

# MONTHLY REVIEW

VOL. 18

**LYING IN  
STATE**

STAUGHTON LYND

*Review  
of  
Lynd*  
**5**

**THE MIDNIGHT RAID**

WILLIAM HINTON

**THE ECONOMICS OF MURDER**

S. H. POSINSKY

*Global Commerce International*

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## NOTES FROM THE EDITORS

The second annual Socialist Scholars Conference, held in the Hotel Commodore, September 9-11, attracted a registration of more than 2,000—approximately twice that at the first Conference a year earlier. The many MR readers in the New York area—and some from as far away as California and Texas—who attended the Conference could see for themselves that the SSC has already become a vital and valuable institution. Not all the papers were of high quality, but a good proportion were (including Harry Magdoff's on imperialism which will be published in the next issue of MR); and the Conference performed an extremely useful function by providing a meeting place for socialist intellectuals from all over the country. We know from our own experience that we got to know many people with whom we had only corresponded before and met others previously unknown to us. All this should help us to improve the quality and the reach of both MR and MR Press. We urge MR readers to begin now to plan their schedules so that they can attend next year's Conference. To get on the SSC mailing list, write to Socialist Scholars Conference, Box 462, Brooklyn, N.Y. 11202.

A by-no-means-incidental benefit to MR from the SSC was the brisk business we did at our table displaying recent copies of the magazine and the latest MR books. We sold over \$1,000-worth of literature and sub-

*(continued on inside back cover)*

trampled upon to a very great degree in the period of stagnation and decay that preceded the revolution.

#### **Top Power Status for China?**

*New York Times* Assistant Editor Harrison E. Salisbury could not get inside Peoples' China. As a poor second best, he traveled 22,000 miles around China, asking in each country he visited this provocative question: "Today, 17 years after taking power, China's Communists dominate Asia. Tomorrow, or possibly by the year 1985, will Communist China dominate the world?"

During ten weeks of interviews with top-ranking political and military figures in the countries surrounding China, Salisbury found ~~"concern and deep worry."~~ "Two concerns predominate. The first is what China, already the world's most populous country and the third greatest global power, . . . will do once she has a nuclear striking force. The second is whether the United States really grasps the nature of what is happening in China and Asia, and will be able to cope with the situation without setting off a nuclear war. On both counts apprehensions are grave." (*New York Times*, August 15.)

Salisbury's story began on page one and was spread over a large part of page twelve. Its most significant line rates People's China, only seventeen years after its founding on October 1, 1949, as "the third greatest global power."

#### **Near, Middle, and Far Right**

We hear a great deal about the Near, Middle, and Far East. The recent convention of the American Legion in Washington gave the country a fine sample of the near, middle, and far Right minority which presently speaks for the American oligarchy. Secretary Rusk reaffirmed Washington's purpose to remain in Vietnam. Former Vice President Richard Nixon said, "To defeat aggression in Vietnam will have been America's finest hour." AFL-CIO President George Meany declared that President Johnson "deserves the whole-hearted support of the entire American people." The political Right stands squarely behind the oligarchy's policy of building the American Century around United States control of Asia.

# BOOKS

## LYING IN STATE: THE PROBLEM OF GOVERNMENT PREVARICATION

BY STAUGHTON LYND

- Edward J. Epstein, *Inquest. The Warren Commission And The Establishment Of Truth*. Viking: New York, 1966. \$5.00.
- Mark Lane, *Rush To Judgment. A Critique Of The Warren Commission's Inquiry*. Holt, Rinehart & Winston: New York, 1966. \$5.95.
- Walter and Miriam Schneir, *Invitation To An Inquest*. Doubleday: Garden City, 1965. \$5.95.

As democratic government decays, a stage in which the people in some sense authorize their governors gives way to a time in which the people merely consent; that, in turn, to a condition in which the government feels only a residual obligation to keep the people informed; and so finally to a time when the government does what it likes, and says whatever is necessary to keep the people from rebelling. Every reader can decide for himself what point the United States government has

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reached. It is certainly possible to cry "fascism" too early, but it is also possible to think that things cannot really be so bad as, in fact, they are.

