

Will Taft-Hartley Be Scuttled?

Theodore R. Iserman

Jowitt's "Objectivity" C. Dickerman Williams

Germany: Key to Europe W. H. Chamberlin

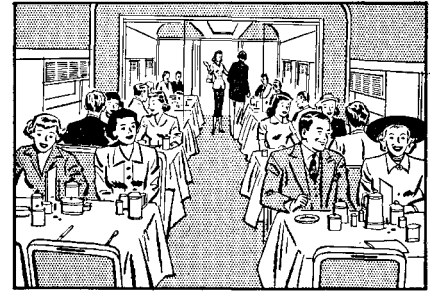
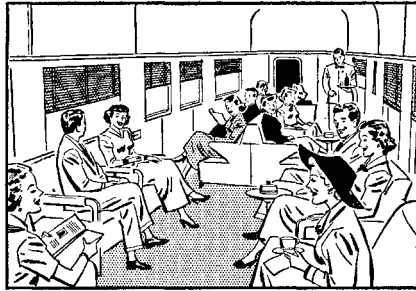
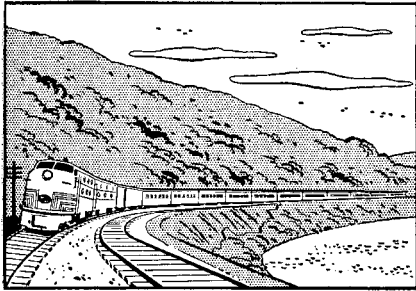
Portrait of a Fellow-Traveler

James Burnham

Time for Disentanglement

An Editorial

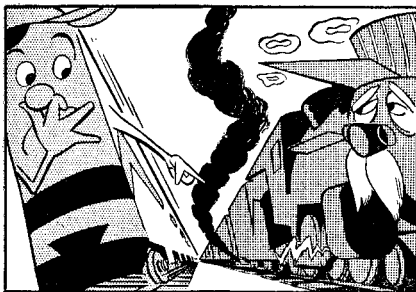
We put the get-up-&-go in the New England States



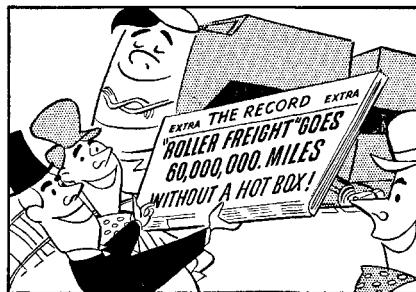
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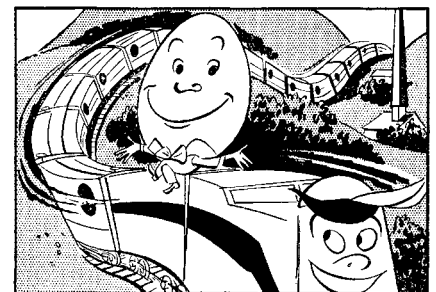
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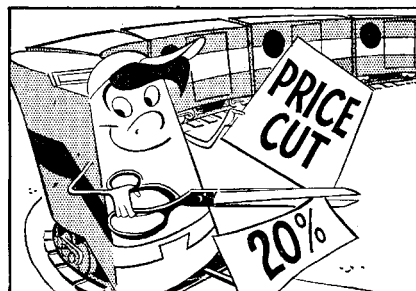
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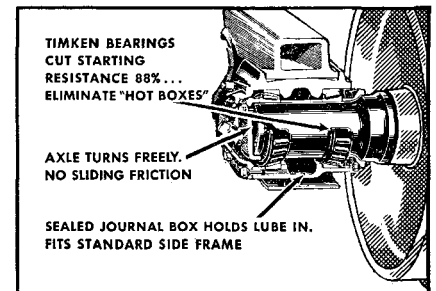
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THE Freeman

A Fortnightly
For
Individualists

Editor HENRY HAZLITT
Managing Editor FLORENCE NORTON

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THE FREEMAN is published fortnightly. Publication Office, Orange, Conn. Editorial and General Offices, 240 Madison Avenue, New York 16, N. Y. Copyrighted in the United States, 1953, by the Freeman Magazine, Inc. Henry Hazlitt, President; Lawrence Fertig, Vice President; Claude Robinson, Secretary; Kurt Lassen, Treasurer.

Entered as second class matter at the Post Office at Orange, Conn. Rates: Twenty-five cents the copy; five dollars a year in the United States; nine dollars for two years; six dollars a year elsewhere.

The editors cannot be responsible for unsolicited manuscripts unless return postage or, better, a stamped, self-addressed envelope is enclosed. Manuscripts must be typed double-spaced.

Articles signed with a name, pseudonym, or initials do not necessarily represent the opinion of the editors, either as to substance or style.

Printed in U.S.A., by Wilson H. Lee Co., Orange, Connecticut.

Our Contributors

THEODORE R. ISERMAN has worked and written extensively in the field of labor relations. As a lawyer, he has concerned himself particularly with our federal labor law and is the author of two books on the subject, *Industrial Peace and the Wagner Act* and *Changes to Make in Taft-Hartley*, the latter published in June.

C. DICKERMAN WILLIAMS began his career in law as secretary to the late Chief Justice William Howard Taft. He was subsequently a special assistant to the U. S. Attorney General and more recently General Counsel for the Department of Commerce.

Back in the early 1940's ALICE-LEONE MOATS created considerable commotion as well as a sensation when, in the course of her travels as a war correspondent, she went to Soviet Russia and did not see or report that country and its rulers through the rose-colored spectacles so fashionable those days. She later wrote of her wartime experiences in *Blind Date with Mars*. A more recent book *A Violent Innocence*, published in 1951, tells of her amazing and unconventional childhood in revolutionary Mexico.

