

Alger Hiss, Whittaker Chambers, and the Schism in the American Soul

P R E F A C E

FIVE YEARS AGO IN THE *New York Times*, Arthur Schlesinger Jr. affirmed the continuing relevance of the twentieth century's most famous trials in America. His list included the trials of John T. Scopes, Sacco and Vanzetti, Leopold and Loeb, Bruno Richard Hauptmann, and (he reluctantly added) O. J. Simpson.

As important as those cases were, however, Schlesinger explained that, for people of a certain age and political concern, "the trial of Alger Hiss remains paramount."

That trial (more accurately, trials, as there was more to this case than the simple criminal indictment for perjury) exposed to the public for the first time the tragic, unlikely figures of Alger Hiss and Whittaker Chambers and gave us the infamous spy case that bears their names. The narrative snaked a tortuous, often perplexing path, one that left an indelible mark on the American political and cultural landscape.

It began on a sweltering August day in 1948, when Chambers, a senior editor at *Time* magazine with a shadowy past as a communist agent, reluctantly testified to a House investigating committee that a number of former government officials, including a highly regarded one named Alger Hiss, were secret Communist Party members. When pressed further by House investigators, Chambers later admitted that he, Hiss, and others had engaged in espionage for the Soviet Union against the United States during the 1930s. Thus began the great case.

A spellbound nation watched breathlessly as the drama unfolded. The committee summoned Hiss. Hiss denied the allegations. The two were brought together and confronted each other. Chambers recognized Hiss. Hiss emphatically denied knowing Chambers. Hiss challenged Chambers to repeat his charges in public. Chambers obliged on a radio broadcast. Hiss sued Chambers for slander in civil court. In the criminal court, a grand jury convened. Chambers produced additional evidence. Hiss was indicted. A trial was held. A mistrial was declared after the jury deadlocked. A second trial was held. In January 1950, Hiss was convicted of perjury for lying about his relationship with Chambers and his covert actions. He was sentenced to five years in a federal penitentiary. A judge then threw out Hiss's slander suit against Chambers.

Hiss completed his sentence, began a career as a greeting card salesman (as a convicted felon, he was disbarred from practicing law), published his first memoirs, *In the Court of Public Opinion*, essentially a pedestrian lawyer's brief, and continued defiantly declaring his innocence until his death in 1996.

In 1952, Chambers wrote his memoirs, the modern biographical classic titled *Witness*, detailing his life with the Communist Party and the challenges America faced with communism in mid-century. Chambers succinctly summarized those challenges by asking the rhetorically profound question: "Faith in God or Faith in Man?" He believed the fate of Western Civilization rested on the correct answer ("Faith in God"). By presenting the stakes in such stark terms and by in effect putting secular liberalism on trial, the soft-spoken Chambers had inadvertently fired the opening salvo in the modern American political discourse between Left and Right. With his career at *Time* ruined by the case, an exhausted Chambers

retired to his farm in Westminster, Maryland, writing sporadically and publishing commentary in William F. Buckley's fledgling *National Review*. He died in 1961.

As is well known and oft repeated, Hiss and Chambers were two men scarcely cut from the same political or personal cloth. Hiss was tall, handsome, well pedigreed and highly credentialed. He had graduated from Harvard with a law degree and had clerked for Supreme Court Justice Oliver Wendell Holmes. He had served in the Agriculture and State Departments, ultimately advising President Franklin Roosevelt at Yalta. Later, in 1945, Hiss served as the secretary-general of the United Nations Conference on International Organizations (UNCIO), where he presided over the negotiations that led to the ratification and signing of the UN Charter. When the case broke, Hiss was working as president of the Carnegie Endowment for International Peace, and many believed he was a strong contender for Secretary of State in a future Democratic administration.

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Hiss was also an undercover operative supplying intelligence information for the Soviet Union.

