The Indiana “Subversion” Case 50 Years Later

The Audacity of American Trotskyism

By Alan Wald

This essay is dedicated to Ralph Levitt, who taught me how to think politically and historically. Some of the aspects of the events of 24 October 1962 and the subsequent defense case are in dispute, and I have tried to provide documentation for divergent claims.

At 2:30 IN the afternoon of Wednesday, 24 October 1962, seventeen students, neatly groomed and mostly in their early 20s, walked briskly toward the steps of the main auditorium on the campus of Indiana University (IU).

In the conservative ambience of Bloomington, a small city in the southern part of the “Hoosier” state, the clean-shaven men with short hair and the women in modest, long skirts and dresses might have appeared to be rushing to a church social or PTA meeting. Yet the instant this serious, square-looking group hoisted the awaiting picket signs worded “Hands Off Cuba!” and “Stop the Blockade!” the central campus area was transformed into a combat zone.

Since 2:00pm, hundreds of ultra-rightist students, fraternity boys and local thugs, buttressed by 4,000-5,000 mostly unfriendly onlookers, had been forming a mob that now surged forward with cries of “To Hell with Fidel!” and “Kill Them!” The cardboard sign held by undergraduate demonstrator Polly Connolly Smith, married to Bloomington lawyer and 1953 IU graduate Don Smith, was ripped to shreds while some 30 Indiana State Police officers stood by and attorney Smith futilely attempted to make a citizen’s arrest.

As the beleaguered protestors edged their way along 7th Street toward downtown, they were subject to continuous physical assaults while the police did little more than apprehend a few people on both sides. The next morning’s headline in the Indianapolis Star read: “Thousands of Students Smash Cuba Sympathizers’ Protest at I.U.” An accompanying photograph showed a radical graduate student named Ralph Levitt trading punches with pizza parlor employee Frederick Rice.

This volatile march was the initiating moment of what soon became the celebrated Indiana “Subversion” Case, a separate but related phase in the same process of right-wing political harassment. The daring demonstration, precipitating phase one, had been planned by the “Ad Hoc Committee to Oppose U.S. Aggression,” an organization led by members of the Fair Play for Cuba Committee and Young Socialist Alliance (YSA) at IU.

This occurred at the height of the confrontation between the Kennedy administration and the Soviet Union known in the United States as “The Cuban Missile Crisis” and in Cuba as “The October Crisis.” These 13 days are now judged to be the time when the Cold War came closest to turning into a nuclear conflict.

Several months later, in early 1963, came phase two, when three of the participants in this brazen protest against the military blockade of Cuba were indicted under the 1951 “Indiana Anti-Communism Act,” a state statute carrying a one-to-three year penalty of imprisonment. James Bingham (age 25, a graduate student in history), Ralph Levitt (age 24, a graduate student in history), and Tom Morgan (age 22, an undergraduate in government), dubbed “The Bloomington Three,” were all native Hoosiers and members of the Trotskyist YSA.

They were the first students in United States history to be criminally charged for their political ideas. Fifty years later, there has yet to be another such prosecution, due in part to the bold professionalism with which these young activists and their supporters in the YSA and Socialist Workers Party (SWP) responded to the charges.

The audacity of the action was combined with the disciplined response that only a functional organization steeped in the traditions of non-sectarian political defense could provide. Through the Committee to Aid the Bloomington Students (CABS), support was mobilized around the country and the indictments beaten back.

To my knowledge, only two books have substantially discussed the case in recent decades, Mary Ann Wynkoop’s Dissent in the Heartland (Bloomington: Indiana University Press, 2002, 13-18), and Barry Sheppard’s The Party: A Political Memoir, Volume I (Chippendale, Australia: Resistance Books, 2005, 86-92). Both are accurate about the events, with Wynkoop focusing principally on the impact on the university and Sheppard providing excellent first-hand details about his own activities and stages in the legal process.

Today, Levitt is a retired transit worker living in Indianapolis, Indiana; Bingham a rancher in Fresno, California; and Morgan, a family counselor who raises horses near Terre Haute, Indiana. They and other veteran socialists of the era (see note) have provided me with new details to assist in this attempted rescue of the memory of unsung Trotskyist activists of the early 1960s from “the enormous condensation of posterity.”

