

CHAPTER 11

The State of State

One day when I was working at my desk a stranger came up to me, handed me an envelope and of what I can remember told me only that I had to clean my desk out and be out myself by the end of the day.

The word passed through the division fast. I soon knew that there were four of us. That we were all four Jews was not a coincidence, as we soon learned. The other three were the most credentialed of authentic scholars. The assistant division chief was a professor of Latin American studies. There two fine anthropologists, proteges of the famed Margaret Mead. They were also all PhDs. Only not old ones- fairly young ones. Honest and good.

And they were terrified. Coming from the halls of ivy but not from ivy towers, this was all so foreign to their experience they did not know what to do. The wife of one who had not been fired was certain that with her record she would not be fired and until her husband got a job they could make out.

Her job was to place contemporary art on display in United States offices overseas. She had a taste for modern art. She was soon to learn that as with Hitler, modern art was its own insidious subversion, anathema to those who did this completely illegal firing of those whose ideas they did not like and to those like- minded politicians who encouraged and supported them.

We were all very upset. Not only because we had suddenly and without warning lost our jobs but over how we lost them.

We were fired under what was known as a "rider," that is, something entirely unrelated to a piece of legislation to which it is attached, a "rider" on it. That particular one was engineered by an

ultra-reactionary Senator from Nevada, Pat McCarran. In his conservative state he was a popular man. He faced no electoral challenge of any kind and dared do what those who understand and believe in the principles that made this country unique, those who cared for our laws and basic concepts, would never dream of doing.

The nation has never lacked those who, for their own benefit, subverted our system by whatever means seemed expedient to them at any time. These corruptions of our political processes so vital in representative society frequently involved false issues that could be used to inflame the electorate. On the ridiculous extreme I remember Robert R. Reynolds of North Carolina. He campaigned for the Senate by denouncing the decent man against whom he ran- and won the election- by telling the people of his opponent, "Why he eats fish eggs!" He was talking about caviar. And he made that sound as the deepest subversion.

Pat McCarran was one of those who led gang bangs on the Constitution.

The Senate that when I worked for it liked to think and speak of itself as the world's greatest deliberative body, approved all of McCarran's assaults on the Constitution.

It is not that those who supported his raping of traditional American beliefs and laws did not know what they were doing. It is because they well understood that they approved his gang-banging of the Constitution. They knew that many voters had been misled into believing that the non-existing threat the McCarrans prated about were real, therefore any effort to counter any imagined threat was justified. They also knew that from the Reynoldses to the McCarrans if they did not support the raping of the Constitution they would lose votes and could be the victim of such attacks themselves.

Of the innumerable instances of my lifetime perhaps the classic illustration is Richard Nixon defeating Democrat Helen Gehagan Douglas, who had an excellent record as a Senator from California,

by castigating her as "the pink lady." Which she wasn't at all. Nixon's record in the House was at least as "pink" as hers.

It took years for the Supreme Court to catch up with and eliminate that McCarran Rider as unConstitutional. During those years the public mind was further inflamed and misled and the lives of many decent people were ruined.

What McCarran proposed and with the hyping of imagined fear of subversion intimidated his colleagues into approving was unConstitutional as they all must have known.

That, I believe, is the greatest of subversions and those responsible for it are the real subversives.

Under this McCarran "rider" State was among the agencies that could fire anybody at any time without specifying any reason, with no reason at all, and there was no recourse. No charges, no hearing, no appeal of any kind. It was final. I was prepared to challenge that in court if I could get counsel- for whom I could not pay when I had no income and was saddled with a house mortgage.

We four knew there were ten of us but we did not know who the others were. Those stalwart defenders of and believers in those great American principles that distinguished us among the countries of the world understood those principles as fortunately few others did. So, they leaked the story to Washington's then reactionary *Times-Herald* newspaper. That is how we knew we were ten but we did not know who the other six were. Later, by another leak, we did. They were strangers to me.

In a series of nightly meetings I finally convinced the other three and their wives of what Martin Dies had so effectively taught me, the innocent weak prevail over their strong accusers only if they fight back. They agreed for me to seek counsel for them, too.

The firm of Arnold, Fortas and Porter agreed to represent us, without fee, with only two

stipulations I recall. One was that we say nothing to the press. The other was that we write out a full account of anything in our lives, any organizations we had belonged to, any jobs we had held that could be considered suspect, with the understanding that if they learned that anyone had lied they would no longer represent that one.

I knew Thurman Arnold from my Nazi cartel work, when I took all the information I developed to his Justice Department Anti-Trust division. I did not know Abe Fortas but I did know Paul Porter in that same period, when he was in private practice after having been a Federal Communications Commission Commissioner.

Although this may seem to be a digression I do not intend it to be. Porter reminds me of another and in form a different kind of learning experience not unlike what I had already learned: do not depend on the experts. But there is more to it than that.

Porter's office was in the Earle Building, on the floor above that of my friend Pat Jackson. Warner Brothers owned that building and their Washington offices also were on that top floor, as was Porter's. Later I wondered if he was their Washington lawyer.

It had happened that once when I was in New York and having a drink with a reporter friend in the Newspaper Guild's watering place, he introduced me to a man doing public relations for a Warner movie, Wellington Roe. The movie was of Edward G. Robinson starring in "Confessions of a Nazi Spy." Roe asked if I could be of any help in Washington and I saw immediately how I might be.

