

THE HOUSE COMMITTEE

The Committee of the House of Representatives under the Chairmanship of Mr. Martin Dies of Texas, was charged with the duty of investigating "un-American" propaganda activities within the United States and the diffusion of "subversive and un-American" propogands. No attempt was made in the resolution which created the Committee to define the character of the activities to be investigated, except that the propoganda to be investigated was described as attacking "the principles of the form of government as guaranteed by our Constitution".

(copy from p. 1)

It is, of course, important for the preservation of our democratic form of government and the Bill of Rights which is its chief embodiment that we know who are its enemies and how they operate. But we have learned from earlier inquiries into the same subject matter that there is such difference of opinion concerning what constitutes "subversive" activity or propoganda. There are some who claim under this head all attempts to change the existing order of society, even all efforts directed to weakening the masses of the people to the injustices under which they labor. Such difference of opinion is inevitable. It is bound to color much of the testimony given at any hearings, especially since many of the witnesses believe themselves to be self-constituted servants

of society.

Nevertheless Congressional committees must have considerable latitude if they are to function properly. They clearly must have broad powers of subpoena. There can even be no objection to hearing persons desiring to air grievances if their bias be clearly indicated on the record. But the usefulness of any investigation is impaired if its proceedings are used for ulterior purposes, especially if innocent persons are damaged. The Chairman of this Committee has been conscious of these considerations, but, as we shall see, his concern has in the main ended with his statements. At the very first hearing he thus voiced his intentions:

"The Chair wishes to reiterate (copy from p. 2)

It is fitting therefore that the work of the Committee be judged by the standards thus set ^{up} by its Chairman. In the course of this report we shall have occasion to point to many departures from this standard. Perhaps the most flagrant departure consisted in the Chairman's frequent public addresses during the course of the hearings in which he completely abandoned any pretense of a "judicial attitude". These have been so numerous that no summary of them is possible. They indicate, however, that the Chairman has made up his own mind on many of the controversial questions which have come before the Committee without hearing any rebuttal

evidence. The record itself contains many statements of the same character, to some of which we shall later refer.

Some of the shortcomings to which we shall point probably derive from the Committee's departure from procedure found useful by other Congressional Committees. In the great investigations of the past, notably the Fyio and Pecora banking investigations, as also in the current monopoly investigation, the leaders of finance and industry were called to the stand. Their examination was based on information obtained by investigators from various informants. The result often was that the famous witnesses are forced to make damaging admissions. It is obvious that evidence obtained in this way has high probative value. This method lessens the likelihood that charges based on mere suspicion will be placed on the record and aired in the press without the person affected being given an opportunity for denial or explanation. Even the (by the Dies Committee) much criticized La Follette Committee has proceeded in this manner.

Mr. Dies sought to justify his departure from this practice on the ground that he had neither funds nor time to subpoena all the organizations involved and have their books examined. (1167) He sought to show how difficult such a task would have been. (1169). It is, of course, true that a thorough investigation was impossible within the time allowed. But surely the demand now made for a continuation of the investigation would merit greater support had the investigation made a comprehensive study of any single aspect of its field of inquiry.

This Committee undertook to investigate activities it

classified as communist, nazi and fascist. Yet it called to the witness stand no responsible officer of my organization charged with being of the proscribed character. Its witnesses were ex-members who had become disgruntled or who had always been spies, and police or professional investigators whose impartiality and veracity were often open to serious question. We do not wish to imply that the Committee should have refused to hear those persons. It was certainly entitled to the benefit of their information, and in some instances was perfectly justified in putting them on the stand. However, its failure also to call the other side has laid the Committee open to the charge of prejudice and bias. Nor was this cured by the Chairman's frequent blanket invitation that those against whom charges had been made might come forward. It was quite evident that the Committee's plans contemplated no real opportunity for rebuttal. And the opportunity finally offered, of submitting affidavits, was, of course, wholly inadequate -- if only because thus the denials could not possibly receive the publicity which had accompanied the charges.

Actually there are four instances of rebuttal in the period covered by the first three volumes of the testimony:

1. The Chairman read into the record a telegram he received from two Catholic priests denying that John Gophy was a communist (268).
2. Heywood Brown was permitted to make a brief statement denying remarks attributed to him by J. A. Matthews (938).
3. Mr. Tom Davis of Minneapolis was given a chance to correct some charges that the former Labor Party was controlled by communists (1465), but no member of the Committee made any

effort to draw this witness out. Mr. Wessler, indeed, turned him off with a remark about the University's football team (1466).

4. One Halpern, accused of being a member of the Communist Party (2415) was permitted to contradict a witness who had testified to his identity (2398-9). The atmosphere of the hearings was hardly friendly toward rebuttal.

The inevitable result of the procedure adopted by the Committee was to "smear" (to use the Chairman's own term) many organizations and individuals without effective opportunity for refutation and often on the basis of vague and unreliable testimony. And the Committee showed a definite political bias. It permitted itself to be used to further sectional political fights on the eve of election; it allowed many witnesses to criticize administrative officials on subjects wholly beyond the scope of the Committee's activities, and members of the Committee did likewise.