In contrast, Chambers was short, squat, and rumped in both attire and demeanor. In the essay included here, Rebecca West noted incredulously that "[i]t is one of the great jokes of history that the dragnet of a Washington committee should have fetched up this man of all men to take part in a dervish trial." Chambers was a Columbia University dropout. A gifted writer, he had penned stirring essays for the communist *New Masses* magazine and *Daily Worker* newspaper in the early 1930s before going underground to do "special work" for the Communist Party. Emerging in 1937 after becoming disillusioned with Stalin's purges and what he saw as the diabolical true meaning of communism, Chambers informed the government (in 1939, one day after the Nazi invasion of Poland) of his activities, alerting administration officials to the spy network operating from within the government, and waited for action. None ever followed. He subsequently landed a job with *Time* magazine, where he wrote thoughtful, sometimes moving, and often provocative book reviews. He later stepped up for a controversial stint at *Time's* Foreign News desk, where he employed his editorial perch weekly to sound the alarm about the not-so-friendly intentions of America's not-so-trustworthy ally, "Uncle Joe" Stalin and the Soviet Union. Because *Time* did not assign bylines to its writers and editors in those days, Chambers remained a relatively unknown figure to the American public until the House Un-American Activities Committee subpoenaed the former communist agent to testify in the summer of 1948.

The Hiss-Chambers case was a trial in more ways than the traditional courtroom trappings would suggest. True, there were congressional hearings and grand jury indictments. A young U.S. representative from California, Richard M. Nixon, would cut his political teeth on the case, earning as his reward a national reputation (and the Left's undying enmity).

There were distinguished prosecutors and defense attorneys. Tom Murphy, a New York City prosecutor, had compiled a 99 percent conviction record in the U.S. Attorney's Office. For the defense, the renowned trial lawyer Lloyd Stryker, the Johnnie Cochran and Alan Dershowitz of his day, earned Alger Hiss a mistrial in the first prosecution, but took a pass on a second Hiss defense. That

subsequent jury convicted Hiss of perjury (the statute of limitations for espionage having passed).

In addition, there were the witnesses—many, many witnesses. Fifteen character witnesses vouched for Hiss, either in person or in writing. These included Supreme Court Justice Felix Frankfurter, Illinois Governor Adlai Stevenson, and 1924 Democratic presidential nominee, John W. Davis. Familial witnesses for Chambers included the singular figure of his wife, Esther, who after sustained badgering by Stryker, exclaimed to the jury, "My husband is a decent citizen, a great man!"

And there was the evidence: the prothonotary warbler, a rare bird Hiss had confided sighting to Chambers in the 1930s and the occurrence of which Hiss later unwittingly divulged to congressional investigators seeking to verify a relationship between the two men. There were the purloined secret State Department memos and documents Hiss passed to Chambers. There were the additional copies Hiss had keyed overnight on his Woodstock typewriter. Most famously, there were the "Pumpkin Papers," actually rolls of incriminating microfilm Chambers had photographed from secret documents Hiss had removed from State. Chambers spirited away these canisters when he made his break with communism, and later stowed them away for safekeeping in a hollowed-out pumpkin on his farm at the height of the investigation's furor.

This recitation of the sensational twists and turns behind the Hiss-Chambers case leads us to this anthology, which consists of a representative collection of essays about the case's continued importance to the American body politic. To paraphrase an assertion made by Whittaker Chambers himself (published posthumously in *Cold Friday*), every serious political essay, like every life, is issued ultimately, not to those among whom it initially appears, but to the judgment of time, the sternest umpire. What serious man, he added, could wish for a judgment less final? These essayists, all serious men (and women), influential as public-opinion shapers, would surely concur.

Each essay in this collection examined, for its own contemporary audience, the impact of the Hiss-Chambers case on American political culture. What sets these essays apart from most of the hundreds of other lesser pieces is that their unique observations have best withstood the judgment of time.

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In general, the passionate convictions manifested in these essays fall into one of three categories. First, there are those who believe Alger Hiss testified truthfully that he was not a communist and did not engage in espionage for the Soviet Union; those who subscribe to this conviction see Hiss as perhaps the most wronged man in U.S. history, a man victimized by an unjust judicial system (such is the *Nation's* long-time position).