Senator Gerald Nye, the North Dakota Republican for whose munitions investigating committee the one before which Pierre du Pont had testified my wife had worked, had, thinking of the German-American Bund, introduced a law to make the wearing of such uniforms a crime. I knew Nye slightly. I knew his administrative assistant, Spike Mauvius, fairly well. We had bent elbows together many an

afternoon in the bar of the Carroll Arms Hotel, across the street from the Old Senate Office Building, the only Senate office of that time. When we discussed Nye's anti-Bund bill I had wondered whether it was unConstitutional.

I looked Spike up. I told him I knew of a movie that could give his boss' bill a big push. That interested him. When I described the movie, he was excited. He saw the possibilities and that besides, it was anti-Nazi, and that was a good association for any legislator.

And so it was that Warner's movie had a rare premier in a government building- under Senator Nye's sponsorship. By invitation only, too. It was in the large Department of Labor auditorium on Constitution Avenue. The select audience was largely of political notables.

And it was a big success.

I got the thanks of Warner's Washington public relations man, Frank LaFalce, and nothing else.

Nye had joined "America First." Some of its members were pro-Hitler and all wanted us to stay out of the war no matter what. He came to believe that the movie industry was trying to get us into the war against Hitler. That was before Pearl Harbor. Along with other America First senators Nye got an investigation authorized by the Senate so he and it could investigate whether the movies were trying to get us into that war. What a forum it gave them for arguing their belief!

As with the banning of the wearing of uniform bill he had proposed, I wondered whether even his hearing was Constitutional. Congress has the right to hold hearings only for a legislative purpose. Did the Congress have any right to ban any form of expression under the First Amendment? Are not the movies a form of expression? Are not those who write the movie scripts and produce and distribute the movies entitled to say what they want to say in movies as well as in articles, speeches and books?

Especially because he was calling the most prominent from the motion picture industry Nye's

hearings drew overflow audiences and all the media. Those were the most extensively reported hearings in years.

One movie baron after another sat there and was really grilled. The net result, with the questions asked loaded, angled to elicit responses that Nye and those who supported him wanted, the country was getting the idea that Hollywood was really trying to get us into the war.

If it was it would not have been alone in that. Hitler was a hated menace to the world. Moreover, there is a perfect right to propose that the country go to war or to encourage that desire. The Constitution supposedly guarantees that right.

Unless the committee has rules and the chairman enforces the rules there is nothing a Senator cannot say in the guise of asking a question. When they have points of view they want to argue, they do just that, sometimes not even pretending to be asking any question. With a hot topic and the press there en masse those with constituencies with a heavy population of those of German ancestry had themselves a time making Hollywood the villain in an imagined dastardly plot to get American boys bleeding and dying on Europe's battlefields, there to kill Germans.

Came Harry Warner's turn to sit in that hot seat that was a public relations frying pan. Nye, who was the chairman, the legislation under consideration being his, really turned the heat up on the chief factotum of Warner Brothers. Nye made speech after speech, ending each with a loaded question. Warner squirmed and answered as best he could knowing that whatever he responded, the press would inevitably be reporting to the country in terms of Nye's loaded questions.

Before any Congressional committee a witness is utterly alone, save for the Members, the audience and the press. He must answer for himself. He can counsel with his lawyers but it is he, not the lawyers, who must respond. Poor Warner was on the hottest of hot seats in a contrived and

controlled situation he could not influence. It told the country he was a war-monger, for profit.

Then Nye came to Warner's movie, "Confessions of a Nazi Spy." That, he intoned, the reporters' pens flying over their notebooks, was a deliberate attempt to inflame the people so they would clamor that we got to war against Hitler, having all those American boys, including those from the North Dakota farms from which he came laying bleeding, maimed and dead far from home in a war in which he said we had no business anyway.

When Nye got to that movie he pulled all the stops. He was at his oratorical best, and with his vast experience in significant investigation, his best made Warner's hot seat hotter and hotter.

It became a major, front page sensation across the country.

And, for all Warner's experience in public relations through his movies and their and his flacks, for all his high-priced legal talent, he was utterly alone and utterly lost.

Rarely has any American been so pilloried so publicly as an enemy of the country, as one who enriched himself with blood-money, as one who cared about nothing but money- to hell with the country and all those good American boys who would die so Warner could rake in all that loot.

For all the fabled Hollywood public relations artists and their indubitable skills, for all the top-flight lawyers all the studios had, this hearing was absolutely ruinous to them, to their very profitable industry, and most of all to Warner and his company.

Yet for all their wealth, power and experience they had yet to know how the weak can survive against the strong. Under the unending and effective attack by Nye and his like-minded colleagues, they were all being pilloried as they had never been before- most of all Harry Warner.

And Warner, most of all, should have known of Nye's extreme vulnerability, of his Achilles heel.

But neither Warner nor any of the flacks and lawyers who had prospered with him thought of it.

Obvious as it should have been to all of them and to others in movie industry.

I had been stunned that Warner had not been prepared by his staff to begin with it- not to wait to be attacked but to halt the attack they knew would be inevitable before it could be launched.