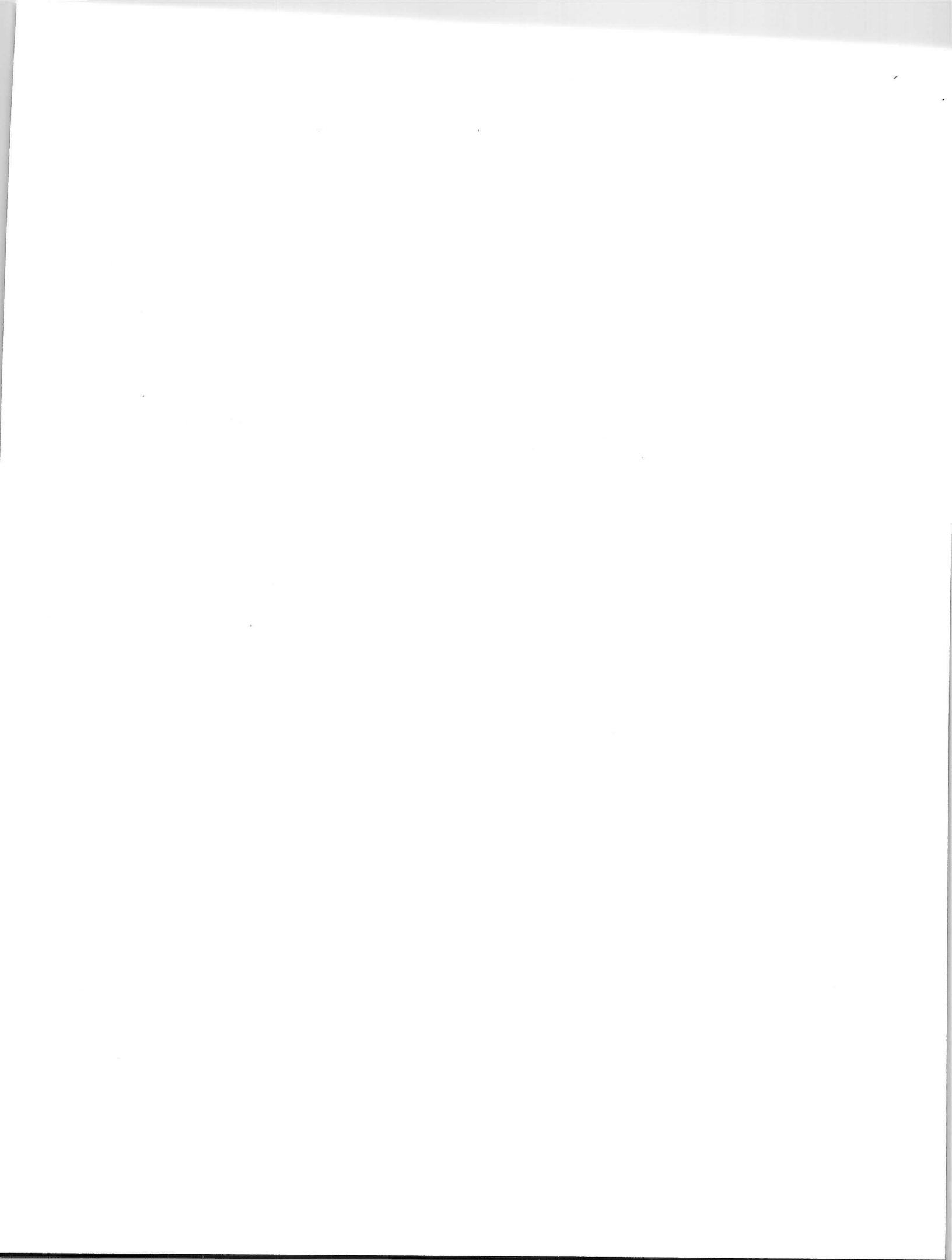
It is impossible in this report to analyze the entire record. While much of the testimony against the nazis and fascists consisted of the conclusions of witnesses without support in any facts (e.g., Hecatife at 1115, 1123, 1153, 1164), the Committee, in the main, refrained from "smearing" individuals or organizations not directly connected with the chief movements then under scrutiny. Thus Hecatife was not officially permitted to name the 200 organizer one affiliated with the Fund (1117), but instead was asked to confer with their directors, because, as the Chairman said, it was not the desire of the Committee "to persecute any one, or to engage in any snooping expedition, but to get the facts" 91 (1226).

Later Hetealfe testified about a large number of these organizations which he had investigated. He said he had interviewed persons in charge and had a stenographer take down what was said (2236, 2240). The stenographic record was not introduced in evidence, but Hetealfe testified in detail, presumably on the basis of that record. (2237-45, 2240-88). In practically every instance excerpts from literature put out by the organization were read into evidence. This literature was unequivocally anti-semitic. (See 2253, 68, 70, 77, 80). A reasonable amount of care was thus exercised not to brand as fascist or Nazi, organizations which had not themselves circulated clearly objectionable literature. Likewise the Chairman would not permit Arnold Gingrich, the editor of Ken, to testify about industrialists charged with being linked with the fascist movement, because he had no personal knowledge of the matters (1227, 28).

But in its consideration of Communist activities, the Committee pursued an entirely different course. It listened to many witnesses who had no personal knowledge of the things they discussed. Long lists of individuals and organizations were spread upon the record with practically no check upon the witnesses.

Conclusions and Opinions

The first witness permitted wide latitude was John F. Frey, President of the Metal Trades of the A.F. of L. (91). He listed John Brophy as a "consortier" with Communists (97), Francis Gorman, because he carried a Communist (98), Morris Muete, because he was a leader of a peace parade committee "sponsored" by Communists (98). He spoke of "reports" of close contact between members



of the Communist Party and investigators of the La Follette Committee (106). Long lists of names were submitted (108-132) with many accompanying comments. He said of Maurice Sugar that he was "legal adviser for practically every Communist group in the Detroit area -- that may not be proof that he is a Communist" (115); of A. J. Isserman, that he was "one of the leaders of the radical forces in stirring up trouble in Jersey City for the so-called freedom of speech" (125); of Harry Sauber, that "it is reported" he was an instructor in the Workers School; of William O'Donald that he became associated with the "Communist-controlled" Farmers Committee of Action and spent time trying to stir up trouble in Jersey City; "one can draw his own conclusion as to this party and just exactly the type of work he has been doing for the past few months" (127); of George Sardaker, that he was a radical leader at Syracuse, "mixed up" with the Student Union, "a Communist outfit" (128); of two men from Juneau, Alaska, that they collected money for Herndon and drafted resolutions in his behalf (129); of Abraham Flaxer, that he was "suspected" of being a Communist (130); of Abe Gorman, that he "will probably deny being a Communist, but reports from Chicago are such that it is said he is a Communist" (132).