Thus, in a 1952 *Saturday Review* critique of *Witness*, law professor Charles Alan Wright complained that the case was "too complex for either reporters or the jury to understand properly. . . . The burden of proof was on Hiss to prove his innocence, rather than on the government to prove him guilty. . . . [W]e seem deliberately to make it as difficult as possible for a jury to reach a rational verdict." And in a 1957 review of Hiss's *In the Court of Public Opinion* (included here), legal scholar and historian Mark DeWolfe Howe wrote that Hiss had satisfied him that "abuses of congressional power, supplemented by the

excessive zeal of the prosecutor, go farther to explain the second jury's verdict than does any presumption that twelve jurors who heard the witnesses accurately measured the conflicting testimony." Howe concluded with this bitter prediction: "Whether the tribunal of history will accept or reject the jury's verdict we cannot say. It seems clear, however, that it will condemn the action of those who converted an investigating committee of the Congress into a prosecuting agency of the government."

Hiss personally advanced this line of attack as late as 1986, when, in the *New York Times*, he wrote that his case was

tried in the hysteria of the early cold-war year of 1949 after sensational hearings by the House Committee on Un-American Activities. Those documents showed that the prosecution had withheld exculpatory evidence, misled the judge and jury on the identity and authenticity of the typewriter that was the crucial exhibit in the case and committed other transgressions. . . . Anyone can examine this proof of my assertion that the conviction was a miscarriage of justice. The issue presented is one of fact and common-sense judgment. Any reader can determine whether or not to agree with the judge, himself a Nixon appointee, who denied my petition. Once more, I assert that I did not engage in espionage. It is still simply Whittaker Chambers's word against mine. In calmer times my word has been accepted, and it will be again. My case seems to be a barometer of the cold war.

Over the years, Hiss's aggressively unyielding stance has led advocates of his innocence to swear themselves to something of a loyalty oath. William F. Buckley Jr. noted that Hiss's innocence had once been "a fixed rational conviction, then blind faith, and now was rank superstition." Chambers wrote to Buckley that Hiss was vindicated every time "one of the most respectable old ladies (gentlemen) says to another of the respectable old ladies (gentlemen): 'Really, I don't see how Alger Hiss could brazen it out that way unless he were really innocent.' All Alger Hiss has to do for this victory is persist in his denials." Such tenacity seemed persuasive to both Hiss's diehard and lukewarm supporters, who can be heard to exclaim in exasperation at times, as we read in Philip Nobile's essay, that Hiss must be telling the truth because "[n]othing else makes sense."

In a review of Allen Weinstein's *Perjury* published in 1978, Garry Wills would have none of it, giving Hiss's game away, as he sees it: "Hiss's strategy of total and universal denial and forgetfulness from the very outset, his refusal to volunteer autobiography, make sense if Hiss had more to hide than the Chambers documents. This is why I would not pay him the insult of believing him. I would rather think he has been serving his own gods with hidden gallantry. It is only as a secret foe that he regains the integrity people have always sensed in him."

The *New York Observer's* Ron Rosenbaum didn't accept the "nothing else makes sense" reasoning of Hiss's defenders, either. Instead, Rosenbaum, writing just last year, articulated a more novel take on the case, namely, that Hiss's defense is best served by readily and proudly admitting his guilt. He argued that Hiss's defenders adopted the values of Hiss's accusers when they committed themselves to the idea that, if Hiss did do it, there is no defense for it. Rosenbaum implied that Hiss's actions were, in fact, defensible if one saw them

as those of a true believer, working for the salvation of mankind through communism. "Perhaps Hiss loyalists should consider whether they are in fact no longer defending Hiss at this point, but rather perpetuating a cover story he no longer needs—at the cost of denying him a truly principled defense, a defense, at least, of the person he really was," Rosenbaum concluded.

Occupying the second category of argument in this compilation are those who trusted the veracity of Whittaker Chambers's testimony (and who, in fact, were profoundly moved by it). Those supporters believed that Chambers had sacrificed his reputation, career, and health with his willingness to swear that, in the 1930s and 1940s, agents of a hostile foreign power had infiltrated some of the highest levels of the U.S. government, and that among those agents was a man named Alger Hiss. In this view, Chambers's solitary struggle personified the "mystery of human redemption" in the epic twentieth-century struggle between freedom and totalitarianism (*National Review's* position). Commenting on the awful, agonizing paradox that was Whittaker Chambers's witness, Murray Kempton writes, "(His enemies) condemn him to the degradation of having lied, while he writhes in the degradation of having told the truth."