When that day's hearing ended I went to the Warner Earle Building, went to the top floor, walked past Porter's office to that of Frank LaFalce. Frank's face drooped almost to the floor, he was that dejected, that frustrated over his inability to help his boss, his inability to come up with what was needed, what he was paid to be able to do.

He just had not thought of what should have been the most obvious thing in the world to him more than to any other of the army of Warner's employees who also should have thought of it.

I started bluntly: "Frank, how in the world could you have forgotten that I got Nye to personally sponsor a by-invitation-only private shoeing and premier for the very movie he now castigates as intended to get us into the war and ruin and kill all those American boys Nye prates about? Nye then considered that very movie an act of supreme patriotism, a model to be followed. And you are still, all of you?"

Only then did Frank recognize that Nye's sponsorship of "Confession" was his Achilles heel.

Frank slapped his forehead with the palm of a hand, in effect telling himself how could I have been so stupid, slapped me on the back and fled to join Warner and those around him, not giving a damn that he would not be in his office to answer the calls of any reporters from whom he might ask favors.

With the next day's Warner counterattack, Nye's "Confessions of a Nazi Spy" sponsorship, his movie investigation just dropped dead in an unimaginable disaster for him and for his America First colleagues.

And for that I got not even spoken thanks- no more than that hurried pat on the back as Frank fled to save himself by saving his boss.

It was a much easier Achilles heel-finding than getting and going over all those many Dies committee expense vouchers but it did teach me again that when under attack by the strong the weak must seek an Achilles heel.

That is what each of them, Arnold, Fortas, and Porter, assisted by Milton Freedman of their staff, did. Freedman was only a year or two older than I. But unlike the experts around Harry Warner, they knew how to do it.

With any attention at all there would be enormous embarrassment to the State Department and to the administration if the truth came out- that we were fired without any charges filed against us so that we could respond to them, without any appeal, and at least for me, without even being faced by anyone from accuser to an appeals board. It all was as UnConstitutional and UnAmerican as anything could be. We were not permitted any defense. We had not been told even informally what- if anything at all- had been alleged against us, leave alone by whom. And we had been told that as Americans the laws and the Constitution did not apply to us or allow us to defend ourselves.

Faceless accusers? We did not know if there even was an accuser!

Nobody in the government wanted that to go to court, to be aired in public, for us to be able to demonstrate that such terrible things could be done by his government to any American with no basis at all other than, as I was later to learn through FOIA records I got, the utterly unimaginable paranoia of a few political idiots of the most idiotic extreme of the right political extreme in the Congress and in State.

This was our lawyers' unspoken attack, the one they held in reserve.

State and all the government and all of interest in the Congress knew that if we went to court

that firm would argue with a reasonable expectation of proving that the McCarran rider was UnConstitutional. That none of the many who had knowingly violated the Constitution wanted to risk.

One of the partners, I do not know which, had a friendly relationship with Mrs. Ogden Reid, the controlling owner of the then excellent and highly respected New York City newspaper, the *Herald-Tribune*. She was truly shocked when she heard of what had been done to us and how it was done. She had the star reporter of her Washington Bureau, Bert Andrews assigned to do a story on it.

I think he asked us all to come to his office and be interviewed. I know he did with me. He spoke also to those involved inside the government, particularly at State. I do not know who else save for the one who was the most obvious one, J. Edgar Hoover, head of the FBI and the country's most famous "red"-hunter.

Hoover pretended that he and the FBI had had no involvement at all. I later learned that was a lie. He told Andrews, sainted man that Hoover was, that there was really nothing against us at all. He added that if we had been FBI employees he would have called some of us in and told them that some of their friends or associates were considered not to be safe company and to suggest discontinuing any contact with them.

This, of course, reflected that Hoover was involved and did know that there was no case of any kind against any one of us.

He covered his own ass but he bared States'.

Andrews' story was front page in his own paper and in the *Washington Post*. It probably was throughout much of the country in syndication.

Andrews did the fine and thorough job, as his liberal Republican owner had wanted.

States position was impossible.

When Hoover said there was nothing against any of us, how could State say that there was, that it knew what Hoover did not know, Hoover being the most eminent of the "red"-hunters, with the most extensive files, including those of our investigations first for government employment and then for our "security?"

Andrews deserved his Pulitzer!

Soon it was all over. More or less over, anyway.

Through the venomous leaks we had been labelled "subversive." That would confront any of us looking for a job. Educational institutions, particularly those receiving government funds for special projects, feared hiring those authentic scholars. They feared public criticism from the neanderthals in the Congress and their counterparts in the strident organizations on the far-out fringe of the right extreme.

There was no undoing what had been done. To the limited degree possible it could be and it was done, thanks to the Arnold, Porter and Fortas search for and finding of Achilles heels.

State was only too aware of that. And above all it did not want any case on the McCarran Rider to go to court and to reach the Supreme Court, as it inevitably would. And later did.

If in the lower courts State lost and did not appeal, there would be an uproar from the Radical Right that was so very vocal. There would be tirades at every Congressional hearing, particularly appropriations hearings, where some political nut might easily succeed in cutting State's appropriation.

Through my own sources I learned that the nutty political right in the House of Representatives, where all appropriations originate, had forecast to Secretary of State George Marshall what he could expect at appropriations hearings. He had been given to understand that unless we ten were fired his appropriations would be cut. Whether he agreed willingly or not I did not learn, but he did agree. Without his agreement the loons in State's "security" office could not have dared fire us with no real

reason at all other than their dislike of our presumed beliefs and because we were Jews.