R. G. WALDECK, our roving epistolarian, has been spending the month of August in Germany. A note that reached us today says she will take off soon for Austria and promises an early "Letter" on that country.

In his report from Frankfurt in this issue on the current political situation in West Germany, WILLIAM HENRY CHAMBERLIN rounds out the two-part description of pre-election Germany begun in our August 24 issue with Wilhelm Röpke's analysis of its economic position.

TIM TAYLOR is a free-lance feature writer and columnist, resident in Manhattan.

ANATOLE SHUB is an associate editor of the *New Leader*.

E. MERRILL ROOT, poet and critic, is a professor of English at Earlham College in Indiana.

In Our Next Issue

C. Dickerman Williams, who with this number makes his first appearance in the FREEMAN, will be represented again in our September 21 issue when he will cast his legal eye on the highly controversial subject of Congressional committees. Are Congressional investigations the abomination upon the land many latter-day critics proclaim them to be? In his article Mr. Williams will discuss this and a number of related questions and, furthermore, come up with the answers to them.

New European writers will be the subject of James Burnham's survey of the literary scene in our September 21 book section.

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Question
before
Congress
NOW!



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FROM OUR READERS

From a Former Senator

I have found the FREEMAN a most stimulating journal and an excellent antidote to much of the left-wing propaganda that seems to frequent the columns of all too many publications in these unsettled times. While it sometimes seems a voice crying in the night, I have a profound faith that your penetrating analyses of the passing scene are serving a great purpose in mobilizing the minute men and women of America who will support a righteous government and serve well the cause of American freedom.

Washington, D. C. OWEN BREWSTER

Fluoridation of Water Supplies

The whole problem of fluoridation is still very much in question. The article by James Rorty in the FREEMAN of June 29, 1953, presented a very fair and honest appraisal of the situation. I think the best evidence... is that foreign countries such as Switzerland have committees working upon the action and have come to no decisions thus far. This means that there is much question about the whole procedure and its effect upon people. In time these foreign countries that have had teeth just as we do, and very often fewer dentists, will take action if they feel it is justified and safe. Therefore, I believe we should not only keep our eye upon the evidence here at home, but also watch the actions of other nations.

C. M. MCCAY

Professor of Nutrition,

Ithaca, N. Y.

Cornell University

Truly Libertarian

A big "Hurrah!" for Ludwig von Mises' exceptionally fine article on the return to the gold standard [July 13]. Keep up your thought-provoking and stimulating crusade as the true libertarian publication of our time.

Fort Wayne, Ind. LUCILLE L. ZINK

What to Call Yourself

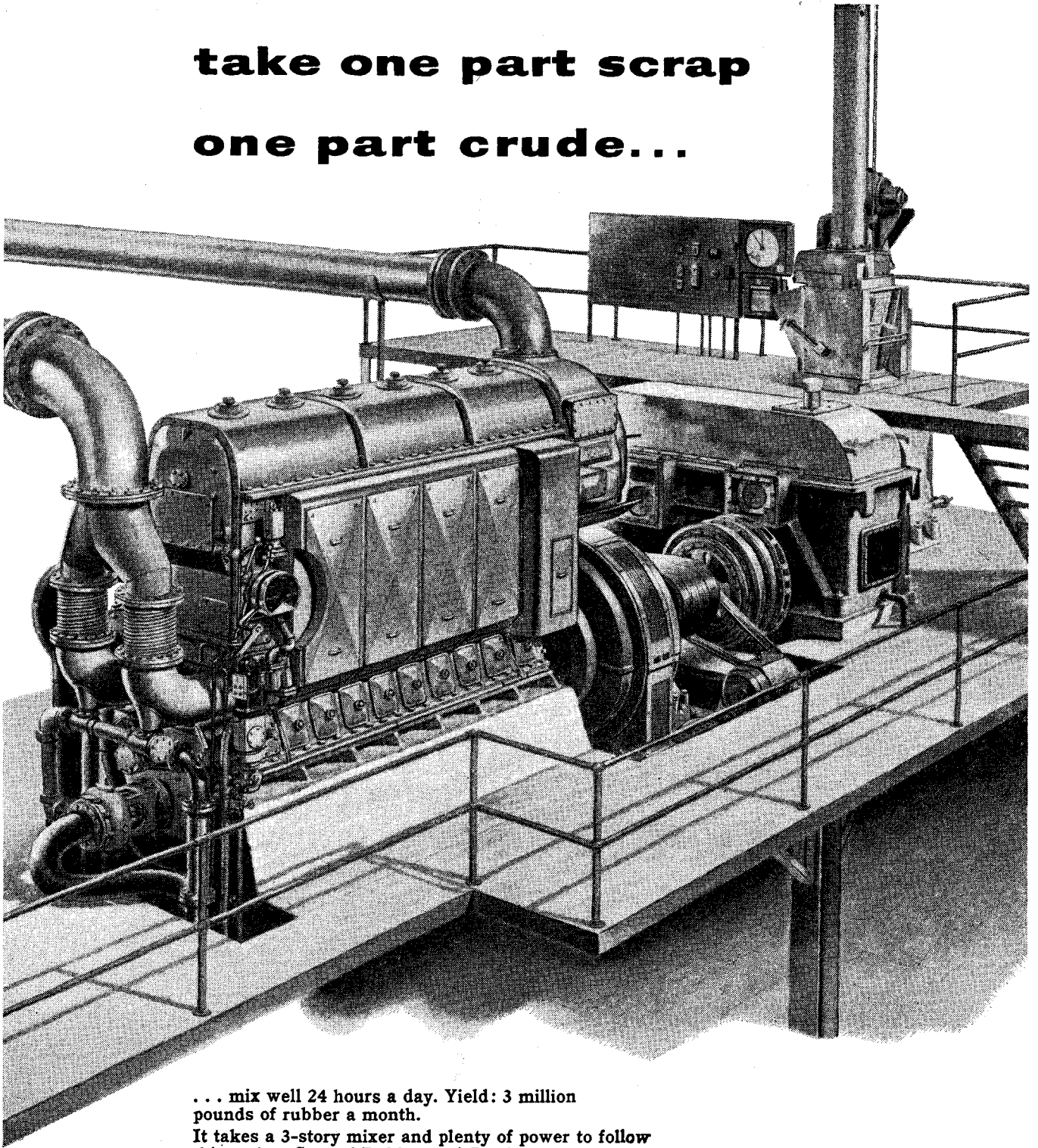
If Mr. Max Eastman is still looking for a meaningful name for... a group of real Americans ["What to Call Yourself," August 24] he has not far to go to find it. He can shortcut his "etymological atrocities," such as "scientific liberalism."

