

# Hunting Witch-Hunters the Aim of New Civil Rights Organization Fighting War Hysteria in Oklahoma

Leaders Band Together After Ouster of  
Teacher for Opposing Draft and Prosecu-  
tion of Communists and Jehovah's Witnesses.

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By F. A. BEHYMER 1/26/41

A Staff Correspondent of the Post-Dispatch.

OKLAHOMA CITY, Ok., Jan. 25.

OKLAHOMA CITY, center of a State-wide witch-hunt, has become the scene of a hunt for witch-hunters. A movement has been launched under the name of The Oklahoma Federation on Constitutional Rights whose purpose it is to check a rising tide of hysteria manifested in the forming of home guards, the hunting down of Jehovah's Witnesses, prosecution of Communists and conviction of two and the firing of a university professor for writing a letter asking his Congressman to vote against the draft law.

On Dec. 9, 1940, a District Court convicted Alan Shaw, 22-year-old city secretary of the Communist party, of being a member of the party and recommended the maximum penalty of 10 years in prison and a fine of \$5000. The prosecution was based on the State criminal syndicalism law. Following the conviction John Eberle, Assistant County Attorney, announced that the verdict meant that any member of the party faces like conviction and penalty in the State.

## Robert Wood Conviction.

Robert Wood, State secretary of the Communist party, was convicted in October. He also was sentenced to 10 years in prison and fined \$5000. Both cases have been appealed.

The instructions of Judge Ben Arnold under which the Shaw verdict was returned, were that the accused could be convicted if the jury found that the Communist party advocates violence in effecting political and industrial change, but that if the literature of the party, on which the prosecution depended, "is an analysis of the economic and political conditions and only makes prophecies as to what may take place under certain conditions and does not express the teachings and advocacy of the Communist party or advocate violence," the defendants should be found not guilty.

The "witch hunt" had its roots, one is told, in a certain susceptibility among Oklahomans to alarms and agitations and the exhortations of "rabble-rousers." A wave of hysteria took form late in May under the impact of Germany's crash into Belgium and France and was fanned by the fulminations of pulpit and press. A condition approximating panic was created in the minds of his followers by a fundamentalist evangelist who held forth in a tabernacle and on the air, culminating later in a book-burning in the street in front of his tabernacle.

## Home Guards Formed.

Fear of "fifth column" activities became so strong that late in May two home guard units were formed, one by City Manager W. A. Quinn and the other by Sheriff George Goff, as auxiliaries to the constituted authorities. Quinn's plan was to have an emergency battalion of 4000 picked men "to have charge of investigation of all sabotage, subversive movements and un-American activities, and in general to combat the fifth column."

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Sheriff Goff's setup was county-wide. He called it the Oklahoma County Civil Guard, or sixth column, and named as its head George I. Laingar, commander of American Legion Post 35. He planned to have 2000 auxiliary policemen and 2000 auxiliary firemen, ready for any emergency on an instant's notice.

A good-natured comment on the Civil Guard is that politics may have had something to do with its creation. It has been the custom of Oklahoma County sheriffs to issue deputy cards to hundreds of men with the presumed purpose of obtaining their votes at the next election.

The County Commissioners made Sheriff Goff discontinue the practice. Creation of the Civil Guard enabled him to revive it and double its number. He ran for re-election in November and won. The Civil Guard is still maintained. There has been talk of supplying the members with weapons, to be kept in their homes ready for use.

The home guard idea spread more

or less. In Blackwell a women's home legion gun club was formed to be ready to deal with fifth columnists if occasion should arise.

There followed—not necessarily because of the creation of the home guards—a drive against Jehovah's Witnesses. This extended out of the State and to other states. Members of the sect were arrested for distributing their literature and playing their phonographs and there were some mob outbreaks against them.

Three young children in a family of Jehovah's Witnesses were expelled from a Stillwater school for refusing to salute the American flag. The Board of Education's order was encouraged by the local unit of the American Legion.

Concurrently with the drive against Jehovah's Witnesses was an investigation in the city and

county of supposed members of the Communist party. In mid-August there were raids. Five homes were entered and members of the families, men, women and children, and friends visiting them, were arrested, about 20 in all. The raids were made under liquor search warrants. It was not expected that liquor would be found, and none was found, but books and other printed matter described as Communistic were found and confiscated, including the book stock of a store operated by Wood.

## Held Incommunicado.

For several days the prisoners were held in jail. They say they were not permitted to see relatives or friends or lawyers. Twelve were indicted under the State syndicalism law enacted 21 years ago, but never before invoked.

Much of the evidence against Wood consisted of copious extracts from books and pamphlets seized at his store, including standard works on economics to be found in all libraries. The defense, based broadly on the Constitution and the guarantees of the Bill of Rights challenged the validity of the search warrants and denied that the books and pamphlets advocated the violent overthrow of the Government. It was admitted Wood was a member of the Communist party.