The most amazing latitude, however, was reserved for Walter S. Steele, the representative of 114 patriotic organizations (278-80). Although the Chairman asked him to eliminate documentary evidence of a lengthy nature and to make no statements without definite proof (277), he was permitted to submit "as evidence" a document which fills nearly 200 pages of small print in the record (519-706). This contains charges against a great number of individuals and organizations, many of which are supported by nothing



more than the statement of the witness. A large part of this exhibit relates to communist cultural activities (538-63). It lists all kinds of theatrical, musical and literary activities. Tobacco Road and Firewell to Arms are mentioned as films made from books by "pro-communist" authors (542). A list of persons is included who had protested some form of red baiting, including Franz Boas, Arthur G. Hays and H. L. Mencken (558, 9). Brockwood College is condemned twice (453-5, 701-3) apparently because "it is out of accord with the principles and policies of the A.F. of L., which means that its teachings are Communist" (565, italics ours; this is a quotation from the Washington Star).

Large space is devoted to the youth movement (581-617) and to national groups (617-29), among which were the Scottaboro Defence Committee (628) and Girolamo Valenti (629), himself later a witness against the fascists (1181ff). Listed also are the C.I.O. (632-47) and the A.L.P. (648-53), included among the latter being Paul E. Arn, mentioned as Vice President of the N.L.G. "formed by radicals and liberals in the United States to effect the constructive work of the American Bar Association in the legal professional field" (651). And, after listing the various A.L.P. leaders there is this strictly (!) factual statement: "It is not difficult for the reader to figure out for himself, after reading the above, just what the crowd of left wing union labor political aspirants would attempt to do with our system of government should they be permitted to gain control." (652)

There is a section on "the so-called pacifists" (562-78), which lumps together practically every known peace organiza-



tion and suggests that if the pacifists were sincere they would stamp out communism which caused the death of 20 million persons as contrasted with but 8 million who died in the World War (677). The total of 20 million is arrived at by including deaths in Russia, Spain, Hungary, Germany, Spain and elsewhere "as a result of Communist revolutions, counterrevolutions, assassinations, revolts or famines" (678). This veritable book concludes with a discussion of Socialism and the subsidiary organizations of the Socialist Party (678-95) and the "atheist and Marxist" church movements (695-700), such as the Federal Council, which "represents a huge political machine and appears to intermeddle with radical politics" (699). No attempt is made to separate those charged with advocacy of violent revolution from those charged merely with the advocacy of radical ideas.

The exhibit contains a summary which says there are 6 1/2 million persons in the Communist "fronts", that ten million dollars are spent annually for their "un-American" activities, (mostly under foreign dictation), and that the Communist press is the world's "biggest monopoly and trust" (705) -- all of which is said to have been "proved".

The oral testimony of Mr. Steele, which covers nearly 200 more pages of the record is largely a restatement of the same material. Occasionally conclusions of the witness were too much even for this Committee. Some attempt was made to check his statement that 640 organizations (listed 328-37) were affiliated with or cooperated with the Communist Party (326). Steele was finally forced to retreat to the statement that the communists "used" the organizations in their mass turn outs, and that he



based this charge mainly on statements in the Daily Worker, and that he had no evidence against the organizations except the claims of the communists themselves (327). Despite this admission of the worthlessness of most of his charges, he was permitted to testify at length concerning many of these organizations (455-519) and to put in the exhibit we have already referred to. The Committee also tried to check up the statements with regard to the money spent and brought out that Steele had included assets as income (417,18) and had reached the estimate of ten million dollars by multiplying the number of organizations by half the average amount spent by those from which he had reports (420).

But no attempt was made to check the authenticity of charges that communists had been responsible for accidents in Navy Yards and Air Forces (389-98), including a statement that "it was alleged" that one Kasey had been responsible for the loss of the Arcon (396), and that communists are "suspected" of acts of sabotage (397), which by inference, at least, included the air disasters which killed Will Rogers and Senator Cutting. Nor was Steele interrupted when he charged the communists with bringing on the world economic crisis: "While world markets were being disrupted through the 'dumping' of products by Soviet Russia and through stock exchange manipulations throughout the world, the huge propaganda machinery and organized agitators were diligently at work in the nations adversely affected" (405). Indeed, throughout this very lengthy portion of his statement (329-407) not a single question was asked the witness.



It is perhaps significant that both this witness and Mr. Chailleux of the American Legion expressed their antagonism to Nazis in very brief compass: Steele, nine pages out of nearly 200, (653-62); Chailleux, less than one page out of 24 (451).

In his discussion of school matters Mr. Frey permitted himself to indulge in many reckless accusations based on a report concerning the Teachers Union prepared in part by the witness, who said of himself, "I am probably held to be without bias." (204). He gave a list of the new members of the Executive Board, which he was not prepared to characterize as all communist, but merely that they had to run on a ticket agreed on by communist factions (206). Then he read from a report that a Mrs. Pollit was a "professional exchange student" and engaged in communist propaganda, but he had no record of anything she had said or written (208), or even that she had delivered any lectures (209).