Revolutionaries in the Heartland

The October 1962 protest dominated local and state news in Indiana for days, and was also reported in the national media as a shocking and singular event. In 2013 the action can be retrospectively assessed as part of the breakdown of the repressive culture of the 1950s and a harbinger of the coming mass radicalization of the late 1960s. Even so, there was a mystique about the Bloomington events.

The nature of the Ad Hoc Committee’s boldly anti-imperialist action, and the composition of the socialist protest-
ers themselves, appeared at the time to be quite different from the sit-ins occurring in the South and the premonitory rumbles about free speech issues at the University of California at Berkeley.

After all, the city of Bloomington was right smack in the middle of the U.S. conservative heartland, and the male “Reds” who received most of the publicity in the demonstration appeared to be a bunch of athletic-appearing white guys, some of them veterans, much like the sons of working-class people in the region.

They also bore little resemblance to the stereotype of East Coast radical students, regarded as Allen Ginsberg-type Beatnik intellectuals. For example, the sole identifiable Jewish last name among all the protestors was that of Levitt, and he counted among his relatives prominent members of Detroit’s notorious Prohibition-era “Purple Gang.” (His first name was in honor of Ralph Capone, Alfonso’s brother, one-time business partner of Levitt’s father.)

A widely disseminated photograph of the Bloomington Three depicted husky young men who looked as if they would more likely be among the hecklers than the radicals. Four of the October 1962 protestors had been members of SAE (Sigma Alpha Epsilon), the top fraternity on campus; their former frat brothers threw objects at them during the march.\(^7\)

We now know that this hyper-masculinist, WASP image of the Bloomington Leftists is a bit misleading. A principal element in the case for “subversion” centered on the 25 March 1963 campus visit of an African American revolutionary socialist, Leroy McRae (1940-?). A national YSA officer, McRae spoke on “The Black Revolt in America,” in which he affirmed the constitutional right of armed self-defense against racists.\(^8\)

Moreover, recent interviews with surviving Bloomington activists indicate that the October 1962 march would never have occurred without the insistence of two of the women in the Ad Hoc Committee. A third example of the diversity of the leading participants is that at least two of the central males in the saga of Bloomington Left were gay or bisexual.\(^9\)

The Bloomington local of the YSA was started in 1961-62 by George Shriver (later known as the translator George Saunders), a graduate student at Indiana University’s Russian and East European Institute. Arriving as a committed Trotskyist from Harvard in fall 1960, Shriver initially set about organizing a chapter of the Fair Play for Cuba Committee. He and his wife, Ellen, were so involved that they became known as “Mr. and Mrs. Fair Play.”

Among Shriver’s graduate student co-workers in the cataloguing of the papers of Boris Nicolaevsky (a Russian Menshevik historian) were Stephen Cohen, the future Russian Studies scholar, and Gerry Paul, a graduate of American University, later known as the Marxist journalist and translator Gerry Foley.\(^10\) Foley soon joined the YSA, just after Bingham and Levitt.\(^11\)

When the YSA chapter was announced as an organization in spring of 1962, there was a controversy on the campus over the right of the YSA’s official recognition (along with that of the Fair Play for Cuba Committee) in the face of a conservative student senate and administration. Members of the YSA local responded to this harassment with a militancy joined to a sense of humor. A major activity became “teasing the noses of traditional Hoosiers.”

Characteristic actions consisted of the composition of wild and wacky leaflets by Gerry Paul that called for proletarian revolution. These were handed out at reunions of conservative IU alumni, football games, and rallies of Fred Schwarz’s Christian Anti-Communist Crusade, sometimes resulting in brawls.\(^12\)

What’s remarkable is how strong the Bloomington YSA quickly became, even in the absence of a nearby branch of the SWP to assist, and well before the Vietnam radicalization. In effect, Shriver, Paul and the others were building a YSA local with SDS-style numbers and impact.

Other key players in the early period were Paulann and Bill Groninger, Jack Marsh, Don and Polly Smith, Marcia and Jack Glenn, Joe Henry, Dave and Beverly Scott Wulp, David Fender, Jeff Phillips, Mike McNaughton, and Tom Marsh. George Shriver remembers that sympathizers of the Fair Play
for Cuba committee included Bill Lindner, Barry Schutz, Jeff Sharlett and Rick Congress.13

To Cancel or Nor to Cancel

On the day of the demonstration, the Bloomington members proved that they were more than mere political pranksters when they faced the hundreds of aggressive hecklers who shouted epithets, threatened violence, tried to grab placards, and kept swinging punches. Simply deciding to show up on the auditorium steps was one of those moments when every radical must question whether one will fight for something if it will really cost you.