At the trial the prosecution represented that the Communist party advocated liberation of the "black belt" in the Southern states by setting up an independent government for the Negroes. Supporting proof was a photograph taken on the University of Oklahoma campus showing white persons and Negroes standing together.

County Attorney Lewis Morris, in his summation to the jury, declared that "what we need in this country is a few juries who will take these folks who run to the sacred rights of the Constitution for the sake of destroying it, and choke it out of them." He asked for the extreme penalty of 10 years in prison and a fine of \$5000.

The jury, out only 30 minutes, gave him what he asked for.

## More Fear and Hysteria.

The effect of the Wood trial, attended by great crowds, was to heighten hysteria and fear. This feeling was aggravated by the work of the House Committee on Un-American Activities, in Oklahoma and elsewhere, under the direction of Congressman Martin Dies of Texas.

Some of the religious, educational and civic leaders of Oklahoma City and Norman, seat of the University of Oklahoma, remembering the hysteria that swept the State during the World War, with attendant per-

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# Hunting Witch-Hunters in Oklahoma

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seculutions, became concerned. At their casual meetings they talked about it and agreed that something should be done to check the rising tide and keep it within bounds, so that the rights and liberties of the people would not be destroyed by the very forces that were rallying ostensibly to defend them.

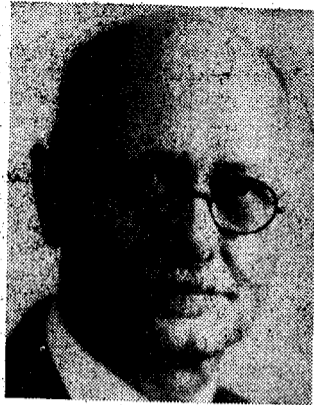
These discussions were quickened when on Aug. 31 Streeter Stuart, a religious pacifist, professor of modern language at Southeastern Teachers' College, Durant, was fired by President T. T. Montgomery because, before the draft law was passed, he wrote to Congressman Wilburn Cartwright, asking him to oppose its passage. Cartwright turned the letter over to the Dies committee. President Montgomery said he had acted entirely on his own responsibility. Gov. Phillips approved the dismissal and announced that the names of any others who protested against it would be sent to the Federal Bureau of Investigation. Later, when he learned that university professors were joining protests, he expressed the wish that they would send him a letter or petition, so that they could be identified and their names turned over to the FBI.

## Dies' Committee Subpenas.

Either because of the names turned over by Gov. Phillips or because of other information, the Dies committee on Oct. 19 subpoenaed the Rev. John B. Thompson, dean of the Presbyterian Foundation of the University of Oklahoma and chairman of the American Peace Mobilization; Dean Nick Comfort of the Oklahoma School of Religion, and the Rev. Paul S. Wright, pastor of the First Presbyterian Church of Oklahoma City. The three were commanded to appear before an examiner for the committee and bring with them "all financial and membership records of the Communist party of Oklahoma, and letters, books, papers and other written matter concerning the Communist party and members thereof."

Although they were advised that the subpoenas were illegal, because an examiner before whom they are ordered to appear, was not a member of Congress, the three men answered the summonses. They were asked to tell their stories about Communist activities in Oklahoma, but they had no stories to tell. Then they were admonished by the examiner to be careful to avoid letting their sympathies lead them into relations with subversive elements.

Dr. Wright, feeling that the questioning of him and the other two was intended to "smear" the movement of protest that was getting under way, told the examiner he would continue his awareness of movements at heart un-American



CHARLES M. PERRY



STREETER STUART



DR. PAUL S. WRIGHT

even though they were carried out under the guise of patriotism.

## Text of Statement.

The three issued a statement:

*We suspect that back of this is an effort on the part of local reactionaries to intimidate or discredit those who are trying to uphold American constitutional rights and democratic processes at a time of world and national crisis.*

*And we should like to state to all parties concerned that we are Americans—real Americans in every sense of the word—and we shall continue to fight, despite this shameful attempt to intimidate us, for the strong functioning of democratic procedure and civil liberties within constitutional limits.*

The movement against infringement of constitutional rights which had begun to take shape was speeded up. Dr. Wright was asked to take the initiative in the formation of a group to be called the Oklahoma Committee on Constitutional Rights, with Charles M. Perry, professor of philosophy at the University of Oklahoma, as secretary.

## Accompanying Letter.

The statement that accompanied the letter, to be signed and returned, set forth:

"In view of the constant need of defending our traditional and constitutional rights, and especially in these days of national and international crisis with multiplied threats of the suppression of free speech and the free assemblage of minority groups;

"And in view of the current violation of these rights in Oklahoma (as illustrated in the cases of Jehovah's Witnesses, in the criminal syndicalism cases, and in the summary dismissal of Streeter Stuart because he exercised his democratic rights of a citizen to petition his congressional representative);

"And in view of the obvious fact that this trend, if unchallenged and unstemmed, will shortly follow the pattern of the death of democracy in other countries and will include not only suppression of minority rights but also attacks upon labor, farm, business and fraternal organizations; restriction of academic freedom and of religious freedom; racial discrimination; and the serious abrogation of the rights of citizenship:

"We, as citizens of Oklahoma, believe it is most urgent that all individuals and groups who support the American tradition of constitutional rights co-operate to defend and to extend those liberties in this critical period of history.

