

PACIFISM AS SUBVERSION: THE FBI

AND

THE WAR RESISTERS LEAGUE

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In June of 1939, P. E. Foxworth, Special Agent in Charge (SAC) of the Federal Bureau of Investigation's (FBI) New York City Office, received an issue of The War Resister as well as two pacifist leaflets from an undisclosed patriotic citizen. The literature was no more than the philosophical statements of an absolute pacifist organization--the War Resisters League (WRL). Opposed to all war and violence, including proletarian revolution, the WRL had been espousing its quiet doctrines of world peace and nonaggression since 1923. In 1939, the group became the target of FBI surveillance, not because its members were federal lawbreakers involved in illegal activities, but because their philosophy was interpreted as subversive.¹

Why did the FBI, an agency of federal law enforcement, persistently and systemically spy on a pacifist organization and purposefully seek grounds on which to indict them? Were

¹P. E. Foxworth (SAC-New York City) to J. Edgar Hoover, FBI Director, August 14, 1939, Federal Bureau of Investigation--War Resisters League Papers, Marquette University (Hereafter referred to as FBI-WRL, MU); Marty Jezer, Fifty Years of Non-Violent Resistance (New York: War Resisters League, 1973); Philosophical statements are found throughout WRL literature 1939-1945.

grounds specifically sought as a screen to justify investigations? The WRL's membership was small and their doctrines were rooted in a historic American pacifist tradition best exemplified by the Quakers. The pacifists of the WRL seemed to merely practice their First Amendment rights of freedom of speech, assembly and press. They were not advocating revolution (indeed, they opposed it) and individual members' radical views of social change involved gradualism, democracy and general respect for the Constitution and its guarantees.

The FBI, a law enforcement agency, has recently been harshly criticized as a lawbreaker. The Bureau has been exposed as undemocratic, purposely influencing public opinion and ignoring the Constitution. Indeed, some authors would contend the agency has acted as a secret police defining and repressing any movements to the left of former (1924-1972) Director Hoover's conservative political philosophy. Such an attitude, in itself, may not have been harmful but the FBI, ostensibly a nonpartisan agency, acted upon its suspicions and pursued individuals and organizations solely because of their political philosophy. Thus, the FBI has acted as a fourth arm of government--a covert arbiter of orthodoxy.²

The War Resisters League became an object of FBI investigation from 1939 to the 1970's. Active files were maintained

²David Wise, The American Police State: The Government Against the People (New York: Random House, 1976); Morton H. Halperin, The Lawless State The Crimes of the U.S. Intelligence Agencies (New York: Penguin Books, 1977).

throughout most of these years although this study limits itself to the general period of World War II. The years of the Second World War, despite the blot of the Japanese-Americans' treatment, have been viewed as a positive testament to the strengths of democratic beliefs. Yet, new research into formerly closed documents portrays a seamier side concerning government respect for civil liberties. The FBI lacked respect for such rights and made an attempt to investigate and repress the pacifists of the WRL. The FBI's tactics and role in influencing U.S. policy can be illustrated through the particular case of the War Resisters League.³

³ FBI files have only recently become available through the Freedom of Information Act. The Bureau files, however, can only be interpreted as the tip of the iceberg. Many unofficial telephone conversations, reports and illegal activities would not be accounted for in an official paper record. Many field office reports have been destroyed. Mr. Ed Hedemann, WRL staff member, stated, for example, that an FBI agent questioned neighbors and friends about his activities while living in Texas but no such FBI report is available. Mr. Ed Hedemann, WRL to Ms. Susan Dion, February 12, 1980. The positive view of the protected civil liberties during wartime is reflected in Richard Polenberg, War and Society: The United States, 1941-1945 (Philadelphia: J. B. Lippincott Company, 1972).

IF AT FIRST YOU DON'T SUCCEED....

The old stereotype of the G-man ruthlessly pursuing a criminal and, of course, always "getting his man" seems to dissolve with the Bureau's pursuit of political groups. Certainly FBI officials diligently pursued the WRL, to the extent almost of fabricating evidence against its members. This was done despite numerous refusals, over a seven year period, by the Justice Department to initiate prosecutions of the group. From 1939-1945, there were eight orders from the Justice Department to the FBI declaring that the group had not committed any wrong and all investigations should be terminated. Apparently, the WRL was never taken off the "subversives wanted" list as the paper record continued.

