

State University of New York College at Buffalo - Buffalo State College

Digital Commons at Buffalo State

History Theses

History and Social Studies Education

5-2014

Revolution, Rebellion and Subversion in US History: Government and Public Response

Christie F. Andrle

State University of New York, Buffalo State College, andrcf50@mail.buffalostate.edu

Advisor

Jean Richardson, Ph.D.

First Reader

Jean Richardson, Ph.D.

Second Reader

Kenneth Mernitz, Ph.D.

Department Chair

Andrew D. Nicholls, Ph.D., Professor of History

To learn more about the History and Social Studies Education Department and its educational programs, research, and resources, go to <http://history.buffalostate.edu/>.

Recommended Citation

Andrle, Christie F., "Revolution, Rebellion and Subversion in US History: Government and Public Response" (2014). *History Theses*. 24.

https://digitalcommons.buffalostate.edu/history_theses/24

Follow this and additional works at: https://digitalcommons.buffalostate.edu/history_theses



Part of the [United States History Commons](#)

Abstract

The main objective of this thesis is to identify and examine the trends throughout American history regarding how the government has responded to internal conflicts. From the Revolution to the post-9/11 years, the United States government has dealt with numerous instances of tension and conflict with its citizens, often resulting in restrictive legislation or other measures suppressing liberty.

The primary methods used in exploring this subject include comparison and evaluation of the public and government responses to such conflicts. Previous historical analysis of events and laws, public commentary, and firsthand accounts of individual experiences are drawn upon to illustrate the varying instances of opposition between the United States government and the people who supported policies or ideologies at odds with the status quo.

In conclusion, the United States has repeatedly resorted to an 'us vs. them' outlook, thereby placing even peaceful opposition in the role of a threatening enemy. Anti-Federalists, pacifists, Southerners, suffragists, communists, and many others suffered the effects of this treatment over the course of American history. America's cherished tenets of individual liberty and protection of unpopular speech have been consistently subordinated to national security. Improvements in education, increased cooperation between citizens and their representatives, a better understanding of the economics of a global community, and increased transparency in government are the primary recommendations to combat the overly nationalistic outlook which has fueled the 'us vs. them' policies which have stifled societal development.

State University of New York
College at Buffalo
Department of History

Revolution, Rebellion and Subversion
in US History: Government and Public Response

A Thesis in
History

by

Christie F. Andrle

Submitted in Partial Fulfillment
of the Requirements
for the Degree of

Master of Arts
May 2014

Approved by:

Jean Richardson, Ph.D.
Professor of History
Thesis Advisor

Andrew Nicholls, Ph.D.
Chair and Professor of History

Kevin Railey, Ph.D.
Associate Provost and Dean, The Graduate School

Contents

| | |
|---|----|
| Introduction..... | i |
| Timeline..... | iv |
| Chapter 1: Roots of Rebellion..... | 1 |
| Chapter 2: Dissent and Subversion in the Early Twentieth Century..... | 14 |
| Chapter 3: The House Un-American Activities Committee..... | 22 |
| Chapter 4: Firsthand Accounts of the Battle Against 'Un-Americans'..... | 33 |
| Chapter 5: Liberty versus Security..... | 53 |
| | |
| Bibliography | 68 |

Introduction

How much government power is enough? This may be an unanswerable question, yet Americans have spent over two centuries searching for the right formula to peacefully balance the nation's continuing existence with uncompromising ideals of freedom and individual liberty. A proud tradition of independence has also fostered a dualistic view of the world, divided between Americans, or 'us,' and outsiders. The power exercised by the government was often directly related to the perceived strength of the country's enemies, be they domestic or foreign.

The themes explored in this work begin, in chapter one, with an overview of the origins of the unique sense of American spirit and high valuation for individual freedom. From the Revolutionary War to the events leading up to the Civil War, Americans fiercely defended their rights, even in the face of the government's assertion of authority. This continuing conflict escalated to a number of instances of violence between the American government and its citizens.

Following the period of re-stabilization after the Civil War, American strength and independence remained a virtue on an almost mythical level. However, national pride manifested itself in negative form. Chapter two covers the increasing intolerance for

minority and immigrant groups that resulted in a deepening distinction between the 'us' defined as Americans and 'them,' which encompassed anyone who existed outside the scope of the government's authority. The political aftermath of two world wars contributed greatly to this development of animosity towards outsiders, leading to the establishment and growth of one of the most interesting, albeit frightening, embodiments of fear: the House Un-American Activities Committee.

Chapters three and four cover the course of the nearly thirty years of HUAC's existence, during which time the organization developed into a court of inquiry which became the very epitome of intolerance and paranoia, while at the same time being touted as an institution responsible for promoting and preserving American values and security. The threat of allowing such behavior by men claiming to be patriots is summed up well by Theodor Adorno in his description of a pseudo-conservative: "...a man who, in the name of upholding American values and institutions and defending them against more or less fictitious dangers, consciously or unconsciously aims at their abolition."¹

In the final chapter, the legacy of the House Un-American Activities Committee and similar government reactions to perceived threats is examined. The social, political, educational, and economic effects of government's tendency to infringe on civil liberties in favor of security is an on-going theme in American history. Particularly in the aftermath of the attacks of 9/11, Americans are especially willing to endure serious limitations to freedom in exchange for the promise of safety. However, as this study will demonstrate, an exaggeration of danger has consistently resulted in hastily passed legislation or action. In many cases, such as the Alien and Sedition Acts, the Palmer

¹ Theodor Adorno. *The Authoritarian Personality*. (New York: Norton, 1969). 676.

Raids, or the internment of Japanese-Americans during World War II, these actions were viewed in hindsight as egregious errors on the part of the United States government. However, if the precedents set for the expansion of government power to limit individual freedom in the name of security are not soon counteracted, Americans may very well enter a future where fear trumps freedom.

Timeline

| | |
|---|-----------------------------|
| American Revolution | 1775-1783 |
| Shays's Rebellion..... | 1786-1787 |
| Reference of Riot Act..... | 1786 (MA State Legislation) |
| Disqualification Act..... | 1787 |
| Whiskey Rebellion..... | 1794 |
| Alien and Sedition Acts..... | 1798 |
| Civil War..... | 1861-1865 |
| Suspension of Habeus Corpus by President Lincoln..... | 1861 |
| World War I..... | 1914-1918 |
| Espionage Act..... | 1917 |
| Sedition Act..... | 1918 |
| Palmer Raids..... | 1918-1921 |
| Dies Committee..... | 1938-1944 |
| World War II..... | 1939-1945 |
| Hatch Act..... | 1939 |
| Smith Act..... | 1940 |
| Japanese Internment..... | 1942-1946 |
| HUAC..... | 1945-1974 |
| Communist Control Act..... | 1954 |

Chapter 1

Roots of Rebellion

The revolutionary spirit is an attribute which has become inseparable from the common conception of what traditionally defines an American. A strong independent streak and distrust of authority are considered inherent to the character of an American citizen. It is to these traits that Americans owe their unique history. But then how did the leaders of a society based on the principle of necessary rebellion so effectively suppress such movements for over two hundred years? Even in consideration of the flexibility of a Constitution which lends itself to adaptation and amendment, Thomas Jefferson himself still believed that Americans would recreate their government at least every generation.²

To begin to answer this question, we will first explore the ideological roots of rebellion in America, and then continue with an examination of government responses

² Joseph J Ellis. *American Sphinx: The Character of Thomas Jefferson* (New York: Random House, 1996), 131.

to various internal threats, real or imagined, over the course of American history. The conflict between national security and individual freedom will prove a recurrent theme, as well as a near-constant struggle of 'real Americans' versus outsiders, a group whose definition shifts during the course of time, but who remain an ever-present threat to those in power. By forcing an 'either you're with us or against us' situation, the leaders of government effectively secure their position by labeling all opposition as treasonous.

In his work, *The Radicalism of the American Revolution*, Gordon S. Wood investigates the causes of the Revolution and attempts to identify the differences which set the American fight for independence apart from the countless others which had occurred throughout history. Wood begins by describing the social scene in America in the late eighteenth century. In contrast to England, the colonies lacked a strictly stratified society. While there were subtleties in rank which guided public behavior, there was not a distinct aristocracy. In addition, colonists experienced much greater social mobility. For instance, Wood describes the influx of 'ordinary people' entering into the political scene, previously reserved for 'gentleman' with wealth enough to support themselves while they held office.³ This increase of democratic spirit was accompanied by the first hints of a consumer culture, evidenced by the lower classes seeking to emulate their superiors in dress and customs.⁴

While republicanism and equality were becoming increasingly popular themes in the colonies, another important transition was taking place in the minds of the people. Views on labor changed greatly during this period in our history. Wood conveys the

³ Wood, Gordon S. *The Radicalism of the American Revolution*. (New York: A. A. Knopf, 1991), 173.

⁴ Ibid, 126, 135.

attitude with which labor was viewed prior to the lead-up to the Revolution. Those who worked were seen to do so only because it was required to survive. Gentlemen relished their leisure, which set them apart from the ordinary masses. As the nineteenth century approached, this outlook began to change. Those who labored for their own prosperity, or to increase their position were gaining respect, while the idleness of the rich became decadent and wasteful.⁵

At this time we also begin to see the roots of differentiation between wage labor and slave labor. As David Roediger explains in *The Wages of Whiteness*, “the heritage of the Revolution made independence a powerful, masculine, personal ideal. But slave labor and ‘hireling’ wage labor proliferated in the new nation. One way to make peace with the latter was to differentiate it sharply from the former.”⁶ This classification of one segment of society as ‘the other’ would prove to be a continuing theme in American development.

Gordon S. Wood effectively makes his case for the radicalism of the American Revolution. Reactions against monarchical practices, corrupt office-holding, an idle, privileged class, and lack of representation are definitive of the struggle for independence. Yet all too often these values seem idealistic from our vantage point in the twenty-first century. Wood reminds us that at the time the forefathers of the United States were struggling for freedom, they were already viewed as the most free men in the world, yet they wanted more. From this fight for independence and self-determination, the American characteristics of “envy and competition” were forged.

⁵ Ibid, 277.

⁶ David R. Roediger. *The Wages of Whiteness*. (London: Verso, 2007).13.

American's dedication to their own personal interest and liberty, according to Wood, helped ensure their success in the Revolution, and guarantee their position as one of the most successful nations the world had ever seen.⁷

In contrast to Gordon S. Wood's work, Peter Shaw sets out to explain particular aspects of the American Revolution through forms of tradition and ritual. Shaw concentrates on the symbolic nature of public riots and views these riots as precursors to the Revolution itself. Shaw depicts the people involved in early riots as merely participants carried away by inertia of the moment, and for the most part unaware of the larger context of their actions. In particular, he states many who rioted against the Stamp Act really had "no direct interest in the matter."⁸

To further illustrate the ignorance of the rioting crowds, Shaw describes their attacks on the Lieutenant Governor, Thomas Hutchinson. His connections to an increasingly unpopular monarchy made him a clear target for disgruntled citizens. However, Hutchinson's own words and actions are those of a fair and just man trying to do his job to the best of his ability in the worst of circumstances. As a bona fide scapegoat, Hutchinson suffered much at the hands of his constituents. The Earl of Bute suffered a similar fate, yet as Shaw declares, the accusations against these men "lacked any firm basis in reality."⁹ As we will see, Americans will repeat the behavior of scapegoating individuals who are perceived to be outside accepted circles.

⁷ Wood, 308.

⁸ Shaw, Peter. *American Patriots and the Rituals of Revolution*. (Cambridge: Harvard University Press, 1981), 7.

⁹ Ibid, 48.

In this manner, Shaw's thesis converges with a point also emphasized by Gordon S. Wood. The nature of the relationship between England and her colonies has often been described as paternalistic. Shaw depicts the riots as acts of insubordination, or a specific need to "flout authority."¹⁰ While a shared relationship as "children of the empire" united the colonies with one another, growing resentment towards their parent country strengthened that bond. From the social perspective presented by Wood, this parent-child relationship was subject to the new understanding that parental behavior was the cause of disobedient children.¹¹ While Wood sees this as a deliberate accusation against the parent country, Shaw's theory points to the "unconscious forces at play."¹² Regardless of which position one takes, the seeds of the 'us versus them' paradigm are present from the beginning of American history.

While Shaw convincingly supports his thesis that the average participant in pre-revolutionary violence was ignorant of key circumstances and facts, if one takes up the same psychoanalytical methods, the argument could also be made that the colonists were indeed aware of the incongruity of facts, yet acted anyway. Another explanation is that people were simply absorbed in their own personal lives, and unconcerned with the larger, national scope of their actions. Discontent and anger often are unleashed at the most convenient target, and not necessarily the correct source of those feelings. In either case, it was clear that many colonists were dissatisfied with the status quo, and

¹⁰ Ibid, 65.

¹¹ Wood, 12, 59.

¹² Shaw, 229.

therefore took action to correct this imbalance of power.¹³ The result was a revolution against perceived tyrannical authority which suppressed economic freedom. The question of how much freedom is warranted before a situation becomes anarchic, is one that would continue to be asked through further acts of resistance and rebellion in the course of American history.