Truth-telling is a critical index of the state of the relationship between a government and its people. One sign that we have grown up in a more-or-less democratic society is that we not only dare to say most of what we think in public (for example, I am writing this review and signing it), but we expect that the government will say most of what it thinks to us. We keep being surprised when the government tells lies. Or at least I do; Robert (Moses) Parris has remarked that one reason Negroes readily suspect American foreign policy is that they know from their own experience that the federal government is dishonest.

But what does it mean to say a huge bureaucracy "is dishonest"? Let us examine two of our government's more spectacular prevarications.

I find it difficult to review *Invitation To An Inquest* be-



cause I am so shaken with tears and anger: in fact, I write before reading the chapter containing excerpts from the Rosenbergs' Death House letters, in order to retain some semblance of objectivity.

Consider, first, the Schneirs' argument, concerning the case itself and, second, the implications of their findings for American society.

As many readers will be aware, the Schneirs discovered considerable evidence hitherto unexamined by non-governmental eyes. Such evidence includes:

(1) The drawings of "the atom bomb" allegedly handed by David Greenglass to Harry Gold at the instigation of Julius Rosenberg, in Albuquerque, New Mexico, in June 1945 and at other times and places. These are mere sketches of almost childlike crudity, by a machinist without expert engineering or scientific knowledge, of one aspect of a vastly complex and detailed enterprise. Only in the state of public trauma which followed explosion of the first Soviet A-bomb—trauma the more serious because of general disbelief in Soviet industrial capacity—could it have been proposed that the Greenglass sketches contained *the secret of the bomb*.

(2) Phonograph records and transcripts of pre-trial interviews between Gold and his attorney, John D. M. Hamilton. Indicated here is that Gold constant-

ly elaborated and changed his testimony: questioned by the FBI for a total of 102 hours between his arrest on May 23, 1950, and the "confession" of David Greenglass on June 16, Gold nevertheless significantly adapted his account to incorporate aspects of Greenglass's statement relayed to him by his interrogators. The suspicion emerges that Greenglass and Gold tacitly collaborated in inventing a story which would cause the government to overlook their own radical pasts. The same can be said of Max Elitcher, whose testimony convicted Morton Sobell. Elitcher was fearful because he had failed to mention several radical associations on a wartime loyalty oath. (After Elitcher testified against Sobell, his attorney O. John Rogge apparently requested the Department of Justice or the FBI for a letter of recommendation to Elitcher's potential employers.)

(3) Harry Gold's registration cards at the Albuquerque Hilton Hotel in June and September, 1950, which very strongly suggests that the FBI forged the registration card for June 3, 1950, in order to establish a connection between Gold's alleged presence on that day and a June 4 deposit of \$400 by Ruth Greenglass. The Schneirs also discovered other bank accounts of the Greenglasses in Albuquerque which demonstrate that the \$400 deposit was not out-of-the-ordinary.

These and many other lesser items add up in the Schneirs' judgment to an alternative explanation of the tangled events between September 1949, when the Soviet A-bomb was exploded, and June 1953, when Julius and Ethel Rosenberg were electrocuted. Among the key elements in this scenario are the following:

(1) In September 1949, *before* the arrest of Klaus Fuchs in February 1950, J. Edgar Hoover concluded that United States A-bomb secrets must have been stolen and ordered his subordinates to find the thieves.

(2) In May 1950, *before* Fuchs allegedly identified a picture of Harry Gold as that of his American accomplice, the FBI arrested Gold.

(3) During the summer of 1950 the FBI encouraged Gold and the Greenglasses to concoct a story incriminating the Rosenbergs, and itself manufactured circumstantially corroborative evidence.

