

NOTES ON THE ORIGINS OF THE HISS CASE

The following notes are fragmentary and largely speculative. I have set them down in an attempt to point out some of the key issues in dealing with the origins of the Hiss case. If the theory underlying them has any validity, obviously there is a need to dig more deeply into these issues and try to find documentation for them. I would appreciate reactions to these notes -- suggestions on people to interview, sources for documents, any other leads that might be explored.

1. A General Theory

My own theory about the origins of the Hiss case are, at this point, highly speculative. But what I have been able to uncover thus far in my research, based on interviews and documents I have come across, and material from published sources, leads me to believe that the most likely source for the attack on Hiss is in the overlapping interests of two groups during the early 1940s: 1) the China Lobby and right-wing elements who viewed Yalta as the symbol of a foreign policy of "appeasement," and 2) right-wingers in Congress, the State Department and HUAC whose interests were not only foreign policy but partisan Republican advantage.

During the period between 1942 and 1946, a fierce internecine battle was taking place within the State Department over post-war policy toward the Soviet Union. I think it is probable that, after Yalta, Hiss was singled out as the focus of this attack largely because he was both at Yalta and had been the subject of wide-spread rumors about left-wing sympathies and affiliations both within and outside the State Department. As a symbol of Yalta, Hiss was vulnerable to such an attack, which was aimed initially not so much at him as at the faction in the State Department he was thought to represent, especially Acheson.

The attack on Hiss did not involve charges of espionage until 1947, when veiled statements first appeared alleging that he had passed documents to Soviet agents. These statements appeared almost a year before Chambers first appeared before HUAC, but shortly before HUAC investigators began interviewing Chambers. I think it is likely that HUAC was directed to Chambers by the person who published these charges, Isaac Don Levine, who was also closely tied to the China lobby.

It seems possible to me, and certainly worth further investigation, that the documents which later turned up as the Pumpkin Papers, might have come from the same China Lobby sources, in view of the following: Levine knew Emmanuel Larsen, a participant in the Amerasia case, who had pled guilty to taking State Department

documents which had been seized in the Amerasia but whose only punishment was a small fine. In fact, Levine had published an article by Larsen about the Amerasia case in his right-wing magazine, Plain Talk, in September, 1946 (I have not yet located a copy of this article, since that volume of Plain Talk is missing from the Harvard Library, but Levine discusses it in his book Eyewitness to History). Some 1700 documents were seized by the FBI and OSS in the Amerasia office, although only a small number were made public. The documents dated back as far as 1936. From what I have been able to learn, many, if not most, of the Pumpkin Paper documents dealt with Far Eastern affairs and might have come from those in the Amerasia case.

My tentative theory is that it is possible that Hiss was singled out as a target by the China Lobby and its friends in Congress, the State Department and the right-wing. His role at Yalta, as a visible and identifiable advisor and participant in the Roosevelt foreign policy, made him a logical choice for attack, especially since the Republican congressional campaign in 1946, shortly after the charges against Hiss of having "left-wing sympathies" had been wide-spread in the State Department and Congress, had been quite successful in using the "sellout at Yalta" theme (I have a chapter in my dissertation on the Yalta theme in the 1946 elections making this point in greater detail). Since charges of espionage against Hiss had been published as early as December, 1947, it is also possible that the Pumpkin Paper documents and films came either from the Amerasia papers or from other right-wing sources in the State Department with access to documents that Hiss would have dealt with while in the Department. One possible source for these documents would be Benjamin Mandel, who had known of the attacks on Hiss while working on the HUAC staff and who worked in the State Department security office in 1945 and 1946.

In the paragraphs below, I will outline some of the facts about the origins of the Hiss case that I have used to construct the theory above. These notes are not organized too coherently, but I would like reactions to them.

2. Isaac Don Levine

Levine was approached by Chambers in 1939, through a mutual friend named Solow who was a reporter. In September, 1939 Levine arranged Chambers' meeting with Adolf Berle. After that meeting, between 1939 and 1946, Levine told Chambers' story to at least 10 prominent people, including Henry Luce, Walter Winchell, Thomas Dewey, Sen. Warren Austin, and Martin Dies, attempting, as he put it, to persuade Roosevelt to take action. Winchell mentioned in one of his radio broadcasts having talked with Roosevelt about Levine's story of Chambers' charges. It is safe to assume that at least some of these ten people mentioned what Levine had told them to still other people in Congress, the government and the press, thus giving the charges a wider audience.