After successfully winning independence from England, the leaders of the new United States had a more daunting task ahead of them than war: designing a working constitution that would meet the need for the proper balance of power and protection of individual liberty. Saul Cornell, in his work, *The Other Founders: Anti-Federalists & the Dissenting Tradition in America, 1788-1828*, explores the contrasting opinions and methods proposed for instituting such a government.

The primary point of contention was the centralization of government. The Federalists supported a strong national government, while Anti-Federalists were concerned with protecting the interests of the states, believing that the more local the government, the better it was able to represent the interests of the people. While there were countless positions and recommendations for improvements to the Constitution proposed in 1787, the majority of the issues fell into one of these two camps.¹⁴

In shaping public opinion, the press played a critical role. Particularly with publications such as the *Federalist Papers*, the minds of the people were constantly

¹³ One additional perspective on the forces behind mob activity in Boston is that postulated by Howard Zinn. In *A People's History of the United States: 1492 to Present*, Zinn argues that leaders of the Independence movement (namely wealthy politicians) used their influence to direct the lower classes to release their frustrations on British targets specifically. Once the mob had served its purpose, leaders "severed their connections with the rioters." This example illustrates the complex layers of the 'us' vs 'them' paradigm. (65-66).

¹⁴ Cornell, Saul. *The Other Founders: Anti-Federalism & The Dissenting Tradition in America, 1788-1828*. (Chapel Hill: University of North Carolina Press, 1999), 59.

pulled in one direction or another.¹⁵ One of the primary fears of the Anti-Federalists was a 'tyranny of the majority.' They believed government should protect the rights of both the many and the few, this being of particular interest because they saw themselves in the minority at that time.¹⁶ Protection for minority interests would continue to resurface as an important issue throughout America's development. Groups as diverse as conscientious objectors, communists, women, blacks, southerners, and gays would each in turn struggle to gain and protect their rights.

The most interesting aspect of this conflict was, however, the decision of the Anti-Federalists to work within the system, creating a 'loyal opposition.' Despite their differences with the faction in power, the Anti-Federalists continued to show support for the American government regardless of its current leadership. This tactic became problematic however, after the passing of the Sedition Act in 1798. An attempt to combat subversion on the part of the Federalists, the Anti-Federalists (along with immigrants) were targeted under the new law that made seditious libel a federal crime.¹⁷

The intent behind the passing of these laws can be viewed from a number of perspectives. Was it an act of self-preservation invoked by a fledgling government, or a flexing of power by those who sought to silence the opposition? The most likely, and least satisfactory answer is that both explanations are true. The Federalists, under the lead of Alexander Hamilton, were men committed to the ideals proclaimed in the Declaration of Independence, however they also had a specific vision in mind for the future of the country they helped to create. While this early challenge to the new

¹⁵ Ibid, 20.

¹⁶ Ibid, 73.

¹⁷ Ibid, 12, 231.

republic was fought between two parties that both had access to the workings of government and could wage their fight within the system, there were later issues that involved and affected those who felt they had to resort to means outside of the system.

By 1786, citizens of central and western Massachusetts had become increasingly frustrated with the state legislature's lack of response to their financial concerns. In true patriotic tradition, mobs gathered to shut down court activities in an act of defiance.¹⁸ Escalation of this conflict led to a plan of the rebels to take possession of the federal arsenal located in Springfield. While the rebels failed to take their target, George Washington himself was wrested from retirement to deal with the uprising.¹⁹

Emerging from this series of events were several significant legal developments. First was the issuance of the Riot Act by the Massachusetts State Legislature in 1786, which was based in English Common Law, exempting officials from guilt in the event that rioters who failed to disperse were killed. Second was the Disqualification Act passed the following year, which required rebels first to prove they were no longer involved with the insurgency, then take an oath of allegiance, surrender their arms, and pay a fine. Once these criteria were met, the former rebels then were unable to vote, hold office, or serve on a jury for a period of three years. Leonard Richards infers from his sources that this harsh punishment may also have been an attempt to keep men who had suppressed the rebellion from being voted out of office.²⁰

¹⁸ Richards, Leonard. *Shays's Rebellion: The American Revolution's Final Battle*. (Philadelphia: University of Pennsylvania Press, 2002), 7, 59. Shays's Rebellion serves as a prime example of the inability to bridge a gap of understanding between the government and rural citizens. Issues such as the burden of taxes, lack of specie, and transportation and communication difficulties were at the heart of this increasing disconnect between a government and a growing number of its citizens.

¹⁹ *Ibid*, 27.

²⁰ *Ibid*, 17, 38.

Richards also contradicts the prevailing opinion that many of the insurgents had been debtors. His evidence showed that the rebels were creditors as often as not. The real force behind the insurgency seemed to be family ties. Towns with relatively influential leaders were able to gather forces, but only on a local level. The clergy also played a significant role in suppressing violent reaction to government. In this case it was not just financial interest, but familial interest, which sparked a movement in Massachusetts that was viewed as a serious threat to the nation. Vermont's willingness to absorb many of the rebels helped to diffuse this situation, but violence and conflict over taxes and government actions would not be settled so quickly.²¹

Echoing the concerns sparking Shays's Rebellion in Massachusetts, farmers in western Pennsylvania began to feel the oppressive presence of the federal government in the form of an excise tax on whiskey. Thomas P. Slaughter explains in depth the particular effect this tax had on the region in his work, *The Whiskey Rebellion: Frontier Epilogue to the American Revolution*. The settlers of many of the remote western regions suffered from the same shortage of specie that contributed to the conflict in Massachusetts just a few years earlier. This, combined with a long history of opposition to internal taxes, combined to create another situation that would erupt in violence.²²

Slaughter divides most characters into two distinct camps; those in support of order, and those in support of liberty. This tactic tends to over-exaggerate the differences between the opposing forces in this conflict. While there were clearly those who were for the tax, and those who were adamantly against it, the whiskey tax cannot

²¹ Ibid, 115, 120.

²² Slaughter, Thomas P. *The Whiskey Rebellion: Frontier Epilogue to the American Revolution*. (New York: Oxford University Press, 1986), 17.

be equated with order, nor the lack of it with freedom.²³ Slaughter did, however, emphasize the snowball effect of this issue. If one group could be pushed to secession over an issue of taxes, in the end there would be anarchy as all who were opposed to one measure or another broke ranks. The threat of complete dissolution of the union was real.²⁴

Hypocrisy is another subject broached by Slaughter. One example is the case of the United States government encouraging Quebec to secede over excise taxes imposed by Great Britain, then violently repressing an anti-excise movement in their own country.²⁵ Slaughter attributes this to the ingrained fear of rebellion. After the Revolution, there had been further “frontier independence movements and episodes in Western Massachusetts, Kentucky, and Franklin.”²⁶ By their own Declaration of Independence, the United States had encouraged the right of rebellion, and recognized it as a constant possibility.

In line with the assertion made by Gordon S. Wood regarding the unifying effects of self-interest, Slaughter refers to an observation made by George Washington, “There is nothing which binds one country or one state to another but interest.”²⁷ The Pennsylvanians who rebelled over the excise tax in 1794 had more issues at stake than whiskey. Other contributing factors included Indian policies and protection, access to trade routes (specifically the Mississippi River), and a lack of other benefits from the

²³ Ibid, 137.

²⁴ Ibid, 44.

²⁵ Ibid, 98.

²⁶ Ibid, 117.

²⁷ Ibid, 87.

government they were obliged to support. Slaughter concludes that despite the optimism that fueled the separation of the American colonies from England, and the promise of being able, as a nation, to govern themselves, that clearly the success of the American Revolution was not the end of this nation's troubles.²⁸

Thomas P. Slaughter also addressed the fact that during the early years of the republic, it was a commonly held belief that the United States would eventually divide, either along east-west lines, or north-south.²⁹ Throughout the decades leading up to the outbreak of the Civil War this expectation was echoed by many Americans, one of whom was the outspoken South Carolina politician John C. Calhoun.

Calhoun was a strong advocate of state and minority rights. Much of his political career was devoted to championing the causes of South Carolina against an 'oppressive' federal government. Much like his contemporary Alexis de Tocqueville, Calhoun identified the 'tyranny of the majority' as the primary threat to individual freedom in America.³⁰

While de Tocqueville observed that he knew of "...no country in which there is so little true independence of mind and freedom of discussion as in America,"³¹ Calhoun elaborates on this theme in his in-depth discussion of the difference between a numerical and a concurrent majority. He wrote that a government of a concurrent majority would have the tendency to unite people with very diverse opinions, whereas a

²⁸ Ibid, 165, 227.

²⁹ Ibid, 30.

³⁰ John C. Calhoun. *Union and Liberty: The Political Philosophy of John C. Calhoun*, ed. Ross M. Lence (Indianapolis: Liberty Fund, 1992), 29.

³¹ Alexis de Tocqueville. *Democracy In America*. (New York: Bantam Dell, 2002), 306.

government of a numerical majority “divides into two conflicting portions, let its interests be, naturally, ever so united and identified.”³² Political parties would then polarize the nation, and the federal government, seeking to reinforce its own power, follows its natural tendency to “pass beyond its proper limits,” thus threatening liberty.³³ By this observation, Calhoun shows the source of development of the ‘security versus liberty’ conflict between a government working for its own continuance, and citizens whose beliefs and ideals may be at odds with that goal.

Eric Foner, in his collection of essays entitled, *Politics and Ideology in the Age of the Civil War*, holds an opposing view on the subject of political parties and national stability. Foner identifies the existence of national political parties as a sort of antidote to sectional conflict, and the main reason why the United States did not split over sectional issues earlier in its existence. The nation’s diversity of interests, which Madison predicted would prevent any one group from gaining control of the government, only managed to forestall the eventual divide. By the time the country succumbed to the effects of sectional division, the South could not claim “common nationality” with the North.³⁴ In this ‘us versus them’ situation however, the goal was not to eradicate the enemy, but to reabsorb the South and reestablish its citizens as loyal Americans.

The various uprisings of American history from the Revolution in 1776 until the Civil War have three main factors in common: a conflict of interest between the existing government and groups of citizens, a perception of oppression and violation of rights on

³² Calhoun, 36.

³³ *Ibid.*, 45.

³⁴ Foner, Eric. *Politics and Ideology in the Age of the Civil War*. (Oxford: Oxford University Press, 1980), 52-53.

the part of the rebelling party, and finally, a willingness to take up arms to defend the interests of the oppressed. In each case examined in this study, the government responded with force. Additionally, excepting the Revolution against Great Britain, the government succeeded in suppressing the rebellious party and in most instances, proceeded to enact laws that discouraged further opposition.

While some of these measures in response to violent rebellion encroached on civil liberties, in a historical context they may be justified as desperate acts of a young nation testing the strength of her boundaries and struggling to survive in a world of European empires. The dangers to the Union were real, and many feared the anarchy that was believed to be imminent in the event of separation. But what of the next chapter in American history? A new series of threats, both real and perceived, would require evaluation and action. Would the same measure of government response be appropriate? Is it necessary for an established nation to forcefully suppress any who challenge? How would America's self-styled image as a free and tolerant nation hold up against the actions of the United States government?

Chapter 2

Dissent and Subversion in the Early Twentieth Century

The revolutions and rebellions that served to form the United States in the late eighteenth and nineteenth centuries were defined by the desire for an opportunity to create and maintain a government that best served the needs of the people, to establish protection for individual self-determination, and preserve the freedom of the people from ravages of oppression. As is often the case in any conflict, the victors became celebrated heroes, while the losers find themselves written into history in less than favorable light. British Loyalists during the American Revolution, backwoods Whiskey Rebels, and the leaders and citizens of the rebellious southern states shared this fate. Yet these dissenters felt justified in exercising their rights to personal freedom. The argument can be made that forcible repression of dissenters was excusable in these cases because the survival of the nation itself was in question. However, as the United

States grew in size and strength, occasions of dissent continued, as did strong governmental response.

A study of the government's role in promoting patriotism and anticommunism in the twentieth century is a broad undertaking. Numerous perspectives can be considered, resulting in diverse yet complementary views. In this chapter, works covering topics ranging from the historical development of 'red hunting' to the effects of the Great Depression on American politics will be addressed. While the subject matter varies greatly, the continual emphasis of the 'we versus they' mentality that permeates American history, proves to be an inherent part of the American psyche and contributed greatly to the events leading up to the Cold War and beyond.

In his work, *Uncle Sam Wants You: World War I and the Making of the Modern American Citizen*, Christopher Capozzola explores the question of the obligations a state may impose on its citizens. As a result of American entry into World War I, issues such as conscription, pacifism, racism, and volunteerism threatened to expose the cracks in the unified front the United States had hoped to present to its enemies.