The name is Constitutionalist. It is a name to be proud of: an appellation which any right-thinking person... should treasure. As to persons outside our country who don't like Constitutionals, a good name for most of them would be "gangsters."

Chicago, Ill.

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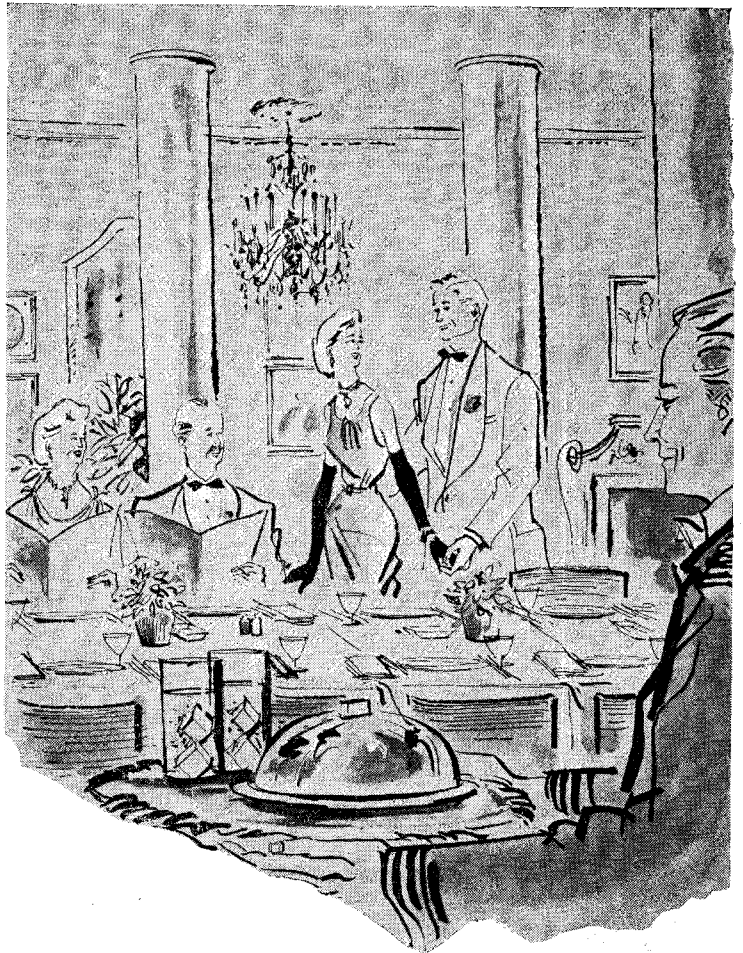


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THE Freeman

MONDAY, SEPTEMBER 7, 1953

The Fortnight

The preposterous position in which we now find ourselves in the United Nations is the direct result of the childish fictions and slogans on which we have operated in foreign affairs since the end of World War Two. It was we ourselves (*i.e.*, the Truman-Acheson clique) who pretended that when we jumped into a war in Korea and did nineteen-twentieths of the fighting and dying it was the "United Nations" that was carrying the fight. So now our United Nations "allies," exploiting this fiction by solemnly talking and acting as if it were true, insist that the United Nations, and not the United States, must discuss and decide the terms of a Korean settlement.

The U.N., for example, is to decide whether India, which never lifted a finger in the conflict, should have an equal voice in the settlement terms; and whether the conference should be divided into "two sides," which our U.N. allies think deplorable, or whether it should be a "round-table" discussion, which they regard as so much nobler. They did not object to a two-sided rather than a round-table war, of course, as long as the United States was carrying nineteen-twentieths of the burden of that war for them. They wish to treat our 140,000 casualties, in short, as if they never existed. How long, to be blunt about it, is Uncle Sam going to be the world's sucker, the fall guy, the patsy? Just so long, apparently, as our Washington bureaucrats regard this as the "statesmanlike" role for us to play.

Which brings us to the foreign aid program. Nothing has more completely demonstrated the futility of that program than what has been happening in France. From 1948 to early this year, France has received over \$10,000,000,000 in economic and military aid from us, which is more than that turned over to any other country. The declared purpose of this aid was to make France economically and politically stable, to reduce or nullify the influence of the Communists there, and to build the country into a firm and dependable ally. Not one of these purposes has been achieved.

France cannot keep a government for more than a few months or weeks. The French franc is down to 4 per cent of its prewar value and still sliding. About as many Frenchmen vote Communist as before Marshall Aid began. And it has now been proved that no French premier can dare to take the steps that are absolutely necessary to restore sanity and solvency without facing paralyzing strikes from unions of every political color. Yet President Eisenhower is planning to spend this year on foreign aid the huge sum of \$6,652,000,000, and he has implied in a message to Congress that foreign aid must continue indefinitely.