The 17 original protesters, mostly members of the YSA and Fair Play for Cuba, knew that there would be no chance to discuss exactly how they should proceed once the action began. So Bingham, a six-foot-tall handsome man with short brown hair and the build of a football linebacker, was appointed to make on-the-spot tactical decisions that others would follow.

Most important, it would be up to Bingham alone to determine whether the group should actually proceed with the planned march all the way from campus to the center of town, or disperse after making a showing in order to avoid injury.

Once Bingham surveyed the menacing crowd, a surreal spectacle that extended as far as the eye could see, there seemed to be no choice. The mass outnumbered the protesters 200-1, and from its depths came murderous cries. Accordingly, Bingham quickly declared: “Cancel!”

Then two young women stepped forward from the group, Paulann Groninger and Polly Smith — the latter of whom had previously drawn attention among some of the conventionally sexist male activists chiefly because of her “great legs.”14 Facing Bingham, they announced fearlessly that the two of them planned to go ahead with the action regardless of what the others did.

Most of the remainder of the group was overcome with dread at the sight of the huge hoard of reactionaries, but felt they couldn’t abandon their female comrades.15 Or perhaps they recalled poet Robert Frost’s famous observation: “the best way out is always through.”16

Thus began the all-day brawl in which the small group progressively made its way in the direction of the center of the city, breaking through human blockades of right-wingers, and periodically interchangeing blows. A few members of the Young Peoples Socialist League (YPSL), including the IU wrestling champion Walt Carnahan, joined in the protection of the marchers on “free speech” grounds.

In the end about 20 people fought off hundreds of antagonsists. This was possible because the smaller group was well organized, unified, and had a purpose. Nevertheless, in the course of the ordeal every single picket sign was grabbed from the protesters’ hands and Levitt was arrested by police. At the very last stage, just as the group reached the dividing line between campus and town, mayhem broke loose.

The protesters ran for the university library where they took refuge. Smith, Groninger and some of the others barricaded themselves inside while 75 or so of the hard-core demonstrators ringed the outside singing the national anthem and other patriotic songs for several hours.

Young Socialists on Trial

The “subversion” case against Bingham, Levitt and Morgan got underway in January 1963. Thomas Hoadley, the newly elected Monroe County Prosecutor, initiated a campaign to remove the YSA from the IU campus. For the next five years he seemed to pursue this aim with an obsessiveness to rival the revenge fixation of Sweeney Todd.

In the end, however, Hoadley was revealed to be merely an opportunist seeking to exploit anticommunist fears to achieve political prominence — not unlike Joe McCarthy. When the battle for public opinion went against him, he simply dropped the matter and moved on to an entirely different career in Palm Beach, Florida, where he continues his legal practice to this day.

Hoadley first dismissed the charges against right-wing thugs arrested by police in the demonstration. Then, on February 18, 1963, Hoadley requested that IU withdraw recognition of the YSA, which had been granted late in 1962. When the university refused to cooperate, Hoadley sought an indictment under the 1951 anticommunism act claiming that the three (singled out probably because they were listed as officers of the YSA chapter) had attended a meeting where violent overthrow was advocated by Leroy McRae.

When this was quashed on May 1, due to a technicality involving poor wording, Hoadley went for a second indictment based on a landlord’s eavesdropping on and tape-recording a meeting in a private home where defendants and their attorneys were discussing their defense.

At the same time, Hoadley orchestrated a public smear campaign accusing the Trotskyist YSAers of being Moscow-trained and functioning as part of an international communist conspiracy, and also “conducting a running gun battle with the Commonwealth of Kentucky.”17

Moreover, Hoadley arrested and tried an Indiana University student, Nancy Dillingham, for possession of marijuana; when he learned that her attorney was YSA sympathizer Don Smith, he charged that she was a confidante and marijuana supplier of the Bloomington socialists.18 Hoadley was not one to fret about fact checking in this laugh-free comedy; in Indiana of the early 1960s, show-trials just weren’t what they used to be.