During the war years, the FBI investigated and sought, unsuccessfully, prosecution of the WRL for a variety of reasons. The list of grounds included evasion of the Registration Act of 1938 requiring agents of a foreign principal to register with the State Department, interference with the Selective Service Act of 1940, sedition, internal security threat, alien registration of individual members, Communist/Fascist front organization and "security matter." Bureau

mentality seemed to say "if at first you don't succeed, try, try again."⁴

SAC Foxworth of New York City initially tried to prove the WRL was acting as an agent of a foreign principal because its affiliate, the War Resisters' International (WRI), was located in Middlesex, England. Foxworth was probably responding to a confidential directive issued by Director Hoover on September 2, 1939, (the same year a secret custodial detention list was instituted.) Hoover proposed that agents use the Registration Act as a cover to find more information on "...persons of German, Italian and Communist sympathies." The sympathies were to be interpreted broadly but quietly. Caution was required as Bureau officials, apparently on their own initiative, were instituting an illegal program. Hoover asked the State and Justice Departments for their opinions regarding a possible WRL violation. The State and Justice Departments decided in the Fall of 1939 that a further investigation was warranted with regard to a possible violation. Thus, the chase was on.⁵

⁴FBI-WRL, MU, 1939-1945.

⁵P. E. Foxworth (SAC-NYC) to J. Edgar Hoover, FBI Director, August 14, 1939; J. Edgar Hoover, FBI Director to Secretary of State Cordell Hull, Washington, D. C. October 12, 1939; Department of State Memorandum to Department of Justice, October 15 1939, unsigned; J. Edgar Hoover, FBI Director to SAC, NYC P. E. Foxworth, December 29, 1939; FBI Report, "War Resisters League," Character of Case: Registration Act, period of March 5, 7, 11, 1940, NYC, NY, completed March 26, 1940 by SA Lynch; Abraham Kaufman, Executive Secretary of WRL to Joseph C. Green,

The FBI's first official report was inconclusive as to a possible violation. More time was spent reporting on individual member's private lives (occupation, religion, political ties) than finding concrete evidence of criminal conduct. The State Department, in response, decided to confront the organization by direct interview. Abraham Kaufman, Executive Secretary of the WRL, defended the War Resisters believing it did not fall under the act because it was not subsidized by the WRI. The State Department concluded that the group was an entirely independent organization and thus not an agent within the act's guidelines.⁶ The State Department also advised in April of 1940, against any further investigation:

Unless the Federal Bureau of Investigation has reason, from the information in its possession, to doubt the truth or accuracy of this statement /Abraham Kaufman's/, the Department would not be disposed to suggest that any further investigation be made of the War Resisters League so far as concerns the Act of June 8, 1938, as amended.⁷

Chief, Division of Controls, Department of State, April 25, 1940; Department of State Memorandum to Attorney General /Robert H. Jackson/, unsigned, April 30, 1940. All in FBI-WRL, MU. U.S. Senate, Select Committee to Study Governmental Operations with Respect to Intelligence Activities, Hearings on Intelligence Activities 94th Congress, First Session, 1975, Vol. 6 FBI, pp. 409-411. The scope of this paper has been limited to the FBI investigation of the WRL. Further research is warranted in the Justice and State Departments files.

⁶FBI Report, "War Resisters League," Character of Case: Registration Act, Period of March 5, 7, 11, 1940, NYC, NY, completed March 26, 1940 by SA /Lynch/; Abraham Kaufman, Executive Secretary WRL to Joseph C. Green, Chief, Division of Controls, Department of State, April 25, 1940; Department of State Memorandum to Attorney General /Robert H. Jackson/, unsigned, April 30, 1940. All in FBI-WRL, MU.

⁷Department of State Memorandum to Attorney General /Robert H. Jackson/, unsigned, April 30, 1940, p. 3.

The FBI chose to ignore such advice and through the war years consistently sought grounds on evasion of the Registration Act. In July of 1940, B. E. Sackett, SAC of the New York City Office, thought he proved his case by enclosing thirty-two pamphlets issued by the WRL and WRI. One pamphlet specifically was "... a publication issued by a foreign principal."⁸ The letterhead was interpreted as important evidence because it showed the WRL was an affiliate of the international organization. (The WRL and Abraham Kaufman never denied its affiliation.) Sackett made his tenuous case by concluding that the "War Resisters League is an agent of a foreign principal, namely, the War Resisters International, for whom it conducts publicity work in that it distributes the official publication of the War Resisters International."⁹ The WRL remained under investigation by the FBI.

In 1942 efforts were again made to prove foreign direction, in line with Hoover's emphasis on the Registration Act, by accusing the League of administering funds and soliciting monies on behalf of the War Resisters International. A Special Agent visited the War Resisters main office in NYC to make his inquiry. He pointed to such inconclusive evidence as the correspondence between the two groups (as if this was unusual)

⁸B. E. Sackett (SAC-NYC) to J. Edgar Hoover, FBI Director, July 11, 1940, p. 2., FBI-WRL, MU.

