

The Hiss-Chambers Case: Three Acts of Espionage Theater

Ryan Ervin

“Experience had taught me that innocence seldom utters outraged shrieks. Guilt does. Innocence is a mighty shield, and the man or woman covered by it, is much more likely to answer calmly: ‘My life is blameless. Look into it, if you like, for you will find nothing.’”—Witness, Whittaker Chambers

Memories of the Hiss-Chambers Case have faded in the nearly 60 years since it dominated headlines in 1948, merging into a vague stew of Communist espionage and congressional hearings. When all of the judgmental paint is wiped away, however, a single, specific question remains: did Alger Hiss lie to the House Committee on Un-American Activities (HUAC)? The debate has instead centered on those involved, focusing on Whittaker Chambers’s seedy and notorious past, on Hiss’s outstanding resume and career, and, above all, on HUAC’s questionable conduct during the initial hearings.

In August 1948, Alger Hiss lied before HUAC. He knew Chambers when Chambers had been a Communist. His testimony before HUAC proves this beyond any doubt. Intercepted Soviet cables during the Cold War, released in 1996, further prove Hiss’s Communist ties.¹ The House Committee was instrumental in finding the inaccuracies, errors, and lies Hiss told. But although HUAC was central to cracking the case, its procedures and conduct in a politically-charged atmosphere have allowed it to continue long after the hearings ended. Likewise, those who either trusted Hiss or believed in Chambers have defended them without relying on the evidence. Their unyielding support, based on superficial opinions, has entangled the case in a briar patch of doubt. By dropping all of the litigious rhetoric of both groups, the truth in the testimony is all

¹ The NSA began decoding encrypted Soviet messages in the 1930s and 1940s. A March 30, 1945 cable almost conclusively identifies Hiss as a Communist under the codename “Ales.” The activities of “Ales” during the Yalta Conference led encryption experts to conclude: “Ales: Probably Alger Hiss.” See John Earl Haynes and Harvey Klehr, *Venona: Decoding Soviet Espionage in America* (New Haven, CT: Yale University Press, 1999), 155-56, 170-73, 352.

that remains. Court trials are a kind of theater in which the participants perform for the jury. Congressional hearings also contain dramatic elements, and the Hiss-Chambers Case is a prime example of “Espionage Theater,” with Alger Hiss and Whittaker Chambers playing their roles in a kind of Greek tragedy, and HUAC acting as the director. Unlike a normal theatrical production, however, in which the drama effected on the stage is designed to clarify the script’s meaning, the dramatic elements offered by Hiss, Chambers, and HUAC served to muddy the words they spoke. The witnesses read their lines with such dramatic flare that the script was virtually ignored by posterity. The case is best understood in this theatrical context, within the framework of three Acts. *Act I* will cover Chambers’s and Hiss’s first testimonies before HUAC; *Act II* will deal with both men’s “follow-up” testimonies in executive session; and *Act III* involves the first, and most important, confrontation between the two. Whittaker Chambers, the accuser, Alger Hiss the accused, and Richard Nixon, the driving force of HUAC, were the leading actors in this play. All three men offered very different accounts of what took place during that humid August of 1948. Chambers, the reluctant, tragedy-plagued witness was thrust into a case he felt compelled, by forces greater than he, to take part in. Hiss, the defiant and brash New Dealer, played the role of victim to the hilt. And Nixon, the obsessive, dogged Congressman who saw an opportunity to destroy the Truman Administration while furthering his own political career. More than anything else, the motives, personalities, and words of these three men have given the case its longevity.

It is important to understand the witnesses’ background at the time of their 1948 testimony. David Whittaker Chambers was born in Philadelphia in 1901. He came from a modest background, and after high school looked for work as a writer. Convinced after WWI that the world was steering towards self-destruction, Chambers joined the Communist Party in 1924.² He worked his way up the ladder of the Party, and eventually became a writer for the *New Masses*, a Communist newspaper. In the mid-1930s, however, the Party leadership asked him to go “underground” and partake in

² In the post-WWI years, Chambers was looking for some direction, a plan for the world, that made sense to him. He “believed that a moribund society needed the surgeon’s knife of Marxism-Leninism if it was to survive.” Nathaniel Weyl, *Treason: The Story of Disloyalty and Betrayal in American History* (Washington, D.C.: Public Affairs Press, 1950), 429.

espionage activities against the United States government. He joined the Ware Group, named for its leader, Harold Ware.³ This group posed as an intellectual discussion group but was actually an espionage cell in Washington, D.C. Many in the group worked for the government in some capacity, and Chambers's acted as a courier for them, taking copied documents to his Soviet agent "handlers." According to Chambers, the Ware Group included Nathan Witt, John Abt, Lee Pressman, Victor Perlo, Charles Kramer, Alger Hiss, and Donald Hiss (Alger's brother).⁴

By 1938, Joseph Stalin was at the height of his Soviet purges. Chambers realized this danger when the Soviet Union ordered him to the country for unclear reasons and, certain that his life was at stake, he broke with the Party. He took his family into hiding, and stayed up nights with a revolver in reach. Eventually, though, the threat of retaliation eased, and Chambers gradually re-entered society, having personally renounced Communist ideology. By 1948 he had become a respectable and productive citizen, serving as senior editor of *Time* magazine.

Chambers's personality is best described as dramatically sad. He was a deeply private man who took things very personally.⁵ Chambers saw the world, both while a Communist and after, in the throes of cataclysmic disaster. At his August 3rd testimony, he said that when he left the Communist Party, he thought, "I know that I am leaving the winning side for the losing side, but it is better to die on the losing side than to live under communism."⁶ Eric Sundquist remarks that "his renunciation of Communism was produced less by a sudden religious illumination than by the recognition that

³ Ware traveled to the Soviet Union and worked on a collective farm in the early 1920s. He returned to the United States later that decade and joined the Department of Agriculture during the early New Deal days. He was part of a "Communist dynasty." Most of his immediate family members were Communists.

⁴ Most or all of the Ware Group members served in government in some capacity.

⁵ Eric Sundquist said that his "break with Communism, and his long witness against it, required deep inner upheaval, of a kind that to many people now must seem quaint at best, if not altogether inexplicable." Sundquist, "Witness Recalled," *Commentary* 86 (1988): 58.

⁶ Congress, House, Committee on Un-American Activities, *Hearings Regarding Communist Espionage in the United States Government*, 80th Cong., 2nd Sess., July-September, 1948, 564. In T. Michael Ruddy, *The Alger Hiss Espionage Case* (Belmont, CA: Wadsworth/Thomson Learning, Inc., 2005), 29.

totalitarian rule was condemning the world to darkness."⁷ A gifted writer who first translated the novel *Bambi* into English, Chambers was nonetheless obsessed with the notion that events were edging the world toward a battle between freedom and totalitarianism, and he would be a major player in those events.

It would be difficult to find two people less alike, in both appearance and life, than Whittaker Chambers and Alger Hiss. Hiss's life story is one of accomplishment and success. Born in Baltimore in 1904, he attended Johns Hopkins University, where he was voted "most popular" and "best all around" by his classmates.⁸ Hiss graduated cum laude from Harvard Law, and then clerked for Supreme Court Justice Oliver Wendell Holmes, Jr. In the early 1930s he followed many lawyers to Washington to be a part of President Roosevelt's New Deal. In the course of his career, Hiss served all three branches of government. He gave legal counsel to the Nye Committee, which investigated munitions manufacturing; he served a brief stint in the Justice Department; and he eventually became an advisor to the Assistant Secretary of State. Hiss helped draw up the American plan for the Yalta Conference, and accompanied Roosevelt to the meeting. He also was Secretary General of the San Francisco Conference that ratified the United Nations charter. In 1945, Hiss left government service to become President of the Carnegie Endowment for Peace.