At a March 1964 pre-trial proceeding, a Bloomington judge declared the section of law under which the students had been indicted to be unconstitutional. Consequently, Hoadley appealed this to the Indiana Supreme Court and obtained a split decision in January 1965 that reversed the ruling.

The three students then filed an appeal in the U.S. district court in Indianapolis requesting an injunction to stop the prosecution that was taking place, along with a declaration that the law was unconstitutional. In this effort the Bloomington Three were joined by several faculty and townspeople claiming that the law impinged on their free speech as well.

An Injury to One

The Committee to Aid the Bloomington Students grew out of the Bloomington Defense Committee, established in 1962. Since the YSA was in political solidarity with the national SWP, the Bloomington defendants were quickly put in contact with George Novack (1905-92), a seasoned Marxist cadre engaged in political rights defense work for over 30 years.
From 1937 to 1940, at the time of the Moscow Purge Trials, Novack was the National Secretary of the American Committee for the Defense of Leon Trotsky. In 1941 he held the same position in the Civil Rights Defense Committee, which handled the case of the first victims of the Smith Act. More recently, he had led the eight-year campaign to reinstate James Kutcher (1912-1989), “the legless veteran,” in the Veterans Administration job from which he had been fired due to SWP membership.

The SWP's founding chair, James P. Cannon (1890-1974), had once headed the Communist Party’s International Labor Defense, and the Trotskyist movement was steeped in the conviction that “an injury to one is an injury to all” as well as the necessity of fighting back against all repression. The SWP understood that the issue in the case was not agreement with the ideas of the Bloomington defendants, but with their right to express their views.

CABS was from the outset guided by the SWP national office, and at the end of 1963 it formally moved its national headquarters to Manhattan from Bloomington to publicize the case and raise money. YSA National Chairman Barry Sheppard and National Secretary Peter Camejo (1939-2008) hurled themselves full-time and selflessly into the defense effort and won the undying gratitude of the defendants.19

From the New York office, fundraising, distribution of literature, the securing of a legal team, the attaining of prominent sponsors, and several national and regional tours of the three defendants were coordinated with local CABS chapters that generally consisted of YSA activists. By 1965, over 1300 faculty members on 95 college campuses became sponsors.

Tom Morgan later recalled that support from the Communist Party (CP) was remarkable in light of its past antagonism toward Trotskyists. He asserts that the CP provided CABS activists with multiple contacts, speaking engagements, financial aid and press coverage. Support was especially noticeable on the West Coast and in Chicago.

In one of the annual “Buck Dinners,” a political fundraiser in Detroit organized at the time by lawyers close to the CP, CABS was featured along with SNCC (Student Non-Violent Coordinating Committee). In Morgan’s view, collaboration on the case induced a temporary thaw in the historical “chill” between the CP and the SWP; but this ended in 1964 when the CP launched its own youth group, the W.E.B. Du Bois Clubs of America, which judged the YSA to be divisive.20

The national co-chairs of CABS were Herbert J. Muller, a historian at IU, and Prof. Mark DeWolfe Howe, a law and history professor at Harvard University who died during the course of the case. Lord Bertrand Russell was Honorary Chair of CABS, and other prominent backers included A. J. Muste, James Baldwin, Warren Miller, John Lewis, Linus Pauling, Germaine Bree, H. Stuart Hughes and Malcolm Sharpe.

Hundreds of thousands of leaflets, pamphlets and brochures explaining the issues and reprinting the allegedly seditious speech by McRae were distributed across the country; speaking tours of Morgan, Bingham and Levitt extended to over 100 campuses, and were often combined with radio and television interviews; the National Students Association and British Labor Party Youth passed resolutions in behalf of the Bloomington Three; and even the New York Times published several editorials deploiring the threat to free speech if the prosecution were victorious. Fundraising came through rummage sales, cocktail parties, dances, art auctions, hootenannies and performances of the San Francisco Mime Troupe.

Although the Bloomington affiliate of the American Civil Liberties Union (ACLU) initially refused to support the case and even red-baited the defendants, the Three were able to secure the services of a local attorney named James Cottner. Then Cottner abandoned the case and an unsuccessful search ensued for a lawyer admitted to the Indiana bar. This led to the defense team contacting Louisville, Kentucky attorney Daniel T. Taylor, who arranged to be qualified.

