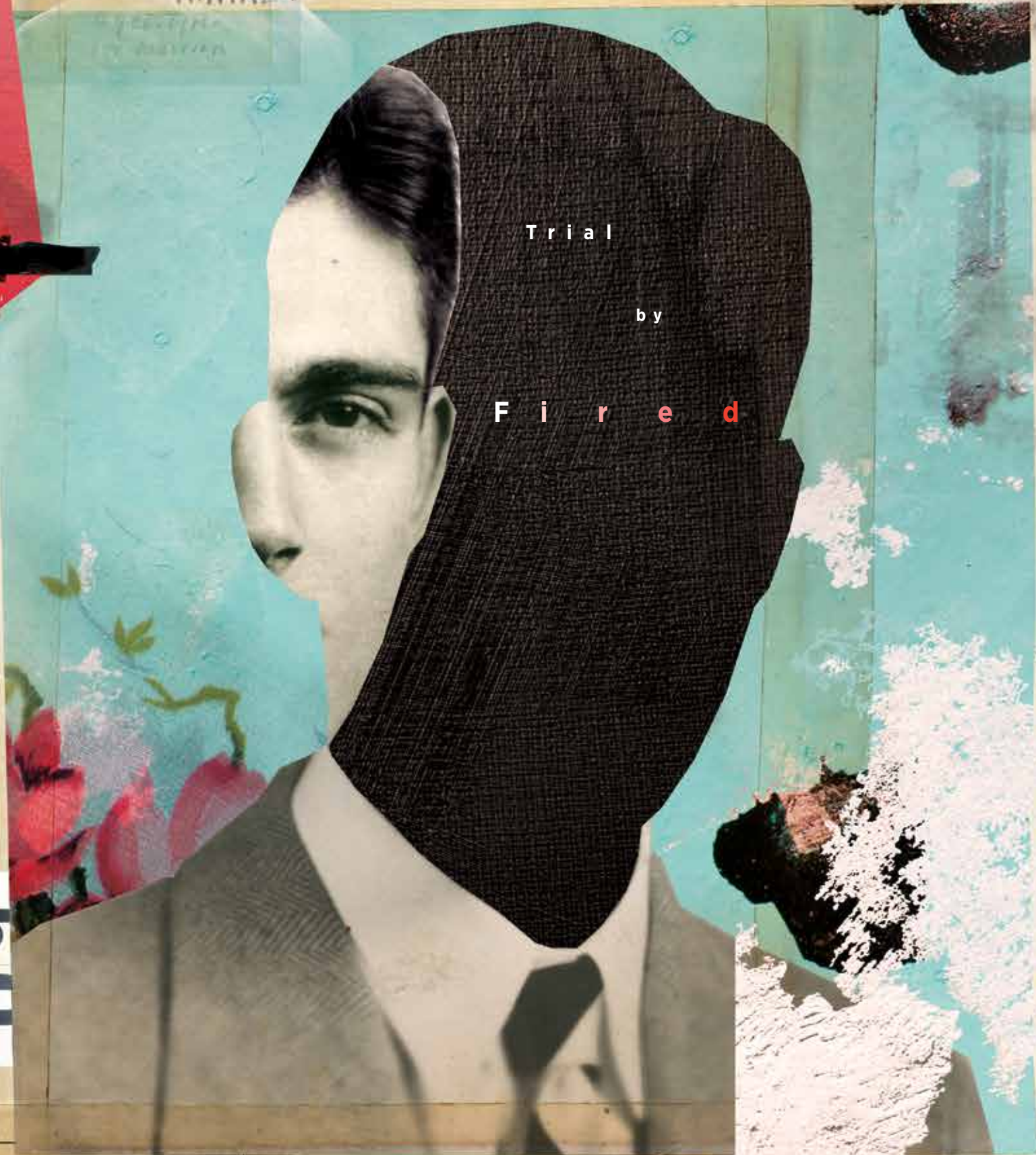


**When the Red Scare rampaged across campus in the 1950s, three U-M faculty members were publicly hauled to an anti-Communist hearing. All three refused to cooperate with their interrogators. But math instructor Chandler Davis chose a particularly gutsy legal defense, lost his job, served a prison sentence, and emerged browbeaten but willing to fight to get his life back.**

by Elizabeth Wason



Trial  
by  
Fired

ing

**The FBI banged on the door of the married couple's apartment on Williams Street in downtown Ann Arbor, where they lived above a bike and hobby shop.**