Despite only a three-year age difference, Hiss and Chambers looked nothing alike. Chambers was short, pudgy, and fumbling, with premature gray hair, looking twenty years older than his 47 years of age. Hiss, by contrast, was tall, lean, and dapper, the very image of the New Deal Democrat.⁹ His very appearance, a handicap for Chambers, strengthened his credibility.

The House Committee on Un-American Activities (HUAC), before which Hiss and Chambers testified, had been created in 1938 and charged with investigating any and all varieties of "domestic

⁷ Sundquist, "Witness Recalled," 59.

⁸ At Johns Hopkins and later at Harvard Law School, Hiss "combined unobtrusive brilliance with an easy-going, modest, attractive personality." Weyl, 430-431.

⁹ "Hiss's background, style and career symbolized the ethos of the self-confident, left-wing, East Coast, Ivy League, New Deal bureaucrat," writes David Cate. "His accuser, Whittaker Chambers, was by contrast a humped, shambling writer with a record as a confessed Communist spy." David Cate, *The Great Fear: The Anti-Communist Purge Under Truman and Eisenhower* (New York: Simon and Schuster, 1978), 59.

political extremism,” which eventually meant a focus on “the Democratic Party’s liberal left more than on avowed Communists or fascists.”¹⁰ It was initially a temporary committee, but by the time John Rankin (D-MS) became chairman in 1945, it had become permanent, and focused most of its attention on the perceived threat of Communism in America. Before the Hiss-Chambers case, HUAC already had a controversial reputation. The Committee’s “investigations of the motion picture industry had received some sharp criticism in the press, and President Harry Truman’s staff had drafted a bill to abolish it should the Democrats control Congress after the 1948 election.”¹¹

HUAC consisted of nine Congressmen in 1948: J. Parnell Thomas (R-NJ), Karl E. Mundt (R-SD), John McDowell (R-PA), Richard Nixon (R-CA), Richard B. Vail (R-IL), John S. Wood (D-GA), John E. Rankin (D-MS), H. Hardin Peterson (D-FL), and F. Edward Hébert (D-LA). Robert E. Stripling, the Chief Investigating Officer for the Committee, also played an important role in the case. The more prominent HUAC members were as varied in their demeanor as the states they came from. Karl Mundt displayed more zeal in his duties than any other Congressmen. He was “a born investigator and a clever one. More than almost any other man who ever served on the committee he seemed to enjoy searching for evidence of ‘un-American activity.’” Mundt was constantly concerned about his own publicity in the investigations, and he brought to HUAC “a series of strong prejudices and a bitter sense of partisanship...he did not hesitate to indicate a bias or even fully formed judgment at the beginning of a hearing, and he never lost an opportunity to attack the Democratic administration.”¹² Although acknowledged as one of the more intelligent members of HUAC, at times he was careless with facts.

John Rankin was a blatant racist, “who spiked most hearings with Negrophobic, anti-Catholic, and anti-Semitic tirades....”¹³ J. Thomas was “characteristically ungracious” about allowing witness and their attorneys to confer, and he seemed to take great

¹⁰ Allen Weinstein, *Perjury: The Hiss-Chambers Case* (New York: Random House, 1978), 5.

¹¹ G. Edward White, *Alger Hiss’s Looking-Glass Wars: The Covert Life of a Soviet Spy* (Oxford, New York: Oxford University Press, 2004), 52-53.

¹² Walter Goodman, *The Committee: The Extraordinary Career of the House Committee on Un-American Activities* (New York: Farrar, Straus and Giroux, 1964), 226-227.

¹³ Weinstein, *Perjury*, 5.

satisfaction “in hearing former New Dealers and present eminences of the Progressive Party discredit themselves in public.” Not only would their testimony help the Republican campaign in 1948, he reasoned, but it would also reaffirm the need for investigative committees such as HUAC.¹⁴ John McDowell was “a complete nonentity among members of Congress, a man of exceedingly limited ability, and, what is worse, one who was unable to remain silent or to play the quiet role of a follower which so many men of mediocre talents have wisely selected for themselves.”¹⁵

Prior to the Hiss-Chambers case, Richard Nixon was a relatively quiet member of the committee. He did not partake in many of the “Hollywood hearings” of 1947, and he even showed “a mild inclination to defend the motion picture industry” against the attack of other members.¹⁶ Nixon was fast learner, and showed a natural instinct “for when to bet high and when to cut his losses.”¹⁷ He had one, clear purpose for being on the Committee: to oust Communists from government.¹⁸ A lawyer by profession before his election to Congress in 1946, Nixon brought much-needed composure and a keen sense of duty to the committee.

Robert Stripling was perhaps the best investigator the committee could ask for. “Strip,” as he was called, had been HUAC’s Chief Investigator since 1938. He was a professional at heart, and “organized his investigations for maximum impact and conducted them with a sense of order [that others] had never been able to master.”¹⁹ Stripling indeed “was superbly fitted for his investigatory role. He had the hallmark attributes of patience and zeal and also a punishing memory. In hearings he seldom consulted files as he fired questions ‘from the hip’ in his East Texas drawl, pursing his thin lips disgustedly while the witness squirmed.”²⁰

Alger Hiss and Whittaker Chambers held different opinions of HUAC. “It seemed to me plain enough,” Hiss wrote, “that some

¹⁴ Goodman, *The Committee*, 251.

¹⁵ *Ibid.*, 235.

¹⁶ *Ibid.*, 229.

¹⁷ *Ibid.*, 271.

¹⁸ “To show that there were Communists in the federal service, to see them punished, to see those who permitted them to gain their public posts discredited, to see the laws changed if existing ones provided an inadequate basis for punishing the wrongdoers—these were Nixon’s interests.” *Ibid.*, 233.

¹⁹ *Ibid.*, 270.

²⁰ Sam Tanenhaus, *Whittaker Chambers: A Biography* (New York: Random House, 1997), 215.

members of the Committee were launched on a hunt for political sensations and that their attitude toward anyone charged with Communism would not be objective.”²¹ Hiss might have had good reason for worry, because the Case would become a “*cause célèbre*,” and HUAC, “as well as the country, was to show far more interest in the personalities involved and the solution to the mystery than it was in the broader problem which underlay the details of the story.” If one reads the testimony, there is indeed little to learn about the “larger aspects of the threat offered by subversive agents in a democratic society in a world in revolution.”²² Interestingly, Chambers’s initial view of HUAC was similar to Hiss’s, although his thinking would change later. Chambers knew nothing of the Committee, and was told that its members

were the least intelligent in Congress because no decent man wanted to serve on it. They were uncouth, undignified and ungrammatical. They were rude and ruthless. They smeared innocent people on insufficient evidence or no evidence at all. They bullied witnesses and made sensational statements unfounded in fact. When, occasionally, they did seem to strike a fresh scent, they promptly lost it by all shouting at once or by making some ridiculous fumble.²³

Chambers’s preliminary understanding of HUAC evolved, however, into respect and admiration. “What I filed away in my mind,” he wrote, “was that the Committee was a force that was fiercely, albeit clumsily, fighting Communism.” He believed that HUAC “acted, at least in the Hiss Case, with intelligence and shrewd force, despite great pressures not to act at all.” Chambers also became friends with Nixon and his family, and with Mundt and McDowell, “a most cordial feeling developed.”²⁴ Despite these close relationships, he nevertheless thought HUAC behaved “clumsily, crudely, without intelligence, intuition, or even order.” Later though, he would be “astonished at the skill and pertinacity with which [the Committee] made head against great obstacles.”²⁵ Chambers’s admiration, especially for Nixon, might have had little to

²¹ Alger Hiss, *In the Court of Public Opinion* (London: John Calder, Ltd., 1957), 8.

²² Robert K. Carr, *The House Committee on Un-American Activities: 1945-1950* (Ithaca, New York: Cornell University Press, 1952), 97, 130.