Mr. Steele, in addition to giving a long list of schools and camps, said to be communist controlled (357-66; 563-5), referred to alleged instances of communist infiltration into schools and colleges. He referred to the Convention of teachers of 1936 because, among other things, it voted to send money to the people's front in Spain, "which is the organization of Reds in control in Spain who are destroying churches, monasteries, and property, and slaughtering priests and nuns." (368). John Dewey was listed for his protest against the deportation of Ferrero (377). The American Federation of Teachers was said to be "honeycombed with radicals of extreme type". Its President, Jerome Davis was singled out because of his membership in various organizations. (378,9). And, referring to the employment of Gerville Hicks at

Harvard, Mr. Steele said: "Harvard, where the bust of the notorious Bolshevik, John Reed, deported from the U. S. by the Wilson administration, has been placed in the hall of fame" (379).

Mr. Chailleux added comments about the American Student Union (445-50) and intimated that it was a racket because it wanted money for a list of its members (450). He said that the World Youth Congress was tied up with the Communist Party because the party supported it and the Daily Worker "ballyhooed it" (453).

Mr. Steele said of the Union, that the communists had "inveigled" the socialists and were using the organization (474). He gave lists of officers and other data (474-7). Its "red face" was said to be shown by the statement in a pamphlet issued by the Union "that society as presently constituted cannot give us economic security" (477).

Walter S. Reynolds, a member of the American Legion from Michigan (1327), also gave vent to extensive conclusions on the subject of Communists, giving to the various Nazi activities only a passing comment (1328-1329). He charged that Friends of Spanish Democracy was guilty "of actual treason against the United States" (1330) because it encouraged fighting for the preservation of a government based on principles which seek destruction of the principles upon which our government is based (1331). He charged that although previous administrations had given Communism little sympathy "some administrators of the highest national affairs exert great effort to sell this idea

to the American public under various subterfuges" (1332). He also charged that scores of professors had made utterances "which are not only false and injurious to American prestige abroad, but are repulsive and highly insulting to the intelligence of the average American citizen." He instanced a statement of Dr. Mather of Harvard who had said that the Spanish government was fighting for the preservation of democracy (1332).

Mr. Reynolds also stated: "It is quite customary within the Communist Party to regard marriage as a farce, and they take on their wives and leave them off as they would their overcoats" (1333). He dealt at some length on the popularization by the Communists of mixed marriages, saying that this was the chief interest of the Negro in the movement. He spoke of one Negro as excelling in "communizing the Negro race by heading delegations to the prosecutor's office in protest of police brutality" (1334) and of another he said he was "reported to harbor homosexual tendencies" (1335).

Mr. Reynolds complained that one Jones had been "preaching racial equality according to the ideals of the Communist program" which evidently consisted in his objecting that workers of one nationality often looked down on those of another and thus divided their strength (1350).

The witness referred to the trial of one James Victory saying that the attorneys had obtained an acquittal "for this mania by the simple process of terrorization of the judge and the jury" (1351).

Mr. Reynolds went out of his way to attack Rabbi Fram because of his support of the American Civil Liberties Union and

because he urged the Michigan legislature to pass unemployment insurance, old age insurance and social insurance bills instead of the Danahle-Baldwin bill (1346).

No attempt was made by any member of the Committee to check this witness but on the contrary upon the conclusion of his statement he was complimented by Mr. Mosier (1355).

As a sample of the kind of unreliable information that the Committee was willing to listen to is the testimony of an attorney of Dearborn, Michigan, John W. Kooa. He said that after the Soviet Revolution communism spread so that Hungary and later Italy and Germany had Communist dictators and that Nazism and Fascism "were the socialist doctrines that were born as a reaction to Communism, because they did not want to cross the boundaries" (1634). One Herman Lehre told him they began checking on the "subversive activities of Walter Reuther after he answered a question about God by saying 'we do not believe in God but that man is God'" (1654). He said about Roger Baldwin "that he testified in favor of the overthrow of the government by force and violence" (1655).

Jacob Spolansky, Detroit investigator (1444), included in his definition of Communism "a worldwide political organization advocating hatred of God and all forms of religion; destruction of private property and the right of inheritance; abolish social and racial equality" (1453). He made the ingenious suggestion that Communists favored Governor Murphy because he represented a policy of relief and starvation wages which perpetuates unemployment (1453). He furthermore said that a Communist does not want the

wrong or the injustice for which he strikes remedied and that he seeks to cause widespread unemployment, foreclosures and other things to create strife (1455).

In answer to a question about acts of lawfulness perpetrated by the Communist Party he referred to picketing of small stores by women in protest against the high cost of living (1455).

Great latitude was also given to Harper L. Encalca and Roy E. Nimmo "of the radical research committee" of the Legion, both from California. In addition to lengthy discussion of the Bridges deportation case, which we shall have occasion to consider later, they gave detailed "evidence" about West Coast labor controversies which was obviously not within the personal knowledge of either of them. Indeed, Mr. Nimmo apologized because he had had to "study" it. (1745; see also 1975). A "maritime brief" was put into the record and filled over sixty pages of small print (1800-1862). It makes charges of murder and numerous acts of violence against Communist labor leaders (1820-2). These rested wholly on hearsay. The supporting witnesses mentioned in the brief (1820) did not testify.

These two legionnaires also submitted a "brief" dealing with the Communist Party (1862-1909), and another relating to the political activities of that Party (2028-45). The latter document included a point by point discussion of the program of the American Civil Liberties Union (2039-42). In discussing the A.C.L.U.'s support of the Norris-LaGuardia Act, they say: "The purpose of this plank is to deprive all employers of any recourse to law, regardless of the actions of labor" (2041). Since the anti-injunction laws in no way interfere with an employer's right to stop

illegal actions, this remark shows the anti-union bias of Messrs. Knowles and Nirmo. The plant in aid of the Negro is described as "innocent", but as hiding the Communist plans (2041). The board of directors is referred to as composed of a majority "so well known nationally for their Communist activities" that comment would be superfluous (2042).