The feds were searching for the author of *Operation Mind*, a pamphlet that spread word across campus that the House Un-American Activities Committee (HUAC) should not be welcome in Detroit. This was 1952, a time when HUAC fingered suspected Communists — threats, in the committee's view, to freedom in America — and dragged the accused into courtrooms for interrogation. With such strong words against HUAC, the pamphlet and its creators quickly drew suspicion from the United States government.

FBI agents had already stopped at the shop where *Operation Mind* had been printed. On an invoice for the print job, they found the signature of Chandler Davis, a new instructor on the faculty of the math department. The FBI tracked him down to his apartment and confiscated his passport, along with the travel documents of his wife, Natalie Zemon Davis (Ph.D. '59).

At the time, Zemon Davis was a doctoral student in the Department of History at U-M, studying people who'd historically been marginalized and rejected. The Davises had just returned

from a trip to France, where Zemon Davis had spent months gathering research material from local archives. She loved poring over official documents from the 16th century, which described the lives of printers who worked in secret for fear of social backlash and political punishment. Zemon Davis was the one the feds were really looking for — she'd written *Operation Mind*.

She and Elizabeth Douvan (M.S. '48, Ph.D. '51), who later became a professor at U-M's Institute for Social Research, had worked together on the pamphlet and published it anonymously. Like the 16th-century printers she studied in France, Zemon Davis felt the fear of repression and repercussions as the anti-Communist Red Scare peaked in the 1950s. She and Douvan knew they had to be careful.

But Davis had signed the invoice and the check at the print shop, so he took the

fall instead of getting them all in trouble. And his pedigree made Davis an easy target. His father was a university professor who moved the family around the country as he repeatedly got fired for voicing strong political beliefs. Both of Davis's parents joined the Communist Party, his great-grandfather was an outspoken abolitionist, and he had ancestors who fought on both sides of the Revolutionary War. Davis himself engaged in revolutionary politics, turning down a position at UCLA because the job would have required him to sign a "loyalty" oath against Communism.

A few months after the FBI nabbed the couple's passports, HUAC sent Davis a subpoena that called him to an official government hearing. He'd been branded a Communist.

**Bold Plan**

After World War II ended, veterans— Davis included, who'd served in the U.S.

**Like the 16th-century printers she studied in France, Zemon Davis felt the fear of repression and repercussions as the anti-Communist Red Scare peaked in the 1950s.**



ILLUSTRATIONS Erin Nelson;  
PHOTOS courtesy of Chandler  
Davis and Natalie Zemon Davis.

Navy — deployed in large numbers to universities across the country to take advantage of the G.I. Bill. Chandler and Natalie met at Harvard, where they'd both helped with the presidential campaign of Progressive Party candidate Henry Wallace. Natalie spotted Chandler walking around with a ping-pong paddle; she liked that he was the first political radical she knew who played sports *and* protested. In three weeks, they were engaged. Three weeks after that, they married.

When Davis got his legal summons in Ann Arbor, the couple made a joint decision to fight the charges. "I persist in what I consider the best defense of freedom of thought even when it is not expedient," Davis later wrote. Their decision was anything but expedient, and the plan they devised involved incredible risk.

Davis would refuse to answer HUAC's questions, using as a defense the First Amendment, which gave him the right to freedom of speech and assembly. He also would decline to use the more common strategy of pleading the Fifth Amendment — the right to silence if his own answer could serve as evidence incriminating him — because he didn't want to imply that his political beliefs made him a criminal.

Davis's unlikely goal was to get convicted for contempt of Congress during his HUAC hearing. Only then could he take his case to the Supreme Court and make the bold statement that government-sponsored anti-Communism was wrong, unjustified, and illegal.