We wish we could see hope of substantial improvement in the new seventeen-member Commission on Foreign Economic Policy. But this commission is not to report to Congress until next year, when we will have already thrown away pointlessly billions more of our substance, increasing our debt, unbalancing our budget, and continuing inflation in order to do it. And the record of some members of the commission makes it more than probable that they will advocate still more foreign giveaway programs. No doubt they will also advocate the reduction of barriers to foreign trade, which is highly desirable. But the nations that need that lesson most today are the recipients of our aid, who still insist on exchange control and discriminations against American goods. So far we have never shown any disposition to do anything about this except, at worst, to deplore it verbally while continuing to subsidize the nations that practice it.

It is not yet possible to sift the clear truth from the infinitely distressing reports about what happened to the American prisoners in the camps of North Korea. We hope that there will be no off-the-cuff conclusions or improvised disciplinary measures. A careful and sensitive investigation is urgently needed. It is plain that there is no precedent in our history for what went on. The Communist methods, physical and psychological, succeeded in turning not simply a few individuals but whole groups of young Americans against each other. Some were indoctrinated ideologically, and became what the prisoners called "progress-

sives." Others were transformed into demoralized "rats"—spies and provocateurs for the enemy. Until we know more, we must go slow in judging just why and how these things came about. One thing is certain, however: that our soldiers were sent into the Korean war intellectually and morally unprepared. They were given no help to understand the nature of the enemy, or the meaning and objective of the war which they were called upon to fight. This unpreparedness—no less vital than if they had been sent without military training—undoubtedly was a factor that made some of them more malleable subjects for the brainwashing, starvation, and terror of the Communists.

Whatever may be thought of the A.F.L. attitude on domestic economic issues, its persistent anti-Communist activities abroad deserve the good will of all friends of freedom. The new President of the A.F.L., George Meany, remarked recently in England that appeasement is just as distasteful with a big cigar as with an umbrella. The A.F.L. representative in Europe, Irving Brown, has been one of the most tireless anti-Communists in Europe, trying to plug up weak spots in the European labor movement, and bringing to the struggle against Communism a well-informed mind and a fighting heart. The A.F.L. behavior toward Yugoslavia could serve as a corrective model for some of our diplomats and publicists. As American citizens the A.F.L. leaders support material aid to Tito as a barrier against Soviet imperial Communism. As free trade unionists they refuse to deal with the Yugoslav trade unions so long as these organizations are stooges of a dictatorial government.

Nevertheless, it might be advisable for the A.F.L. abroad to stick a little closer to the trade unions, and to stop its occasional tendency to run a foreign office of its own. Its interventions in North Africa in favor of extreme and irresponsible local nationalist groups have injured our relations with France and aggravated the troubles of the Pentagon, without visible benefit to the peoples of North Africa. Its apparent assumption that "Socialists" always make good allies against Moscow needs a little more precise examination. We recommend that Irving Brown study the last month's news reports from Italy. The right-wing Socialist, Giuseppe Saragat, repeatedly blocked the attempts of the Christian Democratic friends of NATO and the West to form a workable cabinet. Saragat stated that he would support only a government which would have the approval of Pietro Nenni's left-wing Socialists, who, as is well known, are the faithful allies of Moscow. Saragat and his party have been recipients of much aid and comfort from the A.F.L. foreign representative and, it is rumored, from various agents and agencies of the U. S. government.

Giuseppe Saragat's swing toward Moscow is not an exception in the recent European picture. In many nations the Socialists have begun dancing a few steps to the Popular Front tune that the Communists have begun to revive à la 1936. In the German election campaign, Eric Ollenhauer, the Social Democratic leader, attacked Adenauer for rebuffing and provoking the Soviet Union. The British Labor Party demands full Soviet rights in all matters concerning Korea. The French Socialists, perhaps without intending it, found themselves sucked into the Communist stream during the general strike movements. This behavior, which only repeats what Socialists have often done before, from prewar France to postwar Czechoslovakia, raises in a special form the critical question: who are our true allies?

In this issue we publish an article by C. Dickerman Williams on the legal aspects of the Earl Jowitt's book, *The Strange Case of Alger Hiss*. Speaking for ourselves, at least one sentence in that book seems to deserve some sort of immortality. After laying great emphasis on the fact that Hiss was well thought of by the fashionable leftists before the trial, the Earl Jowitt asks: "Is it to be seriously suggested that the burden of proof should be precisely the same in the case of a man of proved integrity as it would be in the case of an unmitigated rascal?" Surely this rhetorical question ought to be embodied in every future book on logic or jurisprudence as a classical illustration of what is meant by bias, partiality, and the fallacy of *petitio principii*, or begging the question—"the fallacy in which that which is to be proved is implicitly taken for granted."

If, as the Earl Jowitt assumes, we already know before a trial opens, or before the evidence is in, that the accused is a man of "proved integrity," then the judge and jury can obviously save time by refusing to listen to any evidence against him at all. For how can a man of "proved integrity" lack integrity? If we assume that we already know, on the other hand, before the trial and before the evidence is in, that the accused is an "unmitigated rascal," then perhaps we can again save time by refusing to attach any weight to any evidence in his favor. To accept the Earl Jowitt's implied principle would be to reject the modern principle of equality before the law, which means among other things the equal application of rules of evidence to everybody. The Earl Jowitt's principle would carry us back to medieval jurisprudence, when the word of a serf was not to be compared with the word of a lord. It adds to the rich irony of the situation that this sentence is contained in a book by an Englishman to show the inferiority of American criminal procedure to that developed in England.

Time for Disentanglement

"Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice? . . ."Tis our true policy to steer clear of permanent alliances, with any portion of the foreign world."