Pacifists and conscientious objectors were an extremely unpopular segment of the population during World War I. While many were patriotic men who offered to serve their country in nonviolent positions, these individuals were often scorned by their neighbors, who labeled them cowards or slackers. Feelings of anger toward those who refused to actively defend their nation sometimes escalated into acts of violence. Torture and lynchings were the result of an atmosphere of increasingly "coercive volunteerism." Some pacifists were even committed to asylums, having been classified as possessing deficient mental abilities. This shocking application of psychology also

resulted in sterilization of undesirables, including prostitutes, conscientious objectors, and suffragists.³⁵

War with Germany also served to highlight the already tense ethnic divisions within the country. Southerners, for example, began to feel threatened by the potential for increased black empowerment following their draft into the military. Blacks, on the other hand, were sensitive to the irony of serving in a segregated military to defend a nation which claimed to be the vanguard of freedom abroad while severely restricting such freedoms at home. Blacks were not the only ethnic group who found themselves meeting increased opposition. Many German-Americans came under intense scrutiny as well. The number of German language publications drastically decreased, German books were removed from library shelves, music by German composers ceased to be played, and even dogs of German breeds were destroyed. This frenzy of anti-German action was exemplified by the creation of new categories of citizenship, such as the 'enemy alien,' the 'pro-German,' and the 'un-American' resulting in the further division of the population into opposing sides of 'us' and 'them.'³⁶

Capozzola also gives much attention to the women's suffrage movement, which was reaching its peak at about the same time the government was calling for increased dedication to the nation and sacrifice for the public good. Women like Alice Paul, who bravely demonstrated in front of the White House, were seen as criticizing the government at a time when the nation ought to be unified in purpose. While their goal was achieved before the close of the decade, these women endured threats and

³⁵ Christopher Capozzola, *Uncle Sam Wants You: World War I and the Making of the Modern American Citizen* (New York: Oxford University Press, 2008), 8,12,134.

³⁶ *Ibid.*, 35, 174, 184.

violence from their fellow citizens who saw them as traitors to a country struggling with a global crisis.³⁷

The United States government was active in directing the course for the country during World War I by initiating and upholding conscription, passing the 1917 Espionage Act, and the enacting of the Sedition Act the following year. Freedom of speech was watered down to mean only 'responsible speech,' although where the line was between unpopular and irresponsible speech, no one was to say with any certainty. Pacifists and civil libertarians were among those in the minority who bravely resisted these new restrictions. Vigilance groups developed to take action against those who disagreed with the government, and these organizations often claimed that they possessed the authority of the state.³⁸

Overall, Capozzola's work touches on a wide range of societal developments fostered by the United States's participation in World War I. The extent to which the government implicitly encouraged Americans to turn on one another is disturbing. Expression of patriotism became almost like a contest, with over-enthusiastic citizens policing their neighbors. But even more enduring are the questions raised when a government infringes on individual rights by claiming that national security supersedes personal freedom. If intimidation and paranoia are required tactics in order to mobilize a country for war, perhaps the causes for entry into that war need to be reexamined. However, if the majority of a population supports the government's decision, it stands to reason that a minority of peaceful dissenters will not undermine the cause. Capozzola

³⁷ Ibid., 110-112.

³⁸ Ibid., 121.

refers to a quote from Harry Weinberger, a New York attorney who wrote, “I believed the people were not made for the State; the State was made for the people.”³⁹

If it appeared that the State was effectively using the people as tools to achieve its ends during World War I, the response to the next great crisis experienced in this country would see a reversal of that situation. In *Freedom From Fear: The American People in Depression and War, 1929-1945*, David M. Kennedy explores the effects of this unprecedented economic disaster on the citizens of the United States.

Kennedy sets the stage for his extensive work by describing the increased isolation of the United States following World War I. Focusing on internal issues, Kennedy found that society was experiencing certain growing pains. There was a marked disconnect between urban and rural populations, and industrialization had led to a decrease of skilled workers and less job security. Farmers were already experiencing the effects of low prices for their goods, foreclosures, and a general agricultural depression. Progressives sought to allay these uncertainties by using “the government as an agent of human welfare.”⁴⁰

In the years following the Crash of 1929, the people continued to clamor for government assistance. While President Hoover was reluctant to exert much federal control over an economic situation, Franklin D. Roosevelt, upon gaining office, made a show of trying anything and everything to appease the public.⁴¹ Americans seemed to simply sit back and wait for the government to come to their aid. Observers commented

³⁹ Ibid., 153.

⁴⁰ David M. Kennedy, *Freedom From Fear: The American People in Depression and War, 1929-1945* (New York: Oxford University Press, 1999), 17, 32.

⁴¹ Ibid., 154.

upon the “eerie docility” of the American people in the face of this grave situation.⁴² This period, defined by a surprising lack of conflict between struggling citizens and their government would, however, be punctuated by the actions of various ‘up-starts’ and efforts for more radical political experimentation.

Kennedy asserts that there were scattered efforts to bring about a positive change in the country. Communist agitators were active in the Great Plains during the 1930s, and ideas for a socialist, or ‘cooperative commonwealth’ were suggested. Yet at the height of the Depression the Communist Party USA (CPUSA) had only about thirty thousand members, which “testified bluntly to the great distance that separated Communist doctrine and tactics from American political reality.”⁴³ The overall impression of the early Depression years which Kennedy depicts is one of resignation on the part of the American people, and perpetual patience bordering on apathy.⁴⁴

While Roosevelt and his Brain Trust were working feverishly to offset the effects of the Depression, and the majority of the people were calmly waiting for the solution, there were some individuals who refused to wait. Kennedy also details the activities of the right-wing radical Reverend Charles Coughlin and Huey Long. Their plans for alleviating the economic problems of the country ranged from nationalization of the Federal Reserve, to Long’s “Share Our Wealth Society,” which were viewed by President Roosevelt as revolutionary threats. Kennedy disagrees with the supposition that Roosevelt’s Second New Deal was primarily a response to the potential political

⁴² Ibid., 89.

⁴³ Ibid., 223.

⁴⁴ Ibid., 220.

threat from Coughlin and Long.⁴⁵ However, the distinction may not be important, as the government was still acting in response to the needs and demands of its citizens.

The various crises discussed above have in common the characteristic of a close dependency between the government and the people. For the most part, attempts on behalf of unpopular minority groups to work within the system met with at least a minimum of success. The experience for African Americans was quite different. Eugene D. Genovese's collection of essays, *In Red and Black: Marxian Explorations in Southern and Afro-American History*, is an examination of the historiography of this problem. Genovese refers to the concept of blacks as "a nation within a nation," who are seeking the right to their own self-determination while enveloped in a racist nation.⁴⁶

Genovese's work also extensively covers the history of slavery in other nations, as he puts forth evidence explaining the uniqueness of the black experience in the United States. The modern black power movement becomes defined by the options left to African Americans by the events of history. The integrationist and separatist movements represent the two major camps for black nationalists.⁴⁷ In either case it is recognized that not much can be achieved without a collective effort. Also, Genovese observes, any "direct confrontation with the state" will fail in advanced countries. Blacks will need the combined support of whites, specifically a mass socialist movement, in order to make headway in achieving their goal of self-determination and equality.⁴⁸ This

⁴⁵ Ibid., 216, 240.

⁴⁶ Eugene D. Genovese, *In Red and Black: Marxian Explorations in Southern and Afro-American History* (New York: Random House, Inc., 1968), 58.

⁴⁷ Ibid., 64.

⁴⁸ Ibid., 195, 67.

proved to be the case as the continuing efforts of the participants of the Civil Rights movement of the 1960s met success as a result of multiracial cooperation.

For these above-mentioned groups which believed that their present government did not satisfactorily represent their interests, most chose nonviolent means to promote their views. Refusing military duty, picketing for voting rights, requesting government aid, staging acts of civil disobedience, and exploring different political options were all expressions of the most cherished tenet of individual liberty. However, the government has consistently demonstrated through actions such as passing sedition and conscription laws, tolerating Jim Crow, or resorting to means of coercion and support of vigilance groups, that national stability and security interests outweighed personal liberty each time. This trend is nowhere more glaring than in the history of the House Un-American Activities Committee.

In the following chapter, we will examine events and experiences of the mid-twentieth century, when the House Un-American Activities Committee reached its peak of influence. Of particular importance in this section is the public's reaction to government measures meant to increase national security, yet which proved to be more effective as means of discouraging opposition to those in power.

Chapter 3

The House Un-American Activities Committee

The House Un-American Activities Committee (HUAC) had a long history of investigating potential internal threats to the United States. Originally established in 1938 as the Dies Committee, it was initially responsible for investigating possible cases of subversion in the United States. Over the years, HUAC evolved into a well-organized, well-funded government body responsible for ‘ferreting out’ any signs of disloyalty among the country’s citizens. The enthusiasm with which the members of this committee took to their task resulted in wide-ranging abuse of power and the destruction of many innocent lives.

In his work, *The Un-Americans*, Frank J. Donner examines the practices and abuses of this controversial committee. Donner, a constitutional lawyer, first takes issue with HUAC’s policy of exposure of ‘unfriendly’ witnesses. Not only is this tactic seen as a loophole in the separation of powers of the American government which reserves the

right to conduct a trial to the judiciary, but Donner also demonstrates that it presumes guilt on the part of the witness, thereby destroying lives without the benefit of a fair trial. Donner goes so far as to assert that the main purpose of the Committee was to get witnesses to 'name names' in order to continue the Committee's mission of 'ferreting out' potential traitors, thereby keeping themselves in the headlines.⁴⁹

The great detail into which Donner describes the activities of this Committee serves to convince the reader of the urgent need to terminate the unfounded search for subversives among the innocent. The difficulties in taking such a stance were numerous. Donner claims that anyone who expressed opposition to the Committee would become branded with the label of Communist and therefore be subject to investigation themselves. The primary result of such an investigation was typically loss of employment and livelihood. If this were not deterrent enough, jail time was also a possibility if a person attempted to defend themselves before the Committee. An example provided by Donner was that of a witness who cooperated in detailing his own past relationship with the Communist Party, but refused to provide HUAC with additional names. He was charged with contempt, although fortunately was able to avoid indictment. Furthermore, pleading the Fifth Amendment no longer served as protection against self-incrimination; it became more a confirmation of subversive activity.⁵⁰ Insinuation and innuendo succeeded in fueling public opinion to support the Committee, and the committee members benefited from the resulting media attention.

⁴⁹ Frank J. Donner, *The Un-Americans* (New York: Ballantine Books, 1961), 12, 54, 128, 136.

⁵⁰ *Ibid.*, 37, 54, 91.

Committee tactics were depicted as nothing but sinister, and Donner draws comparisons to the pillory and even witch hunts, from which there was no escape once accused. Furthermore, the press and the public were incorporated into this scheme to produce a most dramatic result. The Committee traveled across the nation for the express purpose of inflicting the most personal damage against those it sought to destroy. In addition, pressures were applied to employers to fire those suspected of having socialist or communist connections, even before the hearings had been held. Often a summons was served to the witness at their place of employment rather than their home. Donner reaches the apex of his argument with accounts of witnesses who committed suicide as a result of being targeted by HUAC.⁵¹

Donner frames his work by relating the details of the student opposition to the HUAC hearings in San Francisco, in 1960. He argues that this demonstration, which ended with the peaceful students being forcibly removed from the premises, proved that the American public had awoken to the injustices of HUAC.⁵² By using such graphic descriptions of the brutality of the police reaction to protesting students, Donner surely hoped to instill in his reader a sense of outrage for the injustice being permitted to continue in the United States.

While his account of HUAC is certainly an emotional testimony, the fact remains that there were infringements on personal liberties, facilitated by a policy of fear-mongering to gain public support for the extensive inquiries into the personal lives of American citizens. Frank J. Donner's position is clear, but in the light of the Cold War,

⁵¹ Ibid., 165, 66.

⁵² Ibid., 2.

and the real (if exaggerated) threat of spies and subterfuge, there is another side to the government's actions restricting personal liberty. A defense of the House Un-American Activities Committee is posed in William F. Buckley's, *The Committee and Its Critics: A Calm Review of the House Committee on Un-American Activities*.

This series of essays by various contributors sets out to counteract the effects of works such as that of Donner, and the increasing public outcry against the committee. James Burnham opens the debate with an essay establishing the precedent of investigatory power of the legislature. This includes the fact that the punitive repercussions were not new at the time HUAC began implementing its policies. Willmoore Kendall discusses the various activities of Communists, and their attempts to undermine authority in the United States (for example, the plot to instigate discord between blacks and whites), and stressing their plan of "revolutionary conquest of the world."⁵³

The essays that follow Burnham's cover topics ranging from the specifics of the Alger Hiss case, details of a random year of HUAC's activities, and a discussion of the events of the San Francisco Riot of 1960. The authors applaud the work of the Committee in combating treason in the United States, and make frequent mention of the numerous exposures of Communist plotters and organizations that threatened the nation. However, particularly in the essays by Kendall, Rickenberger, and Hess, the details enumerating the many accomplishments of the Committee are insufficient proof for one skeptical of such glowing reviews.⁵⁴

⁵³ William F. Buckley, Jr and others, *The Committee and Its Critics: A Calm Review of the House Committee on Un-American Activities* (New York: Van Rees Press, 1962), 40, 68, 79.

⁵⁴ *Ibid.*, 107, 120.

Frank J. Donner questioned the motives of a committee that sought to expose even those who had only brief encounters with Communists, or those whose memberships with such organizations had been inactive for decades. Therefore when HUAC supporters proudly listed the volume of documents in their files, or the number of subversives exposed, the reaction is naturally to be disinclined to believe that each one represented a significant, or even modest threat.⁵⁵

Buckley asserts that his “calm review” addresses the issue of a potential Communist threat in a pragmatic, rather than ideological fashion, but both he and Donner have written works that are entirely one-sided in nature. An exaggeration of a threat is met with a disproportionate account of injustice and unconstitutionality. While Buckley maintains that a government clearly has the established right to act for its own preservation in the face of threats, either external or internal, Donner does not need to answer his own question, “Is it Un-American to hold an unpopular opinion?,” as his answer is evident in his colorful account of the Committee and its mission.⁵⁶

Although neither Buckley nor Donner provide an objective account of the events, it is certain that there did exist legitimate threats to United States security. Cases such as that of Julius and Ethel Rosenberg demonstrate the existing intent, if not the efficacy, of individual attempts to disseminate classified data.⁵⁷ In such a charged setting, particularly following the loss of eastern Europe behind the Iron Curtain and the success

⁵⁵ Donner, 122.