As all but one- that one a case of mistaken identity- were.

State proposed a compromise we accepted. It would rehire us with a public apology, we would be rehired and then would all resign. That is what happened but those in the security office who would have thrived under Hitler and perhaps Stalin wanted their pound of flesh: I was gypped out of back pay.

Those who sit in judgement on us all, those who besmirched our Constitution, our laws and all basic American beliefs, those who consider themselves above the law and the true patriots, did not terminate their deep subversions when we beat them and they had to apologize publicly. They continued with the same kind of political insanity to which they adhered with sincerity. They really believed those sick things they dreamed up. And they continued doing what would have gotten others, of liberal political beliefs, fired or jailed for some of their abuses. Because of what they could and did do and their demonstrated lack of any inhibition, decent people in the government and in the Congress feared crossing them.

Then there came a time when Otto Otepka, State's chief of "security," could not get some he wanted to get rid of fired. Frustrated but sincere in his belief that he alone knew what was right and wrong, safe and unsafe, he leaked false and defamatory misinformation to the most strident of the right on the Hill. That time it was exposed, and he was exposed. But nobody dared do a thing about his violations that, public as they became before Congress, were so hurtful to so many people it resulted in nothing at all happening to him.

These in-the-saddle political soulmates of Hitler, some political idiots, some political infants, some both, actually set out to control national and international policy and to a large degree they

succeeded. They drove from State the authentic political experts, the most preeminent of area scholars, particular scholars of the orient, all who would or could even be suspected of saying what those "security" cops of the mind did not like or even understand. Ignorant and prejudiced, they believed they alone understood the real world. Their own world was limited to "red," to those who held any belief they did not hold, who knew and understood what they did not know and could not understand. To them little that was real was real. They were the American equivalent of Hitler's storm troopers, of the Japanese emperor's thought police. That is what in Japan they not only were- they were titled that!

Their insidious influence on national and international policy has not ended. It became a self-perpetuating control over what could be thought and said and who could or would be in a position to influence either and what could reach those who made policy.

They continue to cripple us from their grave!

And their crude and gross violations of the laws are preserved, protected and perpetuated.

A continuing example of this is their violation of the law that says and means that the people have the right to know what their government does, FOIA. The Privacy Act supposedly gives us the right of access to government records about us.

In response to my requests of the FBI for its files that include this nasty business, the FBI claimed it had nothing at all. Anyone who has any familiarity with FBI record-making and -keeping knows that every Hoover interview was monitored by a high ranking associate who was always his note taker. After each interview they provided a memorandum on the interview he monitored. Any every word of the sainted Hoover was preserved for posterity.

If the FBI's "compliance" with that law is to be believed, it does not have even that Bert Andrews story. Yet on the FBI's printed form for the posting of news clippings that were routed to

Hoover, two of the about 10 newspapers that were always sources clipped were printed on the form. They are the *Post* and the *Herald-Tribune*. Both carried Andrews story.

Not a single word about that most sensational and spectacular of all the earlier "security" cases in which there was no question of real security at all, the first in which the government had been beaten, thoroughly, and publicly beaten.

State's "compliance" was little better.

But each did drop a cookie.

The point man behind my firing was John Peurifoy. He was literally a wild man. It was dangerous to be on the narrow stairs in the building in which I worked when he used them. It was an apartment house taken over as a State annex next to the new main State building then partly constructed. He ran up them and he ran down them. He was so wild that he ultimately killed himself by his wild driving. And, of course, his record of the grossest anti-American belief and conduct made him a rising star. This cop-minded political idiot was made Ambassador to Guatemala when it was struggling to enter the modern world, when it had just had a democratic election with results the Peurifoy's of our government did not like. It was overthrown by the CIA, with chaos and thousands and thousands of deaths not yet ended in its wake. It was after he had as ambassador presided over the destruction of democratic Guatemala and installed a vicious, murderous military dictatorship in its stead that Peurifoy had his fatal auto accident down there.

This is the kind of man, this is the kind of mind, that decided who could and who could not work for the State Department. He and they were the thought police enshrined.

In the one relevant record I got from the FBI only by virtue of that copy being a duplicate filing that had slipped through its thought-police processing of records, a top Hoover assistant soon to be

appointed to the federal court of appeals for the District of Columbia, Edward A. Tamm, took a call to Hoover from Peurifoy.

Peurifoy boasted that he had just gotten me fired. Tamm discussed that with him and dutifully recorded that conversation in a memo to Hoover.

That same Tamm sat on an appeal I filed against his former employer, the FBI, and without compunction he held against me and for the FBI. His involvement in my unjustified firing, his involvement in the propaganda against me, should have led him to disqualify himself and be replaced by a judge who had no such complicating prejudice.

One of the few Peurifoy memos on me that his successors did not violate the laws to crudely suppress is one that in their politically corrupted mind they must have believed reflected favorable on him. He ordered that I be denied the Spanish Falange records required for the statement of its danger to the hemisphere our government was to present to the United Nations. That, I learned only four decade later, is why I lacked the information required for that statement that was to reflect our governments factual knowledge as we confronted that danger.