"Therefore we re-affirm our loyalty to our American Constitution and Bill of Rights and to the democratic principles they contain. Emphatically we re-affirm our belief that one of the major responsibilities of our democratic government is to protect all its citizens from the abridgement of freedom of speech, freedom of assemblage, freedom of the press, freedom of worship, and freedom of petition the Government for a redress of grievances."

## Education and Publicity.

Action in the form of education, publicity and legal aid was proposed by a State-wide committee of citizens "from all walks of life who are willing to co-operate in the defense of our constitutional rights—here and now."

Many signed the statement and consented to act as sponsors.

There followed a call to the people of Oklahoma to a State conference on constitutional rights, to be held at the Skirvin Hotel here,

ed asking a public hearing on the bill because "the wording and punctuation is capable of a wide interpretation as to be undemocratic."

The phrase in the bill particularly objected to is "indirectly affiliated" with an international organization. "It might," the resolution stated, "deprive members of such international organizations as International Rotary, labor groups, the Roman Catholic Church and World Council of Churches of their political rights and means of livelihood. It could even be used to destroy the two-party system of government."

The Federation therefore urges delay in further consideration of these bills until public hearings can be held.

The Federation is in process of compiling for statewide distribution a series of pamphlets listing the rights of Americans under the Constitution.

Already, what suspicions the public held toward the Federation are beginning to abate, Dr. Wright said, as it realizes that because the Federation defends the rights of some Communists it is not necessarily Communistic itself.

to set up an organization "for this truly patriotic task." It read in part:

"Our forefathers who were persecuted and driven out of Europe by religious, political and economic oppression drafted a Constitution and a Bill of Rights to guarantee freedom for all the American people. To safeguard these rights they specified that freedom of speech, press, worship and peaceable assembly should be denied to none.

"Today these inalienable rights of the people are in danger.

"As you know, in Oklahoma over 200 members of a religious sect have been arrested, persecuted and jailed without cause.

"A college professor has been dismissed from his job because he petitioned his congressional representative on the Burke-Wadsworth bill.

"A State criminal syndicalism law has been so applied as to deprive representatives of a political party of their constitutional rights, and members of another political party have been arrested for distributing campaign literature.

"It is obvious that this trend, if unchallenged and unstemmed, will shortly follow the path that has led to the death of democracy in other countries. Suppression of minority rights leads on to attacks upon labor, farm, business and fraternal organizations, restriction of academic and religious freedom and racial discrimination."

The call bore the signatures of 23 outstanding persons.

## Meeting at Skirvin Hotel.

The meeting at the Skirvin Hotel, attended by about 200, ran into opposition, led by the Rev. W. B. Harvey, fundamentalist pastor of Trinity Baptist Church and member of the State Board of Education by appointment of Gov. Phillips, who held the floor for an hour and, when he was booed, referred to the boosers as "swine."

The objectors were routed, however, and the committee was formed, with Dr. Wright as president and Prof. Perry as secretary, an Executive Committee and a State council.

Resolutions were adopted condemning the dismissal of Stuart and "the extra-legal and illegal treatment of any minority group," and demanding further safeguards of the rights granted in the fourth and eighth amendments of the Constitution.

Dr. Wright says the organization, which is wholly indigenous and has no connection with the Civil Liberties Union, will be extended throughout the State by the creation of local committees which, with the support of the central body, will deal with situations in the various communities as they arise.

"It is necessary," he said, "that

in every community there shall be a stabilizing, if minority, group who shall be trying as best they may to prevent the miscarriage of justice and the abridgement of human rights, who will seek to influence their communities to act reasonably and in accordance with the spirit and letter of the Constitution of the United States, and as loyal citizens will champion the cause of fellow-citizens when it is clear that they are the victims of the unreasonable moods of the hour.

"We deplore any interpretations of existing laws which deprive citizens of their guaranteed human rights, especially when no evidence is given that the practice of these rights implies clear and present danger to the public good.

"Incidents in the past few months have convinced us that there is a trend away from true Americanism which should be resolutely challenged. The prevailing concept of patriotism may not be true Americanism at all but a perversion. We want to save Americanism for America."

Just now the Federation is locking horns with the witch-hunters over the bill passed by the House and Senate more than a week ago disqualifying for public office or position individuals directly or indirectly connected with any international organization and denying a place on the State ballot to any group with foreign affiliations. At a meeting of the executive committee and council of the Federation a resolution was adopt-