⁵⁶ *Ibid.*, 22.

⁵⁷ Jessica Wang, *American Science in an Age of Anxiety* (Chapel Hill: University of North Carolina Press, 1999), 263.

of Communists in China, a strong push against forces of change was to be expected.⁵⁸ However, despite the intense effect of world events upon the perceived security of the United States, the reaction of HUAC against American citizens was decidedly disproportionate to the threat. The individual cases of potential espionage did not warrant the years of investigation and harassment of innocent Americans which resulted from the exaggeration of fear.

Expanding on this theme, Joel Kovel explores further implications of Cold War policy on the future of the United States. In *Red Hunting in the Promised Land: Anticommunism and the Making of America*, Kovel begins by identifying a problem common to many individuals. That is, the inability to escape the “two-point moral logic.” The ‘we versus they’ mentality results in a determination that, ‘if you’re not with us, you’re against us.’⁵⁹ Before introducing his topic of anticommunist activities in the United States, Kovel draws a parallel between the events of the twentieth century, and the original ‘red scare,’ that of the colonists versus Native Americans.⁶⁰ This interesting analogy adeptly illustrates the long history Americans (non-native) have had in their dealings with ideas and cultures other than their own.

Kovel continues by examining various manifestations of this fear of outsiders. The first modern red scare during and after World War I was marked by severe restrictions on personal liberties. Methods of counter-subversion became more extreme,

⁵⁸ Geoffrey R. Stone, “Free Speech in the Age of McCarthy: A Cautionary Tale,” *California Law Review*, Vol 93, No 5, Oct 2005, 1404.

⁵⁹ Joel Kovel, *Red Hunting in the Promised Land: Anticommunism and the Making of America* (London: Cassell, 1994), x.

⁶⁰ *Ibid.*, 13

leading to such abuses of power as the Palmer Raids in 1917.⁶¹ The success of the Russian Revolution, combined with an increase of strikes (although these were over economic, not ideological concerns) and lastly a series of bombings of homes in the U.S. fed the sense of fear and uncertainty in the American people. An increased demand for action from the Attorney General resulted in a series of beatings, arrests, and eventually deportations of a number of non-violent individuals, attacked solely on the basis of their Russian heritage or association with the Communist Party.⁶²

In Palmer's own explanation of his extreme and violent orders against peaceful citizens, he stated that, "...there could be no nice distinctions drawn between the theoretical ideals of the radicals and their actual violations of our national laws."⁶³ The strict dichotomy of good versus evil contributed to the growing need to villainize any form of opposition to the policies of the current government. Echoing the efforts of the Federalists to stamp out the Antifederalists in the early years of the republic with the passing of the Alien and Sedition Acts, tolerance for loyal opposition was severely limited and by Palmer's measure, thoughts and beliefs were to be outlawed as well as actions.

Jessica Wang explores this phenomenon more deeply by concentrating on the effects of anticommunist policy on the scientific community during the mid-twentieth century. In her work, *American Science in an Age of Anxiety: Scientists, Anticommunism, & the Cold War*, Wang delves into the experiences of several

⁶¹ Ibid., 20

⁶² Christopher M. Finan. *From the Palmer Raids to the Patriot Act: A History of the Fight for Free Speech in America* (Boston: Beacon Press, 2007), 3.

⁶³ David Brion Davis, ed. *The Fear of Conspiracy; Images of Un-American Subversion from the Revolution to the Present* (Ithaca: Cornell University Press, 1971), 227.

renowned scientists, as well as the effects on the careers of less-established individuals.

Following the destruction of Hiroshima and Nagasaki, American scientists began to examine their role in international atomic policy. Many scientists, including Edward U. Condon and Eugene Rabinowitch, felt that global cooperation was necessary in order to prevent further devastation, as well as to avoid the paranoia and arms-building that would inevitably accompany a cold war. These scientists, as well as organizations such as the Federation of American Scientists (FAS) came to the logical conclusion that such technology was not a national secret, and it was only a matter of time before other nations discovered the means to reproduce America's achievements.⁶⁴

Opposing the progressive-minded scientists were the conservative members of government who felt strongly that it was of utmost importance to preserve national security from communist threats, and these men were determined to maintain the United States's monopoly on such a powerful and destructive technology. In the course of exerting government control over atomic research, the Hatch Act of 1939 and the Smith Act of 1940 were applied to facilitate investigations into the personal lives of anyone who sought employment with the government.⁶⁵

Scientists working on such sensitive projects as atomic research understood that they would be subject to close scrutinization by the government, yet the growing fear of communist infiltration, coupled with the new horror of weapons of mass destruction led to clear violations of individual liberties. Background checks became increasingly

⁶⁴ Wang, 12, 22, 27.

⁶⁵ Ibid., 85.

intrusive. The slightest association with leftist groups, or a simple case of hearsay could now be viewed as ‘evidence’ of potential disloyalty, and cost a person their career. Wang refers to the “deliberately incendiary reasoning” of HUAC when evaluating the trustworthiness of scientists brought before their committee.⁶⁶

In a similar tone as Frank J. Donner took in *The Un-Americans*, Wang describes the physical and psychological toll that these proceedings took on innocent men and women. While most scientists had no recourse but to cooperate, more established and well-respected scientists, such as Harlow Shapley and Edward U. Condon, had the means to resist the attacks of HUAC. Unfortunately, the various scientific associations that formed over the years were unable to develop a unified opposition to national policy. Internal disagreements over proper security measures and procedures prevented any meaningful action toward the development of an effective global scientific community.⁶⁷

While many individuals contributed their efforts to the frenzy of anticommunist activities in the United States, no one had more direct responsibility for the escalation of fear than J. Edgar Hoover, director of the Federal Bureau of Investigation from 1935 until 1972. William W. Turner covers Hoover’s exploits in his work, *Hoover’s F.B.I.* The career of J. Edgar Hoover was a profoundly successful one, albeit one marred by blatant disregard for personal rights and consistent abuse of power. For example, Hoover “insisted that the simple presence of a person’s name on a radical organization’s membership list was sufficient evidence for deportation as a dangerous

⁶⁶ Ibid., 88, 126.

⁶⁷ Ibid., 118, 184.

alien.” His overzealousness in pursuing and eliminating threats also led to his role in providing Senator Joseph McCarthy with “ammunition” for his infamous investigations in the early years of the 1950s.⁶⁸

The trouble with determining appropriate reaction to such unpopular opinions is that in the case of American Communism, they have global implications. Far different from arguments over whether a tax is unfair, or even how to staff an army, Communist sympathies in the United States suggest not simply a movement for the evolution of our governmental structure, but possible allegiance to a foreign power. While Franklin D. Roosevelt saw security as complementary to freedom, and not a challenge to it, every instance of practical application has proven otherwise.⁶⁹ Christopher Capozzola cites a response to citizens during World War I, that “above all individual rights stands that of the Government to defend and perpetuate itself.”⁷⁰ Yet if a government feels compelled to sacrifice its principles in exchange for security, what is being protected?

There is a significant trend in American history, particularly in the twentieth century, of parlaying fear for the future of the country into policies to eliminate any type of opposition to the party in power. The aforementioned Hatch Act and Smith Act are two such examples of legislation aimed at individuals who held ideas that were contrary to the policies of the present leaders. The Hatch Act prevented those who belonged to certain political parties from being employed by the Federal Government, and the Smith Act sought to “prohibit certain subversive activities,” by outlawing the overthrow or

⁶⁸ William W. Turner, *Hoover's F.B.I.* (New York: Thunder's Mouth Press, 1993), 180, 182.

⁶⁹ Kennedy, 247.

⁷⁰ Capozzola, 157.

destruction of the government of the United States by force or violence.⁷¹ On the surface these laws seem reasonable, however when the assumption is held that all Communists advocate violent overthrow, one need not be personally advocating violence in order to be subject to punishment under the Smith Act. Any party member or sympathizer becomes a target merely for their unpopular beliefs.

Broad interpretations of such directives often resulted in incursions on the rights of American citizens. Frank J. Donner's account serves as merely one instance of the public backlash against HUAC. The following chapter continues this examination of the national response to HUAC and the ensuing debate over placing national security over liberty.

⁷¹ U.S. Congress, *The Alien Registration Act, 1940* <http://www.citizensource.com/History/20thCen/Smith.htm>

Chapter 4

Firsthand Accounts of the Battle Against 'Un-Americans'

The firsthand experiences of citizens who found themselves at odds with their government in a serious way makes for an instructive and thought-provoking study. When a government fails to represent the interests of a significant segment of its population, those in power resort to accusations of disloyalty and treason, rather than acknowledge the possibility of a failure of leadership. Individuals who sought to alter the status quo during the Red Scare following World War II were labeled as 'Un-American,' and thus were placed in an indefensible position. Leaders and politicians could effectively silence their opposition in this manner. The first question that must be asked in such a study as that entitled above is, 'exactly what constitutes un-American activity?' This is a common concern that has yielded numerous and varied responses, particularly in relation to the events of the twentieth century.

As a primary indicator of the complexity of this problem, the very name of the House Un-American Activities Committee was changed in 1969 because the definition of un-American was deemed too broad. Prior to this change, the vague nature of the committee's purpose was concisely identified by a reporter for *The Christian Science Monitor* in 1957, who asserted that the definition of *what* is un-American is "dependent on the *when*."⁷²

Over a decade earlier, the *New York Times* claimed to have a consensus on what constituted un-American behavior. These guidelines included the suppression of individual rights guaranteed by the Constitution, conspiring against the government without following the process for change as outlined in the Constitution, or the support of a foreign nation in action against the interests of the United States.⁷³ While initially this seemed like an adequate explanation of the boundaries for behavior, as we progress in this study the gray areas into which individual actions and circumstances often fall will serve to obscure this definition.

A prime example of such a situation is the Supreme Court's efforts to determine the legality of the Communist Party in America. Removed from the height of Cold War tension by over half a century, it is difficult today to grasp the notion that a political party, however unpopular, could be ruled illegal. In 1948, Arthur Garfield Hays, a lawyer who specialized in protection of civil liberties, stated in his testimony before the Committee on Un-American Activities that, "...the American people are to be trusted and need no

⁷² "What-and When-Is 'Un-American'?" *The Christian Science Monitor*, July 11, 1957, p18.

⁷³ "Un-Americanisms Are Defined by Brookings; Would Check Holders of Subversive Views," *The New York Times*, March 31, 1945, p32.

laws to save them from bad propaganda or bad thinking.”⁷⁴ Mary Hornaday emphasized the precedent set by Justice Oliver Wendell Holmes, Jr., in his decision that, “even in wartime, there must be proved the “intent” to cripple or hinder this country.”⁷⁵ Regardless of such an uncompromising declaration of individual liberty, the perceived threat of Communist activity forced the nation’s highest court to consider membership in a certain political party as a possible crime.

A more in-depth discussion of this question of loyalty was presented by Arthur Schlesinger Jr. in a 1947 article for the *New York Times*. Among the many fine points made by Schlesinger was his assertion that, “there is nothing un-American about criticizing the capitalist system.”⁷⁶ Schlesinger continued his article by warning readers against the abuses that often accompany a quest for increased security, cleverly made a distinction between the rights of regular citizens and the special category of federal employees with access to sensitive national secrets. While the government may rightly be more discerning in selecting candidates for such service, Schlesinger declared bluntly that, “the private political views of a Hollywood writer, for example, hardly seem to be the proper consideration of the United States Government.”⁷⁷

In summation to his call for ‘calm sense,’ Schlesinger concluded that, “...the only criterion for disloyalty is superior loyalty to another country.”⁷⁸ By this definition, the vast

⁷⁴ Eric Bentley, ed., *Thirty Years of Treason: Excerpts from Hearings Before the House Committee on Un-American Activities, 1938-1968* (New York: Thunder’s Mouth Press/Nation Books, 1971), 253.

⁷⁵ Mary Hornaday, “Is the Communist Party Legal?,” *The Christian Science Monitor*, October 18, 1948, p18.

⁷⁶ Arthur M. Schlesinger Jr., “What Is Loyalty? A Difficult Question,” *The New York Times*, November 2, 1947, pSM7.

⁷⁷ *Ibid.*

⁷⁸ *Ibid.*

majority of the complaints of excesses of the House Un-American Activities Committee's practices were well-founded. Often the Committee's policies and procedures encroached on the personal and private lives of citizens in matters unrelated to national security. This is exemplified by the attitude of one of the Committee's more infamous members.