⁹Ibid., p. 6.

letterheads and Kaufman's own signed statement.¹⁰ No prosecution followed.

In March of 1942, J. Edgar Hoover's short memory caused him to inquire from the SAC of the Washington (D.C.) Field Office if the WRL was registered with the State Department. S. K. McKee, SAC, found, unsurprisingly, that the WRL was not registered. McKee summarized the program of the WRL in an official report: refusal to support any war, openly resist the draft, endorse the principle of a popular vote before declaration of war, oppose any aspects of foreign policy which undermines neutrality, demand for peace in Europe, strive for removal of all causes of war, oppose war profiteering and armament economies, promote economic security for all, teach and promote non-violent resistance and uphold a principle of democracy which guaranteed complete democracy and civil liberties /emphasis mine/.¹¹

The WRL was not supporting Fascist or Communist regimes or advocating violent revolution. Their doctrines and beliefs were those of absolute pacifists--a philosophy FBI officials could not comprehend. The FBI repeatedly reported on pacifist doctrines in the Bureau files as if threatening or illegal. Officials

¹⁰FBI Report, "War Resisters League," Character of Case: Registration Act, Period of February 11, 14, 16-1942, NYC, NY, completed on February 21, 1942, report's author deleted, FBI-WRL, MU.

¹¹J. Edgar Hoover, FBI Director to SAC /S. K. McKee/ Washington, D. C., March 24, 1942; FBI Report, "War Resisters League," Character of Case: Registration Act, Period of March 7, 1942, Washington, D.C., completed on March 28, 1942, report's

could not accept a pacifist group for what it was. Thus, FBI policy was to pursue the group solely because of ideological differences rather than advocacy of any crime.

On May 14, 1942, in response to FBI initiative and inquiries, Assistant Attorney General, Wendell Berge, again notified Hoover that there would be no prosecution for alleged violations of the Registration Act. All other investigations of the WRL were to continue, however. Berge may have been influenced by a letter addressed to Mrs. Roosevelt and in the hands of the Justice Department. The undisclosed writer asked Eleanor Roosevelt to help those young people who were being influenced by pacifists, "Get at the forces which mould these youngsters, and confer with Attorney General Biddle, and with the President, I urge you." Berge forwarded a copy to Hoover accompanying his orders to halt the Registration Act investigations but to continue others.¹²

The question of Registration Act violations resurfaced again in 1943 through FBI officials' initiative. Again, no new evidence was uncovered to warrant the FBI's accusations. The files, however, grew as the agents reported back on staff members, their addresses, occupations, duties and politics.

author deleted. All in FBI-WRL, MU. Pacifist philosophies and programs are repeated in all the reports with unremitting regularity. One can only assume that such views were seen as genuinely "odd" if not outright subversive by FBI agents and hierarchy.

¹²Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, May 14, 1942; /Deleted signature by FBI/ to Mrs. Roosevelt, April 30, 1942. All in FBI-WRL, MU.

In what often resembled a comedy of errors, Wendell Berge, in August 1943, reiterated that the evidence was not sufficient and no further investigation was requested.¹³

Hoover and the FBI remained undiscouraged. On October second of 1943, the FBI Director tried again with Tom C. Clark, new Assistant Attorney General, by reviving Registration Act evasions as well as other charges. No prosecution resulted. In 1944, mentions were made in reports to Registration Act violations but the momentum had declined in favor of other grounds.¹⁴

The Selective Service Act of 1940 posed another potential source of authority for the FBI to capitalize on. Ironically, the first peace time draft was also the first to recognize alternative service as well as noncombatant service for conscientious objectors. It's definition of pacifists widened from the narrow view of historic peace church membership required during World War I to one of individual religious beliefs. The Civilian Public Service (CPS) experiment, the alternative work program, was at first endorsed by the WRL. As absolute pacifists, however, they later repudiated CPS as collusion with the war

¹³FBI Report, "War Resisters League," Character of Case: Registration Act, Selective Service, Sedition, Period of March 17, 20, 24-27, 29-31, April 1, 2, 16, 22, 28, May 10-12, 19-20, 27, June 4, 14, 22, 23 (1943) NYC, NY, completed June 30, 1943, report's author deleted; Wendell Berge, Assistant Attorney General to J. Edgar Hoover, Director, FBI, August 5, 1943. All in FBI-WRL, MU.