But even if I had been some kind of Russian agent, as the fascist-minded Peurifoy imaged with no rational basis for even a suspicion of it, how could it have hurt the country in any way for me to have prepared the best possible statement of fact to the United Nations on the existing and real fascist danger? Only a political infant would not have known that from the USSR's support of Spain's democratically elected government during Franco's fascist revolutions. The USSR knew ever so much more about the Falange than we did and through its own diplomats and spies in Latin America it should have known all that we could have known and more. Or, had Peurifoy not prevented my preparing the best and the most informed statement, there could have been no benefit to the USSR, no possible

benefit to it of any kind.

The one and the only one purpose Peurifoy served was to protect fascism in this hemisphere to the degree he could.

And how different is what he did in Guatemala? He helped install the cruelest of military dictatorships there.

In the political insanity that then infested our government, of which it has not yet been really cleansed, resulted in great tragedies in the hemisphere. In the 1980s and 1990s alone as the result of the perpetuation of the sick Otepka Peurifoy-type paranoia and ignorance that controlled our policy a series of murderous, authoritarian regimes were fixed upon those impoverished people longing only for political freedom and enough food for themselves and their families.

Because of such experiences lived by many others and by me and known to those who knew us and to even more who read about our experiences many Americans were not inclined to automatically reject that Oswald said in his one very brief access to the press, "I am a patsy."

That was also his plea of innocence, the only one he was permitted to make.

Is there, in fact, in the history of our government during my adult lifetime any reason to believe it was not capable of making a patsy out of Oswald or capable of accepting him as the patsy created by others? I do not recall any.

My own pain and suffering and the other great costs I paid for them, not as great as those of my wife, were inflicted by various components of our government so I had every reason to not reject out-of-hand, without extensive inquiry, Oswald's one permitted plea, of innocence.

I knew of others whose suffering was greater, who were not able to survive the vicious and clearly fascistic assaults upon them.

Throughout the country our thought police eliminated some of the very best of our teachers on all levels, including colleges and universities. Not only were these, among the best minds in education, denied to the students seeking education- that terror dominated all teachers who were not fired for their ideas and beliefs, real or imagined.

How many of the best of our young minds decided against becoming teachers cannot even be guessed. But what is not guesswork in the obviousness of the situation they would face on becoming teachers, that they would be closely monitored by these ignoramuses of the thought police and that they would not be free to teach as they believed they should teach if they intended to hold teaching jobs and to feed and educate their own families.

Most of us are not able to obtain all the information required for informed opinions and informed judgements. Most Americans have not the slightest notion of what else our government was doing while simultaneously practicing these most basic violations of all the fine and traditional American beliefs about freedom of thought. Indeed, our founding fathers believed that a society like ours requires a diversity of thought, of belief and of the expression of them.

Few Americans are even now aware that while this was the policy of our government with our own citizens, a policy that in effect was to eliminate all criticism and exposure of fascism while restricting any expression of or opposition to it, that same government was engaged in the wholesale protection of some of Hitler's worst Nazi war criminals. It brought hundreds of them to this country to install them in positions of great responsibility and of trust. I remember a law being passed to allow the CIA to bring 100 of them to this country every year, without regard to all the laws that would prohibit their setting foot in our country. More than that many did come and were immunized from punishment for their most terrible of crimes. One of the best exposures of this is the excellent Secret Agenda by Linda Hunt

(New York, St. Martin's Press, 1991). Hunt is a former reporter and executive producer for CNN's investigative unit who won the Investigative Reporters and Editors 1985 Award. She became a college journalism professor. Her book is a detailed, factual account of the great number of people with the most subhuman of records who were brought here, raised to high station and enriched and all their horrible crimes pardoned while Americans were being driven from their jobs and made unemployable for their beliefs, their suspected beliefs, their beliefs that our thought police did not understand and, because of their own beliefs, could not understand.

I did live through these things, not just observe them although observe them I did.

Aside from the costs to individuals the cost to the country was great. Consider one of the best known cases, of the China experts forced from our diplomacy by those who in grim reality were fascist minded. They could not be replaced, they were not replaced, and our policy vis-a-vis China and other parts of Asia were and continued to be crippled, too.

In a real sense what was done can be considered to be, and I believe it was, a partly successful internal revolution from the most remote extreme of the uninformed, hate-dominated farthest-out Radical Right.

These were costly and painful experiences I lived through and did survive without once compromising with evil. They were an education the best educational institutions cannot provide. They taught me what cannot be taught, what must be lived to fully understand and learn from. They inflicted what for me were major financial costs. But although I remain with a certain amount of naivete and a continuing disposition to trust rather than not to trust, I suppose there remains what could in context be referred to as a kind of immaturity for a man past 80 with these and similar experiences.

Yet they were an invaluable training for the work upon which I was to engage when our

President was gunned down in broad daylight on the streets of a modern day American city and consigned to history with that most dubious of epitaphs, an official fraud of any investigation and an official "solution" that has no credibility at all.

Not when examined in the light of the known fact. By this I mean known official fact. What is not generally understood is that the official "solution" is not based on fact. It is contrary to the official fact as all my books demonstrate with their uses of that official fact. It is entirely a theory and a theory was known to be both false and impossible when it was foisted off on the trusting, suffering people.

All the works of varying kinds of sycophancy in support of this official mythology, notoriously the books and other statements by David Belin and Gerald Posner, are despite their castigation of all who disagree with them as "conspiracy theorists," work entirely of theory themselves.