²³ Whittaker Chambers, *Witness* (Washington, D.C.: Regnery Publishing, Inc., 1952), 536.

²⁴ *Ibid.*, 537.

²⁵ *Ibid.*, 557-558.

with his conduct during the case. He seemed to have a special link with Nixon, who resembled him in many ways.

Nixon too was an introvert determined to play a role in history. Nixon too was painfully aware of the charm he lacked and diligently compensated for it by means of his ‘extraordinary intelligence.’ Nixon too harbored secret depths of loneliness and compassion. Nixon too was an unapacific Quaker who saw life in psychodramatic terms of struggle and conflict.²⁶

Both men felt the same about the world, both felt they had a duty to expose Communist infiltration, and thus both seemed to be on the same side from the beginning of the case.

Act I of the Hiss-Chambers Case began on July 31, 1948, when Elizabeth Bentley testified before HUAC. Bentley, known as the “Red Spy Queen,” was a confessed Communist agent who named many Communist agents in the Roosevelt and Truman administrations. Bentley’s testimony hit a dead end, however, when there were no witnesses, or evidence, to corroborate her testimony. HUAC called on Whittaker Chambers, who had related his involvement in the Ware Group to FBI and executive officials before, to substantiate what Bentley had said.²⁷ In testifying, Chambers drew up the curtain on the Hiss-Chambers Case.

ACT I

AUGUST 3rd AND 5th, 1948: CHAMBERS’S AND HISS’S FIRST TESTIMONIES

Richard Nixon was not impressed when first saw Chambers. “He was short and pudgy. His clothes were unpressed. His shirt collar was curled up over his jacket. He spoke in a rather bored monotone.” “Both in appearance and in what he had to say,” wrote Nixon, “he made very little impression on me or the other Committee members.”²⁸ Chambers was anything but eager to “name names” and tell of his Communist past. “I did not wish to testify before the House Committee,” Chambers writes. “I prayed

²⁶ Tanenhaus, *Whittaker Chambers*, 240.

²⁷ Chambers was interviewed by Assistant Secretary of State Adolf Berle, Jr., on September 1, 1939. He again discussed his Communist ties with State Department officials in the spring of 1945, and was interviewed by FBI agents on May 10, 1945. Ruddy, *The Alger Hiss Espionage Case*, 23.

²⁸ Richard Nixon, *Six Crises* (New York: Simon and Schuster Inc., 1962), 2.

that, if it were God's will, I might be spared that ordeal. I knew that I could simply keep silent about any names that I was not directly questioned about, with a good chance that I would not be asked about any that Elizabeth Bentley had not already mentioned. I could minimize whatever I had to say, in any case, so that it amounted to little."²⁹

Chambers subsequently gave a brief history of his break with Communism, why he had done so, and what his involvement in the Ware Group had been. He named all of the group's members, including Alger Hiss, and explained its infiltration purposes, namely to influence policy. HUAC questioned Chambers extensively on the nature of the "Washington apparatus," how it operated, and whom Chambers had told his story to in the past. Little attention was given to Alger Hiss or the others named by Chambers at this time, except for this brief exchange:

MR. STRIPLING: When you left the Communist Party in 1937 did you approach any of these seven to break with you?

MR. CHAMBERS: No. The only one of those people whom I approached was Alger Hiss. I went to the Hiss home one evening at what I considered considerable risk to myself and found Mrs. Hiss at home. Mrs. Hiss is also a member of the Communist Party.

MR. MUNDT: Mrs. Alger Hiss?

MR. CHAMBERS: Mrs. Alger Hiss...Mrs. Hiss attempted while I was there to make a call, which I can only presume was to other Communists, but I quickly went to the telephone and she hung up, and Mr. Hiss came in shortly afterward, and we talked and I tried to break him away from the party.

MR. MCDOWELL: He cried?

MR. CHAMBERS: Yes, he did. I was very fond of Mr. Hiss.

MR. MUNDT: He must have given you some reason why he did not want to sever the relationship.

MR. CHAMBERS: His reasons were simply the party line.³⁰

It would be difficult to believe Chambers conjured this story up. These brief remarks about Hiss should have called for further questioning, but the Committee members did no such thing. "What implications there were of espionage were often obscured by Representative John Rankin's ceaseless attempts to drag into the hearing every one of his pet hates in and out of the New Deal and to twist Chambers' words into anti-Semitic utterances," argues Ralph

²⁹ Chambers, *Witness*, 533.

³⁰ Ruddy, *The Alger Hiss Espionage Case*, 31.

de Toledano. "That the committee did its best to ignore Rankin's outbursts was very much to its credit."³¹ Historian Robert Carr believed Chambers did his best to specifically accuse Hiss on August 3rd. "One feels that Chambers was as much interested in this first appearance in putting the spotlight upon Alger Hiss as he was in bringing to light general information concerning espionage in the federal government."³² Carr's conclusion does not agree with the transcript of Chambers's testimony however. He spoke as often about the other Ware Group members as he did about Hiss. When asked about Hiss specifically, as in the excerpt above, he offered an answer. In addition, Chambers was anything but eager to testifying before HUAC. He wrote that when he entered the Ways and Means Committee Room that day, he "ceased to be a person; I became the target that I was to continue to be for two years. 'The impassive Chambers,' 'the smiling Chambers' became catch-phrases which were turned against me by those whose self-interest it was to see in my effort at composure only heartlessness—as if a man had ever found any other refuge than impassivity when roped to a public stake."³³ If anything, Chambers believed the spotlight had been put on him, not Hiss.

Media opinion of Chambers's August 3rd testimony was unsympathetic. ABC Radio broadcaster Elmer Davis came to Hiss's defense, suggesting that Chambers's accusations were a "plot to smear the New Deal." The *New York Times* noted that "we have a precious heritage in this country of protection of the innocent against false accusation, of a fair trial even for the guilty. What price a few headlines if those rights are compromised?" The *Washington Star* had a cartoon in the next day's paper "depicting an open sewer manhole labeled 'The House Un-American Activities Committee.'"³⁴ The prevailing belief among news outlets was that the whole hearing would damage people's reputations, and that HUAC should never have subpoenaed Chambers in the first place. HUAC, though, did nothing after Chambers testified but wait for those accused to come forward and testify. Generally, those who did testify claimed their Fifth Amendment rights against self-incrimination. Everyone in the alleged Ware Group took this course of action, except Alger Hiss.

³¹ Ralph de Toledano and Victor Lasky, *Seeds of Treason: The True Story of the Hiss-Chambers Tragedy* (New York: Funk and Wagnalls Company, 1950), 148.

³² Carr, *The House Committee on Un-American Activities*, 99.

³³ Chambers, *Witness*, 535.

³⁴ de Toledano and Lasky, *Seeds of Treason*, 150.