¹⁴J. Edgar Hoover, FBI Director to Tom C. Clark, Assistant Attorney General, October 2, 1943. ~~/deleted/~~ SAC, NYC, NY to J. Edgar Hoover, FBI Director, August 15, 1944. All in FBI-WRL, MU.

machine.¹⁵

Pacifists, by their very nature and philosophy, were opposed to compulsory draft measures. The WRL's pamphlets, speeches and counseling services were not aimed at blatantly obstructing the draft during the war years but were principally interested in informing pacifists and other individuals of the choices before them. The pacifists right to do so seemed to be guaranteed by First Amendment rights. The FBI, Selective Service and Military Intelligence wanted to restrict those rights and viewed any adverse opinion as "obstruction of the draft."¹⁶ Thus, a local board was "very suspicious of this organization and feels that it should be investigated."¹⁷

Hoover was only too glad to use Selective Service inquires about the WRL as grounds for further investigations. On April 15, 1941 he wrote to Major Richard P. Davidson, U.S. Army, Assistant Executive Selective Service, "If it is deemed advisable by you that additional information be obtained, I will gladly authorize an investigation in this matter."¹⁸ Wendell

¹⁵Susan Dion, "A Study of the Civilian Public Service Experiment 1941-1946," (Honor Thesis), December 1976, University of Connecticut, Storrs, Connecticut; George Abernathey, "The Volunteer Work Camps," School and Society 56 (November 1942): 482-6.

¹⁶WRL pamphlets 1940-1945; Abraham Kaufman to SA /deleted/ in FBI Report, "War Resisters League," Character of Case: Registration Act, Period of February 11, 14, 16 (1942), NYC, completed on February 21, 1942, report's author deleted. All in FBI-WRL, MU.

¹⁷G. E. Carr, Secretary Hocking County Selective Service Board #1 to C. W. Goble, Lieutenant Colonel, Acting State Director, Selective Service, Ohio, March 18, 1941, FBI-WRL, MU.

¹⁸J. Edgar Hoover, FBI Director to Major Richard P. Davidson, U.S. Army, Assistant Executive-Selective Service System, April 15, 1941, FBI-WRL, MU.

Berge, in May of 1942, requested additional investigations to determine "whether WRL activities afford a basis of prosecution" for counselling evasion of the Selective Service Act. Berge suggested communicating with officers of the Selective Service in various cities hoping specific instances of WRL members coaching C.O.'s could be found.¹⁹ Again, no specific illegal activities had been discovered--the FBI and the Justice Department were actively seeking such grounds to quiet the WRL.

Berge's comments prompted Hoover to send duplicate orders to SACs in NYC and Chicago (princip^{al} areas of WRL activity) on May 30, 1942. Hoover stated:

...it is my desire that future investigations in this matter WRL be conducted with the thought in mind of establishing a violation^{al} of the Selective Service and Training Act of 1940.²⁰

Undoubtedly, Hoover was entering the matter with a prejudice and planning a predetermined result. Further investigations were ostensibly halted by Wendell Berge in August of 1943 due to insufficient evidence in earlier FBI reports and memorandums. Berge, however, left the door open a crack by requesting "... that the Criminal Division be furnished with any additional information which the Bureau may receive indicating that the subjects in this case are counselling evasion of the Selective

¹⁹Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, May 14, 1942, FBI-WRL, MU.

²⁰J. Edgar Hoover, FBI Director to SAC unnamed NYC, May 30, 1942 (duplicate to Chicago SAC), FBI-WRL, MU.

Service Act."²¹ Hoover complied with a similiar order to his SACs yet he expanded the scope from counselling evasion to all information concerning the WRL:

...any additional information coming to your attention relative to this organization should be immediately furnished the Bureau for transmittal to the Justice DEpartment in accordance with its request.²²

Hoover was misinterpreting Justice Department orders by exploiting the directive to the widest possible latitude. As such he could conduct an open-ended investigation.

As with the Registration Act, in October 1943, Hoover tried to revive Selective Service charges against the WRL when Tom C. Clark became new Assistant Attorney General. He however did not issue any directives. In August 1944, the SAC in NYC responded to Hoover's open-ended directions of the previous year. This case is documented in the files but contains large deletions because of unwarranted invasions of privacy and to maintain the secret identities of informants. The FBI interviewed an individual counselled by the WRL as well as several active members. The FBI placed informants at a WRL dance and at an annual dinner and retained one informant (or infiltrator) who was "..actively employed by War Resisters League." This certainly resembled an active investigation of evasion and obstruction of the Selective

²¹Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, August 6, 1943, FBI-WRL, MU.

²²J. Edgar Hoover, FBI Director to SAC [unnamed] NYC, August 19, 1943, FBI-WRL, MU.