J. Parnell Thomas led the House Un-American Activities Committee as chairman from 1947 until 1948, when his history of corruption was exposed, which resulted in a jail sentence. However, in an interview in 1948, Thomas defined Americanism as, "...conservative. We've got to stop the radicals and stop them now."⁷⁹ The threat of such a narrow definition is eloquently summed up by Raymond D. Fosdick in his article, "We Must Not Be Afraid of Change", which appeared in the *New York Times* in 1949. Fosdick stated that such fearful resistance to change "limits us to a bleak and helpless status quo."⁸⁰ He elaborated this theme by describing the eventual stifling of creativity and the withering of the human spirit from the enforcement of such unnatural conditions.

The very term, 'un-American,' although not strictly defined, implies a dualistic world that encompasses 'us,' meaning those loyal to the United States and its current leadership, and then everyone else. All opposition (both peaceful and violent) falls into the category of unpatriotic, subversive, traitor, or enemy. Henry Steele Commager points out to his readers the folly of such thinking:

The doctrine of guilt by association is wrong morally for other reasons as well. It assumes that it is possible to divide mankind between the saved and the sinners (or, if you will, the loyal and the disloyal, the patriotic and the subversive, the

⁷⁹ Milton Lehman, "White Knight or False Prophet?," *The New York Times*, August 1, 1948, pSM11.

⁸⁰ Raymond B. Fosdick, "We Must Not Be Afraid of Change," *The New York Times*, April 3, 1949, pSM7.

Americans and the un-Americans), and that the saved must never associate with the sinners.⁸¹

In addition to the ridiculousness of labeling individuals as strictly good or bad, forbidding contact with ‘the other’ only serves to perpetuate any divide and obstruct mutual understanding.

While the debate over exactly what constitutes un-American activity continued to be fought, the issue of how best to deal with and prevent such behavior was also occupying the Committee and the courts. One point of attack was to outlaw the Communist Party in the United States. This measure was not officially enacted until the Communist Control Act of 1954, but many endeavored to limit the freedom of party members in the decade leading up to this decision.⁸²

Martin Dies, chairman of the Special Investigation Committee from 1938 until 1944, demanded that action be taken against government employees who belonged to groups determined to be fronts for communist organizations.⁸³ William Strand, in his article covering an exchange of criticism between Dies and Attorney General Francis Biddle, seems to have left-ward leanings in his description of Dies’s response. Strand refers to the proof Dies submits regarding funding of communist activity as “an amazing report,” hinting at its incredulity. However, Strand then lists the names and salaries of individuals associated with those questionable organizations. Additionally, Martin Dies is quoted as responding to the slander as “contributing nothing to the war effort or national

⁸¹ Henry Steele Commager, “Guilt-and Innocence-by Association,” *The New York Times*, November 8, 1953, pSM13.

⁸² Kovel, 139-140.

⁸³ The Special Investigation Committee was tasked with investigating potential disloyalty and/or subversive activities of private citizens. Davis, ed., 279.

unity.”⁸⁴ Such a statement succeeds in silencing opposition without actually addressing the issues for which he was being criticized.

Concentrated attacks on famous or high-profile individuals was another technique of the House Un-American Activities Committee to increase media coverage and gain public support. Many in the movie industry fell victim to this barrage. The resulting blacklisting of those with less than conservative politics or agendas was devastating to many careers. While this fact was acknowledged by many, an article by reporter Frank Hughes serves as a startling illustration of the attitudes of the day. In 1946, he discussed the well-known corruption and criminality of several union leaders in the entertainment industry, referring to them as “extortionists, panderers, gangsters, and other odiferous characters.” Yet Hughes asserts that despite their rotten characteristics, they (the leaders of the labor union IATSE) are “the strongest bulwark in Hollywood against Communism,” as if this alone excuses them from any other alleged unseemly attributes.⁸⁵

The Courts also had numerous opportunities to rule on cases that had a bearing on the freedom of communists in the United States. The House Un-American Activities Committee reserved the right to hold in contempt those who refused to submit to their questioning. In the case of Leon Johnson, convicted of contempt in 1946, the United States Circuit Court of Appeals upheld the contempt conviction, according to the *New York Times*. The majority decision issued by the court asserted that the Constitution

⁸⁴ William Strand, “Red Pay Rollers Unchecked, Dies Tells Congress,” *Chicago Daily Tribune*, September 25, 1942, p3.

⁸⁵ Frank Hughes, “54 Unions Rule Movie Industry With Iron Hand,” *Chicago Daily Tribune*, November 22, 1946, p13.

served to “protect the country against danger from within as well as from without.”⁸⁶ No mention was made on the nature of the danger posed by membership in a political party, of course. The attorney representing Mr. Johnson unsuccessfully challenged the conviction, stating that, “the resolution establishing the House Committee was so ‘vague’ as to make it unconstitutional.”⁸⁷ The question of exactly *what* was un-American continued to cause controversy in rulings of this nature.

Another means of ‘ferreting out’ subversives was the use of loyalty tests for government employees. This program, began by President Truman in 1947, required all federal applicants to submit to a background check by the FBI.⁸⁸ The scientific community was particularly hindered by this roadblock, as Jessica Wang discusses in her work, *American Science in an Age of Anxiety: Scientists, Anticommunism, and the Cold War*. However, university professors were equally aroused against what Dean Wesley A. Sturges of Yale University was quoted as identifying as “persecution for opinion.”⁸⁹

John Henry Faulk, in his work, *Fear on Trial*, describes in more detail the nature of a background check, and the limitations of such an investigation. In his testimony in support of Faulk’s case against HUAC, television producer Mark Goodson made the following statement:

All I can say is that there were no differentiations made between Communists, Communist sympathizers, those who had lunch with Communists sympathizers,

⁸⁶ “U.S. Court of Appeals Upholds Sentence Against Communist,” *The Christian Science Monitor*, December 10, 1947, p14.

⁸⁷ Ibid.

⁸⁸ Wang, 85.

⁸⁹ “Yale Law Teachers Score Loyalty Tests,” *The New York Times*, November 27, 1947, p38.

those who knew somebody who had lunch with Communist sympathizers, and so forth, but there was one over-all list and the differentiation was not made for us.⁹⁰

As this account demonstrates, the background checks were indiscriminate and inaccurate. The suggestion that any contact at all with other Communists was incriminating evidence also served to help the Committee cast the widest net possible to obtain more names of suspects, and thus continue their work in uncovering and questioning more potential spies and traitors.

Guilt by association, a determination based both on fear as well as overzealous patriotism, is further denounced by Henry Steele Commager in his article, "Guilt - And Innocence - by Association," published in the *New York Times* in 1953. Commager reminds us that guilt, according to Anglo-American law, is personal, not collective. Also, United States law protects citizens from being punished retroactively. Therefore, one could not be prosecuted for violating a law that was not in effect at the time it was violated. Simply put, if being a communist became illegal in 1954, one could not be punished for joining the Communist Party in 1945. Commager proceeds to defend the American principles of the right of voluntary association, and the right to petition. He argues that if exercise of these rights leads to investigation, then they are no longer rights. He concludes with the powerful statement, that guilt by association "is not a convenient device for detecting subversion, but a device for subverting our democratic principles and practices."⁹¹

⁹⁰ John Henry Faulk, *Fear on Trial* (New York: Tempo Books, 1963), 185.

⁹¹ Henry Steele Commager, "Guilt-and Innocence-by Association," *The New York Times*, November 8, 1953, pSM13.

In addition to the background checks to clear individuals for employment, the House Un-American Activities Committee sought to legally restrict communists from holding government positions. Legislation was proposed to prohibit communists from government service, including joining the armed forces. The Committee also proposed that it should be “impossible for the executive branch of the government to deny the legislative branch of the government necessary information dealing with loyalty of employees in the federal government.”⁹²

This request for ‘cooperation’ between the executive and legislative branches can be interpreted as a thinly disguised attempt to gain independence from the restrictions of the checks and balances built into the federal government. HUAC’s determination to carry out their investigations without any opposition would strengthen the position of the Committee and its members.

In the more than three decades of the Committee’s existence, many individuals were directly subjected to the intense scrutiny of its investigations. The Committee had many enthusiastic supporters, many of whom described themselves as patriots. However, there were also men and women who strongly opposed the excesses and ‘witch-hunting’ policies the Committee implemented, which served mainly to perpetuate its existence. Those who could afford to do so, spoke out publicly against HUAC.

Secretary of the Interior Harold Ickes was a consistent opponent of the House Un-American Activities Committee. As early as 1943 he declared he was “tired to death of wasting public funds and public time in appearing before useless and fruitless committees of investigation.” Over a matter of refusing to fire an official of the Virgin

⁹² “Thomas Committee Interim Report Tells of Efforts to ‘Ferret Out’ Communists,” *The Christian Science Monitor*, August 30, 1948, p7.

Islands, Ickes accused the committee of bypassing the judicial branch and “interpreting the Constitution yourself.”⁹³ There was no love lost between the Secretary and the committee members.

As previously discussed, the scientific community also had many unfortunate dealings with an overzealous Committee, which was determined to prevent subversive activity. In 1946, Dr. Harlow Shapley of Harvard butted heads with the Committee. As an internationalist, Shapley was supportive of culture sharing and cooperation with other nations of the world to facilitate advances in scientific understanding.⁹⁴ HUAC interpreted this as disloyalty and an unacceptable risk of espionage. Shapley compared the Committee’s style of inquiry to “the star-chamber methods of the Gestapo,” and described a scene in which Committee member John Rankin “forcibly seized” a prepared statement from him.⁹⁵ This undignified behavior from Rankin, a man who swore to uphold the Constitution of the United States, reinforced the increasingly negative reputation of this Committee.

Brute force was only one instance of abuse by the House Un-American Activities Committee. At times, they could be more subtle in their quest against radicals. For instance, in their examination of Corliss Lamont, of the National Council of American-Soviet Friendship, the Committee made what the *Washington Post* termed an “unnecessary demand” that required the Council to produce a voluminous amount of records. The Committee was aware that if the Council responded to this request, the council would be rendered unable to function. The *Post* declared such tactics as an

⁹³ “Irate Ickes Blasts House On Inquiries,” *The Washington Post*,” November 11, 1943, p15.

⁹⁴ Wang, 123

⁹⁵ “Shapley Says Rankin Used Unfair Tactics,” *The Christian Science Monitor*,” November 14, 1946, p16.

“arbitrary and outrageous abuse of its subpoena power.”⁹⁶ The House Un-American Activities Committee was adept at gaining their ends by any means necessary.

Criticism of the Committee came from international sources as well as domestic. In 1947, Marguerite Higgins reported that a Soviet newspaper in Berlin declared that the United States “no longer observes its Bill of Rights and therefore has become a police state.” The article references cases of U.S. employees being terminated from their jobs without being given a concrete reason for their dismissal. Higgins acknowledged the embarrassing nature of these accusations from a nation that the United States has characterized as totalitarian. The hypocrisy of the policies of the United States which compromised freedom for security were evident even to those not struggling under suspicion. The Soviet article “concluded that there is no freedom in the United States for minorities.”⁹⁷

Over a century before HUAC was created, Alexis de Tocqueville made a similar observation on the operations of the country. He illustrated the situation by explaining that the sovereign, in response to opposition would say,

You are free to think differently from me, and to retain your life, your property, and all that you possess, but if such be your determination, you are henceforth an alien among your people. You may retain your civil rights, but they will be useless to you.⁹⁸

The blacklisting, loss of employment, and social ostracizing that were resultant of the Committee’s methods of inquiry demonstrate perfectly the environment described by de Tocqueville.

⁹⁶ “Inviting Contempt,” *The Washington Post*, July 4, 1946, p6.

⁹⁷ Marguerite Higgins, “U.S. Ignores Constitution, Reds Declare,” *The Washington Post*, December 7, 1947, pM5.

⁹⁸ de Tocqueville, 307

Active defiance of the House Un-American Activities Committee often took the form of refusal to testify. In a long series of challenges to the authority and Constitutionality of the Committee, 'unfriendly witnesses' would not submit to questioning, citing various explanations for their non-cooperation. Eugene Dennis, Secretary of the Communist Party, claimed that, "Congress has not specified exactly the authority of this committee,...communism is not un-American,... and the committee is unlawfully constituted."⁹⁹

Witnesses who employed this technique of refusal to submit to questioning were placing themselves at great risk. Often referred to in negative terms, as 'balky witnesses,' by the media, even loyal citizens who simply opposed the abuses of HUAC became tainted with the suspicion of being subversives. Unemployability, incarceration, and even deportation were possible consequences for their refusal to compromise their integrity.¹⁰⁰

Those who found themselves at odds with the Committee, unless they were relatively well-off or well-respected citizens, had little recourse. When use of one's Amendment rights (such as pleading the Fifth) was interpreted as outright defiance, submission was often the only logical action. A number of witnesses were forced to acknowledge their former associations with the Communist Party, and only hope that their declarations of ignorance of the 'evils' of the institution would be believed.¹⁰¹

⁹⁹ "Communist Official Refuses To Answer House Committee," *The Christian Science Monitor*, March 26, 1947, p15.

¹⁰⁰ "6 More Defy Red Inquiry," *The New York Times*, July 16, 1954, p7 and "House Red Inquiry Acts To Seize Nine," *The New York Times*, April 18, 1951, p17.