He came to HUAC willingly on August 5th and claimed he did not know his accuser, Chambers:

- MR. STRIPLING: You say you have never seen Mr. Chambers?
- MR. HISS: The name means absolutely nothing to me, Mr. Stripling.
- MR. STRIPLING: I have here, Mr. Chairman, a picture which was made last Monday by the Associated Press. I understand from people who knew Mr. Chambers during 1934 and '35 that he is much heavier today than he was at that time, but I show you this picture, Mr. Hiss, and ask you if you have ever known an individual who resembles this picture.
- MR. HISS: I would much rather see the individual. I have looked at all the pictures I was able to get hold of in, I think it was, yesterday's paper which had the pictures. If this is a picture of Mr. Chambers, he is not particularly unusual looking. He looks like a lot of people. I might even mistake him for the chairman of this committee. [Laughter.]
- MR. MUNDT: I hope you are wrong in that.
- MR. HISS: I didn't mean to be facetious but very seriously. I would not want to take oath that I have never seen that man. I would like to see him and then I think I would be better able to tell whether I had ever seen him. Is he here today?
- MR. MUNDT: Not to my knowledge.
- MR. HISS: I hoped he would be.
- MR. MUNDT: You realize that this man whose picture you have just looked at, under sworn testimony before this committee, where all the laws of perjury apply, testified that he called at your home, conferred at great length, saw your wife pick up the telephone and call somebody whom he said must have been a Communist, plead with you to divert yourself from Communist activities, and left you with tears in your eyes, saying, "I simply can't make the sacrifice."
- MR. HISS: I do know that he said that. I also know that I am testifying under those same laws to the direct contrary.³⁵

"Hiss's performance before the Committee was as brilliant as Chambers's had been lackluster," recalled Nixon. "He so dominated the proceedings that by the end of his testimony he had several members of the Committee trying to defend the right of a congressional committee to look into charges of Communism in government."³⁶ Historian Walter Goodman noted how Hiss stood out from the other Ware Group members, "rather like a Man of Distinction on a stroll through the C.C.N.Y. campus."³⁷ He went to the hearing accompanied by many friends and supporters in

³⁵ Ruddy, *The Alger Hiss Espionage Case*, 35-36.

³⁶ Nixon, *Six Crises*, 5.

³⁷ Goodman, *The Committee*, 254.

government, and their mere presence notified HUAC exactly who they were questioning. When he claimed he might mistake Chambers's picture for Congressman Mundt, his supporters "sitting in the front rows of the spectator section broke into a titter of delighted laughter. Hiss acknowledged this reaction to his sally by turning his back on the Committee, tilting his head in a courtly bow, and smiling graciously at his supporters."³⁸

Nixon especially felt defeated. "He had won the day completely," wrote Nixon. "It would not be an exaggeration to say that probably 90 percent of the reporters at the press table and most of the Committee members were convinced that a terrible mistake had been made, a case of mistaken identity, and that the Committee owed an apology to Hiss for having allowed Chambers to testify without first checking into the possibility of such a mistake."³⁹ One reporter asked Nixon after the hearing, "How is the Committee going to dig itself out of this hole?" *Washington Post* reporter Mary Spargo told the Congressman, "This case is going to kill the Committee unless you can prove Chambers's story." Ed Lahey of the *Chicago Daily News* was red with anger when he yelled at Nixon, "The Committee on Un-American Activities stands convicted, guilty of calumny in putting Chambers on the stand without first checking the truth of his testimony."⁴⁰ Hiss annoyed Nixon, no doubt, but the Congressman especially hated that Hiss used his resume for exculpation. Hiss named many prominent people as character witnesses, including former Supreme Court Justice Oliver Wendell Holmes, Jr., and former Secretary of State Edward R. Stettinius.⁴¹ Nixon believed Hiss was conveying "innocence by association," which he especially deplored of New Deal Democrats.

When HUAC met after the August 5th hearings, most members believed that a great mistake had been made. "Mundt, speaking for the others [except Nixon] stated categorically that it was quite apparent the committee had been taken in by Chambers." Representative Hèbert thought the best way of dispensing of the whole affair was for the Committee to "wash its hands of both Hiss

³⁸ Nixon, *Six Crises*, 7. When Hiss asked the Committee if Chambers perchance might be at the hearing, he looked around slowly, giving the impression that he had no idea what he might look like.

³⁹ *Ibid.*, 9.

⁴⁰ *Ibid.*

⁴¹ Stanley Reed, Roosevelt's Solicitor General, and Francis Sayre, a State Department official, also supported Hiss.

and Chambers” and send the testimony to Attorney General Tom Clark.⁴² This seemed to be the consensus, except for Richard Nixon. “I was the only member of the Committee who expressed a contrary view, and Bob Stripling backed me up strongly and effectively,” Nixon remarked.⁴³ He offered several points for continuing the investigation. First, if the case were turned over to the Justice Department, HUAC’s reputation would be destroyed. “It would be a public confession that we were incompetent and even reckless in our procedures,” Nixon pointed out. No one would ever trust the Committee with investigations again if they handed the matter over to Justice. Second, Nixon argued, the Committee had an obligation, at the very least, to see the case through and try to find out who was lying. If Hiss had lied on the small point of knowing Chambers, Nixon reasoned, “and the committee could prove it...it would be a big feather in the committee’s cap.”⁴⁴

Other factors influenced Nixon’s decision. There were odd instances where Hiss avoided saying whether he knew unequivocally if he had known Chambers. He always qualified his answers with “to the best of my recollection.” Two anonymous people also told both Stripling and Nixon that Chambers was an alcoholic and had been in a mental institution. “This was a typical Communist tactic always employed to destroy any witness—and particularly any former Communist—who dared to testify against them,” Stripling later remarked.⁴⁵ Finally, Hiss said Chambers’s name “means absolutely nothing to me.” He did not directly testify that he had never known Whittaker Chambers, or that he recognized him from the photograph (“He looks like a lot of people”).⁴⁶ These factors convinced Nixon to press on, and he convinced the other Committee members as well.

Discrepancies alone did not influence Nixon. Psychohistorian Bruce Mazlish has said that Hiss “was everything Nixon was not.” “Hiss, the embodiment of Eastern values...had treated Nixon...like dirt,” or so Nixon thought.⁴⁷ In Nixon’s eyes, Hiss was sneering at HUAC, vaguely insinuating that the Committee did not know what

⁴² de Toledano and Lasky, *Seeds of Treason*, 153.

⁴³ Nixon *Six Crises*, 10.

⁴⁴ de Toledano and Lasky, *Seeds of Treason*, 154.

⁴⁵ Nixon *Six Crises*, 11.

⁴⁶ Chambers described Hiss’s performance as “his practiced legal sinuousness to avoid a firm yes or no when asked to identify me.” Chambers, *Witness*, 556.

⁴⁷ Weinstein, *Perjury*, 14.

they were doing or whom they were challenging. His flippancy gave Nixon the impression that he had much more important things to do than testify. Stripling, who supported Nixon, thought that his manner on August 5th suggested a personal animus towards Hiss. “Nixon had his hat set for Hiss from their first exchanges,” Stripling recalled. “It was a personal thing. He was no more concerned about whether or not Hiss was [a Communist] than a billy goat!”⁴⁸

Sam Tanenhaus has said that Nixon “stood to lose little if proved wrong. As a freshman congressman, even one on the rise, he had no reputation to protect. He could afford to be zealous—and mistaken—in a cause his party had embraced.”⁴⁹ Chambers summed up the Congressman’s role succinctly: “Richard Nixon made the Hiss Case possible.”⁵⁰

Pressure also came from the White House, which wanted to disband HUAC. President Truman held a press conference on August 5th and was asked whether the hearings were a “red herring” to divert attention away from other issues. The President said they were, adding: “The public hearings now under way are serving no useful purpose. On the contrary, they are doing irreparable harm to certain people, seriously impairing the morale of Federal employees, and undermining public confidence in Government.” He also asked, “What useful purpose is it serving when we are having this matter before a grand jury where action has to take place, no matter what this committee does?” HUAC, according to Truman, was “slandering a lot of people that don’t deserve it.”⁵¹ The Committee knew that with a Truman victory in November, their hearings would end. Mindful of this, they were more than willing to let Nixon take the lead and continue the case. They knew that if they did not get any results from a follow-up inquiry of Chambers and Hiss, they would have little public support. Aware of this urgency and to “get results,” Nixon and HUAC questioned the two in executive session.

ACT II

AUGUST 7th AND 16th: CHAMBERS AND HISS TESTIMONY EXECUTIVE SESSION

⁴⁸ *Ibid.*, 15.

⁴⁹ Tanenhaus, *Whittaker Chambers*, 232.

⁵⁰ Chambers, *Witness*, 557.