Service Act rather than "receiving" information.²³

FBI officials also viewed the WRL as a group that was seditious. Throughout the war years, the Bureau tried to develop enough evidence to prosecute the WRL under the Sedition Statutes. Hoover's first substantive inquiry of the Justice Department in this regard involved a WRL form letter which quoted member Frank Olmstead's comment that he had travelled through six states and "found no enthusiasm for war." On this basis alone Hoover plaintively asked Berge,

Will you please advise me whether the statement referred to above can be considered a violation of the Sedition Statutes?²⁴

Berge, of course, told Hoover it was not seditious.²⁵ However, in May of 1942, Berge requested additional investigations before a decision could be reached ascertaining if WRL activities afforded a basis of prosecution on charges of sedition. His decision seemed to be based on the persistence of J. Edgar Hoover.²⁶

²³J. Edgar Hoover, FBI Director to Tom C. Clark, Assistant Attorney General, October 2, 1943; /unnamed/ SAC, NYC to J. Edgar Hoover, FBI Director, August 16, 1944. All in FBI-WRL, MU. This particular investigation is documented well in the files but contains large deletions by the FBI. Reasons for the omissions are given as unwarranted invasions of privacy and to maintain the secret identities of informants. It appears that five to seven WRL members were interviewed in the investigation.

²⁴J. Edgar Hoover, FBI Director to Wendell Berge, Assistant Attorney General, February 4, 1942, FBI-WRL, MU.

²⁵Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, March 10, 1942, FBI-WRL, MU.

²⁶Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, May 14, 1942, FBI-WRL, MU.

Hoover's conception of "sedition" was very broad. In September of 1942, he again bothered Wendell Berge requesting he read the text of a local (D.C.) WRL newsletter. Hoover's concept of possible sedition violations included articles discussing the British in India, racism in the American South, conscientious objectors in civil service jobs, book lists and meeting announcements. The newsletter, indeed, praised the Civil Service Commission for retaining pacifists and recognizing that pacifists supported the Constitution.²⁷

Further evidence for sedition included guilt by association (or blood):

It is further interesting to note, however, that the Chairman of WRL, Evan W. Thomas, is a brother of Norman Thomas, a leading Socialist...²⁸

Such comments were retained in official reports despite the fact that Socialist members of the WRL disagreed with revolution. More important, the reports reflected the particular ideology of Director Hoover and FBI officials who associated radical ideas with subversion. Activities of the WRL cited as "akin" to sedition included an anti-war demonstration (April 23, 1941), a pamphlet entitled "Interpreting Pacifism to Non-Pacifists in War Time," passing out membership blanks and advertising free consulting services for C.O.'s in the New York Times, on February 28, 1942. The FBI also cited

²⁷ Washington Area WRL, "Newsletter," August 17, 1942; J. Edgar Hoover, FBI Director to Wendell Berge, Assistant Attorney General, September 11, 1942. All in FBI-WRL, MU.

²⁸ FBI Memorandum, Re: War Resisters League, August 15, 1942, p. 2, FBI-WRL, MU.

Abraham Kaufman's statements in February of 1942 in which he stated the WRL planned to abandon membership drives and publications for fear of accusations of sedition or interference with the Armed Services. (Kaufman's fears appear to have been well-founded.) The FBI, however, felt the WRL had not carried out such goals and thus, were seditious.²⁹ The Department of Justice, through Wendell Berge, decided the newsletter was not seditious.³⁰

Hoover, always trying, instructed his Chicago SAC to reopen the case if "...additional information indicating activities that may possibly form the basis for a sedition violation."³¹ (Emphasis added.) One wonders if the FBI ever really "closed" a case. In July of 1943, Hoover again sent another report to Wendell Berge questioning possible sedition. The facts gathered included a speech by Evan Thomas accusing the Allies of secret preparations for war, pamphlets discussing and criticizing the incarceration of Japanese-Americans, and statements urging an early peace as well as a WRL pamphlet quotation:

Yet we insist that in this war as in the first World War all nations must share responsibility for the causes leading up to that struggle.³²

²⁹ Ibid., p. 6.

³⁰ Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, September 17, 1942, FBI-WRL, MU.

³¹ J. Edgar Hoover, FBI Director to SAC [unnamed], Chicago, June 14, 1943, FBI-WRL, MU.