"A strange plan? Well, it seemed like the thing to do at the time," Davis wrote in *The Purge*, his detailed account of the events. "The motivation was my resolution to face the Red Hunt as squarely as possible."

## Conviction

The hearing took place in Lansing, in the House chamber of the Michigan State Capitol. U-M alumnus Kit Clardy (L.L.B. '25) — also known as "Michigan's McCarthy," who had been dismissed from his post in the state government 20 years

before on mysterious charges of "malfeasance and misfeasance" — led the official investigation of three U-M faculty: Chandler Davis; Clement Markert, a professor in the Department of Zoology; and Mark Nickerson, a tenured professor in the Department of Pharmacology. Economics Ph.D. students Edward Shaffer (A.B. '48, M.A. '49) and Myron Sharpe (M.A. '51) also received subpoenas and testified.

Davis followed through with his plan. While the others rebelled by pleading the Fifth to every political question, Davis

**"I persist in what I consider the best defense of freedom of thought even when it is not expedient."**

invoked the First Amendment. In further hearings led by special committees of their U-M faculty colleagues, Professors Markert and Nickerson responded frankly to questions from peers about their politics. Davis still refused, insisting, "I will not talk politics under duress."

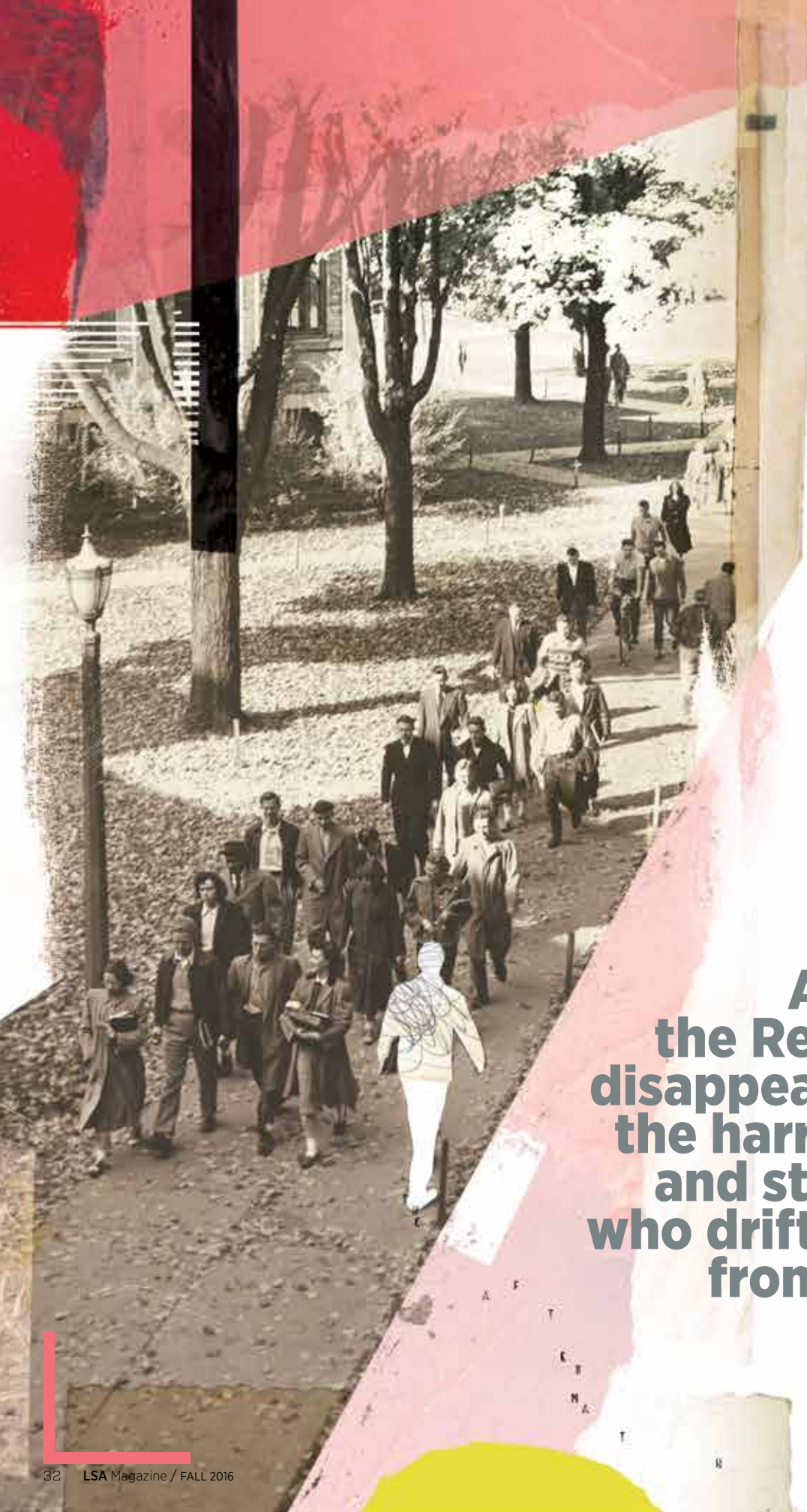
Markert was suspended from U-M but later reinstated. Nickerson was fired, despite having tenure. Davis was fired by U-M, lost his appeal to the Supreme Court, and served a sentence of six months in prison.