They are kettles calling all frying pans black.

This is not to say that the works that are of conspiracy theorizing are factually correct because they are not.

It is to say that the other side has the same flaw and is no more dependable.

And that the other side is, with minor and infrequent criticisms of what the government said and did, essentially the government side. They are all in accord with the basis of the government's mythology, that Oswald was a lone-nut of an assassin.

This is the government that regardless of who headed it has for most of my lifetime found truths unwelcome and with that found those who would tell the truth no less unwelcome. And what those in the government and out did to those whose views were so unwelcome is what the KGB and the Gestapo did, with only a difference in degree. While that difference in degree was great, the net effects were close to identical in eliminating dissent with policies that can now be seen as self-destructive. not

merely wrong policies.

Not that you will find even a hint of it in those works commercializing and exploiting the assassination, those of Posner and Livingstone in particular, that give other than a fair or even an honest account of my firing by the State Department. Both do not, and that was the intent of their authors.

Authors who more than any others presume to sit in judgement of those who bear the great sin of not agreeing with them.

They cannot fire, as State did.

Their substitution is character assassination.

Long after this chapter was written, when a student was here to do some filing for me, I asked her instead to look where I believed, after many years she would find some files relevant to what I refer to as "The State of State." In a short time she found some of what I am no longer able to search for myself. I know there is more and I know that I do not have some of what I once had. What we gave our lawyers that since greatly enlarged firm has in dead storage. That is why I cannot, where I refer to the minor honor I got from the head of the Office of Strategic Services, General William "Wild Bill" Donovan, say exactly what it was and what is was for.

A Republican Senator who had been our friend for years, beginning with his first term in the House of Representatives, got for me, from the Library of Congress, copies of five of the articles Bert Andrews wrote. They were published November 2, 4, 6, 9 and 12, 1947. They are long articles and for our immediate purposes it is not necessary to read them. If this is not the complete series, it is enough to reflect the depth of the study and inquiry he made before he started writing. It also reflects the intent of the *Herald Tribune* that his work and what it published be definitive.

Charles "Mac" Mathias also got me what I did not remember, a xerox of the book Andrews wrote about this, Washington Witch Hunt. It was published by Random House, but because this copy does not include the copyright page I cannot give the year. I presume it was 1948. As I later had occasion to write Random House's associate general counsel, who had written me an evasive, lawyer-like and somewhat snotty letter, Random House did not always publish trash. That was in connection with its publication of Gerald Posner's knowingly and deliberately mistitled Case Closed. It interests us later.

My file does not reflect why Andrews won his Pulitzer. Merely that it was in 1948.

Among the other journalists who were seriously troubled by what their August 12, 1947 column refers to as "The Case of the Ten" were the conservatives Joseph and Stewart Alsop. Their lengthy column, more than a column in length, concludes that while when there is "solid gratitude" for the government getting rid of those who do not represent a real danger, "as the case of the 10 seems clearly to indicate, this may work the harshest kind of injustice on individual Government employees. It is a kind of injustice, moreover, which strikes very close to the heart of American civil liberties. ... If every independent man is to be haunted by fear of J. Edgar Hoover's eager Hawkshaws lurking under his desk, the already too evident trend toward government-by-drones is sure to be vastly accelerated."

Hoover himself validated this fear that extended across the political spectrum during the 25 or so years that remained for his career of exactly what the conservative Alsops feared.

On all innumerable occasions so easily contrived by those inside his bureau and seeking his favor and later those who wanted to perpetuate this FBI insanity, there was a slurring and an entirely incomplete reference to this "case of the 10" in which the FBI never once told the whole truth and never once failed to angle it to use words that in themselves are not a lie but nonetheless succeeded in entirely

misrepresenting and in deceiving and misleading those who read those words.

I do not remember that even once in all its many references to me the FBI ever failed to use what became its stereotypical slurring reference implying or saying what is not true, intended to defame me and to influence the minds and decisions of those who read those words.

For example, in a Hoover memo to the deputy attorney general in connection with one of my FOIA requests for information, that interests us later, in what the FBI was withholding improperly, including several films taken in New Orleans, what was written for Hoover to sign says I was fired "on suspicion of Communism." That is false. It appeared on no record I obtained from State. And, consistent with what the Alsops regretted so much, the procedures themselves, I was given no charges of any kind and there was no hearing, so there was no transcript of the Kafke-esque quality Andrews quoted from the so-called hearings of others.

Not that the various agencies, especially the FBI, did not seek, cherish and misuse lies. They did, on a wholesale scale, with stables of liars to prance with their lies before judges, juries and hearings boards and to be leaked to the media.

But I was never a Communist, never belonged to any party other than the Democratic, and never belonged to any groups other than trade unions, the American Newspaper guild and government employee unions. Later I belonged to two farm cooperatives when we farmed.

After a decent interval the man who was bureaucratically in charge of what the Alsops characterized as this "harshest kind of injustice," although it was not his idea, was forced to resign. "(Hamilton) Robinson Quits As State Dept. Controls Chief," is the *Washington Post* headline on its May 22, 1948 story. It was because "he had become the storm center of criticism for his part in the State Department loyalty program," the United Press story reports, more than half a column in length as

the *Post* used it.