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Unhappily, this category attracted a few of the more unappealing supporters of anticommunism, such as Senator Joe McCarthy. But one should remember this: Although McCarthy embraced Chambers, Chambers in quick order denounced McCarthy, repudiating his tactics as counter-productive to the political goals they appeared to share. ("For the Right to tie itself in any way to Senator McCarthy is suicide," Chambers advised. "He is a raven of disaster.") And, in retrospect, although American leftists have for more than fifty years routinely issued shrill cries of McCarthyism as a convenient shorthand for any conduct they perceive as a politically intolerant "witch hunt" (by the American Right), McCarthy's actual disruption of civilized U.S. political debate was rather short-lived.

Chambers also attracted some unlikely liberal allies. One such latecomer was John Kenneth Galbraith, who wrote in a 1970 "revisionist" review of *Odyssey of a Friend: Letters of Whittaker Chambers to William F. Buckley, Jr., 1954-1961*, published in the *New Republic*, that in time he had come to accept Hiss's guilt, and to some degree even to blame Hiss (rather than Chambers) for Joe McCarthy. He then added, with regret, "(But) I never got around to forgiving Whittaker Chambers." He wrote that he had dismissed *Witness* because he "did not care for the author or his political associations," and conceded that this was not the best foundation for literary or artistic criticism. He concluded, "It is not news that Chambers destroyed Hiss. But these letters show that Hiss also destroyed Chambers."

What Hiss did not destroy, as John Judis claims in a 1984 *New Republic* treatise reprinted here, was Chambers's far-reaching influence, which Judis wrote was clearly of "more than passing contemporary interest." Judis reminded readers that after Chambers wrote *Witness*, he dedicated the remainder of his life to working with "a new generation of American right-wingers trying to develop an American conservative movement." Mary McCarthy recognized immediately the threat to the American Left, which was why she, among many others, wanted so badly to exonerate Hiss and to discredit Chambers. "The great effect of this new Right," she advised a friend in 1952, "is to get itself accepted as *normal*, and its publications as a *normaa* part of publishing . . . and this, it seems to me, must be scotched, if its not already too late."

It was.

Although Lionel Trilling had written in 1950 that liberalism was the sole intellectual tradition in American society, that was all about to change, thanks in large part to Chambers, whose *Witness* provided much of the intellectual foundation for conservatives' defense of the West. He brought conservatives, who had been fairly anti-ideological until the 1950s, into the national argument. Chambers, a self-described "man of the Right," gave conservatives a voice, even as he himself remained uncomfortable with the term "conservatism." His encouragement nurtured the growth of what Mary McCarthy famously had hoped to "scotch"; a successful and influential conservative American political movement.

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One of the so-called right-wingers whom Chambers's worldview profoundly influenced was the youthful conservative pundit and publisher William F. Buckley Jr., with whom Chambers struck up a lengthy and remarkable correspondence. Buckley's fortnightly *National Review*, established in 1955, has influenced generations of conservative intellectuals, activists, and pundits. In turn, the anticommunist, pro-freedom embbers Chambers fanned in the late 1940s and early 1950s inspired a grass-roots movement in the Republican party to first nominate a conservative, anticommunist presidential candidate in 1964 (Barry Goldwater), and then to elect a conservative, anticommunist president in 1980 (Ronald Reagan), one who could quote passages from *Witness* by memory.

The battle lines drawn between the political Left and Right, as revealed in a substantial portion of this collection, should dumbfound no one. What *should* surprise those unschooled in American political alignments of the 1950s is the appearance of a third faction; namely, anticommunist liberals who found themselves uncomfortably caught in the middle of an ideological blood battle. These liberals typically conceded that Whittaker Chambers was right, but nonetheless found him an unsympathetic (and unsavory) character who must be kept at arm's length (for, among other reasons, because he was of the Right). One aspect of this position is best summarized by a former communist correspondent of Arthur Koestler's, who thought that "Whittaker Chambers is the real villain because he didn't keep his mouth shut about things past and done with." In the article reprinted here, commentator Elmer Davis reflected another component of this position when he wondered impatiently, "How long will these ex-Communists and ex-Sympathizers abuse the patience of the vast majority which had sense enough never to be Communists or sympathizers at all?"