¹⁰¹ Willard Edwards, "3 Ex-New Deal Aids Defy Red Investigators," *Chicago Daily Tribune*, September 2, 1950, pB8

The stigma of use of the Fifth Amendment was reinforced a great deal by the media. The *Washington Post*, in 1948, deemed ‘entirely reasonable’ a suggestion that any federal employee who exercised this right should have their employment terminated.¹⁰² There was wide acceptance of the presumption of guilt of those who refused to testify, as well as the resultant job loss based merely on suspicion rather than conviction. The *Chicago Daily Tribune* published an article in 1953 with the headline, “List Witnesses Hiding Behind Constitution,” which portrayed in negative light any who ‘refused to cooperate’ with the investigating subcommittee.¹⁰³ Another columnist accused those who pleaded the Fifth of “jumping behind the protection of the Constitution,” and referred to the amendment as “a shield to conceal the facts of the Communist conspiracy.”¹⁰⁴ The disconcerting reality of how Americans willingly tore at the fabric of their own Constitutional rights in the pursuit of a perceived evil is unfortunately not a mere memory in the country’s history. This behavior, as will be elaborated upon later in this study, continues today in the post-9/11 environment.

The Committee did, however, possess ways of persuading reluctant witnesses to testify. In the case of Ellis Olim, his original decision to plead the First and Fifth Amendments was changed after he came to an ‘agreement’ with the Committee, which granted him immunity. In this manner, ‘unfriendly’ witnesses are converted into ‘informers.’ While the source did not elaborate on the circumstances of this particular case, often the decision to testify came at the threat of loss of one’s employment. It was

¹⁰² “Self-Incrimination,” *The Washington Post*, September 8, 1948, p14.

¹⁰³ “List Witness Hiding Behind Constitution,” *Chicago Daily Tribune*, November 25, 1953, p2.

¹⁰⁴ “Steps Studied On Making Witness Talk,” *The Hartford Courant*, June 8, 1953, p6D.

surely no coincidence that the article referenced another witness who refused to testify, who subsequently lost his job.¹⁰⁵

The Supreme Court, however, stood firmly in support of the Fifth Amendment and protections for witnesses. The *Washington Post* quoted Chief Justice Warren as stating that, “it is precisely at such times - when the privilege is under attack by those who wrongly conceive of it as merely a shield for the guilty - that government bodies must be most scrupulous in protecting its exercise.”¹⁰⁶

Further coverage of this decision related how the Supreme Court “reminded Congress that it must not confuse its investigative functions with the powers of law enforcement,” and that the Committee was not to “use its investigative powers to inquire into private affairs unrelated to a valid legislative purpose.”¹⁰⁷ While these statements were somewhat vague, the position of the Court still served to reinforce the rights of witnesses and the legitimacy of the use of the Fifth Amendment.

Mirroring the resistance witnesses experienced when they chose to invoke the Fifth Amendment, difficulty was also caused by the very nature of the operations of the Committee. If an individual was accused of less than honorable intentions in their associations with undesirables, there was no determinate way to refute those accusations. A person’s soul cannot be bared before a committee, and in an atmosphere of paranoia and fear, the only ‘safe’ bet was to assume guilt.¹⁰⁸ The

¹⁰⁵ “Witness Accepts Immunity Offer,” *The New York Times*, December 16, 1955, p33.

¹⁰⁶ “Safeguards for Witnesses,” *The Washington Post and Times Herald*, May 25, 1955, p14.

¹⁰⁷ Luther A. Huston, “Fifth Amendment Ruling Debated,” *The New York Times*, May 29, 1955, p109.

¹⁰⁸ Henry Steele Commager, “Guilt-and Innocence-by Association,” *The New York Times*, November 8, 1953, pSM13 , and Willard Edwards, “3 Ex-New Deal Aids Defy Red Investigators,” *Chicago Daily Tribune*, September 2, 1950, pB8. and Faulk 141.

previously quoted Arthur Garfield Hays was not afraid, however, to brazenly oppose the Committee. During his testimony of 1948, Hays declared,

I cannot understand you men. You say you are Americans. You are so little American, you have so little faith in our institutions. The idea of being afraid of Communists is ridiculous. You are building up a Red scare and then you will pass laws as though we are contaminated and not allow us to do our own thinking.¹⁰⁹

In the later years of the Committee's existence, resistance such as that of Hays picked up further support from American citizens. As previously discussed, professors at Yale openly opposed the Committee. They objected to the use of loyalty tests in determining employability, and twenty-six members of the faculty signed a letter to President Truman delineating their complaints.¹¹⁰ In 1954, Dr. Albert Einstein rallied the country's intellectuals to oppose HUAC, and the "intimidation and muzzling" tactics that were used against members of the intellectual community by those seeking to eliminate any challenge to the Committee. Dr. Einstein was quoted as asserting that, "whoever cooperates in such a case becomes an accessory to acts of violation or invalidation of the Constitution."¹¹¹

Dr. Einstein had expressed the belief that intellectuals were particularly responsible for combating abuses of HUAC. He likely understood that the average person's resources would not allow him to withstand assault by such a powerful committee. The Committee often exerted its powers without consideration for individual rights, and financing or public support were key components of an effective defense. In

¹⁰⁹ Bentley, ed., 254.

¹¹⁰ "Yale Law Teachers Score Loyalty Tests," *The New York Times*, November 27, 1947, p38.

¹¹¹ William L. Laurences, "Einstein Rallies Defense of Rights," *The New York Times*, March 14, 1954, p69.

cases where HUAC investigated individuals without means of rebuffing the attack, there were few alternatives but to acquiesce. For instance, high school teacher Dr. Wilbur Lee Mahoney agreed to divulge all the details of his personal former associations, but refused to comply with requests to 'name names' and implicate more individuals.

Mahoney was quoted as stating that, "To be an informer...is contrary to every tenet of American thinking."¹¹²

Other Americans met the Committee not as individuals, but in groups. The safety of numbers allowed citizens to voice their concerns over the practices of HUAC, such as in the Constitution Day hearings in 1955. Among the complaints enumerated by the various groups (including the NAACP, the American Society of Newspaper Editors, veterans, churchmen, lawyers, fraternal organizations, teachers, farmers and businessmen, and women), were: a concern over HUAC's disregard for individual rights, an assertion that, "no government body may set itself up as a judge of men's beliefs," criticism of the policy of guilt by association, support of workers right to organize, and accusing HUAC of the undemocratic policy of refusing to allow dissent.¹¹³

In addition to the concerns of the aforementioned groups, the American Civil Liberties Union (ACLU) was another outspoken opponent of the Committee. The ACLU sought personal liability for those on the Committee in regards to the case in 1947 where twenty-three Hollywood writers, actors, and technicians were denied employment. A statement by the ACLU declared that the blacklisting was an "extra-

¹¹² Murrey Marder, "Teacher, Once a Communist, Refuses To Inform on Former Associates," *The Washington Post*, February 17, 1954, p17.

¹¹³ "Americans' Rights Seen Threatened," *The Hartford Courant*, September 18, 1955, p2.

legal” form of punishment, and that the Committee was “operating outside the system of law established by Congress, as well as contrary to the Constitution.”¹¹⁴

Criticism was not limited to the Committee itself. HUAC’s close working relationship with the Federal Bureau of Investigation meant that those who spoke ill of FBI methods were often called to testify before the Committee under suspicion of disloyalty. When businessman Cyrus S. Eaton, in 1958, compared the FBI to Hitler’s spy organization, the chairman of HUAC had him subpoenaed. Mr. Eaton called the move “the usual publicity-seeking” tactics implemented by HUAC, arguably to keep themselves in the headlines, as well as to keep a steady stream of appropriations funding headed in their direction.

Eaton also elaborated on the abuses of HUAC, focusing on their “claim to absolute immunity from the scrutiny of the public for whom they profess to act.”¹¹⁵ This is a complaint which had been made on a number of occasions as witnesses were often forced to answer to accusations from unidentified sources. CBS radio show host John Henry Faulk, in his experience, described vague and “nebulous, fatuous assertions” to which he was compelled to respond. In his account of his trial, Faulk also related instances of individuals being blacklisted with no evidence at all of wrongdoing.¹¹⁶

Another tactic utilized by HUAC to expand the committee’s influence was holding hearings in major cities across the country. This served to bring the eminence of the committee to a larger number of individuals in a more personal and intrusive manner.

¹¹⁴ “House Committee Hit For ‘Blacklisting’ 23,” *The Washington Post and Times Herald*, October 28, 1957, pA2.

¹¹⁵ “House Committee Subpoenas Eaton,” *The New York Times*, May 20, 1958, p40.

¹¹⁶ Faulk, 30, 177

One such victim of the committee's attention was Emanuel Fried. Fried believed in the rights of laborers and during his career he served as a union organizer in Buffalo, NY., thereby attracting the interest of HUAC.¹¹⁷

Emanuel Fried was called to testify before HUAC in both 1954 and 1964. After refusing to provide names of communists, Fried wrote that he was "unable to hold onto jobs with a number of U.S. companies who hired me, the FBI visiting those employers, getting them to fire me, punishing and pressuring me because I refused their demand." Fried also found himself blacklisted from having his plays performed at Buffalo's Studio Arena.¹¹⁸

Unfortunately, not all witnesses proved so steadfast in the face of inquiry from the House Un-American Activities Committee. Another Buffalonian, Joseph A Chatley, testified before HUAC on October 3, 1957. In his responses, Chatley freely named men he identified as communists (including Emanuel Fried) and concluded his lengthy testimony by stating his belief that elected representatives of the United States "...have a mandate from the American people, to do everything in their power to protect the security of this country."¹¹⁹ Emanuel Fried's actions prove that he respected and upheld the belief of individual freedom in the United States, while Mr. Chatley demonstrates his willingness to be subpoenaed and interrogated in the name of security.

The demand for an end to the abuse and unlawful activity of HUAC grew steadily over the years as the Committee failed to produce any meaningful legislation, while at

¹¹⁷ Emanuel Fried. *Most Dangerous Man* (Kansas City: John Brown Press, 2010), 55.

¹¹⁸ *Ibid.*, 43.

¹¹⁹ United States Congress, Committee on Un-American Activities. *Investigations of Communist Activities in the Buffalo, NY Area. Hearings* (Washington, DC: GPO, 1957): 1790.

the same time continued along its course of name-hunting and headline-making. In 1961 over 4,000 people rallied for the termination of the Committee. An editorialist termed HUAC “America’s No. 1 hate group,” in a quote provided by the *New York Times*.¹²⁰ An attorney representing Dr. Jeremiah Stamler (who had also refused to testify before the Committee) declared that the then Committee chairman, Representative Edwin Willis, was “acting as a grand jury and is invading judicial functions.”¹²¹ Objections continued to mount against this run-away committee.

In 1969 the House Un-American Activities Committee explored options to rescue themselves from the loss of support due to their declining image. One of the most common issues with the Committee was the vague definition of the term un-American. Changing the name of the Committee was presented as a solution to this dilemma. Richard L. Street of *The Christian Science Monitor* explored the circumstances leading up to this decision. Street identified the crux of the problem when he succinctly articulated the issue that any committee critics “run the risk of being called unpatriotic.” He also touched on the lack of useful legislation to emerge from this committee, as well as the “heavy-handed procedure, constitutional shortcuts, and treatment of witnesses that have given HUAC notoriety.” Many opponents hoped that changing the name of the Committee would also bring its operations back within “normal House discipline.”¹²²

Later that year, HUAC was renamed as the House Committee on Internal Security, and carried on under this title until its duties were reabsorbed by the House Judiciary Committee in 1975. In 1981, former Congressman Don Edwards revisited his

¹²⁰ “4,000 Cheer For End Of House Committee,” *The New York Times*, April 22, 1961, p8.

¹²¹ “Appeal Is Heard in Challenge of HUAC,” *Chicago Tribune*, September 23, 1966, pA5.

¹²² Richard L. Strout, “HUAC probers tackled,” *The Christian Science Monitor*, February 7, 1969, p14

experiences with the House Un-American Activities Committee in an article for the *Chicago Tribune*. He warned of the dangers of allowing such a committee to reconstitute itself.

Citizens who see nothing wrong with keeping ‘suspicious’ people under the surveillance of a committee of elected legislators do not understand the implications of establishing congressional internal security committees....But what HUAC did - and would do again if reconstituted - was usurp the investigative powers of the executive department and the adjudicatory authority of the judiciary.¹²³

Edwards warned that the excesses of such committees on a mission to ‘protect freedom’ often provide the groundwork for the adoption of policies which threaten significant damage to the individual rights of the citizens of the United States. By allowing the government to take on ‘totalitarian’ characteristics, citizens would be persuaded to voluntarily relinquish their liberty in exchange for security. Yet, as Benjamin Franklin wisely stated, “They that give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety.”¹²⁴

¹²³ Don Edwards, “I’m not now and I never have been,” *Chicago Tribune*, February 25, 1981, pW3.

¹²⁴ Benjamin Franklin. *The Quotable Franklin*. <http://www.ushistory.org/franklin/quotable/quote04.htm> (accessed March 3, 2014).

Chapter 5

Liberty versus Security

The conflict between liberty and security is a battle that has been waged since the birth of the United States. The events that occurred as a result of the practices and abuses of the House Un-American Activities Committee in the post-World War II era represent merely one phase of a struggle that has yet to strike a stable balance. In addition to affecting the lives of those who experienced injustice first hand, the clash between freedom and safety has been a subject of interest for many others who have witnessed or studied such cases throughout history. In this chapter we will focus on the legacy of these events.

