. Iris Elaine Hulse, Student Assistant
27. George M. Jenks, Graduate Assistant
28. W. D. Jones, Student Assistant
29. Wilma F. Kuns, Library Assistant
30. Howard W. Larsh, Professor
31. Joe Wheeler McCauley, Supply Clerk
32. Harriet Cavert McDaniel, Graduate Assistant
33. Della B. Owl, Assistant Professor
34. Don Reece, Student Assistant
35. Jimmy Smith, Student Assistant
36. Phil Smith, Student Assistant
37. Lois A. Solberg, Clerk-Secretary

¹ "Persons Who Have Not Signed Any Oath And Are Not On Leave," George Lynn Cross Presidential Records, Box 90, Folder "Loyalty Oath #2," Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

38. Deimer V. Svander, Research Assistant
39. Hugh W. Treadwell, Graduate Assistant
40. Dick G. Underwood, Art Editor,
41. Virginia L. Underwood, Clerk-secretary
42. Barbara Way, Assistant
43. Thomas Lee Yapple, Graduate Assistant

University of Oklahoma Employees Who Signed Modified Oaths²

44. Henry Angelino, Assistant Professor
45. Paul R. David, Associate Professor
46. Arthur W. Heilman, Associate Professor
47. William A. Livezey, Professor
48. Neville Price, Student Assistant

² "Persons Who Signed With Other Alterations," George Lynn Cross Presidential Records, Box 90, Folder "Loyalty Oath #2," Western History Collections, University of Oklahoma Libraries, Norman, Oklahoma.

APPENDIX F

Table 1: NCC Yearbook Statistics for Number Identifying as Members:¹

Yearbook	1917	1921	1941	1951	1991	2000
Mennonites	64,796	91,282	126,559	148,282	126,499	196,033
Friends	119,371	117,239	92,326	271,760	103,589	177,614
Adventist	112,054	136,233	217,028	274,523	701,781	839,915
Church of Christ	159,658	317,937	309,551	1,000,000	1,626,000	1,500,000
Jehovah's Witnesses	n/a	n/a	n/a	n/a*	825,570	1,040,283

* Jehovah's Witnesses did not submit membership numbers until 1957, and in that year they reported 187,120 members.

¹ National Council of Churches of Christ in the USA, *Yearbook of American and Canadian Churches Compilation of Statistical Pages, 1916-2000*, [CD-ROM], 2001.

APPENDIX G

1953 Loyalty Oath



LOYALTY OATH

(H. B. 502—1953 Okla. Leg.)

I, _____, do solemnly swear (or affirm) that, consistent with my citizenship, I will support, obey and defend the Constitution of the United States and the Constitution of the State of Oklahoma, will not violate any of the provisions thereof, and will discharge the duties of my office or employment with fidelity.

I do further swear (or affirm) that I do not advocate by the medium of teaching, or justify, directly or indirectly, and am not a member of or affiliated with the Communist Party or the Cominform or with any party or organization, political or otherwise, known to me to advocate by the medium of teaching, or justify, directly or indirectly, revolution, sedition, treason or a program of sabotage, or the overthrow of the government of the United States or of the State of Oklahoma, or a change in the form of government thereof by force, violence or other unlawful means.

I do further swear (or affirm) that I will take up arms or render non-combatant service in the defense of the United States in time of war or national emergency, that is, if by valid law required.

I do further swear (or affirm) that during such time as I am _____

(Here put name of office, or, if an employee, insert "An Employee Of"—followed by the complete designation of the employing officer, agency, authority, commission, department or institution.)

I will not advocate by the medium of teaching or justify, directly or indirectly, and will not become a member of or affiliated with the Communist Party or the Cominform, or with any party or organization, political or otherwise, known to me to advocate through the medium of teaching, or justify, directly or indirectly, revolution, sedition, treason or a program of sabotage, or the overthrow of the government of the United States or of the State of Oklahoma, or a change in the form of government thereof by force, violence or other unlawful means.

Subscribed and sworn to before me this _____ day of _____, 19____

Notary Public, or Other Officer Authorized
to Administer Oaths or Affirmations.