The singling out of Hiss by the China Lobby, of which Levine was a leading member (and a close associate of China Lobby leader Alfred

Kohlberg), can be seen in an article of Levine's in his magazine Plain Talk in April, 1948 (just at about the time Chambers was being interviewed by HUAC investigators). Levine wrote that Hiss was becoming a problem for John Foster Dulles, who had been receiving mail from right-wingers since 1946 alleging that Hiss was a communist or left-winger (one source was Larry Davidow, a Detroit lawyer, whose letters to Dulles had been read over the radio by right-wing commentator Fulton Lewis, Jr.) Levine wrote in April, 1948 that Hiss "was one of Roosevelt's closest advisors at Yalta. Claokrooms have been buzzing for months with the inside story of how Secretary Byrnes 'fired' Hiss and how the innocent Dulles then sponsored his elevation to the top Carnegie post."

Levine had also, as I noted above, accused Hiss in December, 1947 of espionage, when he wrote in Plain Talk that "certain high and trusted officials in the State Department, including one who had played a leading role at Yalta and in organizing the United Nations, delivered confidential papers to Communist agents who microfilmed them for dispatch to Moscow."

A major question is raised in my mind by Levine's writings: if Levine knew that State Department documents had been microfilmed and had come from Hiss, why did he not remind Chambers of this (or anyone else, for that matter) before Chambers came up with the Pumpkin Papers in December, 1948, especially in the four months between August and December, 1948? Since Levine had none of the qualms Chambers claimed to have had about "exposing" Hiss or anyone else, it seems strange that he would keep quiet for another year unless he were somehow involved in helping to manufacture the Pumpkin Papers. His relations with Emmanuel Larsen indicate that he would have had some access to the Amerasia papers and possibly was involved in producing the Pumpkin Papers.

Another interesting aspect of Levine's involvement in the Hiss case is in his relations with Nixon. Levine relates in Eyewitness to History that within two or three weeks after Chambers first testified before HUAC in August, 1948 Levine was sought out by Nixon to discuss the case (he writes that he was ströck by Nixon's "all-absorbing ambition" and Nixon's feeling that the Hiss case "could very well lead him to the summit." Why did Nixon seek out Levine, and through whom? What did Levine tell Nixon, aside from what he relates in his book." Levine also testified in a hastily-called session of HUAC on December 8, 1948, the day after published reports that the Grand Jury would not indict Hiss and that Chambers might be indicted. What was the purpose of this testimony?

Levine also wrote in Plain Talk in January, 1949 that Chambers "commenced some five years ago/that is, around 1943/ to talk in journalistic circles about his amazing experiences as an underground Communist...." This would also indicate that both Chambers and Levine were sources for the rumors about Hiss that abounded in Congress and the State Department before Hiss left the department. These rumors,

for example, were aired in the Christian Science Monitor in an article by Neal Stanford on December 14, 1946, who wrote that "More than one Congressman, whenever the subject of leftist activity in the State Department was mentioned, pulled out a list of suspects that was invariably headed by Mr. Hiss."

3. Right-wingers in the State Department

If the attack on Hiss stemmed in large part from the China Lobby and right-wingers in government, then the role of Hiss' opponents in the State Department is an important question. There seem to me to be three people whose roles are crucial, although I have little documentary evidence about any of them.

Raymond Murphy. Murphy, a security officer in the State Department, questioned Chambers on March 20, 1945 (very shortly after the Yalta conference) and on August 28, 1946 (shortly before Hiss resigned from the State Department). Who led Murphy to Chambers? And why did the interviews take place on those dates? Murphy's report on the first of these interviews states that those named by Chambers, including Hiss, "did not exchange secret documents." It seems likely to me that no such charges of taking secret documents could have been made at that time if the Pumpkin Paper documents came from the Amerasia files or if the decision to manufacture them was later made by Levine or someone else.

Benjamin Mandel. Mandel is a crucial figure in the case. First of all, since he had known Chambers at the time Mandel issued Chambers his Communist Party card in 1925. Chambers later wrote that he "worked closely with (Mandel) in the Communist Party" until 1929. Mandel was on the HUAC staff from 1939 until 1945, when he went to the security department of the State Department, returning to HUAC in 1947. One important question about Mandel, who died in 1973, is why did he go to the State Department in 1945? Who was responsible for this, and what did he work in while at the State Department? It seems quite possible to me that Mandel had learned of Chambers' charges against Hiss and others before 1945 and was detailed to the State Department to develop evidence against Hiss. Mandel, as a security officer, would have had access to many files, and could have accumulated much material about Hiss. The security office of the State Department, during 1945 and 1946, was controlled by right-wingers, who would probably have also had access to the files in the Amerasia case.