So declared George Washington in his Farewell Address. But over the last generation we have not only neglected his advice; we have been busy explaining it away, or even deriding it. It is not merely that we are now so fond of pointing out the purely physical facts that the airplane and the atom bomb have transformed all distances and all perspectives, but that we have reversed all our former ideas of what constitutes wisdom in diplomacy. A day hardly goes by in which we do not take on more world entanglements and more world commitments. Anyone who raises the slightest question about the results or the trend of this policy is denounced as an "isolationist." It is considered a sufficient reply to him to point out that America cannot live to itself alone, or that we need this or that import from abroad, or that it is a good thing to have allies—or some other such truism that no serious person disputes. It is completely forgotten that it is not alliances per se that our first President warned against, but *entangling* alliances. As a result, we now have entanglements without allies.

How did we get into our present unrealistic and absurd "foreign policy"? Mainly by trying to please our friends, instead of thinking out a foreign policy for ourselves. We were told by Europeans, and by some of our own more emotional leaders, that we must assume something called "world leadership" and "world responsibilities." These phrases have turned out to mean that we are supposed to support the rest of the world in the style to which it wishes to become accustomed, to guarantee it against attack, to pay for at least part of its defense, to do most of the fighting and dying in its wars, and to let somebody else decide what the terms of settlement should be.

Anyone who thinks this is a caricature need merely examine our present situation in relation to Korea. We blundered into a land war there through a series of errors and fictions. President Truman was able to bypass Congress, which has the sole power to declare war, through the fiction that the "United Nations" had undertaken a "police action" in Korea. The "police action" turned out to be a three-year war which cost us 140,000 casualties. The "United Nations," so far as nineteen-twentieths of the fighting and dying were concerned, turned out to be ourselves.

But our United Nations allies had a great deal more than one-twentieth to say about the military strategy of the war. If some of our own leaders are to be believed, it was these allies who vetoed any effort for victory. And now that we have secured a humiliating and uneasy truce, we are given to understand that we are not going to have too much to say about the terms of settlement. These will be largely discussed and determined not only by fourteen "allies" who assumed one-twentieth of the burden of battle, but, some of them suggest, by nations which assumed no burden whatever.

This is a preposterous situation from which we should make it our first business to extricate ourselves. The procedure ought not to be too complicated. We should insist that no nation that failed to contribute to the war should have anything to say about the conditions of an armistice or of a settlement; and that those who have contributed to the war should have a voice only in proportion to their contribution. Next we should call upon all our allies in the Korean war to man the truce lines in Korea, by contributing *now* troops in proportion to their population. To these nations we can point out that we threw our forces into Korea on the assumption that the United Nations meant something; that whatever temporary arrangement it may be necessary to make about financing the war in Korea or anywhere else, we do not consider American lives more expendable than other lives, and that if our allies really wish the United Nations to be a fighting organization for punishing aggressors, no other formula but that of a proportional contribution of manpower is either just or workable.

If our allies reject this proposal (as most of them probably will) then we can point out to them in a polite and friendly way that however pleasant it was on sentimental grounds to have them as token allies, the military value of their token contribution has certainly not been great enough to make it worth our while, in exchange, to continue to surrender our independence of policy and action. For it is intolerable that we should not be free to decide ourselves what to accept or reject in a peace conference, or whether or not to bomb beyond the Yalu in the event of a resumption of hostilities, except with the consent of allies who have borne or will bear a negligible part of the burden of the war.

If our allies reject the proposal of a contribution of manpower proportionate to population, it is they and not we who will take the responsibility of announcing in effect that they do not regard

the United Nations either as a military alliance or as a suitable or workable instrument for punishing aggressors.

But disentanglement would only begin here. Our next step must be to re-examine, not the principle of a military alliance with the free nations of Europe, which we must wholeheartedly accept, but the particular *kind* of alliance that we have in fact set up in NATO. The kind of alliances in which we should enter are those in which we pledge ourselves (in return for a reciprocal pledge) to come to the aid of any nation that is attacked or invaded by the Iron Curtain countries if that nation itself resists the attack or invasion by force. The best form of such a pledge, not only from our standpoint but that of Europe itself, is one that is made conditional on the making and fulfillment of such a pledge by other European nations. Neville Chamberlain's guarantee to Poland was so futile because he had never considered how it could be made militarily effective in the event of Russian neutrality or hostility, in addition to German hostility.

None of this means, of course, that we need to give military or financial aid *now* to those who may possibly (but not certainly) be our allies in the event of a war. It makes no sense to export our manpower now to nations that collectively have far more manpower than ourselves. It makes no sense to pour our military supplies into a Europe that could turn out to be a mere "warehouse" for Soviet Russia. The greatest deterrent to an attack by the Communists on Europe is the knowledge of our certain participation in its defense. It is our immediate use of air power, rather than our immediate use of any token manpower, that would really count. It is Europe itself that must be prepared to meet the first shock of an attack wholly with its own land power. If it cannot do this, it is hopelessly lost.

One of our fundamental mistakes was our well-meant effort to "assume world leadership." Though European politicians urged us to do this, they were not sincere. What they wanted us to do was to implement—*i.e.*, to pay for—the policy that *they* thought we should follow. Our effort to decide European policy ourselves, and particularly our effort to push Europe into defending itself more than it thinks it needs to, has merely been resented, and has led to much of the anti-American feeling that now exists.

Our real role in Europe was not to lead there, but to follow—literally, to offer to "back it up." What we should have said is something like this. "You and we may not agree regarding the extent of the danger of a Soviet attack on you. We'll have to leave that to you to decide. But if you fellows will pledge to support each other, we will pledge to come to your defense in the event of any attack which you yourselves decide to repel by armed force. Otherwise we won't try to

interfere in your affairs or tell you what to do."