Mr. Knowles in discussing the agricultural situation in California expressed the opinion, supported by no evidence whatever, that the wage scale paid to the workers there was in excess of what the returns to the owners justified (1958). His associate, Mr. Nirmo, testified with like absence of facts that the wages paid to agricultural workers in California were the highest paid in the United States (1975). This statement was used by Mr. Starnes as a basis for a charge that the Communists were not really trying to improve the condition of labor because they first struck in regions where the conditions were the best. In view, however, of the testimony of many other witnesses that Communism flourished where conditions were bad (1458) one might have thought that the Committee would have questioned these glit assertions of Messrs. Nirmo and Knowles about the perfection of conditions in the agricultural industry in California. The chief theme of the discussion was that the strikes were instigated by outsiders and that the demands were rejected by the growers because no employees had made any demands (1959). The picture he and his associate painted was on its face completely one-sided, yet no attempt was made by the Committee to hear the testimony of any person connected with the controversy from the U. N. side.

The attitude of the Committee was perhaps summed up by

Mr. Spierce, who indicated that a strike was not legitimate unless a majority of the people working agreed to it (1976).

Sergeant Mikuliak of the Detroit Police Department was another witness who, without objection from the Committee, indulged in all kinds of rash accusations. He complained, for instance, that the Friends for the Protection of Civil Rights took an active part "against all activities pertaining to law and order" (1293); that the Michigan Youth Congress had a demonstration for widows and orphans "who did not receive a cent collected" (1299). He boasted that he was "riding the Communists out of the factories" (1301). Later this witness referred to a meeting of the American Congress against War and Fascism held in Cleveland and said, "It was a strictly Communist demonstration. All the Communists of any importance were there" (1581).

Charles Nelson Sparks of Akron, former Mayor of Akron, (2246) testified about the falling off in business in Akron (2252). The Chairman and Mr. Foster tried to get the witness to blame this on the Communists (2253-2259). The witness tried to say that by reason of recent labor disturbances about four billion dollars had been lost in the United States (2258). He said that Communist activity contributed to this on the West Coast, "that is very much of public knowledge" (2258). On questioning by the Chairman the witness admitted that some gains had resulted from the strikes but he did not calculate what these amounted to (2260).

Partisanship

While the Committee consisted predominantly of Democrats, the conduct of most of its members during the hearings was definitely anti-New Deal. Mr. Thomas was perhaps the most aggressively so.

this is shown in its clearest form by his attempt to get J. B. Matthews to say that many of the things done by the Government of the United States were similar to the steps which led to dictators in Europe. He was headed off by Mr. Starnes, presiding at that time, but his attitude was clearly indicated by his statement that he wanted to show "that high governmental officials in this country are, wittingly or unwittingly, under the influence of radicals" (915). "My point is that we are taking the same steps in this country that they took in some of those countries, and I think the public should know it. * * * I believe such steps are un-American" (915). He then specifically referred to the Supreme Court bill and the reorganization bill as preludes to dictatorship, but Mr. Starnes refused to permit the question to be answered. (916)

The Chairman and Mr. Hooper appeared also to have the opinion that everything was un-American which could in any way be considered radical. The Chairman linked together as essentials of liberalism freedom of speech and "free competition in the capitalistic system" (957). The Committee listened without any interruption to a lecture by Professor Paulsen of Brooklyn College on the virtues of capitalism as "representative of the competitive spirit, the individual spirit, the spirit that has made America unique among the great nations of all time" (956).

While, of course, most of the effort of the Committee was designed to develop testimony to show the advocacy of revolutionary tactics, the Committee on numerous occasions went out of its way to attack the present administration, and even to influence the elections about to be held in November, 1938. The attacks on the admin-

istration were directed in the main to the Department of Labor, although in part also at other agencies of the government. That the Committee went into these matters primarily for political purposes rather than for the legitimate purposes of its inquiry is indicated by the fact that the Committee called before it no one of the persons criticized and gave such persons therefore no appropriate opportunity for correcting the contentions made by other witnesses.

Mr. Mosier tried to bring about an investigation of the origin of the La Follette Committee. He referred to an article in the March, 1937 issue of Right which referred to certain persons who were present when the investigation was planned (2261). Mr. Mason wanted the matter further inquired into so that it could be ascertained whether "some of these socially minded people were known Communists." The Chairman also thought that it was their duty to find out whether any Communists were there (2262). However, on the next day the Chairman thought better of investigating this matter because it might raise serious questions of propriety (2265). Nevertheless, there were frequent adverse comments made about the La Follette Committee. Mr. Mosier had earlier in the hearings complained about investigators of the Committee tipping off prospective witnesses (747) and later there was a complaint that a whispering campaign against some of the witnesses had been conducted by its investigators ().

Electioneering

It is difficult to avoid the conclusion that a considerable part of the testimony was introduced at the time when it was heard for the purpose of influencing the elections about to be held

in November, 1938. This testimony falls roughly into three categories: that relating to the Farmer-Labor Party in Minnesota, that relating to Governor Murphy in Michigan, and that relating to Gilbert Olson, the Democratic candidate in California.