I would guess that Mandel was a primary source for the allegations spread to Congressmen and to Secretary Byrnes, that Hiss was a left-winger. Mandel later became close to Nixon -- Nixon later said that Mandel "did particularly effective work in suggesting penetrating questions to be put to the witnesses" who appeared before HUAC.

Another fact of importance about Mandel is that he supplied Father John Cronin, in 1946 and 1947, with material for use in Father

Cronin's Chamber of Commerce pamphlet on "Communist Infiltration in the Federal Government." Cronin, in early 1947, met Nixon and supplied him with information on the Hiss case.

Mandel's role in the Hiss case needs further research. Unfortunately, he is dead and cannot be questioned. But possibly records relating to his State Department employment would shed light on his activities.

J. Anthony Panuch. Panuch was a State Department official who was appointed Deputy Assistant Secretary of State for Administration in October, 1945, under Assistant Secretary Donald Russell. Panuch was probably Mandel's superior in the State Department. Panuch was close to Isaac Don Levine and wrote an article in Levine's Plain Talk in October, 1947 on the Carl Marzani case, which Panuch had been responsible for prosecuting. He was given credit (or gave himself credit) in a radio broadcast in 1953 for being "the first, in 1946, to expose the departmental machinations of Alger Hiss." Panuch was, and still is, a fanatic anti-communist and quite likely had a role in drafting the November, 1945 FBI report on communist infiltration in the federal government. This report contains a paragraph, quoted by Nixon in a speech on January 26, 1950, containing an allegation by Igor Gouzenko that Gouzenko had been told by another Soviet official in Ottawa that, as of May, 1945, there was a Soviet agent who was an assistant to Secretary Stettinius (Nixon obviously considered Hiss to be this agent).

I am going to interview Panuch in Washington during the first week in June and may be able to learn more about his role in the Hiss case. I have no idea whether he was directly involved or was merely later claiming credit for "exposing" Hiss, but I would guess that he was at least one of the persons who attempted to influence Secretary Byrnes against Hiss, and he may have been involved in gaining access to files which could later have been used in manufacturing the Pumpkin Papers. It is unlikely that he would admit this, but I will question him about the Hiss case.

4. Questions that need research

The notes I have written above are, as I said, fragmentary and speculative. But they seem to me supportive of the theory I outlined above, and obviously point out several areas that need research.

1. Are the Amerasia papers available for inspection, and if not, is it possible to examine them through some legal means, such as a Freedom of Information Act suit? I am not convinced that they were the source for the Pumpkin papers, but it is possible and should be explored, if it has not been done before.
2. Is Isaac Don Levine still alive and, if so, should he be interviewed about his role in the case? Meyer Zelig has talked with him and might be an avenue for a further interview.
3. Is Emmanuel Larsen still alive? If so, his role in the case should be explored. What was his title in the State Department? Could he possibly have been the person referred to in Gouzenko's allegation

about a Soviet espionage agent on Stettinius' staff (or if not Larsen, who else could it have been)? The Justice Department justified the light fine given Larsen in the Amerasia case on the grounds that the seizure of the documents was acknowledged to be illegal, since illegal entry and illegal bugging were used, but it raises a question in my mind about the possible use of the documents for other purposes.

5. General comments

The theory I outlined at the beginning of these notes is admittedly speculative. It may well be that the China Lobby (Levine, Kohlberg et. al.) was not an important factor in the case. But it seems to me that HUAC was led to Chambers by other persons than Chambers himself. But HUAC was in contact with Chambers in early 1948, at the latest, and I would guess that the contact was Levine and/or Mandel. Levine's public accusation in December, 1947 that Hiss, although not named, had passed on documents to be microfilmed indicates to me that Levine was involved in, or at least knowledgeable about, the Pumpkin Papers, whether they had yet been manufactured or not. And Levine's primary interest was in the China question, and his chief supporter, Alfred Kohlberg, led the China Lobby. Yalta represented, to the China Lobby, the sellout of Chiang Kai-Shek and the Nationalists, and Hiss was the most vulnerable State Department official who had been at Yalta. In addition, Hiss had been an official of the Far Eastern Office of the State Department between 1939 and 1944, and had dealt with Far Eastern affairs before 1939, during the period when a link could be established between Hiss and Chambers. Thus, documents dealing with Far Eastern affairs that would have passed through Hiss' office could be utilized in a case against him.

I would very much appreciate comments on these notes from all those I am sending them to (Alger Hiss, William Reuben, Steve Salant and Meyer Zelig).