⁵¹ U.S. Government, *Public Papers of the Presidents of the United States, Harry S. Truman, 1948* (Washington, D.C.: Government Printing Office, 1964), 432-433. In Ruddy, *The Alger Hiss Espionage Case*, 37-38.

On August 7th, 1948 in a New York City Courthouse, Whittaker Chambers appeared in executive session before a HUAC subcommittee comprised of Nixon, McDowell, and Herbert. They planned to question Chambers about his relationship with Hiss, and to use his answers to contrast Hiss's later testimony. In session, Chambers astounded the Committee with intimate details about Hiss and his family. "For the most part...Chambers displayed remarkable familiarity with the domestic arrangements of the Hisses, considering the decade-long gap in their association," wrote Allen Weinstein. "By the time Nixon adjourned the session, Chambers's disclosures and the mass of detail he had provided about the Hisses had restored the Committee's faith in his credibility."⁵²

Chambers provided the Committee with several important details. Hiss's hobby was ornithology (bird watching), and he once saw the rare prothonotary warbler in the D.C. area; he had once owned an old 1920s Ford roadster; and the Hisses bought a Plymouth sedan and gave the Ford to a service station run by Communists. Chambers was also questioned about the Hiss family in general (spousal nicknames, food tastes), but there were few questions about Communist affiliation. Robert Carr stated that "in the rigorous questioning to which Chambers was subjected on the seventh, almost no effort was made to have Chambers indicate evidence of any sort of close social or intellectual companionship between the two men."⁵³ The subcommittee could have made more headway into the men's "working relationship" at this time.

Once again, politics tainted HUAC's investigation. Congressman Mundt was worried the case could hurt Republican Thomas E. Dewey's presidential hopes, so he wrote letters to Herbert Brownwell, Jr., Dewey's campaign manager, of any developments. Mundt urged that Dewey "not commit himself in any way which might prove tremendously embarrassing...if the outcome of this tangled web of evidence should take a surprising and nation-rocking turn."⁵⁴ Mundt's cautious letter questions the Committee's true intent.

When the Sub-committee met on August 16th, "we found a very different Alger Hiss from the confident, poised witness who had appeared before us in public session just ten days before," wrote

⁵² Weinstein, *Perjury*, 18.

⁵³ Carr, *The House Committee on Un-American Activities*, 105.

⁵⁴ Tanenhaus, *Whittaker Chambers*, 23.

Nixon. Hiss was now "twisting, turning, evading, and changing his story to fit the evidence he knew we had."⁵⁵ Instead of answering HUAC's questions forthrightly, Hiss decided to make Chambers and the Committee the issue:

MR. HISS: I have been angered and hurt by one thing in the course of this committee testimony, and that was by the attitude which I think Mr. Mundt took when I was testifying publicly and which it seems to me, you have been taking today, that you have a conflict of testimony between two witnesses—I restrained myself with some difficulty from commenting on this at the public hearing, and I would like to say it on this occasion, which isn't a public hearing.

MR. NIXON: Say anything you like.

MR. HISS: It seems there is no impropriety in saying it. You today and the acting chairman publicly have taken the attitude when you have two witnesses, one of whom is a confessed former Communist, the other is me, that you simply have two witnesses saying contradictory things as between whom you find it most difficult to decide on credibility.

Mr. Nixon, I do not know what Mr. Chambers testified to your committee last Saturday. It is necessarily my opinion of him from what he has already said that I do not know that he is not capable of telling the truth or does not desire to, and I honestly have the feeling that details of my personal life which I give honestly can be used to my disadvantage by Chambers then ex post facto knowing those facts.⁵⁶

• • •
MR. STRIPLING: I listened to [Chambers's] testimony in New York and I can assure you that there was no prearrangement or anything else with Mr. Chambers, but here is what he did. He sat there and testified for hours. He said he spent a week in your house and he just rattled off details like that. He has either made a study of your life in great detail or he knows you, one or the other, or he is incorrect.

[Hiss presented with a picture of Chambers taken by the Associated Press on August 3, 1948 and asked if he recognizes him]

MR. HISS: This man may have known me, he may have been in my house. I have had literally hundreds of people in my house in the course of the time I lived in Washington.

The issue is not whether this man knew me and I don't remember him. The issue is whether he had a particular conversation that he has said he

⁵⁵ Nixon *Six Crises*, 23-24.

⁵⁶ *Hearings Regarding Communist Espionage in the United States Government*, 935-6, 940-41, 945-49, 952-53, 955-70; cited in Ruddy, *The Alger Hiss Espionage Case*, 51.

had with me and which I have denied and whether I am a member of the Communist Party or ever was, which he has said and which I have denied.⁵⁷

“The knowledge of what I had told the Committee was indispensable to Hiss,” Chambers said, “because on it hinged the question: whether he must identify me at all, or whether he could continue the simpler, less entangling tactic of failing to recognize me.”⁵⁸ Hiss tried to divert the issue that Nixon sought to explore: whether Chambers and Hiss knew each other. If HUAC were to focus on the broader issue of whether Hiss was a Communist, the committee would not be able to draw any substantial conclusions. Proving someone was a Communist would be a difficult, almost impossible task.⁵⁹ Proving someone knew a Communist, however, was much easier. Later in the hearing, Hiss would challenge Chambers’s character:

MR. HISS: Apparently for Chambers to be a confessed former Communist and traitor to his country did not seem to him to be a blot on his record. He got his present job after he had told various agencies exactly that. I am sorry but I cannot but feel to such an extent that it is difficult for me to control myself that you can sit there, Mr. Hebert, and say to me casually that you have heard that man and you have heard me, and you just have no basis for judging which one is telling the truth. I don’t think a judge determines the credibility of witnesses on that basis.

MR. HÉBERT: I am trying to tell you that I absolutely have an open mind and am trying to give you as fair a hearing as I could possibly give Mr. Chambers or yourself. The fact that Mr. Chambers is a self-confessed traitor—and I admit he is—the fact that he is a self-confessed former member of the Communist Party—which I admit he is—has no bearing at all on whether the facts that he told—or, rather, the alleged facts that he told—

MR. HISS: Has no bearing on his credibility?

MR. HÉBERT: No; because, Mr. Hiss, I recognize the fact that maybe my background is a little different from yours, but I do know police methods and I know crime a great deal, and you show me a good police force and I will show you the stool pigeon who turned them in. Show me a police force with a poor record, and I will show you a police force without a stool pigeon. We have to have people like Chambers or Miss Bentley to come in and tell us. I am not giving Mr.

⁵⁷ Ibid., 53.

⁵⁸ Chambers, *Witness*, 581.

⁵⁹ Aside from a Communist Party membership card, there was little evidence to prove Communist affiliation.

Chambers any great credit for his previous life. I am trying to find out if he has reformed. Some of the greatest saints in history were pretty bad before they were saints. Are you going to take away their sainthood because of their previous lives? Are you not going to believe them after they have reformed?

I don’t care who gives the facts to me, whether a confessed liar, thief, or murderer, if it is facts. That is all I am interested in.

MR. HISS: You have made your position clear....⁶⁰

As Congressman Hébert said, the Committee was interested in “the facts,” wherever they come from, and Hébert would believe a distinguished man, like Hiss, or one with a shadowy past, as Chambers, so long as he got the truth. During the course of this hearing, Hiss laid the groundwork for acknowledging that he had indeed known Chambers. He testified that he had known a man who resembled Chambers during the period in question. This man, according to Hiss, was named “George Crosley.” This George Crosley knew Hiss in many of the same ways that Chambers testified to in his August 7th hearing. For example, Crosley was a “deadbeat” freelance writer who lived with the Hisses for a few months (Chambers said he lived with the Hisses for a period of weeks and months). Hiss also gave his Ford roadster to Crosley along with the apartment, and loaned him \$200, which he never repaid. Nixon saw many problems with Hiss’s sudden recollection of a houseguest. “Hiss’s story was plausible. But could an argument over his failure to pay \$200 rent bill cause Chambers—thirteen years later—to risk reputation, a \$25,000-a-year job, and a prison term for perjury, in order to get revenge on Hiss? Where was the motivation?” Nixon also had difficulty believing Hiss had given Crosley his old Ford.⁶¹ “Why would Hiss,” Nixon pondered, “who was not a wealthy man, give even an old car in those depression days to a ‘deadbeat’ freelance writer with whom he had only a casual acquaintance?”⁶² These points were not lost on the Committee.