There is still time to follow such a policy. It will mean the termination of our economic aid and arms aid programs, which seem to have earned us only ill-will. As the example of France so outstandingly proves, our aid has been completely futile in trying to prop up a country that does not wish to take the measures necessary for its own recovery. There is more than one indication, in fact, that it is precisely our aid program that has delayed the self-reform and the self-defense that is Europe's only hope for survival.

Central American Yenan

There has been little public recognition of the seriousness of what is happening in Guatemala. If the present trend is not soon reversed, we shall wake up one morning with an American "Yenan" solidly established inside our primary strategic frontier.

The Guatemalan President, Jacobo Arbenz Guzman, is not himself a Communist, so far as is known, but he is a willing tool of the Communists. Politically his regime is based on the Communists, who, using the name of "Labor Party," are now the dominant organized political group in the country. Colonel Arbenz is faithfully administering the Communist program which, under the cover of standard "anti-imperialist" demagoguery, is planned to eliminate all anti-Communist organizations and individuals, and to achieve by stages absolute Communist control of Guatemala.

The analogy with the procedure in China is precise. The Communist hand is disguised under the "agrarian" (Land to the Peasants!) and anti-colonial (Down with Wall Street and the United Fruit Company!) slogans. The name "Communist" is dropped: just as in China, we're only "peasants" and "agrarian democrats" struggling to get a rod of land, and to shake off war and imperialist exploitation. Meanwhile, Guatemala, like the geographical area controlled by the early Communist Yenan government in China, is transformed into a regional base from which operations for the subversion of the two Americas can be mounted.

In the July 3, 1953, issue of the official Cominform journal, *For a Lasting Peace, For a People's Democracy*, part of the disguise is dropped. An article by José Manuel Fortuny, General Secretary of the Guatemalan Labor Party, writing frankly as an agent of the international organization, discusses the Communist outlook, and refers to "the Party of the Guatemalan Communists."

Comrade Manuel Fortuny discloses the Communist aim of smashing the inter-American alliances based on the Treaty of Rio de Janeiro and the Bogota and Washington Conferences. ("This treaty and these decisions are directed against the

interests of the peoples of Latin America.") He is discreetly silent about the central strategic objectives: using Guatemala as a base, the Communists will be in a position to sabotage the neighboring Panama Canal, to cut communications between North and South America, and to undermine the U. S. naval and air system in the Caribbean basin.

With this prospect becoming daily more probable of realization, we have been doing almost nothing to counteract it, and have indeed hardly paid it serious attention. In spite of all the water that has flowed under the Chinese bridges during the past decade, there are even signs that persons in this country, including some in the government, are once more being deflected by the "peasant revolution," "anti-colonial" angle. It is surprising that Dr. Milton Eisenhower has so neglected Guatemala in his public remarks since returning from his Latin American tour. And nothing very clarifying has come from Mr. John M. Cabot, the State Department's current expert on Central America, once assigned to the China service, with no record of having dissented from the John Carter Vincent-Acheson-Lattimore policies.

The situation is by no means hopeless. Strong as the Communists are, they have not yet consolidated their hold or eliminated all opposition. Apparently they do not fully control the army. Colonel Arbenz is going along with them now, but he seems an opportunist rather than a Muscovite, and he might quite possibly yield to non-Communist pressures if they should be applied.

More important, the remaining nations of Central America are ready to resist the Guatemala drift. On July 10-12, the Organization of Central American States (ODECA), which was founded in 1950 by Costa Rica, Nicaragua, Honduras, El Salvador, and Guatemala, met without Guatemala, and passed a quite remarkable "Resolution of Managua." This document is obviously directed against the Communist advance in Guatemala, which naturally is a grave threat to these other nations also. It reaffirms hemispheric solidarity, and is "justly alarmed by the activities of the agents of international Communism." It recommends "measures designed to prevent, counteract, and penalize the subversive activities of the Communist agents."

The hand of Nicaragua's flashy military ruler, General Anastasio Somoza, is recognizable. But are our liberals once more going to fall for the old Communist game, and get indignant about Somoza-Chiang Kai-shek, while the Communists go merrily ahead? Why was there virtually no publicity in our vast press concerning this July meeting and this resultant Resolution? Why has there been no word of support from either the State Department or influential editors for the provisions of the Resolution, which coincide throughout with the fundamental interests of the United States? Surely we are not reconciled to Central America's completing the dolorous journey along the Yenan way?

Facts About UNESCO

What about UNESCO—the United Nations Educational, Scientific, and Cultural Organization—one of the ten specialized agencies of the United Nations? Is this fledgling organization—which is already reaching into every schoolroom that will admit it—the panacea for all the world's ills? One would think so from much of the propaganda put out in its favor.

Those wanting more and more government control of every facet of human life, those who believe in the welfare state, as distinguished from the state whose activities are severely limited to those functions which are necessary to prevent injury to its citizens, will be enthusiastic champions of UNESCO. On the other hand, those who disbelieve in the welfare state, who want as little government as possible consistent with the suppression of all those forces which would injure or pose a threat to the citizens, will just as passionately oppose UNESCO.

Dr. Luther H. Evans, recently appointed Director General of UNESCO, says: "The deliberately cultivated misconception that UNESCO is making propaganda for World Government. . . is something we cannot let pass without challenge."

But Milton Eisenhower, as Chairman of the U. S. Commission for UNESCO, referred to the United Nations, of which UNESCO is a part, as "our latest attempt to create out of international anarchy a true World Government."

Moreover, the United States Senate Appropriations Subcommittee reported to the Senate on June 26, 1952: "The Subcommittee heard a great deal of testimony [on UNESCO] relative to a very clever propaganda campaign to sell the people of this country, and particularly the school children, the doctrine of one World Government and World Citizenship."