APPENDIX H

Author's Signed Loyalty Oath 2006

Seminole State College 626
AGENCY, AUTHORITY, COMMISSION, DEPARTMENT OR INSTITUTION AGENCY NO.

P. O. Box 351, Seminole, OK 74868
ADDRESS, CITY AND ZIP CODE

X Steven D. Bolin
NAME OF OFFICER OR EMPLOYEE

LOYALTY OATH

(51 O.S., §36.2A.)

I do solemnly swear (or affirm) that I will support the Constitution and the laws of the United States of America and the Constitution and the laws of the State of Oklahoma, and that I will faithfully discharge, according to the best of my ability, the duties of my office or employment during such time as I am

An Employee of Seminole State College

(Here put name of office, or, if an employee, insert "An Employee of" followed by the complete designation of the employing officer, agency, commission, department or institution.)

X Steven D. Bolin
Affiant

County of: _____

State of: _____

Subscribed and sworn to before me this 17 day of Aug 2006

(SEAL)

Monahidley
Notary Public, or other Officer authorized to administer oaths or affirmations.

My Commission Expires: _____

(SOS FORM 100-3/99)

VITA

Steven DeWayne Bolin

Candidate for the Degree of

Doctor of Philosophy

Thesis: RELIGIOUS SCRUPLES AND THE POLITICS OF
ANTICOMMUNISM IN OKLAHOMA, 1917-1951

Major Field: History

Biographical:

Personal Data: Born in Oklahoma City, Oklahoma, 12 April 1964, the son of Journey DeWayne Bolin and Bobbie Jean (Hunter) Bolin.

Education: Graduated from Springfield Southeast High School, Springfield Illinois, in 1982. Completed Bachelor of Arts degree in History and Legal Studies from the University of Illinois at Springfield in 1986. Earned a Masters of Arts degree in Theological Studies from Wheaton College Graduate School in 1989. Completed the requirements for the Doctor of Philosophy in History at Oklahoma State University, Stillwater, Oklahoma in December 2009.

Experience: History Instructor, Seminole State College Department of Social Sciences, 2006-2009. Teaching Associate, Oklahoma State University Department of History, 2003-2006. Teaching Assistant, Oklahoma State University Department of History, 2001-2003. Adjunct Faculty, Moody Bible Institute Extension Studies, 1991-1995. Adjunct Faculty Member, Lincoln Land Community College, 1994.

Professional Memberships: Phi Alpha Theta History Honor Society; Honor Society of Phi Kappa Phi.

Name: Steven D. Bolin

Date of Degree: December, 2009

Institution: Oklahoma State University

Location: Stillwater, Oklahoma

Title of Study: RELIGIOUS SCRUPLES AND THE POLITICS OF
ANTICOMMUNISM IN OKLAHOMA, 1917-1951

Pages in Study: 315

Candidate for the Degree of Doctor of Philosophy

Major Field: History

Scope and Method of Study: This study surveys the progression and interaction between anticommunism and religious faith in Oklahoma state and local politics from 1917 to 1951. Employing primary source materials that include newspapers, state legislative records, manuscript collections, court records, and census records, the author reconstructs the development of communist-control legislation culminating in the loyalty oath law of 1951. This dissertation is a comparative study encompassing the evolution of the Oklahoma oath, with a special focus on the interaction between religious faith, political regulation, and patriotism.

Findings and Conclusions: Research revealed that anticommunist sentiment had very deep roots in Oklahoma political history. Beginning in World War I, and continuing through the Korean War, state leaders had an abiding interest in promoting unity of purpose among citizens and defending against subversive radicals. Employing a variety of pledge drives and oaths, politicians sought to promote security and loyalty during times of national crises. This study argues that anticommunism in Oklahoma was part of a recurring populist style of politics, which intended to rid the state of subversive and communist influences but managed instead to victimize political and religious non-conformists. The anticommunist oath controversies of 1941 and 1951 are illustrative of this recurring style. Both episodes were part of a long-term political effort in Oklahoma to rid state government and, in particular state schools, of subversive influences, which resulted not in the purging of communists but political and religious nonconformists statewide.

ADVISER'S APPROVAL: Dr. Ronald Petrin