Hiss’s hobby, ornithology, became a key point in the hearing. Chambers stated without hesitation that Hiss was an avid birdwatcher, and that he had once spotted the rare prothonotary warbler. When Nixon asked Hiss what his hobbies were, he stated “Tennis and amateur ornithology.”

⁶⁰ Ruddy, *The Alger Hiss Espionage Case*, 56-57.

⁶¹ Chambers, one will recall, had testified that Hiss transferred the car to a Communist-run service station.

⁶² Nixon *Six Crises*, 30.

MR. MCDOWELL: Did you ever see a prothonotary warbler?
 MR. HISS: I have right here on the Potomac. Do you know that place?
 THE CHAIRMAN: What is that?
 MR. NIXON: Have you ever seen one?
 MR. HISS: Did you see it in the same place?
 MR. MCDOWELL: I saw one in Arlington.
 MR. HISS: They come back and nest in those swamps. Beautiful yellow head, a gorgeous bird.⁶³

This casual admission brought the questioning to a stop. The Committee members all looked up from their notepads and stared at Hiss in stunned silence. Nixon quickly moved on to break the dead air, but the point was clear: Chambers knew Hiss intimately. “A mind might figure out...how I might have known the answers to the other questions,” Chambers admitted. “But not the prothonotary warbler. The man...who knew that fugitive detail must have known Alger Hiss.”⁶⁴ Historian Allen Weinstein is less convinced. “Never in the investigation of espionage have so many placed so much reliance upon such an apparently minor fact, indeed upon a solitary twit of a bird, the prothonotary warbler.”⁶⁵ However one judges that singular fact, it was difficult for HUAC to believe Hiss had never known Chambers. At the end of the hearing, Nixon explained that Chambers agreed to take a lie-detector test. Would Hiss agree to the same?

MR. HISS: Would it seem to you inappropriate for me to say that I would rather have a chance for further consultation before I gave you the answer? Actually, the people I have conferred with so far say that it all depends on who reads, that it shows emotion, not truth, and I am perfectly willing and prepared to say that I am not lacking in emotion about this business.⁶⁶

Hiss argued over the lie-detector test at length, covering two pages of testimony. He criticized the scientific reliability of the machine, its overall validity and acceptance as a sound machine, and the reliability of the person administering the test. Chambers

⁶³ *Hearings*, in Ruddy, *The Alger Hiss Espionage Case*, 63.

⁶⁴ Chambers, *Witness*, 572-573.

⁶⁵ Weinstein, “The Alger Hiss Case Revisited.” *American Scholar* 41 (1972): 124.

⁶⁶ *Hearings*, in Ruddy, *The Alger Hiss Espionage Case*, 64.

answered the question in one sentence: “Yes, if necessary.”⁶⁷ HUAC also considered these statements in order to better judge each man.

After the August 16th hearing, Nixon told Hiss that he would testify with Chambers on the 25th, but the date was pushed up to the following morning, the 17th. “The more I thought about it,” Nixon recalled, “the more I became convinced that we should not delay the confrontation. Only the man who was not telling the truth would gain by having additional time to build up his case.”⁶⁸ Hiss and Chambers were notified about the reschedule, but neither man knew they would face each other for the first time. “Nixon’s stage management had worked,” writes Weinstein. The confrontation at the Commodore would prove to HUAC which man was lying.

ACT III

AUGUST 17th: FIRST CONFRONTATION, EXECUTIVE SESSION

Hiss came into the August 17th hearing swinging. “From the beginning, Hiss dropped all previous pretensions of injured innocence,” Nixon writes. “He was on the defensive—edgy, delaying, belligerent, fighting every inch of the way.”⁶⁹ G. Edward White believes Nixon’s tactics altered the case entirely, setting up Hiss as the undeniable liar in the case. “The surprise confrontation changed the dynamics of Chambers’s allegations about Hiss.”⁷⁰ Since Hiss’s August 5th testimony, public opinion had been on his side. In his August 16th hearing, however, the Committee saw a wedge which it could split open with a confrontation. After August 17th, Hiss would forever be explaining, rationalizing, and justifying his testimony.

Hiss walked into the Commodore Hotel room and immediately noted for the record that he was in no mood to testify. Harry Dexter White, former Undersecretary of the Treasury, had died the night before of a heart attack, and this news had depressed him.⁷¹ He also accused HUAC of leaking his executive testimony to the

⁶⁷ Chambers, *Witness*, 573.

⁶⁸ Nixon *Six Crises*, 30.

⁶⁹ *Ibid.*, 31.

⁷⁰ White, *Hiss’s Looking-Glass Wars*, 59.

⁷¹ Harry Dexter White had been accused by both Bentley and Chambers of having Communist ties.

press. Nixon dismissed his accusation, despite the Committee's history of doling out confidential testimony. The Committee then brought in Chambers. "During this period," writes Nixon, "Hiss did not once turn around to look at his accuser—the man he had said he was so anxious to see 'in the flesh.' He just sat in his chair staring straight ahead, looking out the window."⁷² Chambers was anxious as Hiss, and could hardly believe what was happening. "Until we faced each other in the hotel room, I had been testifying about Hiss as a memory and a name. Now I saw again the man himself. In the circumstances it was shocking."⁷³ When Chambers was brought in, the two stood and faced each other. Hiss looked at Chambers quizzically, and asked him to speak.

MR. HISS: I think he is George Crosley, but I would like to hear him talk a little longer.

MR. MCDOWELL: Mr. Chambers, if you would be more comfortable, you may sit down.

MR. HISS: Are you George Crosley?

MR. CHAMBERS: Not to my knowledge. You are Alger Hiss, I believe.

MR. HISS: I certainly am.

MR. CHAMBERS: That was my recollection...⁷⁴

After some time, Hiss reluctantly identified Chambers as George Crosley. This was in stark contrast to his August 5th testimony, where he claimed he did not know who Chambers was from his photograph. Still, there were more problems with his admission. He now had the burden of proving there was indeed a man named George Crosley.

MR. STRIPLING: You will identify him positively now?

MR. HISS: I will on the basis of what he has just said positively identifying him without further questioning as George Crosley.

MR. STRIPLING: Will you produce for the committee three people who will testify that they knew him as George Crosley?

MR. HISS: I will if it is possible. Why is that a question to ask me? I will see what is possible. This occurred in 1935. The only people that I can think of who would have known him as George Crosley with certainty would have been people who were associated with me in the Nye Committee.⁷⁵

⁷² Nixon *Six Crises*, 32.

⁷³ Chambers, *Witness*, 602.

⁷⁴ *Hearings Regarding Communist Espionage in the United States Government*, 975-79, 984-992. In Ruddy, *The Alger Hiss Espionage Case*, 73.

⁷⁵ *Ibid.*, 77.