In the atmosphere of the Cold War, one was either a patriot or an enemy. No middle ground existed, and men and women who sought to expose the shortsightedness of these policies, did so at great personal risk. The lasting effects of this hyped-up nationalism persist beyond the Cold War environment, and into the new

millennium, impacting all areas of the lives of Americans, from education and economics, to politics and international relations.

Betty Jean Craig's work, *American Patriotism in a Global Society* examines the reality of maintaining a nationalistic outlook in an increasingly international environment. Craig terms the main conflict as one between tribalism (allegiance to men) and globalism (allegiance to laws). Craig asserts that, while the First Amendment protects citizens against coerced loyalty, the United States often suspends these rights in favor of national unity and security. As in the previously discussed cases of pacifists, socialists, progressives, and scientists advocating international cooperation in research, many groups and individuals became marked as subversives or traitors simply for expressing opinions in conflict with those of the country's leaders.¹²⁵ Craig describes how such conservative views are expressed in contemporary issues ranging from reciting the Pledge of Allegiance in schools to public funding of research projects that do not adhere to 'Western Values.' In one specific example relating to the recent war in Iraq, Craig stated that, "President (George H. W.) Bush characterized as un-American all who disagreed with him."¹²⁶ This attitude exuded by the American president is consistent with the views and policies of many of the previous leaders of the country who found themselves facing similar challenges.

In a related article entitled, "Security and Liberty," Laurence Sears examined the price of national security during the Cold War era in terms of freedoms lost. His ruminations on Congressional immunity help emphasize the concerns of many who

¹²⁵ Betty Jean Craig, *American Patriotism in a Global Society* (Albany: State University Press of New York, 1996), 42, 67.

¹²⁶ *Ibid.*, 105, 56.

were subjected to the damaging accusations of the House Un-American Activities Committee. The very real threat of creating a 'garrison state' in a land founded on ideals of liberty concerned Sears enough to declare that America's leaders were terrorizing their own citizens.¹²⁷ Mr. Justice Jackson was quoted by Sears as stating that, "Security is like liberty in that many are the crimes committed in its name."¹²⁸ These observations convey a definite sense of frustration and ineffectual resistance to a government clamping down on a malleable public.

Frank B. Ober, however, argued *for* government's right to self-protection against what he termed as 'seditious conspiracies.'¹²⁹ In his 1948 article for the *American Bar Association Journal*, he asked, "What does it profit us to have freedoms if they be used to advocate the betrayal of the Constitution which guarantees them?"¹³⁰ With as much eloquent discourse as there has been over the past two centuries on the topic of protection of unpopular speech, it is difficult to support Ober's position.¹³¹ In addition, Ober questions American's "supposed right to revolution," adding fuel to the fire of the 'tyranny of the majority' by asserting that an unpopular minority ought have no rights.¹³²

¹²⁷ Laurence Sears, "Security and Liberty," *The American Scholar*, Vol 20, No 2, Spring 1951, 146.

¹²⁸ *Ibid.*, 138.

¹²⁹ Frank B. Ober, "Communism vs, the Constitution: The Power to Protect Our Free Institutions," *American Bar Association Journal*, Vol 34, No 8, August 1948, 742.

¹³⁰ *Ibid.*, 746.

¹³¹ For examples of discourse on protection of unpopular speech: Evelyn Beatrice Hall's quote "I disapprove of what you say, but I will defend to the death your right to say it." Also George Washington, "If freedom of speech is taken away, then dumb and silent we may be led, like sheep to slaughter." Frederick Douglass, "To suppress free speech is a double wrong. It violates the rights of the hearer as well as those of the speaker."

¹³² Ober, 742.

From a vantage point removed from that of Ober by the benefit of five decades, Geoffrey R. Stone spotlights the role that fear has played in politics. In the wake of World War II, attacks on civil liberties went “almost unchallenged,” Stone explained.¹³³ Suspicions of plotting and betrayal increased following the ‘fall’ of China to Communist leaders, as well as the Soviet Union’s development of their own atomic bomb technology. Stone cites the Republican gains in the midterm elections of 1946, and the McCarran Act of 1950, which required all organizations deemed Communist to disclose their member lists for investigation, as concrete examples of the political power that resulted from the exploitation of this fear.¹³⁴

Finally, supporting his thesis with events of recent memory, Stone connects the events of the post-World War II era to the atmosphere of uncertainty following the attacks of September 11, 2001. Indefinite detention of prisoners, secret deportations, surveillance without warrants, and other aspects of the Patriot Act illustrate how willingly Americans eschew their rights in favor of security, particularly when the loss is obscured with nationalistic imagery and language designed to stimulate fervor for the programs put forth by those in power.¹³⁵

Fortunately, the country is not without those who are able to see beyond the patriotic haze. In a 2007 article, Geoffrey R. Stone continued his theme of examining the conflicting policies of national security and civil liberties. This time, Stone turned his attention to the judiciary and their rather important role in this matter.

¹³³ Geoffrey R. Stone, “Free Speech in the Age of McCarthy: A Cautionary Tale,” *California Law Review*, Vol 93, No 5, Oct 2005, 1400.

¹³⁴ *Ibid.*, 1389, 1393.

¹³⁵ *Ibid.*, 1407-1408.

Stone cited various cases of instances where the judiciary upheld the position of the Federal Government in matters of national security, such as the Espionage and Sedition Acts of 1917 and 1918, and the internment of Japanese citizens during World War II. Stone pointed out that rulings supporting these actions have come to be known as Constitutional failures.¹³⁶ Acknowledging the fact that governments tend most often to err on the side of caution by “exaggerating the dangers facing the nation,” particularly in times of war, Stone concluded that judges make better rulings when they are free to second-guess government restrictions on civil liberties.¹³⁷

Sharing Stone’s view of the nature of fear as a political weapon is Ellen Schrecker. In her article, “McCarthyism, Political Repression and the Fear of Communism,” Schrecker reiterates points made by Stone on government’s strong instinct to protect itself by compromising the freedom of its citizens.¹³⁸ Various abuses of power included barring communists from union leadership, a lack of due process during investigations, and the FBI’s continued demand for secrecy which, Schrecker states, was a clear device to hide illegal activities. Ellen Schrecker makes the astute observation that, “overloading the nation’s internal security apparatus does not necessarily make anyone safer.”¹³⁹ Unfortunately, it seems clear that post-9/11 America has retained little of the lessons of a Cold War America.

¹³⁶ Geoffrey R. Stone, “National Security vs. Civil Liberties,” *California Law Review*, Vol 95, No 6, Dec 2007, 2207.

¹³⁷ *Ibid.*, 2208

¹³⁸ Ellen Schrecker, “McCarthyism: Political Repression and the Fear of Communism,” *Social Research*, Vol 71, No 4, Winter 2004, 1042.

¹³⁹ *Ibid.*, 1073

The Patriot Act is a piece of legislation that has resurrected the worst invasive policies of the past eras of fear. In the wake of international violence, a stream of court rulings such as described in Stone's article seem always to be the result. Hastily implemented measures to 'guarantee' safety are viewed in retrospect as overreactions and infringements on liberty. The Patriot Act is no different. Despite being passed with overwhelming support in the Congress, many aspects of this act have become topics of fierce debate between those who advocate civil liberties, and those who argue the government's right to ensure its own safety and continuance. The Patriot Act has opened the door for extensive wire-tapping and information gathering, as well as holding suspects without official charges, attempts at controlling political speech, and even the use of Guantanamo Bay detention center as a site for illegal torture of detainees.¹⁴⁰

Supporters of the Patriot Act claim that self-imposed rules and restrictions have been sufficient to curb and infringement on the rights of innocent citizens.¹⁴¹ However, experience and common sense dictate that self-regulation is completely unsatisfactory as a method of protecting individual freedom and privacy. As John C. Calhoun thoughtfully wondered, "How can those who are invested with the powers of government be prevented from employing them, as the means of aggrandizing themselves, instead of using them to protect and preserve society?"¹⁴²

Authors Leonie Huddy, Stanley Feldman, Charles Taber, and Gallya Lahav jointly produced an article on another aspect of fear and its effects on politics and government.

¹⁴⁰ Louise I. Gerdes, ed. *The Patriot Act* (Detroit: Greenhaven Press, 2005), 88, 84, 97.

¹⁴¹ *Ibid.*, 101-102.

¹⁴² Calhoun, Lence ed., 10.

They observed that although, as previously emphasized in this work, perceived threat results in disproportionately restrictive policies, such anxiety could also produce an unexpected side effect of tentativeness in national policy. In other words, a more dangerous global situation would lead to decreased military activity in order to avoid an unknown danger.¹⁴³ While America's forays into Iraq and Afghanistan following the 9/11 attacks seem contrary to this conclusion, the authors did confirm the increased willingness of Americans to endure infringement on their civil liberties in order to allay fears of violent attacks.

In an interesting and thought-provoking article also addressing the subject of security versus liberty, Youngjae Lee discusses the idea of punishing disloyalty, and explores the extent to which citizens are bound to their parent nations, as well as how governments have enforced a certain level of allegiance. Lee's primary argument is that there is no duty to be loyal to one's nation of birth. This is a refreshing attitude, supporting the logic that to demand blind loyalty based on the circumstance of the fate of having been born in one country rather than another, is a senseless expectation. One particularly poignant observation made by Lee is that, "... it is deeply mysterious why one's nationality should be thought to be morally significant."¹⁴⁴ Even more resonant with the reader, however, was a reference to a Woody Allen movie in which the opposing sides must convince their forces to fight, and Allen's character, upon being told that the side which kills the most will win, innocently asks, "What do we win?"¹⁴⁵

¹⁴³ Leonie Huddy and others, "Threat, Anxiety, and Support of Antiterrorism Policies," *American Journal of Political Science*, Vol 49, No 3, Jul 2005, 603.

¹⁴⁴ Youngjae Lee, "Punishing Disloyalty? Espionage, and the Transgression of Political Boundaries," *Law and Philosophy*, Vol 31, 308.

¹⁴⁵ *Ibid.*, 307.

Apart from the main question asked by Lee regarding the obligation of national loyalty, it should also be pointed out that in the modern age, when spoils of war are less and less frequently tangible goods, Allen's question becomes increasingly difficult to address. Fighting for strategic advantage in a war of ideology makes little sense, since such victories very rarely come as a result of force. Individuals who view politics, economics, and society on a strictly global scale remain outnumbered by those with a nationalistic outlook. In the next review of this section, Robert B. Reich explains the economic implications of the United States maintaining a 'we versus they' policy.

Reich's work begins with a chapter on the origins of economic nationalism, in which he describes the history of the long-held belief that a nation's economic success is essentially defined by the success of the businesses which are established within its borders. When, in 1953, Charles Erwin Wilson stated, "What is good for America is good for General Motors," he articulated a fact that many people at the time thought to be self-evident. As Robert Reich explains, he was correct. Given the basic pyramid-shaped corporation in existence then, the growth of one company affected the welfare of a large number of citizens, either directly employed by that company, or employed by businesses which supplied goods and/or services to the large corporation, hence increasing the wealth of the nation.¹⁴⁶

In today's global economy however, much of what we still believe about business is no longer the case. Reich takes the reader through the labyrinth of new business relationships comprised of complex franchises, licensing agreements, and brokerages. A corporation is no longer a pyramid-shaped entity focused merely on producing

¹⁴⁶ Robert Reich, *The Work of Nations: Preparing Ourselves for 21st Century Capitalism* (New York: Alfred A. Knopf, 1991), 46.

tangible goods, but has become primarily a 'web' of consultants, advertisers, marketers, problem-solvers, problem-identifiers, and creative designers who contribute the bulk of the value to a company. In an example, Reich states that a large portion of the price paid for a car, for instance, goes toward the designing and advertising costs, rather than the steel and labor needed to make the car itself.¹⁴⁷

To add to the complexity, in today's world of instant communication and cheaper transportation, the barriers posed by national borders are disappearing for the corporate world. Many successful ventures now are international in scope, taking advantage of opportunities abroad that may not be available at home. Foreign investing is commonplace, companies import and export a myriad of components for any number of goods, and cross-border consulting and contracting encompass resources from talented individuals in a number of nations.¹⁴⁸

The international characteristic of how business is conducted leads to Reich's most important assertion. Businesses are no longer strictly 'American' or 'foreign,' regardless of who composes the majority of stockholders. The real wealth of any business resides in the minds of the individuals it employs. The group of workers he terms the 'symbolic analysts' are those who contribute the most value to these corporations. Often, they are not even directly employed, but may work as contractors or consultants. It is these individuals who reap the greatest benefit, based on their creativity and ability to market products or sell solutions. The emphasis of business has decisively changed from producing tangible goods, to providing intangible knowledge

¹⁴⁷ Ibid., 81

¹⁴⁸ Ibid., 138.

and experience to address problems or take advantage of previously untapped opportunities.¹⁴⁹

The art of seeking out and exploiting a niche in the existing market has become much more valuable than the product itself. Reich claims that a mere twenty percent of Americans belong to the category of workers who possess these skills. (The other workers fall into the categories of routine producers or in-person services). The symbolic analysts are also the highest-paid, and their wealth has been growing over the past several decades, while the earnings of the lower two groups has declined. This is not, however, merely a problem in the United States. Reich suggests then, that the best way to improve the economy of the United States is to improve the quality of our workers. Increased spending on education geared towards problem-solving rather than memorization of facts is his main solution, coupled with improvements in infrastructure.¹⁵⁰

As Reich explains, the federal government has not yet grasped the reality of the global economy. For instance, policy makers have incrementally decreased assistance to public education, placing more of the burden on state and local governments, In depressed areas, taxes are insufficient to cover the gap left by this loss of funds, while in wealthier sections of the country, funding for schools has actually increased, further contributing to the education and income gap.¹⁵¹

This problem is exacerbated by government policy of offering tax breaks to 'American' businesses, which further cuts into the funds available for effectively

¹⁴⁹ Ibid., 100

¹⁵⁰ Ibid., 127.