1. On October 17th, the Committee commenced an inquiry into Communism in Minnesota. The Chairman announced that he was not concerned with political disputes and would not let the Committee be used "as a sounding board to air any disputes" (135-9). He, therefore, cautioned the witness, Steve Giedler, to discuss only the way the Communists have tried to take over the Farmer-Labor Party (1359, 60). His testimony, however, amounted to no more than that the Communists supported certain Farmer-Labor candidates. He charged that one Howard I. Williams, director of the Soldiers Welfare Division of the state, with being a communist, but gave as evidence only the Massachusetts investigation where he was "named" as such (1364). He attacked Congressman Bernard because he spoke at a picnic of the Midwest Daily Record, a Communist publication (1368) and said that Governor Benson had led "a Communist parade", which turned out to be a parade of the League for Peace and Democracy (1369). In support of a contention that the "Communists took complete control" of the Party in Minneapolis (1368) no evidence whatever was introduced. Instead the witness referred to a petition signed by 2,000 persons to have Browder's name on the ballot in 1936 and said that many of these were members of the Farmer-Labor Party, but only four names were given (1368). The witness was permitted to introduce a pamphlet written by one Nickelson which referred to "a little group of power-hungry racketeering Communists" who got control of the machinery of the Farmer-Labor Party (1370).

Gedler did mention a number of persons active in the Party who were Communists -- that is, charged with being, without any evidence in many cases (1377-80); the witness covering himself by referring to a "secret Communist list" on which were persons not "hard bearing members" (1381), but how he ascertained this was not related.

Albert Fittos (1382-1400), Easmea Borgen (1401-9) and others (1410-22) testified to like effect. In the main this testimony was given by persons who had aided with defected factions.

2. On October 21st, the Committee heard testimony concerning railroad strikes. Governor Murphy's name was brought into the hearing by Fred Frahm, Detroit Superintendent of Police (1605). He referred to sit in strikes in stores and explained because the Governor talked with the strikers (1630), but was not willing to say, as suggested by Mr. Gedler, that he had encouraged them (1631,2). Judge Gedois who issued the injunction at Flint (1678), expressed the opinion that if the injunction had been promptly enforced the strikers would have moved right out (1678), but that the Governor had ordered otherwise (1679). And the judge was prompted to say "Civil authority had completely broken down." (1680)

This thought was amplified by John W. Harringer the city manager and director of public safety (1683). Typical of his testimony are statements that a certain person was known "as a Communist sympathizer, or probably a left-wing socialist. He would be where that type of people would meet" (1683); that certain talks were "inflammatory, radical and libelous" (1685).

He interspersed his testimony with frequent statements about his inability to contact the Governor, saying: "this record

is being made for the purpose of showing the lack of understanding or the unwillingness to act upon the part of Governor Murphy" (1685). He complained because the Governor talked with the labor leaders on his arrival in Flint later before talking with the police (1686). He said that the Governor refused to order the state police help the city police. He accused the militia of doing nothing to preserve order and described conditions as getting worse and worse (1686). He insisted that order was not restored until he had called in the reserve officers (1689).

Then the witness said that this would never have happened but for the attitude of members of the LaFollette Committee and Governor Murphy's "treasonable action" (1689, also 1691). The LaFollette Committee was brought in because two of its representatives had asked for a list of those called up as reserve officers, which Barringer refused to give them (1690). And he complained that the LaFollette Committee had subpoenaed witnesses from the Union side, but none from the police who "had to sit there defenseless and take it" (1691). And he was also allowed to bring out that in the current campaign the Communist Party had endorsed Governor Murphy and that he had not repudiated that endorsement "not to my knowledge" (1695).

Testimony was also given about inactivity of the state police in the time of labor difficulties in Lansing (1695-1713). Lieut. Walter said the State Police would have been "glad" to stop the mob of 2000 marching on the university but the Governor gave no orders (1710). The Chairman went to great lengths to indicate the illegal character of the acts being performed by the mob (1711, 12).

Now whatever may have been the propriety of bringing forward some of this testimony to show that the later disturbances were caused by Communist influence (1689, 1713) there was no possible excuse for most of this testimony, certainly none for the criticism of the Governor which had no relation whatever to the subject of the inquiry. And, in any event, there was no justification for having this matter aired just before election.

On October 27th, there was additional testimony along the same lines. A journalist by the name of Creighton testified that the Governor had promised protection against "arbitrary and dictatorial judgments", and by this had meant an injunction issued at Lansing (2071, 1966). The Chairman sought to give the impression that the Governor had stirred up the people against the courts.

The Chairman emphasized this whole subject in his reply to the President's criticism, when he said, "The evidence shows that the State Police sat helplessly by for lack of instructions from the Governor in the face of open rebellion, while the Governor looked down upon the scene from a window in the capitol. It cannot be disputed that misdemeanors and felonies were committed on that disgraceful day under the very eyes of the Governor, who had sworn to uphold law and order. If open and undisguised rebellion is to be countenanced in the name of political expediency, then constitutional democracy will perish in America" (2020). Of the Chairman's own "political expediency" in making this statement, and allowing this kind of evidence just before election he said nothing.

3. On October 26th, Mr. Knoles, while presenting his "brief" on Communist political activities said; that Mr. Olson

"fraternizes and accepts the program of the strategy committee of the Communist Party", and charged the candidate for Lieutenant Governor with being a member of that Party (2084). Among the activities of Olson was listed his sponsorship of Western Consumers Union, a "Communist" organization (2085). On November 4th, the Chairman offered an affidavit of one Kent which charged that Olson agreed to conceal the Communist affiliation of Labor's Non-Partisan League (2085).