## Political Prisoner

Jail is boring. Davis realized, writing later, "Prison is not one of the heroic or ecstatic forms of martyrdom."

He served his time in Danbury, Connecticut, at a federal correctional institution. Thinking he'd make a political statement as a dissident behind bars, Davis found that activism in a jail cell felt invisible and unflattering. He passed the time working on the prison farm and practicing his Russian. He published an academic article on mathematics, inserting a special note in the acknowledgments:





## At U-M, the Red Scare disappeared with the harried faculty and students who drifted away from campus.

“Research supported in part by the Federal Prison System. Opinions expressed in this paper are the author’s and are not necessarily those of the Bureau of Prisons.”

He missed strawberries, wine, curtains, and his sex life, but he lived in relative comfort — Davis noted that inmates ate better than most of the world’s population, slept in decent beds, and worked less than 40 hours per week.

For others involved in the case, the aftermath of the hearing varied. Although Markert attracted tremendous support from students and colleagues, Nickerson wasn’t nearly so lucky. His eldest son needed a police escort to school after another kid attacked him with a knife. Anonymous neighbors dumped garbage on the family’s porch and threw feces at their screen door. Soon after Nickerson’s wife gave birth to their third child, hospital security had to subdue an angry group clamoring in the hall to “get that new commie kid.”

The economics Ph.D. students who testified at the hearing with Davis, Markert, and Nickerson never finished their degrees at U-M. Economics professor Lawrence Klein cooperated with his interrogators and received support from the Department of Economics, but he still had to leave the country for a position at the University of Oxford in England. Psychology student Lloyd Barenblatt (Ph.D. ’62) fought against HUAC in the Supreme Court just months prior to Davis and lost his case; the court sentenced him to six months in prison. Barenblatt and Davis became fellow inmates at the same correctional institution.

Fortunately, Zemon Davis and the couple’s three children didn’t experience harassment on behalf of her husband, and no one thought to connect her to the forbidden pamphlet that had so riled the FBI. But her time away from Davis wasn’t easy. She had temporarily lost her partner and his support, yet continued her Ph.D. research while caring for the family. For her, the Red Scare brought a “miasma of anxiety” to what felt like a “period of panic.”

Zemon Davis’s family history, though, prepared her for resistance. Her father had played on the U-M tennis team, and he fought to get his varsity letter because the coach had never before granted the honor to a Jew. She and Davis fully agreed that fighting for political, academic, and intellectual freedom warranted the rough times ahead. Davis later reflected, “In mathematics and in life, it is not okay to give up on a problem or a cause just because the struggle is difficult.”

He wrote of the ordeal, “Marginality is good for the soul and better for the intellect.”

### Aftermath

For years after testifying before HUAC, Davis had trouble finding work. This was a time when subtle warnings bristled in recommendation letters — a quiet phrase like “much concerned with social problems” could easily deter employers from making an offer. So Davis assembled his salary from various places: teaching, editing mathematical journals, getting fellowships, and analyzing data for an ad agency.