In the second place, Dr. Evans denies that UNESCO "is a party to subversive Communistic schemes." But *U. S. News and World Report* for December 12, 1952, reports the presentment to the New York Grand Jury of evidence disclosing "the infiltration into the United Nations of an overwhelmingly large group of disloyal United States citizens—many of whom are closely associated with the International Communistic Movement—their positions at the time we subpoenaed them were ones of trust and responsibility in the United Nations Secretariat and in its specialized agencies." Now UNESCO is one of those specialized agencies. And if the Communists have infiltrated at least some of the others and made them parties to "subversive Communistic schemes," it hardly seems likely that they would have overlooked UNESCO, unquestionably the most important specialized agency of all.

Next, Dr. Evans denies that UNESCO "is try-

ing to revise our school textbooks." But, in *The "S" in UNESCO*, published by the Los Angeles City School Districts, we read under the heading, "Basic Program of UNESCO": "The final program adopted by the First Session of the General Conference included the following undertakings: . . . 2. Plans for a comprehensive revision of textbooks and teaching materials . . ."

Lastly, Dr. Evans denies that UNESCO is "undermining our sense of national patriotism." But the closing paragraph of Volume 5 of *Toward World Understanding*, in reporting an international seminar under UNESCO auspices, says: "The activity of the school cannot bring about the desired result unless, *repudiating every form of nationalism*, the policy of the nation itself is one of international understanding and cooperation." [italics added]

A Gallup poll taken some four years after the founding of UNESCO showed that only 1 per cent of the people of this country had ever even heard of UNESCO. This, said George D. Stoddard, speaking as a member of the UNESCO Executive Board, "is not depressing. It means that hardly anybody has been turned against it!"

Did We Win The Wrong War?

There is a good deal of the sour grapes element in the elaborate efforts to represent as all for the best what the great majority of Americans instinctively feel is an unsatisfactory ending of the war in Korea. There is an amazing difference in yardsticks of judgment.

It was generally accepted doctrine from 1941 until 1945 that German and Japanese aggression could be adequately punished only by the complete military defeat, occupation, and territorial mutilation of the offending countries. Now we are told, often by the hot gospelers of "Unconditional Surrender" in the late war, that there is something a little improper, if not indecent about winning a war, that the ends of justice and of the United Nations are best served if the aggressor is merely halted in his tracks.

There is shocked repudiation of the idea of "unifying Korea by force," by which is meant removing the brutal force by which a handful of Korean Communists, mostly trained in the Soviet Union and in China, have imposed a regime of oppression and exploitation on the majority of the North Korean population. There is convenient oblivion for the U. N. resolution in the autumn of 1950 which authorized General MacArthur to cross the 38th Parallel and thereby to knock out the Communist roadblock to the unification of Korea.

Now there is no absolute rule as to whether wars should or should not be fought to decisive conclusions. The chances are that Europe and the world would have fared better if the First World War had ended in 1916 or 1917 on the basis of Woodrow Wilson's "peace without victory." A treaty concluded before the "bitter end" was reached, framed in a spirit different from that of Versailles, might have averted many evil things: Communism in Russia, Hitler's rise in Germany, perhaps the Second World War.

There are other conflicts, such as the American Civil War, which, in all probability, had to be fought to the finish, because the clash of opposing principles was too clear-cut to admit of compromise.

It is, therefore, theoretically conceivable that total victory and complete political and military destruction of the vanquished was the only acceptable outcome of the Second World War and that "peace without victory" was the most acceptable formula for the Korean conflict. But there is also the disquieting possibility that the reverse proposition holds good. We might be much better off if we had not insisted on unconditional surrender in the last war and if we had been willing to settle for nothing less than decisive victory in Korea.

Suppose, for example, that the present fashionable theory that an aggressor should not be crushed, but merely put back within his original bounds, had been applied to Japan in the late war. A Japan in control of Korea, Formosa, and Manchuria would have been a most effective counterweight to Soviet imperialism and Chinese Communism, and we should not have felt obliged to put a man or a dollar into the indecisive struggle in Korea.

In the same way we should have a vastly more satisfactory situation in Europe if our policy had aimed not at the pulverization of Germany, to be followed by a queer combination of Morgenthau Plan revenge and naïve missionary spirit, but at a negotiated peace with a non-Nazi Germany, on the basis of the German frontiers of 1937. Most Americans have slowly come around to the conclusion that without German rearmament there is little if any prospect of a ground defense of western Europe. But German rearmament would have been much easier to achieve if there had never been a commitment to total disarmament.

On the other hand, there is nothing in the record of the Chinese Communist regime to suggest that genuine and lasting peace with it is possible. Imagine what a Pandora's Box of troubles we should have prepared for Greece if we had consented there to a division of the country, leaving the northern districts in the Communists' hands!

It may be that the historian of 2000 A.D. will pronounce the retrospective verdict that America twice employed the wrong political philosophy at the wrong time in the wrong war.

Will Taft-Hartley Be Scuttled?

By THEODORE R. ISERMAN

Our federal labor law remains a political football with evidences that its proposed revision may mean a return to the abuses of the one-sided Wagner Act.

The Second Session of the 83rd Congress, when it convenes next January, will confront an old problem—how to deal with the Taft-Hartley Act—but the problem will take a new form. And recent events, sinister and shocking, have made the problem more complex than ever.

Most union officials, for the time at least, have stopped demanding repeal of Taft-Hartley. They have substituted for this demand another that accomplishes the same object, changes that would restore the one-sided Wagner Act as it existed before Taft-Hartley amended the law.

Until the closing days of the first session of Congress, it seemed unlikely that Congress would accede to most of the unionists' demands. It seemed also that Congress probably would make some changes that unionists oppose but that are in the interests of the public and of working people, as distinguished from union officials.