Very curious also was the statement of the Chairman made on the day before election that he had wanted to develop evidence showing how the Communists felt about the "left wing" of the Democratic Party and the third term (2179). And the very last material considered on that day was correspondence with various Communist and radical organizations inspired by one Joseph Leit, an "independent" political writer (2202). The answers he received were put into the record, apparently for the purpose of showing that the writers did not oppose a third term (2203-6). As these letters were all written in August and September it is difficult to understand why they should have been offered just when they were, unless with the intent of effecting the elections. And after the letters were introduced the Chairman concluded with the following leading questions put to J. S. Matthews, who, of course, answered in the affirmative:

"So these letters bear out your testimony as to the efforts to bore within political parties whenever the opportunity presents itself. Is that correct?"

"It is illustrative of their strategy and policy in the political field to undertake to pose with the

left wing on one side and the right wing on the other side, and drive a wedge between them" (2206).

The Department of Labor

The Committee concerned itself with alleged failures on the part of the administration to report Communist aliens, and especially with the Bridges case. Mr. Gray had produced what he claimed was a photostat copy of Bridges membership in the Communist Party under the name of Dorgan (104). The Committee then subpoenaed the file on the Bridges case from the Immigration Service (707). What relevancy this had to the inquiry was not apparent. But the Committee as determined to secure the Secretary of Labor, if possible. Moreover the attitude of the chairman toward the representative of the Department, Mr. Shoemaker, implied that he doubted whether the Department had really sent its entire file (707-9).

Miss Kerr, a California patriot (712), was then called on to testify about Bridges (712-26). She produced an affidavit from one Markheim, who, at the suggestion of Miss Kerr, became a member of the Communist Party, said he had frequently met Bridges at Communist Party meetings and knew him as Dorgan (718,9). Markheim, having complained of threats against him, it was suggested there must have been a leak (725). Miss Kerr said she had hearsay evidence to the effect that Bridges received aid and advice from officials of the Labor Department -- that this was "known and felt" to be so on the West Coast (726). Later an affidavit was put in the record in which Markheim claimed "A. L. Wirin in the offices" of the "American Civil Liberties Union" had offered him \$500 to go to Mexico and stay there until the Bridges case blew over (764,5).

The Chairman went to great lengths to show that the Department of Labor had been partial to Bridges. On numerous occasions he made statements for the record, the only purpose of which was to reflect upon the Secretary of Labor (1559,40;1715,16;1910,11;2021;2026-8). At one time he engaged in an argument about the connection between the Bridges case and the Strecker case and made Mr. Nimmo his legal expert for the purpose. (1915-21;1926-40). Correspondence on the subject with Mrs. Perkins (1921-26) and with Mr. Jackson (2075-85) was put into the record. And Mr. Nimmo was encouraged to say that he could account for the handling of the Bridges case only on the theory that Mrs. Perkins's views were the same as those of Bridges (1939). The attitude of the Chairman was further indicated by his remarks that the hearings against Bridges should have gone forward regardless of the credibility of the witnesses against him, since that was not a matter for the Secretary of Labor to pass on (1940). A farther indication of the desire to put the Department in an unfavorable light is the reception of another "brief" from Mr. Nimmo, this one dealing with the legal aspects of the Bridges case (1941-49).

Other testimony critical of the Department was offered also. Mr. Starnes put into the record a complaint from the California Board of Prison Terms and Parole, (1961,2). Mr. Knowles complained about "junketing trips" taken by former Commissioner Cahill while "repatriating" Filipinos (2002,3). In this instance there was not even any pretense that Communism or radicalism was involved; yet no member of the Committee cut Mr. Knowles short during this attack.

Mr. Knowles also analyzed in some detail various deportation and citizenship cases which had arisen (2004-16). In one instance he described the conduct of the Department as "peculiarly offensive" (2012). Some of the criticisms border on the ridiculous. It was claimed that the Department "coddled" two radicals at the request of the I.L.D., because they were transferred from Alameda County Jail to the prison on Angel Island. (2011) Complaint was made because a 60-day visa was given to one Gutman, who was a Soviet dairy expert, because he refused to say whether or not he believed in the overthrow of government by force (2009-10). Mr. Knowles charged that Pritchett had been allowed to come to the United States, despite the contrary advice of the Consul, the Department of Labor having acted "with its usual flagrant violation of law and equity" (2015). Knowles frequently charged that confidential information with regard to these cases had been released by the Department to the Communist Party (2004, 2016).

No attempt was made by the Committee to inquire from the Department what reasons it had for any of the criticized actions, except for the inquiry into the Bridges case, previously referred to.

Mr. Sapos

Mr. Dies asked J. E. Matthews about David Sapos, economist for the N.L.R.B. He was not a Party member, but his wife, according to the witness' "information" was (2173). Matthews read from Sapos' book, Left Wing Unionism, published by International Publishers. He quoted a statement to the effect that it was important for the unskilled workers to develop through mass action and

strikes before they could be useful union members (2174). Later Mr. Dies read from an article written in 1931 in which Saposs reported the views expressed by the majority and minority members of the Congress of the Labor and Socialist International, and attributed to him, as his own views, the statement that capitalism cannot be stabilized, that bourgeois democracy was a sham, that if political methods fail the workers must use force and that if war occurs the workers must destroy capitalism (2337). The whole article was put into the record (2338,9).

When the parts originally quoted by Mr. Dies are read in their setting it is obvious that, although not formally stated to be such, they are really summarizations of the viewpoint of the minority at the conference. They are no more to be taken as indicative of Saposs' own view than is the statement that "democracy is the vehicle upon which Socialism will gradually reach its aspired goal", evidently attributed to the majority (2339).