After leaving prison, Davis found a position outside the country at the University of Toronto, where he’s stayed based — content and with tenure — ever since.

Markert stayed at U-M for another few years following his reinstatement, but he left shortly after earning tenure and spent most of his career at Yale University. Nickerson moved to Canada, ultimately ending up at McGill University. Both achieved remarkable professional success.

At U-M, the Red Scare seemed to fizzle and peter out. The era didn’t end with a bellowed “Tear down this wall!” and crashing bricks. Instead, it disappeared with the harried faculty and students who drifted away from campus — academics who were weary of putting up a fight and ready to continue their work elsewhere.

### Learning from History

1989. In the year the Berlin Wall fell, and 35 years after three U-M professors fell to Cold War hysteria, Davis, Markert, and Nickerson returned to campus.



**Chandler and Natalie got their passports back from the FBI in 1960, after eight years. Ultimately, they emigrated to Canada (pictured here in their Toronto home). Alan Wald, H. Chandler Davis Collegiate Professor of English Literature and American Culture Emeritus, says of Chandler, “At the age of 87, he’s still got the fight.” In 2012, Natalie received the National Humanities Medal from President Barack Obama for a career’s worth of insights and eloquence in her historical research.**



**The three U-M professors who were publicly harassed under accusations of Communism in 1952. The three are pictured here in 1991 at the inaugural Davis, Markert, Nickerson Lecture on Academic and Intellectual Freedom. (From left: Clement Markert, Chandler Davis, Mark Nickerson)**

## “There is no shortage of opportunity to stand up for freedoms and values in the modern world.”

They'd come back for a movie screening. LSA undergraduate Adam Kulakow (A.B. '89) had pieced together a documentary for his senior thesis about what had happened to them. He based the film mostly on interviews with the three professors and former U-M President Harlan Hatcher. After the screening, Davis, Markert, and Nickerson answered questions. Someone in the audience spoke up: “What can we do to apologize?”

Members of the faculty at U-M jumped at the chance to clear the air. In 1990, the Faculty Senate established an annual lecture series in honor of the slighted professors: the University of Michigan Senate's Davis, Markert, Nickerson Lecture on Academic and Intellectual Freedom. They also created the Academic Freedom Lecture Fund, which supports the series. The intent of the lecture, wrote the members of the Faculty Senate, “is to guard against a repetition of those events and to protect the fundamental freedoms of those who come after us.”

Davis has attended every year since the first lecture and still does. Markert did, as well, until his death in 1999, as did Nickerson, until he passed away in 1998.

Last year's event marked the 25th lecture, which featured Zemon Davis as a speaker. U-M President Mark Schlissel introduced her, saying, “At a place like the University of Michigan, it's essential that we never stop learning and thinking and questioning ourselves. This is especially true of the mistakes of the past.”

When the FBI rapped on the Davises' apartment door and left with the couple's passports, Zemon Davis found herself stuck in the United States—far away from the unique documents in France that she needed to finish her Ph.D. She pushed through her devastation, devising a clever workaround: She'd hunt through 16th-century books at the New York Public Library and rare collections in the United States, and she'd trace their provenance back to the printers and artisans in France that she wanted to study. She was

thrilled to discover that even the pages, marginalia, and bindings of books could be clues about her subjects and their clandestine projects.

She writes, “I realized that between heroic resistance to and fatalistic acceptance of oppression, there was ample space for coping strategies and creative improvisation.

“I've tried to write a history of hope, where despite all tragedy and bloodshed, the variety of life in the past fascinates us and suggests possibilities for the future.” ■

This story was written primarily using the following sources: Chandler Davis, *The Purge* (American Mathematical Society, 1988); Chandler Davis, Letter to U-M faculty (Bentley Historical Library, 1954); Chandler Davis, “So you're going to prison!” (*Nation*, 1960); Natalie Zemon Davis, “How the FBI Turned Me On to Rare Books” (*New York Review of Books*, 2013); Holberg Prize interview with Natalie Zemon Davis (2010).