(4) Having threatened Julius and Ethel with death in the hope that they in turn would point to still other and "higher-up" conspirators, the FBI and the Department of Justice, confronted by the Rosenbergs' indomitable insistence that they were innocent, grimly played out the bluff to the end. For 26 months—from sentencing in April 1951 to execution in June 1953—the prospect was publicly and privately dangled before

the parents of two little boys that they could save their lives if they turned informer. As they went to their deaths at sunset June 29, "still connecting the prison and the Department of Justice in Washington was a direct telephone line—kept open should the Rosenbergs decide to 'talk.'"

Even if the Schneirs are wrong and the Rosenbergs were guilty, the behavior of the highest agencies of the United States government exhibited a callousness which echoed Hiroshima and anticipated Vietnam. Under world-wide pressure from petitioners including Dreyfus's daughter and Vanzetti's sister, President Eisenhower wrote his son John that he was tempted to pardon "the woman" but would not because if he did "the Soviets would simply recruit their spies from among women." The President told his cabinet: "My only concern is in the area of statecraft—the *effect* of the action"; and the cabinet agreed that the President should make a statement refusing clemency but "emphasizing that the free world had an interest in the proper handling of the case." When Justice Douglas granted a last-minute stay on the ground that the Rosenbergs had been tried under the wrong law, Attorney General Brownell requested an unprecedented vacation session of the Supreme Court, arguing that the national interest required final determination of the case "as expedi-

tiously as possible." Chief Justice Vinson complied, despite the protest of Justice Black that he could find no statute or rule permitting the special session. These were attitudes of a piece with Judge Kaufman's characterization of the putative crime as a "loathsome offense," a "diabolical conspiracy . . . worse than murder."

Thus, even had the Rosenbergs been guilty, the hysteria and savagery of the United States government's response would justify Sartre's characterization of the execution as "human sacrifice" by a country "sick with fear." What then should be said if—as the Schneirs have convinced me—Julius and Ethel Rosenberg were innocent?

As the Schneirs say in their opening pages, if this was a frame-up it was the first by the *federal* judiciary, and by implication, by the *national* government. Thus it would need to be viewed not so much as a sequel to the Sacco and Vanzetti or Mooney cases, but rather as a prelude to the lies of the national government about the U-2 affair, about the Bay of Pigs and missile crises, about Vietnam, and (in my opinion) about the assassination of President Kennedy. This was Ethel Rosenberg's perspective. Her last letter ended: "We are the first victims of American Fascism."

It is commonly objected that to charge the national govern-

ment with deception supposed conscious conspiracy by scores of men. Not at all. What such deception requires is conscious conspiracy by a few men (in the Rosenberg case, Prosecutor Saypol and officials of the FBI), and a readiness on the part of others not to inquire too closely. In situations where public hysteria appears to "demand" one outcome rather than another, higher officials will be inclined to accept the desired outcome when recommended by subordinates, without insisting on further scrutiny. Passing by on the other side is not a new sin, and explains a great deal.

This is the process Edward Epstein suggests in the case of the Warren Commission. Most agnostics on the subject of the assassination have found it more difficult to imagine that the Chief Justice of the United States was lying than to imagine a conspiracy to kill the President. *Inquest* speaks to this class of readers. Its scenario can exonerate most, perhaps all, of the members of the Commission from saying what they knew to be untrue: for they spent relatively little time on the case, relied on the FBI for most of their data, and sought from the outset to avoid areas of inquiry which might jeopardize the conclusion that Oswald alone was guilty. Yet, as Jacob Cohen noted in *The Nation* ("The Vital Documents," July 11, 1966), "when one extracts the theory behind Epstein's line of



questioning it is clear that Epstein, no less than the others, suggests that the autopsy was falsified and, I might add, the evidence of this collusively suppressed." If some merely winked at suppression, others did it.

Who? If it was the FBI, why did it submit reports in December 1963 and January 1964 which contradicted the Warren Report as to the location and depth of the President's back wound? Epstein implies that the FBI reports were based on the actual autopsy at Bethesda, and that this autopsy was changed only when it became clear—after the submission of both FBI reports—that "it was physically impossible for the assassination rifle to have been fired twice during the time when the President and Governor Connally were first wounded." He appears to lay the blame partly on Arlen Specter, one of the Commission lawyers, but most of all on Commander Humes, who not only prepared the undated autopsy report but also suggested to Specter that the President and the Governor might have been hit by the same bullet (p. 115).