Chambers took no pleasure in Hiss's performance. "I was swept by a sense of pity for all trapped men of which the pathos of this man was the center. For the man I saw before me was a trapped man. Under the calculated malice of his behavior toward me, which I could not fail to resent, under his impudence and bravado to the congressmen, he was a trapped man—and I am a killer only by extreme necessity."⁷⁶ Hiss felt pressure from all sides. At the confrontation, he "sensed a proprietary attitude toward Chambers, as though he were the Committee's witness and I an outsider."⁷⁷

The Committee continued questioning Hiss about his relationship with Crosley, now acknowledged as Chambers. They asked about his bird-watching hobby, the subletting of his apartment, the disposal of the old Ford. The most dramatic point in the testimony came when McDowell asked if Hiss were the same man Chambers knew as a Communist:

MR. MCDOWELL: You make the identification positive?

MR. CHAMBERS: Positive identification.

(At this point, Mr. Hiss arose and walked in the direction of Mr. Chambers.)

MR. HISS: May I say for the record at this time, that I would like to invite Mr. Whittaker Chambers to make those same statements out of the presence of this committee without their being privileged for suit for libel. I challenge you to do it, and I hope you will do it damned quickly.

I am not going to touch him [addressing Mr. Louis J. Russell, Assistant Chief Investigator]. You are touching me.

MR. RUSSELL: Please sit down, Mr. Hiss.⁷⁸

Through Hiss's bravado, Chambers saw a terrified man. "Not its least horrifying aspect was that it was great theater...not only because of its inherent drama, but in part because, I am convinced, Alger Hiss was acting from start to finish, never more so than when he pretended to be about to attack me physically. His performance was all but flawless, but what made it shocking, even in its moments of unintended comedy, was the fact that the terrible spur of Hiss's

⁷⁶ Chambers, *Witness*, 603.

⁷⁷ Hiss, 23.

⁷⁸ *Hearings*, in Ruddy, *The Alger Hiss Espionage Case*, 78.

acting was fear.”⁷⁹ Nixon also saw a frightened Hiss that day. “With a look of cold hatred in his eyes, he fought like a caged animal as we tried to get him to make a positive identification for the record.”⁸⁰ It took Hiss two weeks to make that positive identification, and when he finally did, HUAC was without any doubts that he had been lying from the beginning.

In the aftermath of the August 17th hearing, HUAC informed the press of what took place. Nixon, McDowell, and Thomas all missed dinner that evening, as they rushed to make headlines in the early edition newspapers. Nixon gave the *New York Times* its headline: “Alger Hiss Admits Knowing Chambers; Meet Face to Face.” The *Times* account had a summary of the supposedly confidential hearing.⁸¹ While this went against everything a closed session of Congress stood for, HUAC reasoned that they were in a fight with the President over the Committee’s merit, and therefore had to garner public support. Alger Hiss, meanwhile, composed an open letter to HUAC in his defense. He sent the letter on August 24th to the press, in the hopes of bolstering his diminished credibility. “Before I had a chance to testify,” Hiss wrote, “even before the press had a chance to reach me for comment, before you had sought one single fact to support the charge made by a self-confessed liar, spy, and traitor, your acting chairman pronounced judgment that I am guilty as charged...” Hiss then shifted the focus onto Chambers. “Is he a man of consistent reliability, truthfulness and honor? Clearly not. He admits it, and the committee knows it. Indeed, is he a man of sanity?...Getting the facts about Whittaker Chambers, if that is his name, will not be easy...his career is not, like those of normal men, an open book. His operations have been furtive and concealed. Why? What does he have to hide? I am glad to help get the facts.”⁸² Hiss offered to aid HUAC on getting the facts about *Chambers’s* life and career. The problem with this, as Representative Hèbert explained, was that the Committee had acknowledged the sins of Chambers’s past life. They were not concerned in this case with his dark past, but with what he had to say about that past. The Committee would check and verify the validity of what he had said, checkered past or not.

⁷⁹ Chambers, *Witness*, 605.

⁸⁰ Nixon, *Six Crises*, 34.

⁸¹ Weinstein, *Perjury*, 34.

⁸² *Washington Post*, 25 August 1948; cited in Ruddy, *The Alger Hiss Espionage Case*, 86, 89.

The closing scenes of this drama came at the August 25th public hearing. This was the first ever televised Congressional hearing, and all around the country people stopped to watch or listen to the case unfold. It was also perhaps the most important phase of the case for HUAC. Although they knew Hiss had lied as early as the 16th, this would be the first time they laid out their case for the public. When Hiss rose to testify in public for the first time since the 5th, the Committee was ready for him. Stripling had found documentary evidence that Hiss had sold his old Ford to a Communist sympathizer, just as Chambers had said. Records showed that Hiss had sublet his apartment to Chambers and his family, and Hiss himself had admitted that Chambers was the man he knew as George Crosley. The facts on Crosley, though, were absent. Hiss could not find a single witness to testify they knew a writer named George Crosley in 1934-35. HUAC also contacted the Library of Congress about any writers in their catalogue under the name “George Crosley.” The Director of Reference Services said there were two references to George Crosley, neither of which could have been Chambers.⁸³ The final hearing had been a spectacular success for the Committee. Public opinion was on its side, and many who had unquestionably supported Hiss now had second thoughts. “When Alger Hiss left his first public hearing, people crowded around him. When he left the hearing room on August 25th, no one crowded him. In the nine hours of the hearing, the tide of sentiment in the room, which had run deeply for him, had turned against him.”⁸⁴

On August 27th, the Committee released their Interim Report of the case. HUAC first justified its procedures and methods in conducting the hearings, a point of contention for Hiss and his supporters. “It is...an established fact that in conducting public hearings...an occasional mention of some innocent citizen in connection with a nefarious practice will inevitably occur. When it does, we provide every opportunity for those mentioned to clear themselves of all suspicion in the same forum before the same

⁸³ Chambers, *Witness*, 647-648. The two references were: G.E. Crosley, MD, who wrote a scientific paper in 1936, and G. Crosley, who wrote a book of poems in 1905. During the hearing, James Reston of the *New York Times* passed a note to Chambers that read, “Are you the G. Crosley who wrote a book of poems in 1905?” Chambers sent back a note which read, “I was born in 1901. In 1905, I was four.” Reston would later accuse Chambers of refusing to answer his question.

⁸⁴ *Ibid.*, 695.

publicity media as in the case of the original allegations.”⁸⁵ Hiss was accused of being a Communist, certainly a “nefarious” practice, but he willingly chose to testify and clear himself “of all suspicion.” The Committee then presented their findings. 1) Hiss admitted knowing the members of the Ware Group; 2) he reluctantly but definitely acknowledged that Chambers and Crosley were one and the same; 3) he could not explain how his Ford roadster came under Communist ownership; and 4) no one could support Hiss’s claim that he knew a George Crosley in the mid-1930s. HUAC also noted that Hiss would be given ample opportunity to rectify his conflicting testimony, “but the confrontation of the two men and the attendant testimony from both witnesses has definitely shifted the burden of proof from Chambers to Hiss.”⁸⁶

The case would later move to Federal Court, where Chambers would produce his “Pumpkin Papers,” a pile of sensitive State Department files, to support his accusations. After two trials, Hiss was found guilty of perjury, mainly because the statute of limitations for espionage had long since passed. But his conviction has not quieted public opinion on the case; in fact, the debate has only grown in the years since. Many have claimed that Alger Hiss was so urbane and debonair that he could not have been a Communist. “But has anyone ever claimed,” asks Mathew Richer, “that Communists were incapable of affection and kindness? Even Whittaker Chambers testified that Alger Hiss had a ‘gentle and sweetness of character.’”⁸⁷

The Hiss-Chambers Case served many politicians, none more than Senator Joseph McCarthy. “It is a footnote to the affair,” writes Goodman, “that by becoming a liberal rallying point, Hiss proved of service to the McCarthyites. His case, in the headlines for so long, made it easy for them to exaggerate the dimensions of the internal Communist menace and to whip up a storm which did not last long but left ruins in its wake.”⁸⁸ Not more than a week after Hiss’s conviction in 1950, McCarthy gave his famous Wheeling, West Virginia speech on Communism in the United States

⁸⁵ *Hearings Regarding Communist Espionage in the United States Government*, 1348-49, 1352-54; cited in Ruddy, *The Alger Hiss Espionage Case*, 98.