Toward the end it says, "Robinson has been criticized for his role in passing upon 10 State Department employees who were fired last year as bad security risks. He was a member of the review group which looked over their cases. That review was the basis for a series of stories by Bert Andrews of the New York *Herald-Tribune* which won a Pulitzer prize this year." (I repeat, with nothing on me I got no charges and no hearing.)

I could, of course, compare the dedication of the Republican-owned and justly respected *Herald-Tribune* of those days to the traditions of American journalism and its assumption of journalistic responsibilities in our society with the record of the sycophantic major media when and after John Kennedy was assassinated, but what should be said is so obvious there is no need to say it.

What I was particularly pleased that this old file still holds is the letter written me by those fine men who had been our counsels in that unprecedented case after I had sent them what must have been merely a small token of appreciation, there being little else I could have sent after being wiped out financially by our stormtroopers of the mind, the rough equivalent of those who in pre-war Japan had been called its "thought police."

These men signed their letter in accord with their rank in the firm. First was Thurman Arnold, the man I'd known and helped when he was the assistant attorney general in charge of the anti-trust division, the division that in those pre-Pearl Harbor days dealt with Nazi cartels. Later Arnold was a federal appeals court judge before he was one of the three founding partners of this firm. Next was Abe Fortas, the founding partner I had not known. Then came Paul Porter. I'd known him after he had been a commissioner of the Federal Communications Commission. Milton V. Freeman was the lawyer who did most of the legal work on the case.

That their letter is dated so soon after Bert Andrews' stories appeared confirms my recollection that those stories were the cleansing light of day that exposed the dark corners of the complete corruption of all decent and respected principles by the government. His stories made its position impossible. They were the deciding factor in this first major misnamed "security" case that the government lost. It is worth recalling that years later Harry Truman's counsel when he instituted what he called the "security" program, Clark Clifford, told Watergate reporter Carl Bernstein, that it was not a matter of or concern for security that led Truman to do that anti-American thing, make it part of our national life. It was Truman's way of trying to end that kind of indecent and baseless attack from some Republicans.

The letter those four fine men of whom as of this writing only Freeman survives, is:

"We want you to know how deeply we appreciate your kind and generous gesture in sending us a gift and the warm sentiments which accompanied it. You know it was a pleasure to be of service to you and your own calmness and dignity under the most adverse circumstances were in no small measure responsible for your ultimate vindication."

That I was "vindicated" is something that no FBI "hawkshaw" reading its party-line defamations of me (that had the additional intent of helping it violate the law of the land, that being the turn of the collective FBI mind) is not in any way or sense indicated in hundreds of its contorted and dishonest references to what was for it also a major defeat, a defeat made possible by a truthful, public account of the authoritarian revolution within our government of which its founding director was one of the top leaders and policy-formers and enforcers.

The state of State was the state of the government that became the state of the national mind, a state of sickness of the head. It was intended to remove from government service which so urgently

needs it what the, and I emphasize conservative Alsops recognized is an urgent need of government and of the people the government serves, "independent-mindedness."

Without that we have what those hundreds of thousands of pages of once-withheld government records I was to get from many FOIA lawsuits reflects of those FBI "hawkshaws" as undeviating, in dedicated following of wrong policy. They were always as far from the pursuit of truth and fact as were those "drones" who served Hitler and Stalin.

This history of this era in our national life will hold no more complete and unquestioning an illustration of this that our government and the FBI's "drones" made in what they did and did not do when John Kennedy was assassinated and as of the time of this writing, have continued to do ever since then.

After I wrote the foregoing I had more time than usual to think about it and it did stay in my mind. For some years several medical problems have me wide awake quite early in the morning. Usually I write before leaving for early-morning walking that is necessarily more resting than walking. When I rest I read most of the time but the morning I wrote this it lingered in my mind. Not the praise from those fine lawyers who had earned such high positions in our national life of that time, pleasing as that was to recall. It was that this could happen, what happened to us could and did happen and has been happening to others ever since then.

And that without such principled men as those who "vindicated" us and such principled reporters and newspaper owners as Bert Andrews and Mrs. Ogden Reid our lives would have been ruined as were the lives of so many after us who like us were guilty of not a thing except what the Alsop brothers referred to as being "independent men."

There was a time when that quality was considered the need of public service, but that was in a time when public service was more than marching in goose-step with policy and prejudices and in not shouting "Zieg Heil" to every government policy.

Governments, like men, make mistakes, including in policy, and without independence of mind inside the government there are fewer means for preventing mistakes many of which in my lifetime have been of enormous significance and cost. Not until it is too late, until after the mistakes are made.

Who were those who sat in judgement on those of us who had violate no law, had done no wrong of any kind, and how could there be any judgement of no wrong of any kind? Except in thought, in the independence of mind those Neanderthals regarded as dangerous.

What meat did those Caesars eat to become so powerful? To be able to do what is so contrary to all American beliefs as enunciated by those greatest of the great political thinkers who, with unprecedented independence of mind, established this country and set their and its principles forth lucidly in our basic documents?

They are those of the authoritarian belief and practice against which our founders rebelled to establish freedom and a democratic society in which the most prized freedoms were forever protected, or at least they so believed, and of these to them there was no freedom prized over freedom of thought and of the expression of that thought.