Nevertheless, after this contention had been advanced in the press, Mr. Dies took occasion to argue the matter (2365). He said he was emphasizing this matter because Saposs was symbolic of the many "economic crackpots" who had been drawn to Washington. He said that the Committee, within the time available to it, would "expose" as many of them as possible, because people should not live on the taxpayers money who do not "believe in" the government. He referred to testimony given in secret by unnamed persons in the government service to the effect that there were some officials, who like Saposs, "make class hatred their primary tactics" (2366).

Mr. Iokes

Mr. Iokes was brought into the picture by James A. Gott in connection with an investigation into Howard University. This centered about alleged Communist activities and financial irregularities (2145-54). The inquiry had been initiated by the Department of the Interior but not pressed because of a ruling that Howard was not a government institution (2155). The burden of Mr. Gott's complaint was that the President of the institution had been preaching Communist doctrine (2156) and that Mr. Iokes did not seem at all impressed and told the witness he should be "liberal" (2157). Mr. Hozier, qualifying the witness as an expert, because he had been a judge, drew from him the statement that the report had not been acted upon because of politics (2159). And Mr. Dies brought the subject up again, saying "So full information was available to the Interior Department about the Communist activities of Dr. Johnson." (2160)

Federal Theatre Project

Nine witnesses covered about one hundred pages of testimony. In essence it amounted to nothing except that the Workers Alliance dominated employment, that propaganda was circulated among the employees and that some of the plays contained propaganda. However, the witnesses were allowed, despite occasional feeble protests from members of the Committee to cast aspersions on the Director of the project and on many other persons.

The first witness was Hazel Haffman, throughout whose testimony runs the burden of her complaint that the theatre was not in the hands of "efficient professional people" (828). She criticized Mrs. Flanagan because in 1928 she eulogized the Soviet theatre

(777) and in 1931 she collaborated in a play taken from a story in the New Masses (778). She said that Mrs. Flanagan's "Communist sympathies, tendencies and methods of organization" were being used "to the detriment of the workers and in violation of the act of Congress" (780). In support of this contention she instanced the appointment as Regional Director of Elmer Rice, "a well known leftist" (781). She made much of the fact that one of the characters in Triple A Plowd Under was Earl Browder, who "displaced" George Washington and Andrew Jackson (785). She instanced other "propaganda" plays such as the Case of Philip Lawrence, which was against Negro discrimination, and One Third of a Nation, which was "in opposition to the Episcopal Church" (786); Up She Goes, which "ridiculed" the banking system, the Revolt of the Beavers, to which deputy police commissioner MacDonald objected (788), Injunction Granted, "which advocated rioting and bloodshed and attacked the judiciary system" (789). And, of course, she objected to Grapple Will Hook and Ethiopia, which were rejected because too "definitely propaganda" (790) -- although in what respect the last of these had to do with Communism was not brought out. In any case the Chairman agreed with the witness that these plays were part of "Communist activity". "I could not see how they could be any more so." (791).

Not much of her testimony was directed at alleged inefficiency or violations of law, such as the employment of non-relief artists (782, 805, 6, 8), extensive rewriting (786), complaints about personnel practices (792), employment of non-theatrical persons (796, 800, 1), inexperience of supervisors (798), the employment of aliens (807). She elaborated at some length on the various

kind of actors and the distinctions which the project failed to observe (804,5). She complained of money collected to pay for trips to Washington and to bring boys back from Spain (820,1).

The other witnesses added little. Mr. Humphreys complained because he was compelled to play the part of Earl Browder (830). Mr. Vardi told about a survey he had made which was stopped because of antagonism of the Workers Alliance, or at least that was his conclusion (834,5). He gave other instances of their power (847,8). But the fight appears to have centered around the question of the relief action (839) rather than about Communism. Mr. Walton had nothing much to say since he had made it clear that he would have nothing to do with Communists, he would have none of them in the plays he directed (841,2). But the Committee questioned him at some length about a party attended by some of the workers at which there were colored men and white women (844). Garland Ferr claimed he had been dismissed because he would not join the Alliance (849,50). Seymour Pavzin testified to distribution of petitions and sale of literature for the American League (853). This witness sought to show that the inefficiency was due to Communistic influence, but Mr. Starnes, who was presiding on that occasion, said he was not interested in conclusions (852). That was one of the rare occasions when a witness was kept to facts. Later, however, Mr. Starnes induced the witness to charge that the workers were being deliberately kept in a state of turmoil so that they would join a Communist organizations (856).

Miss Saunders, although warned that the Committee was not interested in the racial question (857) devoted practically all of her testimony to a recital about a Negro who tried to make

a date with her (829). She said that "social equality and race merging" were part of the Communist program (860). Henry Frank spoke about the distribution of literature on the project. (861-3). He mentioned the case of some workers who were reinstated by the Appeals Board "selected by the Workers Alliance" (866). He said the Living Newspaper was interested only in propaganda plays (867). Wallace Stark said he was given no proper job because he would not carry out the "political theories" of the project, "to advocate Communism, social problem plays of a revolutionary nature" (931). He expressed the hope that the Committee would "suspend" Mrs. Flanagan (930).

The last witness was Leo Mason. He also complained about the distribution of literature (914) but much of his testimony related to alleged inefficiency (935).

Activities in Recruiting for Spain

This subject was examined into at some length, presumably on the theory that the activities were in violation of law -- but it is difficult to see what bearing they had on the purpose of the investigation, unless, indeed, all "illegal" action can be considered un-American, a viewpoint the Committee did not officially adopt. We are leaving aside testimony which indicted an attempt to proselytize recruits for the Communist cause (which was relevant to the scope of the Committee's work), and shall confine our comments to testimony which showed only the facilitating of departures for Spain. The Committee appears, in various instances, to have spread on the record names and particulars solely as a basis for possible criminal proceedings (774,5). Such was the case in the examination of Abram Sobel (727-46,772).