⁸⁶ *Ibid.*, 99-102.

⁸⁷ Mathew Richer, “The Ongoing Campaign of Alger Hiss: The Sins of the Father.” *Modern Age* 46 (2004):310.

⁸⁸ Goodman, *The Committee*, 267.

government. McCarthy, more than any others besides Nixon, seized on the case for his own purposes.

Hiss’s own view of the case, many years later, offers a perspective rooted in victimization. He claimed that the “frenzied, almost hysterical attitude of some of the press, egged on by [HUAC] and the FBI, created an emotional climate that made a fair trial impossible.” Hiss also saw political forces at work against those he had worked for as well. “The purpose of the case was to smear the New Deal and FDR. It later grew into the McCarthy era. After all, the Republicans had been out of power for 16 years at that time.” Hiss said he was the “fall guy” because Roosevelt was politically untouchable. “He was too popular to attack directly, but his lieutenants could be smeared, and they felt this would rub off on him and his policies. That’s why, having been to Yalta and having worked on the preparation for the U.N., I was in line to be a target. I was used as a substitute.”⁸⁹

Many in the media have also defended Hiss, an incredulous task at best. William Reuben has wondered “How Hiss—if he was guilty—could have avoided detection over the years...is indeed puzzling.”⁹⁰ Alfred Kazin asks whether “Hiss’s possible Communist sympathies more than forty years ago matter now?” The real issue for Kazin is not whether Hiss is guilty of being a Communist spy, but why he must proclaim his innocence. “Hiss must continue to believe himself a political martyr. To repudiate his defense now would be to destroy every claim he has ever made for his reputation, for his personal loyalties, for the Roosevelt Administration itself in peace and war.”⁹¹ If he were to admit that Chambers, HUAC, and others were right, the liberal policies he supported and drafted in the 1930s and 1940s might be tarnished. Hiss was forced to defend himself and disparage his accusers because to not do so would be to let down an entire generation who saw him as the victim of a smear campaign.

Philip Noble puts Chambers and Nixon on trial, just as Hiss tried to do during the hearings. “The bizarre personality of

⁸⁹ Arthur Unger, “Interview with Alger Hiss: ‘I will be upheld’ by History.” *Christian Science Monitor*, 4 May 1984: 21.

⁹⁰ William A. Reuben, *The Atom Spy Hoax*. New York: Action Books, 1955, 173.

⁹¹ Alfred Kazin, “Why Hiss Can’t Confess,” in Patrick Swan, ed., *Alger Hiss, Whittaker Chambers, and the Schism in the American Soul* (Wilmington, Delaware: The Intercollegiate Studies Institute, 2003), 214, 216.

Chambers, the perfervid interest of Richard Nixon...and the lack of any witness supporting Chambers's party association with Hiss troubled many open minds."⁹² However "bizarre" Chambers's personality may have been, Hiss still lied. Everyone who could have corroborated Chambers pled the Fifth Amendment, further supporting his charges? Nobile also admits, "I cannot conceive of a sane person perpetuating a quarter-century of deceit, jeopardizing the welfare of his family and the reputation of his friends, in a doomed attempt to reverse what that person well knows to be the truth."⁹³ Attempting to understand Hiss's motives is pointless when his testimony speaks so clearly.

There are also those who support Hiss unequivocally and deny that he ever did anything wrong. David Cort writes that "Alger Hiss must certainly be vindicated. The wreckage of other reputations is inevitable. And Chambers, with that cute dimpled chuckle and the sly, friendly gleam, is laughing in the grave at his 'friends,' the priceless butts who believed him."⁹⁴ Many Hiss supporters agree that Chambers concocted an elaborate scheme to tarnish a friend who had scorned him many years ago. Chambers, though, did everything he could to keep his collection of State Department papers, passed to him by Hiss, from ever seeing the light of day. Only when Hiss sued him for libel after the HUAC hearings did he bring forth documentary proof.

More often than not, people have attacked Hiss rather than defend Chambers because the man was so unflattering. He never was enthusiastic about accusing Hiss, nor was he ever entirely pleased with his former life. In many respects, Chambers was a reluctant witness. Whereas Hiss's charm continued to help him well after his prison term, Chambers could never quite become the ideal Anti-Communist. Leslie Fiedler writes that "it was impossible to like [Chambers], as one instinctively liked Hiss for the boyish charm we think of as peculiarly American. Chambers seems to have worn his prepossessing air...deliberately, as if he had acquired in his revolutionary days the habit of rebuffing all admiration based on

⁹² Philip Nobile, "The State of the Art of Alger Hiss," in Swan, *Alger Hiss, Whittaker Chambers, and the Schism in the American Soul*, 203.

⁹³ *Ibid.*, 211.

⁹⁴ David Cort, "Of Guilt and Resurrection," in Swan, *Alger Hiss, Whittaker Chambers, and the Schism in the American Soul*, 137.

anything but his role in the party."⁹⁵ In many ways, Chambers seemed to have been the right witness in front of the right Committee at the right time, and then left the witness stand as casually as he had eased into it when his duty was done.

Public opinion in the Hiss-Chambers Case was shaped by the big picture, not by the minutiae that formed the foundation of Hiss's guilt. The prothonotary warbler, the evidence that George Crosley was Chambers, and the qualified answers Hiss gave were all essential parts of the case, but political ideology and conflicting worldviews have done more to make it monumental. Liberals, left-leaning moderates, and others have proclaimed Hiss innocent in the face of substantial evidence. Young men like Hiss helped form the New Deal, and if he could be guilty, then other New Dealers could be sullied by association with a traitor. At the very least, to admit Hiss was a Communist would be tantamount to justifying HUAC's conduct, something no blue-blooded liberal could do.⁹⁶ Conversely, far-right Republicans and conservatives feel the need to make the case more than an isolated event, into an important example of what Senator McCarthy claimed was "twenty years of treason." If Hiss had been the only Communist spy in government, HUAC's record would have no defense. Thus, many on the political right see in the case an opportunity to justify "Red Scare" tactics.⁹⁷ In the end, public opinion has allowed the courtroom drama a half-century encore. The gavel may have fallen long ago, but Hiss and Chambers are still taking their bows.

HUAC was on a mission to establish one fact in the Hiss-Chambers Case: whether the two men had known each other. By the end of August 1948, the Committee proved that fact beyond a reasonable doubt. The tactics and methods HUAC members used in solving this puzzle were only secondary factors. What truly broke open the case were Whittaker Chambers's and Alger Hiss's own words. Their testimonies, a perfect script for espionage theater,

⁹⁵ Leslie Fiedler, "Hiss, Chambers, and the Age of Innocence"; cited in Swan, *Alger Hiss, Whittaker Chambers, and the Schism in the American Soul*, 13.

⁹⁶ While HUAC asked the right questions, their conduct was indeed outrageous.

⁹⁷ Dr. Meyer Zeligs and Ann Coulter offer far left and far right views on the case. Zeligs, in *Friendship and Fratricide*, wrote that Chambers was a homosexual and became infatuated with Hiss. When his overtures were rebuffed, Chambers became indignant and sought to tarnish Hiss. Coulter, in *Treason*, not only claims Hiss was a Communist, but she also defends Senator McCarthy's "smear tactics" in the 1950s.

propelled the case forward and drove it towards a conclusion. Nixon, Stripling and the rest of HUAC, not content to direct, fought to upstage Hiss and Chambers, and so pushed them to the wings. Had they allowed the actors to take the stage alone, they would have been given the performance they ostensibly sought. Hiss and Chambers would have spoken their lines, and the audience would have come away with one conclusion: Hiss lied.