This scenario ignores the problem of the wound in President Kennedy's throat. If, as Epstein holds, the wound in President Kennedy's back was too low to make possible an exit wound at the Adam's apple, then how was the wound at the Adam's apple caused? Newspaper leaks in mid-December

1963, purporting to describe the autopsy findings, indicated that the President's back wound was caused by a bullet which penetrated only a few inches and that the throat wound was caused by the exit of a fragment of the lethal bullet which struck the back of the President's head (pp. 46-47). But Epstein does not consider the fact that the Parkland Hospital doctors unanimously described the throat wound as an entry wound.

Mark Lane does. He quotes (as did Jack Minnis and I, writing in *The New Republic* a month after the assassination) a *New York Times* dispatch (December 6, 1963) which says that as late as December 5, "Federal investigators" were re-enacting the crime in an effort to determine "how the President could have received a bullet in the front of the throat from a rifle in the Texas School Depository building after his car had passed the building." If, as one of the autopsy physicians told Fletcher Knebel ("A New Wave Of Doubt," *Look*, July 12, 1966), the autopsists signed on November 24 and sent to the White House on November 25 an autopsy report identical with that which appeared in the Warren Report, why were Federal investigators two weeks later behaving as if the throat wound were a wound of entry? Lane comments: "This would suggest that the initial autopsy finding did not exclude the pos-



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sibility of a throat entrance wound." (p. 50.) The manner in which the Warren Commission induced the doctors to seem to retract their earlier statements about the throat wound, professed inability to secure tapes of the doctors' early press conferences, and indicated in its Report that only one doctor at one press conference said the throat wound was an entrance wound, is as shameful as any other aspect of its proceedings.

Thus the fancy footwork of the Report goes far beyond its treatment of the President's back wound. Leaving aside all other aspects of the case, the Warren Commission's approach to the throat wound and even (as Lane shows, pp. 55-60) to the massive lethal head wound, are as full of ambiguity as its handling of the back wound which Epstein emphasizes. The X-rays and photographs taken at the autopsy which could remove all doubt about each of these wounds, were not seen by the Commission and do not appear in the Report. At this point doubt must reach out even beyond the Commission and the administration which created it, to Robert Kennedy. One Commission lawyer told Epstein that the photographs "were in the custody of Attorney General Robert F. Kennedy" (p. 211), while Cohen says that "several of the lawyers on the commission staff . . . told me they had heard that the photographs and possibly the X-rays were not

published at Robert Kennedy's request." Unbelievably, no one seems to know where these records are now. The federal agency which admits to having had them at one time is not the FBI but the Secret Service. And according to Knebel, the autopsy report itself never reached the FBI until after it had gone from the White House to the Secret Service and from there to the Commission.

I see no way to avoid the conclusion that if the government has lied about the death of President Kennedy, the prevarication was more deliberate, involved more branches of the government, and reached higher into the government, than Epstein suggests. In that event, the lying required to convict the Rosenbergs would have to appear as only a prologue to the lying required to convict (post facto) Lee Harvey Oswald, just as the episodic prevarication of 1960-1962 concerning Cuba paved the way for the "big lies" about Vietnam. It is later than many of us think.

Finally, we must free Morton Sobell. The "evidence" against him amounts to panicky consideration of flight abroad after the outbreak of the Korean War. I had the identical reaction at the time. In one respect or another, every reader of *In-vitation* will have a similar feeling of "there but for the grace of God go I." Guilty or not guilty—and the case against him was even weaker than that

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against the Rosenbergs—Sobell has suffered enough. By freeing Morton Sobell we can best honor the brave couple who thirteen years ago died with

what the *New York Times* called "a composure that astonished the witnesses." The United States government has devoured enough lives. Let us save one.

end