Those of this authoritarian belief and practice have as their meat fear, hatred and conformity with national policies that are not in accord with our traditional beliefs, those so many risked all to establish as the "inalienable" right of all of us. These authoritarian-minded prate democracy while devoting themselves to vitiating it, and to them, all who live by and practice our traditional beliefs are enemies, to them and by extension enemies of the state.

The exact opposite is true.

For those who may regard my words and comparisons as excessively harsh, I remind them that we ten were selected as Jews and save for a case of mistaken identity all ten would have been Jews.

Small a minority as Jews were in State, this is hardly a coincidence.

That our own "thought police" failed in their first major effort does not mean that they have failed ever since then. They have not, and our governments and their polices and the people have suffered much for it. They actually practiced and succeeded in practicing what we had fought World War II to end in other countries. They succeeded in making those of Hitler's and Stalin's hated policies the practice here.

And now nobody ever hears a word about it, it is that accepted.

Again, the assassination of President Kennedy and its supposed official investigations and later government policies and practices in withholding records that as a matter of law they could not withhold, illustrates this so clearly. So stunningly clearly!

The Commission published an officially-estimated 10,000,000 words. Its files when transferred to the National Archives were said officially to be of 200 cubic feet. While I did not read each and every word of them I did ransack them rather thoroughly. Then there are those third of a million pages of once-withheld records in the assassinations of the president and of Martin Luther King, Jr. that I got from all those FOIA lawsuits, most of which I also went over with care.

The record after more than 30 years is starkly clear, so clear that even the government's most ardent defenders admit that there was much wrong in the so-called investigations. (Notwithstanding which, as we see in particular with Gerald Posner and his intendedly dishonest writing, they all insist that for all the official flaws and failings they blundered through to the right "solution.") The polls show that

nine out of 10 Americans do not believe what I refer to as the official mythology. Yet in all that simply enormous volume of Commission and executive agency records, mostly of the FBI, there was not a single voice that raised a serious question about anything of significance that was so very wrong at any time!

Not one! Not a single one!

Not then and not since then.

Of course, some of the Commission's former counsels do now protest that the agencies withheld important information from it. But that was obvious at the time, and not one of them then, when it could have made a difference, when it would have meant something, made any real complaint. And not one resigned in protest.

Of those many FBI agents of various ranks who wrote those political rather than factual memos castigating me, not one failed to deliberately misrepresent the realities, the officially-admitted truth, of "the case of the 10" in which contrary to what in self-service he told Bert Andrews Hoover was personally involved.

More importantly, not a single one ever raised a serious question about the alleged evidence in either assassination case.

Not one of those hundreds of FBI agents!

Aside from the grossest of injustices that resulted, if we consider the cost to the government of the disenchantment with it these of its "thought police" created, the cost to the government and to our society is exceptionally great and grave.

And, of course, there are other costs and there is other and serious damage to us all.

But when not a single one on the Commission staff and not a single person inside any executive

agency raised a single substantial question and not one protested in any meaningful way, how can it be said that those who made the policies of our government and its practices those of the hated and defeated enemy failed in their objectives in their first test of which I was innocently part and intended victim?

They did not fail, and consideration of the changes in this country as a result are more than merely visible to those who give it any thought at all.

We did not only adopt as our own these practices and policies of the once-hated enemy. We spent great effort and an incredible fortune in not only putting these hated enemies back on their feet, we financed them in ruining us and our economy by giving them the business and industry that had made us great and wealthy. That now has us under fantastic, unimaginable national debt.

With no meaningful protest from inside the government, none at least that got any attention.

The crime that Richard Nixon campaigned on the promise he would remove from the streets he moved into the White House from which it has not been cast out since then.

Instead the streets are loaded with ever so much more crime and with the homeless of millions for whom there are no jobs and for some of whom, who had jobs, there was no home they could afford.

All those infants and children living in the harsh streets with little mention of it and little done about it.

There is no need to catalogue the other terrible and great costs contributed to by the driving from public service those of independence of mind that our society and our government needs so urgently. These costs are more than merely visible. They are shockingly obvious.

But who ever speaks or hears a word about any of this?

And of the intendedly dishonest and false official assassinations investigations, what exposure of this is ever seen or heard in the media? When it does refer to criticism of these awful official failings, when does it other than to deprecate and to ridicule them?

The days of the Bert Andrewses and of the *Herald-Tribunes* are the days of the past in our national life.

This and my innocent involvement in it was one of the learning experiences of what is not taught and cannot be taught that was one of the most painful of my learning experiences in the long life near the end of which I write this.

If it may be only a record for our history, an expression of hope for the future return to what made us unique and great in the world that was so different then.

The Germans refer to it as "zeitgeist." The well-known french phrase for it is "l'esprit de siecle." In an ancient Hebrew phrase it is "the spirit that hovers over the generation."

We do not need a new such spirit. We need a return to our oldest, of the days of our creation as a county and as a nation. Not new. That is the best, our oldest, and our very best!

Jefferson's memorable words are "with the consent of the governed."

When nine out of 10 Americans do not agree with a government decision, as is true of the official assassination mythology, that decision is not with the consent of the governed.

That it could be and is virtually enforced is a direct consequence of the fact that our thought police did not fail.

When in our great tradition they should not have existed and if they did, they would have failed.

The new "spirit" we need so much is the one we should never have lost.