In the meantime the Emergency Civil Liberties Committee (ECLU) provided the defendants with its esteemed general counsel, Leonard Boudin (1912-89), and eventually the ACLU provided an amicus curiae brief (legal opinion by a friend of the court) for the defense.21

The case began to wind to a conclusion when on March 20, 1964 a county circuit court judge found the Indiana Anti-Subversion Act unconstitutional and dismissed the indictments against the three students. Prosecutor Hoadley appealed to the Indiana Supreme Court, where the indictment based on the private meeting was reinstated on January 25, 1965.

In November 1966 a hearing on the constitutionality of the Indiana Anti-Subversion Act was to be held in a federal court but was cancelled, evidently in response to the decision of Prosecutor Hoadley to resign his office and depart Indiana. After some delay, the new public prosecutor decided not to pursue the case. CABS issued its final communication to its sponsors and contributors in February 1968.

Smashing Through the Mask

The historical framework of the Cold War era is crucial to assessing the events in Bloomington. The 1950s and early 1960s were years of notorious political repression. The Indiana anti-sedition laws were part and parcel of the apparatus of investigating committees and blacklists. As a new radicalization began to emerge among students and African Americans, authorities targeted the most militant as a means of intimidating others.

The SWP of that era knew, almost as an immediate reflex, exactly how to start up and sustain an effective political defense. Its skills made the Bloomington Case into the most significant civil liberties case of its day, thereby encouraging what might have been merely a rising summer storm of episodic revolts into the national climate change known as “The Sixties.”

The strategy should be studied and remembered as crucial for securing the right of students of all political opinions to discuss, deliberate and debate political ideas simply on their merits, and for the right to form organizations to promote those ideas without fear of police reprisal. Deprived of such an option, the claims of “academic freedom” at universities are a sham.

Why did this happen in Bloomington? Perhaps the Bloomington YSA just rushed in where the more experienced feared to tread. Decades later, Levitt observed that it could be explained by no single factor: “For us it was totally natural, a convergence of pro-Cuba politics, stupidity, militancy, inexperience, and a desire to fight.”
Other radical groups were present on the IU campus, including the much larger YPDL, but none seemed capable of inaugurating a similar action. The Communist Party had to be hyper-cautious due its longstanding connection to Moscow, and had little credibility among those seeing a new radicalism free of the Stalinist legacy.

Perhaps most important, the YSA at that time was relatively unencumbered by a bureaucratic party organization orchestrating matters from afar or sending in sniffer dogs of orthodoxy to quash creative action. Several defendants recall that, while both the YSA and SWP leaderships had counseled members against holding “risky” demonstrations at the time of the Cuban Missile Crisis, the organizations took no steps to impose specific advice on the local level.

Once the crisis erupted, any hesitancy to fully support the Young Turks in Bloomington would have been nullified by the strong insistence on the SWPs providing full backing by national secretary Farrell Dobbs (1907-83). The mechanisms of such a campaign were second nature to the SWP so that this one was run brilliantly along standard SWP lines.

Still, the original audacity of the action was equally crucial to the blend of creativity and self-discipline that allowed a tiny band of revolutionary socialists to punch above its weight. Led by a woman previously known by sexist males for her “great legs,” the Bloomington Trotskyists met the contingencies of their own period with fortitude. They faced down a huge, reactionary mob, smashing through the ugly mask of the bully of U.S. Cold War culture.

Fifty years later, revolutionary socialists should be alarmed by the widespread memory loss that has occurred in regard to these and similar events in the record of the Far Left. What occurred in Bloomington could have been a hideous mess, but can be savored today as a perfect cocktail. Those who forget their own history are rewarded by having it forgotten by pretty much everyone else.

A few additional sources on the Indiana “Subversion” Case:

Janet Daniels, “How the Bloomington Case Was Won,” Young Socialist 10, no. 4 (May 1967), 4-7, 19.


Barry Sheppard, “Bloomington Students Again Face Jail Terms Under Witchhunt Law,” Young Socialist 8, no. 3 (March-April 1965): 1, 18.


The Wisconsin Historical Society holds the papers of the Committee to Aid the Bloomington Students. See the finding aid at: http://digital.library.wisc.edu/cgi/findaid/findaid-id=c=warzichessec=wwarzichesview=text&gn=main&did=no=U=whs-mss00213.