¹⁵¹ Ibid., 146.

educating children. The issue here is that government administrators still view the corporation in the old sense: either American or foreign. Hence, they invest in companies which may be technically owned by US citizens, without understanding that it may not be Americans who benefit from the profits of that business. On the other hand, foreign companies may seek to utilize American labor, thereby training and employing American citizens, yet these companies do not receive the same consideration simply because they may have foreign names or headquarters based in another country. Quite simply, the United States is missing opportunities because of an outmoded way of thinking.¹⁵²

Despite these problems, Reich remains optimistic. While he realizes the difficulty of changing a country's approach to business, Reich believes that we have the tools and capacity to adjust to changing economic conditions, eventually. Like Betty Jean Craig, Reich sees education as the means by which Americans can evolve beyond their nationalistic limitations.¹⁵³

As this study demonstrates, the 'we versus they' worldview perpetuated in the United States has had many serious results. From the infringement of individual rights during the various American wars, to "enforcing ideological conformity to official views of the West by denying group members access to competing views,"¹⁵⁴ policy makers of the United States have consistently demonstrated a preference for security over freedom. The nationalistic tendencies of self-preservation have also caused the United States to miss opportunities to encourage the economic growth and development of its

¹⁵² Ibid., 154.

¹⁵³ Craig, 18.

¹⁵⁴ Craig, 85.

citizens. In struggling to support and maintain a strictly geographically defined economy, leaders have failed to cultivate resources which would benefit our society merely because they lie outside American borders.

One objective worth the struggle against this increasingly nationalistic outlook, is the goal of better cooperation and accountability. In a society which is supported by secret operations, wire-tapping activities, and a multitude of other 'behind-closed-doors' activities, an enterprise such as Wikileaks exemplifies the developing desire for more transparency in government operations.

As with the HUAC investigations, the Patriot Act, and numerous other government-supported programs, a lack of accountability is a common failing associated with security measures. When the line between promotion of safety and infringement of freedom is crossed, those who could be implicated bury evidence, while non-interested parties are rarely privy to enough details to expose any wrongdoing.

Julian Assange challenged this balance by founding Wikileaks, an outlet for any who wish to distribute secret government information to the public. In his work, *Wikileaks and the Age of Transparency*, Micah L. Sifry examines the intent and the implications behind such an endeavor.¹⁵⁵

One of Sifry's main themes is the effect of the internet on government-public relations. He declares that to improve society, the communication between a government and its citizens needs to be a two-way street. Recent technology has

¹⁵⁵ Micah L. Sifry, *Wikileaks and the Age of Transparency* (Berkeley: Counterpoint, 2011), 16.

provided an unprecedented platform for this exchange, but politicians are not yet using this resource to its fullest advantage.¹⁵⁶

Additionally, Sifry observes that there can be no trust in government without truth, however it has been repeatedly demonstrated that free agents and private individuals are a more reliable source of information. Furthermore, even if the government's intentions are to provide increased transparency, the public still proves more efficient and creative in developing ways of utilizing data in comparison with slow and costly government programs.¹⁵⁷

While Sifry makes the distinction between legitimate withholding of information (for example in diplomatic or military operations), he mainly takes issue with the many cases where governments blatantly lie to their citizens. In the debate surrounding Wikileaks, Andrew Rasiej in his preface to Sifry's work sums up the situation by stating that, "the "cure" to Wikileaks' independence will be worse than the disease."¹⁵⁸

One point that is somewhat obscured in Sifry's work by the overshadowing subject of scandal and secret-leaking is his vision for an increasingly cooperative governing structure. As this work has shown, a 'we vs they' duality has been an ever-present theme in American history, pitting the government against threatening outside influences or so-named 'treasonous' citizens. If Americans could build the reality of the integrated system described by Sifry, in which the governed can benefit from a constant dialogue with their representatives rather than voting once every couple of years and for the most part being entirely excluded from the conversation during the rest of the time,

¹⁵⁶ Ibid., 102.

¹⁵⁷ Ibid., 85, 131, 147.

¹⁵⁸ Ibid., 20

such a cooperative environment would greatly decrease the distrust and suspicion that define that relationship today.

One of the primary themes of this work has been the constant 'we vs. they' outlook which pitted "true Americans" against the loyal opposition, or those who harbored so-called 'foreign' ideas. Those who shared the views of the party in power were continually struggling to suppress the influence of any opposition. Antifederalists, Shaysites, pacifists, Southerners, socialists, communists, liberals, and many others have fallen into the category of 'the other.'

The individuals classified as having fallen into groups that were ostracized by the majority of the American public were consistently labeled as un-American. In this manner the 'we versus they' conflict was always simplified as 'Americans against non-Americans'. More often than not however, those groups that were deemed foreign threats were just as American as those with whom they disagreed.

The public's response to the government's push for patriotism has not changed much over the past century. As was the case during World War I, only a minority of citizens spoke out against US involvement once war was declared. This trend was echoed during the Cold War. When a small number of scientists and academics pushed for international cooperation to prevent hostilities, the masses embraced the hunt for spies and traitors. Recent decades have been no different. While criticism of military involvement in Iraq and Afghanistan has been present in the media, much more prevalent was the appearance of 'Support Our Troops' bumper stickers and a surprising level of tolerance for 'antiterrorist' security measures. And finally, as the reality of a global, integrated economy seems impossible to ignore, citizens are barraged with

demands to buy American, threatened with the ill-conceived notion that, “If Japan is getting richer, then we must be getting poorer.”¹⁵⁹

The path to peaceful growth and development for the nations of the world will likely incorporate a fusion of Reich’s and Sifry’s ideas. Reich’s emphasis on better education and training of the workforce will serve as a complement to Sifry’s vision of greater cooperation between citizens and their government. A population aware and engaged in a broad scope of subjects, such as the economy, education, civil rights, diplomacy, and international affairs, would serve as better directors for those in government who are elected to represent their interests. Increased participation combined with better accessibility, transparency, and especially accountability for those in public office are factors which will greatly decrease the effects of the existing tug-of-war between those who govern and those who are governed.

In science fiction stories and thriller movies, it often takes an alien invasion or massive environmental disaster to shock the citizens of the world into seeing beyond their borders and make the transition from the ‘we versus they’ frame of mind, to thinking about all of humanity as *us*. This may seem a lofty goal, but as human beings, we have had plenty of time to evolve past the stage of arbitrary borders and fear of new ideas.

¹⁵⁹ Harry Binswanger, Ph.D. “Buy American is Un-American.” *Ayn Rand Institute: Center for the Advancement of Objectivism*. http://www.aynrand.org/site/PageServer?pagename=objectivism_buy_american (accessed January 25, 2014).

Bibliography

Primary Sources

Bentley, Eric, ed. *Thirty Years of Treason: Excerpts From Hearings Before the House Committee on Un-American Activity, 1938-1968*. New York: Thunder's Mouth Press/Nation Books, 1971.

Calhoun, John C. *Union and Liberty: The Political Philosophy of John C. Calhoun*. Edited by Ross M. Lence. Indianapolis: Liberty Fund, 1992.

Chicago Daily Tribune, 1942-1981.

Christian Science Monitor, 1946-1969.

Davis, David Brion, ed. *The Fear of Conspiracy: Images of Un-American Subversion from the Revolution to the Present*. Ithaca: Cornell University Press, 1971.

de Tocqueville, Alexis. *Democracy in America*. New York: Bantam Dell, 2002.

Faulk, John Henry. *Fear on Trial*. New York: Tempo Books, 1963.

Fried, Emanuel. *Most Dangerous Man*. Kansas City: John Brown Press, 2010.

Hartford Courant, 1953-1955.

New York Times, 1945-1961.

U.S Congress, *The Alien Registration Act, 1940* <http://www.citizensource.com/History/20thCen/Smith.htm>

U.S Congress, House Committee on Un-American Activities. *Investigations of Communist Activities in the Buffalo, NY Area. Hearings*. Washington, DC: GPO, 1957.

U.S. Congress, *Hatch Political Activity Act* (Enacted August 2, 1939). http://en.wikisource.org/w/index.php?title=Hatch_Political_Activity_Act&oldid=1241566

Washington Post, 1943-1954.

Washington Post and Times Herald, 1955-1957.

Secondary Sources

- Adorno, Theodor. *The Authoritarian Personality*. New York: Norton, 1969.
- Binswanger, Harry. "Buy American is Un-American," *The Ayn Rand Institute: Center for the Advancement of Objectivism*. http://www.aynrand.org/site/PageServer?pagename=objectivism_buy_american (accessed January 25, 2014).
- Buckley, William F., Jr. and the Editors of the National Review. *The Committee and Its Critics: A Calm Review of the House Committee on Un-American Activities*. New York: Van Rees Press, 1962.
- Capozzola, Christopher. *Uncle Sam Wants You: World War I and the Making of the Modern American Citizen*. New York: Oxford University Press, 2008.
- Craig, Betty Jean. *American Patriotism in a Global Society*. Albany: State University Press of New York, 1996.
- Cornell, Saul. *The Other Founders: Anti-Federalism & The Dissenting Tradition in America 1788-1828*. Chapel Hill: University of North Carolina Press, 1999.
- Donner, Frank J. *The Un-Americans*. New York: Ballantine Books, 1961.
- Ellis, Joseph J. *American Sphinx: The Character of Thomas Jefferson*. New York: Random House, 1996.
- Finan, Christopher M. *From the Palmer Raids to the Patriot Act: A History of the Fight for Free Speech in America*. Boston: Beacon Press, 2007.
- Foner, Eric. *Politics and Ideology in the Age of the Civil War*. Oxford: Oxford University Press, 1980.
- Franklin, Benjamin. *The Quotable Franklin*. <http://www.ushistory.org/franklin/quotable/quote04.htm> (accessed March 3, 2014).
- Genovese, Eugene D. *In Red and Black: Marxian Explorations in Southern and Afro-American History*. New York: Random House, 1968.

- Gerdes, Louise I. *The Patriot Act*. Detroit: Greenhaven Press, 2005.
- Huddy, Leonie, Stanley Feldman, Charles Taber, and Gallya Lahav. "Threat, Anxiety, and Support of Antiterrorism Policies." *American Journal of Political Science*, vol 49, no 3. 593-608.
- Kennedy, David M. *Freedom From Fear: The American People in Depression and War, 1929-1945*. New York: Oxford University Press, 1999.
- Kovel, Joel. *Red Hunting in the Promised Land: Anticommunism and the Making of America*. London: Cassell, 1994.
- Lee, Youngjae. "Punishing Disloyalty? Espionage, and the Transgression of Political Boundaries." *Law and Philosophy Review*, vol 31.
- Ober, Frank J. "Communism vs. the Constitution: The Power to Protect Our Free Institutions." *American Bar Association Journal*, vol. 34 no. 8 (August 1948): 645-648, 741-747.
- Reich, Robert. *The Work of Nations: Preparing Ourselves for 21st Century Capitalism*. New York: Alfred A. Knopf, 1991.
- Roediger, David R. *The Wages of Whiteness*. London: Verso, 2007.
- Richards, Leonard. *Shay's Rebellion: The American Revolution's Final Battle*. Philadelphia: University of Pennsylvania Press, 2002.
- Schrecker, Ellen. "Political Repression and the Fear of Communism." *Social Research*, vol 71, no 4. 1041-1086.
- Sears, Laurence. "Security and Liberty." *The American Scholar*, vol. 20, no. 2 (Spring 1951): 137-149.
- Shaw, Peter. *American Patriots and the Rituals of Revolution*. Cambridge: Harvard University Press, 1981.
- Sifry, Micah L. *WikiLeaks and the Age of Transparency*. Berkley: Counterpoint, 2011.
- Slaughter, Thomas P. *The Whiskey Rebellion: Frontier Epilogue to the American Revolution*. New York: Oxford University Press, 1986.
- Stone, Geoffrey R. "Free Speech in the Age of McCarthy: A Cautionary Tale." *California Law Review*, vol. 93, no. 5 (October 2005): 1387-1412.

Stone, Geoffrey R. "National Security vs. Civil Liberties." *California Law Review*, vol 95, no 6 (December 2007): 2203-2212.

Turner, William W. *Hoover's FBI*. New York: Thunder's Mouth Press, 1993.

Wang, Jessica. *American Science in an Age of Anxiety*. Chapel Hill: University of North Carolina Press, 1999.

Wood, Gordon S. *The Radicalism of the American Revolution*. New York: A. A. Knopf, 1991.

Zinn, Howard. *A People's History of the United States: 1492 to Present*. New York: Harper Collins, 1980.