³² FBI report, "War Resisters League," Character of Case: Registration Act, Selective Service, Sedition, Period of March 17, 29, 24-27, 29-31, April 1, 2, 16, 22, 28, May 10-12, 19-20,

Berge again replied that there was not sufficient evidence for prosecution of the WRL under the Sedition Statutes. Hoover, true to form, tried again with Tom C. Clark sending along sixteen WRL pamphlets.³³

In 1943, Hoover forwarded to Clark a WRL pamphlet on women and conscription asking Clark's opinion if this was seditious. The pamphlet reiterated many arguments against compulsory conscription but applied them to the current question of conscripting women. The WRL viewed such a step as involuntary servitude, an extreme form of state slavery and a repudiation of the needs of children for their mothers.³⁴ A speech by Evan Thomas was viewed as seditious because he stated:

Conscription becomes necessary only in countries where people have been educated... The more educated people become the less likely they are to be effected by nationalistic emotion... Pacifism cannot be fully suppressed as it is the natural state of mind over men.³⁵

To FBI officials, sedition seemed to equal criticism of government. Moreover, their view of sedition involved words of WRL members rather than any actions which even vaguely resembled sedition.

27, June 4, 14, 22, 23 (1943), NYC, NY, completed on June 30, 1943, report's author deleted, pp. 1-3, FBI-WRL, MU.

³³Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, August 6, 1943; J. Edgar Hoover, FBI Director to Tom C. Clark, Assistant Attorney General, October 28, 1943. All in FBI-WRL, MU.

³⁴J. Edgar Hoover, FBI Director to Tom C. Clark, Assistant Attorney General, October 16, 1943; WRL pamphlet, "Is Conscription of Women the American Way?" (undated, 1 p.), FBI-WRL, MU.

³⁵SAC, NYC /unnamed/ to J. Edgar Hoover, FBI Director, August 15, 1944, p. 5, FBI-WRL, MU.

The WRL was also investigated by the FBI as a possible Communist or Fascist front organization. Again, the FBI's perception of Communism and Fascism was very broad. At one point, the WRL's involvement with the Keep American Out of War Committee, a seemingly related pacifist group, was seen as possible proof of Communist direction as the Committee had many Socialist members! The FBI was always prompt to point to Socialist affiliations of WRL members. Jessie Wallace Hughan, Secretary and founding member, was consistently pointed to for her Socialist beliefs, writings and candidacy in several New York elections. The WRL was seen as tainted for its work with the Medical Bureau of American Friends for Spanish Democracy, a supposed Communist controlled organization (yet the evidence was based on one source.) In 1940, another confidential source, quoted (and seemingly accepted) by B. E. Sackett, SAC-NYC, stated that the WRL "...has a definite, but of course, secret connection both of a Nazi and Communist nature."³⁶

FBI officials could not accept the WRL's opposition to the war as a strictly pacifist philosophy. In looking for evidence of Communist or Fascist direction they relied on old reports of the Dies Committee, which had inaccurately described the WRL as a Communist organization planning a new social order through revolution! The FBI also accepted shaky evidence such

³⁶B. E. Sackett, SAC, NYC to J. Edgar Hoover, FBI Director, July 11, 1940, pp. 4-5, FBI-WRL, MU.

as Elizabeth Dilling's right-wing guide--The Red Network: A Who's Who and Handbook of Radicalism for Patriots. The agents continually reported evidence to prove such links even though they also included information which contradicted Communist or Fascist influence. For example, Evan Thomas, noted physician and brother of Norman Thomas, was a vigorous and vocal member of the WRL. A speech of his was quoted in an official FBI report disavowing the Communists. Thomas had stated that pacifists were not a pressure organization and, unlike Communists, couldn't start trouble "in this corner or over in that corner."³⁷

The FBI agents developed lists of indicators to prove (though never satisfactorily) Communist affiliations and infiltrations. In 1942, such indicators included:

- the speaker at an annual WRL conference was David L. Clendenin of the Workers Defense League, allegedly a Communist front
- previous Dies Committee reports indicting the War Resisters International as an alleged Communist organization
- specific groups planned to use the WRL to spread propaganda /deletions in reports hide the identities/

³⁷FBI Memorandum (unsigned), "War Resisters League," October 31, 1941, p. 10; FBI Report "War Resisters League," Character of Case: Registration Act, Period of March 5, 7, 11, 1940, NYC, completed on March 26, 1940, report's author deleted, p. 2; Evan Thomas in speech reported in FBI Report, "War Resisters League," Character of Case: Sedition, Period of April 24-25, 1942, Chicago, completed on April 28, 1942, report's author deleted. All in FBI-WRL, MU.

- participation by the WRL in the World Youth Congress of 1938--allegedly dominated by the Communist Party
- joined with Youth Committee against war to oppose conscription and urged mobilization of youth to oppose conscription bill
- held an anti-war congress in May of 1941 with the Keep America Out of War Committee--allegedly a Communist group ³⁸

All evidence relied on little verification and resembled Salem witch-hunting rather than scientific law enforcement techniques.