The most thoughtful members of this category are Lionel and Diana Trilling, two of the country's most influential liberal intellectuals at mid-century. The Trillings realized that if it was believed that communists were dedicated to overthrowing the American democratic political system with a tyranny of the Left, then a liberalism that stood too close to communism was a liberalism in mortal danger. After all, as Terry Teachout has observed, Alger Hiss seemed the very personification of the fervent left-liberalism of the 1930s, and if he could be a Soviet agent, perhaps there really wasn't much difference between liberalism and communism after all (one recalls Eleanor Roosevelt's remark that she had always thought communists were simply "liberals in a hurry").

The Trillings therefore worried that the clear, but subtle, distinction between genuine liberalism and communism might be lost on the general populace.

Hence, they counseled, although both liberalism and communism could be said to be on the left side of the American political spectrum, liberals could not afford to associate themselves with the communists. Leslie A. Fiedler also acknowledged the liberals' predicament: Either one must lump together as "Reds" everyone who is left-of-center, or one must refuse to recognize as a communist anyone who denies it. "The one kind of Communist likely to be missed by both approaches is the genteel Bolshevik who keeps his nose clean and never even reads the *New Republic*."

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That left these anticommunist liberals in an awkward position: They absolutely abhorred the American Right, and what they saw as both its opportunistic embrace of anticommunism and its long-standing reactionary response to all liberal "good government" social policies and goals—the very policies and goals championed by Alger Hiss. As Diana Trilling wrote, "It has always been true that politics makes strange bedfellows, but never so horribly true as in these last decades in which Communism has not only split the liberals among themselves, but also time and again thrown the anti-Communist liberal into the same camp with forces he detests, or should detest, as much as he detest Communists." They were agonized by the realization that British leftist journalist Christopher Hitchens articulated many years later, "If Hiss was wrong, then Nixon and McCarthy were right. And that could not be." Thus, the challenge to the anticommunist liberals was to balance (and advance) the seemingly contradictory view that Hiss and Nixon *and* McCarthy were all wrong. For they knew in their hearts that an Alger Hiss, stubbornly maintaining his innocence, in the face of all logic and evidence, would irreversibly corrupt a fair understanding of their liberal beliefs.

Thus, the Hiss-Chambers case played a major role in defining the post-World War II political battle lines between the emerging anticommunist conservative movement of the Right and the nascent anti-anticommunist reactionaries of the Left (with beleaguered establishment liberals struggling in between for a middle ground). Its revelations about communism's undemocratic intentions and desire for global domination provided Republican Party candidates, officeholders, and activists a key component of their political worldview for nearly fifty years. In a sense, the Hiss-Chambers case was a mirror held up to America's collective face. The ugly reflection—the picture of Dorian Gray, if you will—that revealed in Alger Hiss an all-American boy, dedicated government servant, and communist spy caused many to wince, others to hang their heads in shame, and some to attack the man holding the mirror.

The scope of the literature on Hiss, Chambers, and their conflict makes it impossible for this anthology to impart an exhaustive examination of all viewpoints. (See the bibliography for further investigation.) However, this compilation does provide a representative sampling of all three perspectives, presenting a balanced spectrum of opinion on the case and its significance to the continuing American political dialogue.

It may strike one as oddly ironic that the initial essay—Fiedler's, originally published in 1951—should begin, in a collection that spans fifty years of reflection and conjecture, with the remark, "It is time, many of us feel, to forget the whole business. . . . [T]he prison doors have closed [on Alger Hiss]; let us consider the question also closed." But then, this is a tale wrapped in irony of the strangest sort. "History is not so easily satisfied," Fiedler reminded his readers.

"Like some monumental bore, it grabs us by the lapels, screaming into our faces the same story over and over again."

In his foreword to *Witness*, Chambers might well have been addressing succeeding generations, as well as his children, when he wrote sorrowfully: "As long as you live, the shadow of the Hiss Case will brush you." He was right, no matter which side of the great debate one champions.

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