Notes

1. “Hoosier” is a nickname for residents of Indiana of which the origin is unknown.

2. A student named Jack Marsh brought the signs through the empty auditorium via the back door to avoid the crowds. E-mail from James Bingham to Ralph Levitt, 12 April 2013.

3. The precise number is in dispute: 5,000 is the high end. Don Smith, a YSA sympathizer who was not yet a member due to his legal practice, circulated in the crowd pretending to be “neutral,” and came up with an estimate of 4,000. Wald telephone interview with Don Smith, 22 July 2000. Among the right-wing groups that mobilized to prevent the demonstration was the Young Americans for Freedom whose local leader, Tom Charles Houston would join the Nixon administration as national security advisor. Barry Sheppard, a member of Solidarity and author of several books about the Socialist Workers Party; the late Gerry Foley (a pseud. for Gerry Paul), a Marxist journalist and member of Socialist Action at the time of his death; and the late Don Smith, a Chicago peace activist and teacher who was a member of Workers World Party at the time of his death. Efforts to locate several additional individuals associated with the Bloomington events were unsuccessful.

7. E-Mail to Wald from Ralph Levitt, 28 May 2000.

12. Little public information is available about McRae beyond his role in the Bloomington Case. He came from Pennsylvania and attended law school at Pennsylvania State University. In the fall of 1962 he ran on the Socialist Workers Party ticket for attorney general of New York, when he listed his occupation as a composer; and was a member of Organizational Section of the YSA he participated in civil rights and Fair Day for Cuba Committee activities. Although he was widely admired for talent and leadership skills, his name disappeared from all available records of the SWP a year or so after the case was launched.

16. References to the sexual orientation of individuals in the pre-Stonewall era can be a tricky and often thankless task. But the historian who remains silent on such matters only contributes to an erasure of the gay and lesbian presence in the far Left, much more significant than has been acknowledged. One of the two individuals, Gerry Paul, was not present at the demonstration, having transferred to the University of Wisconsin, but is credited with creating the fighting spirit of the Bloomington YSA.


18. This is based on a recollection of Don Smith, from a telephone interview with Wald, 22 July 2000.

22. This is from Frost’s (1915) poem, “A Servant to Servants,” although the exact meaning has been disputed.

24. This is based on a recollection of Don Smith, from a telephone interview with Wald, 22 July 2000. In addition, Levitt stated in an email of 23 May 2000 that Barnes was simultaneously using the case to aid his ascendency to national leadership, and even saw the successful Bloomington YSA as competition. For an alternative view of Barnes’ role, see Barry Sheppard, The Party, Volume 1, 86-92.

26. This information comes from an e-mail posted online from George Shriver at yahoo grupos.com on 12 April 2012, “Don Smith’s Death Today”.

27. This claim was based on the information that during the winter of 1962-1963, YPDL members had brought canned goods and groceries to striking coal miners in Harlan County, Kentucky; shots were fired at the miners by a man named Bingham and Charlie Leinenweber. E-mail from Tom Morgan to Wald, 12 April 2013.

28. This is based on e-mails from James Bingham, 13 April 2013, and Barry Sheppard.

29. The nature of the YSA and SWP changed dramatically a few years later as a circle of former students lead by Jack Barnes secured national leadership in both groups. By 1971, the Bloomington Three were mostly out of the organization. For my own view of this process, see “A Winter’s Tale TOLD in Memoirs” on-line at: http://www.solidarity.org/node/3317.

30. This is based on a recollection of Don Smith, from a telephone interview with Wald, 22 July 2000. In addition, Levitt stated in an email of 23 May 2013: “I recall that we were warned against holding the demonstration. This would probably have been a phone call since the matter was urgent and pressing.” However, in an e-mail of 23 May 2013, Sheppard states that he has no recollection of any such warnings.

37. In a telephone interview on 22 July 2000, Don Smith recalled hearing that Betsy Stone (also known as Betsy Barnes, at that time married to Jack Barnes) was opposed to the SWP and YSA taking on the Bloomington Case. In an e-mail to Wald on May 29, 2000, Barnes recalled “Betsy absolutely insisted a conversation with me about Bloomington and used the phrase ‘Farrell doesn’t understand they (Bloomington YSA) were ultra left, and the demonstration was ultra left.’”