Evidence tending to disprove such allegations was included in the reports but was discounted as the investigations were never closed. Such evidence included:

- the WRL pamphlet statements of opposition to all wars
- Jessie Wallace Hughan's Socialist view of eradicating capitalism without revolution
- WRL disavowal of known Communist groups
- Hughan's view that anyone can be a true pacifist regardless of political belief
- a confidential informant "...disclosed the War Resisters League as strictly an anti-war organization and non-political." This source further reported that the War Resisters League was not a Communist Party affiliate³⁹

As early proponents of non-violent resistance as a means of social change, the WRL remained inexplicable to the FBI official mentality. Communist or Fascist direction was imposed upon the WRL by the FBI in an attempt to understand the group's doctrines which seemed, paradoxically, "undemocratic" to the Bureau members.

³⁸ FBI Memorandum, "War Resisters League," (unsigned), August 15, 1942, p. 7, FBI-WRL, MU.

³⁹ Ibid., pp. 3-9.

In November of 1942, Hoover directed the NYC-SAC to again check if WRL funding was from any "suspicious sources" or if the organization or officers were "subject to foreign-inspired direction or control." This open-ended directive was to receive priority attention at the "earliest moment."⁴⁰ The Hoover directive may have been a response to a classified document (sender and receiver names deleted) which stated that "...the War Resisters League advocates the abolition of capitalism and the radical reorganization of society to establish a world government and thereby to insure universal peace." The document further ordered an investigation and curb of the WRL--an order which may have been responsible for the document's "Secret" status as the WRL was clearly being investigated not because of illegal activities but for the political philosophies espoused. The document thus stated,

It is requested that you advise what steps have been taken during the present emergency to curb the activities of the War Resisters International [sic].⁴¹

⁴⁰J. Edgar Hoover, FBI Director to SAC (unnamed) NYC, November 4, 1942, FBI-WRL, MU.

⁴¹Classified Document, "Secret," [Sender and Receiver Names deleted], Re: War Resisters League and War Resisters International, August 27, 1942, (declassified, March 19, 1977), FBI-WRL, MU. It is impossible to discern the identity of the sender, although the receiver appears to be an FBI official. One cannot discount the possibility of a presidential directive but it may have also originated from a Congressman, official in another government department or a prominent citizen.

The FBI continued to view the WRL as subversive with possible Communist ties ignoring the ironic fact that the Soviets were our Allies. In a July 1943 comment to the legal attache' at the American Embassy in London, Hoover remarked that the WRL had been included in the Bureau's quarterly reports on subversive activities. Assistant FBI Director, Clyde Tolson, informed a prominent confidential caller (outside the Bureau) in 1944, that the WRL "...had the possibility of being a Communist front organization and certainly it is an organization with which he would not care to have any dealings." Tolson's unsubstantiated comments certainly affected that particular individual's decisions regarding the WRL. In another confused incident, revealing FBI officials' criteria of sedition, a WRL member was labelled as "...either a Socialist or Communist in as much as he secretly believes in the intermingling of the black and white races."⁴²

WRL activities were also labeled as "Internal Security" questions. B. E. Sackett, SAC-NYC, first connected internal security and the WRL in December of 1940. The dubious connection was made as he forwarded pacifist literature to the Director. A special note was made of a reference to the FBI in a WRL article "School Board Suspends C.O." Evidently, criticism of

⁴²J. Edgar Hoover, FBI Director to [name deleted], Legal Attache', American Embassy, London, England, July 31, 1943; Clyde Tolson, Assistant FBI Director to J. Edgar Hoover, FBI Director, December 8, 1944; FBI Report, "War Resisters League," Character of Case: Security Matter, Period of October 9, November 2, 3, 4, 1944, completed on November 25, 1944, Los Angeles, California, report's author deleted. All in FBI-WRL, MU.

the FBI was seen as a threat to security! On October 20, 1942 Hoover requested that Wendell Berge read a WRL pamphlet which posed a possible threat to internal security.⁴³

A heavily deleted January 1943 report accused the WRL of "...supporting Russia in its war effort"--an impossibility given the League's philosophy. A speech to WRL members by Louis Adamic, government consultant on new immigration matters, was paid close attention to by the Boston Field Office possibly because it was deemed inappropriate for a government official to address a group "...created or controlled by the Communist Party." Hoover again petitioned Tom C. Clark, then new Assistant Attorney General, if the WRL constituted an internal security threat.⁴⁴ The question of Communist/Fascist direction and internal security threats must have been closely linked yet the FBI had little concrete evidence for either accusation. The possibility of a small group of pacifists constituting a real security threat seems implausible.

The Bureau "tried again" utilizing a blanket ground of "security matter." A 1944 FBI investigation of WRL members in Los Angeles dealt with the WRL's involvement in fighting race discrimination as well as evaluating the threat of the

⁴³ B. E. Sackett, SAC, NYC to J. Edgar Hoover, FBI Director, December 11, 1940; J. Edgar Hoover, FBI Director to Wendell Berge, Assistant Attorney General, October 29, 1942. All in FBI-WRL, MU.

⁴⁴ FBI Report, "War Resisters League," Character of Case: Internal Security, Period of December 17, 26, 1942, Boston, Massachusetts, completed on January 28, 1943, report's author deleted; J. Edgar Hoover, FBI Director to Tom C. Clark, Assistant Attorney General, October 16, 1943. All in FBI-WRL, MU.

ninety members on the Pacific Coast. The interpretation of anti-racism as Socialist, Communist or a "Security Matter" illustrates the conservative nature of the FBI. Hoover evidently wanted to take the investigation further and proposed interviewing certain individuals. The Los Angeles SAC, to his credit, spoke up feeling the report showed "... nothing new since New York City." The SAC concluded in a letter to the FBI Director:

Therefore, in the absence of any information you may have tending to suggest that the War Resisters League has expanded beyond its usual historic efforts in the promotion of pacificism and has actually engaged in illegal activities....,

the case should be closed.⁴⁵

A final ground, used at least once, by the FBI to curb the WRL was to seek prosecution of alien members in hopes of deportation. Wendell Berge turned down one such request concerning an editor of "The Conscientious Objector." The FBI had left no stones unturned.⁴⁶

⁴⁵FBI Report, "War Resisters League," Character of Case: Security Matter, Period of October 9, November 2, 3, 4, 1944, Los Angeles, California, completed on November 25, 1944, report's author deleted; SAC, Los Angeles /unnamed/ to J. Edgar Hoover, FBI Director, December 19, 1944; FBI Report, "War Resisters League," Character of Case: Security Matter, Period of December 15, 1944, Los Angeles, California, completed January 3, 1945, report's author deleted. All in FBI-WRL, MU.

⁴⁶Wendell Berge, Assistant Attorney General to J. Edgar Hoover, FBI Director, June 27, 1942, FBI-WRL, MU.

PACIFISM AS SUBVERSION

The FBI purposefully tried to curb, if not break, the activities of the WRL. The Bureau did not choose the WRL because of illegal activities but because of their pacifist philosophy and the radical political ideas (rather than actions) of some of its members. The role of the FBI in a democratic society must be questioned, when such a government-sanctioned bureaucracy ignores Constitutional guarantees and rights in order to suppress legitimate dissent.

The desire of FBI officials to pin something--anything--on the WRL can be seen in Hoover's March 24, 1942 letter to the Washington Field Office, "...ascertain if the activities of this league constitute a violation of any statute within the jurisdiction of the Bureau."⁴⁷ [Emphasis mine] Thus, the Bureau was not implementing policy but consciously making covert policy decisions. This was so even after repeated denials of the Justice Department to prosecute under the many grounds developed by agents. Likewise, the many motions of "closing the case" were never acted upon. As late as April 1945, there is reference "...to the investigation being conducted on the War Resisters League."⁴⁸

⁴⁷J. Edgar Hoover to SAC, Washington D. C., [unnamed], March 24, 1942, FBI-WRL, MU.

⁴⁸SAC, NYC [unnamed] to J. Edgar Hoover, FBI Director, April 7, 1945, FBI-WRL, MU.

The "bag of tricks" used by the FBI to develop evidence included reliance on right wing sources such as Elizabeth Dilling. Postal censorship was employed in conjunction with postal authorities. Mail covers were evidently in use as well as informants--one possible infiltrator was ^{on} the WRL staff. The FBI was often the recipient of patriotic citizen letters passing on WRL pamphlets, newsletters and membership cards. Agents in NYC actively sought an inclusive file of WRL literature. Efforts were made to cover all speeches, meetings and social activities. It is very possible that the WRL headquarters were wiretapped (but impossible to ascertain for certain with the many deletions of WRL-FBI files.)⁴⁹

The FBI's attempt to suppress the pacifist voice of the WRL during World War II illustrates the role of a quiet, covert "fourth arm of government" (dubbed the "American Police State" by David Wise.) This fourth arm acted on its own, often in direct contradiction to Justice Department superiors, in order to pursue a policy of repression. Any dissent, theory or idea which was not in mainstream American thought (though in this case having very historic roots) was interpreted as threatening or subversive. The limits of dissent were thus not those envisioned by the Founding Fathers in the Bill of Rights but ones imposed by conservative bureaucrats.

⁴⁹ Found throughout FBI-WRL, MU.

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