In hearings before the House and Senate Committees, witnesses showed by actual experience that abuses that Taft-Hartley sought to correct in fact still continue, that new abuses have developed, and that the National Labor Relations Board, which administers the National Labor Relations Act (this is now Title I of Taft-Hartley), had made or discovered loopholes in the law that enabled it to ignore or evade the intent of Congress.

Unfair rulings of the Board from 1935 to 1947 were largely responsible for the changes that Taft-Hartley made in the Wagner Act. Important among these were rulings that subjected foremen and other supervisors to control by unions of the men they supervise, that discriminated against independent unions and in favor of those affiliated with the C.I.O. or the A.F.L., that in effect denied to employers the right of free speech, that held employers guilty of unfair labor practices when the overwhelming weight of the evidence showed they were not guilty, and that denied any protection whatever to employees against abuses by unions.

Since 1947 the Board and its staff have shown the same bias against employers and the same reluctance to protect individual employees that it showed before Congress amended the National Labor Relations Act. Let us see some examples.

Even after employees vote in the Board's own elections against having a union, the Board sometimes orders the employer to recognize the union as the employees' exclusive bargaining agent and

to bargain with it, thereby depriving the employees of their right to bargain for themselves or to choose another union.

Although Congress in 1947 undertook to protect the employers' right of free speech, the Board sets aside elections that unions lose when employers exercise this right. It restricts and qualifies the right in other cases.

Congress forbade secondary boycotts, in which a union puts pressure on an employer with whom it has no dispute in order to stop his doing business with an employer with whom the union or some other union has a dispute. But the Board's rulings have all but repealed the clause.

The new law forbade unions to "restrain or coerce" employees, but the Board protects employees against only the most violent and extreme forms of coercing.

Abolish or Enlarge the NLRB?

These rulings and others that equally conflict with the terms and purpose of the amended Labor Act have given rise to demands that Congress do something about the Board. Proposals range from (1) abolishing the Board and giving its deciding functions in unfair practice cases to the federal courts to (2) enlarging it and adding fair-minded people to it. Most proposals contemplate abolishing the present office of General Counsel of the Board and setting up a new agency that would do all that the General Counsel now does and that would do, also, the administrative work for which the Board now is responsible. This would include determining bargaining units and setting up and holding elections in representation cases, in which employees vote for or against having a union as their bargaining agent.

Some people think that abolishing the Board or changing its personnel would make unnecessary many changes that past rulings of the Board call for. This is true to some extent, but the tendency to follow precedent would be so strong in any new agency or in new members of the old one that Congress cannot, with confidence, assume that either of these changes would be enough.

It seemed clear, after the hearings, that Congress therefore would try again to forbid infringing the right of free speech, plug loopholes that the Board has found or made in the clauses against

secondary boycotts, restore to employers the right to lock out, which the Board now denies to them, and equate the right to lock out with the right to strike; provide for employees greater protections against violence and threats of violence, and correct the Board's cumbersome, time-consuming, and unfair procedures. It seemed probable that Congress would permit direct appeals to the United States Courts of Appeals in representation cases, and would get rid of many employees of the Board who, as holdovers from Wagner Act days, are strongly biased against employers and non-union employees.

Power of the States

Another important change that had widespread support both in and out of Congress concerns the power of state courts and agencies to enforce state laws. Unions now urge the view that by regulating to some extent the activities of labor unions, Congress has "preempted the field," and that many state laws no longer can apply to unions whose activities affect interstate commerce.

In accordance with this view, the Supreme Court has invalidated a Wisconsin statute forbidding strikes against public utilities. The same ruling affects similar statutes in New Jersey, Pennsylvania, and Virginia. The Supreme Court also has held that a Michigan law requiring secret ballots on an employer's last offer conflicts with Taft-Hartley. Other rulings raise doubts as to the power of the states to enjoin against secondary boycotts, violations of collective bargaining agreements, strikes for recognition, mass picketing, and like activities.

It was clear, on the basis of testimony that the Congressional committees received, that Congress ought to restore to the states power to enforce laws that are not inconsistent with the specific terms of Taft-Hartley, and there was reason for hoping that Congress would do so.

There are other needed changes. The Supreme Court has, in effect, wiped out the altogether too mild restraints that Taft-Hartley purported to put on featherbedding. The Labor Board requires employers to disclose to unions that deal also with their competitors confidential information concerning the employer's past and prospective operations. It holds employers guilty of refusing to bargain when they do not grant concessions that the Board thinks they ought to grant, or when they insist on contract clauses that the Board thinks they do not need. It assesses back pay against employers and unions even though only the unions are at fault, and it refuses to assess back pay against unions that keep employees from work by intimidating them. These rulings Congress ought to correct, even though it manages to put the Board's present deciding duties in the hands of fair-minded men.

There is a crying need to abolish the centralized

control by great international unions of collective bargaining in the plants of competing employers, and to bring under the anti-trust laws conspiracies to restrain trade that go on in the guise of collective bargaining.

Possible, if not probable, changes on the debit side of the ledger that Congress seemed likely to adopt included one that General Eisenhower, in campaigning before the A. F. L. convention, permitted himself to be led into sponsoring. It would permit economic strikers whom the employer had replaced, and who therefore had no job rights in the plant, to vote in an election to choose a bargaining representative for employees in the plant. Thus, former employees could choose a bargaining agent for current employees!

Notwithstanding these considerations, it seemed probable that Congress would consider itself obliged to act on the President's recommendations.

Other possible, if not probable, changes on the debit side included extending compulsory union membership in the construction industry and in other industries where employment is casual, seasonal, or intermittent; excluding some employers, and particularly small employers, and their employees from the protections of Taft-Hartley; eliminating the requirement that the General Counsel of the Board seek temporary injunctions against secondary boycotts, and changing the definition of "agent" to make it more acceptable to unions.

Secretary Durkin's Demands

One is hard put to it to find justification on their merits for any of these proposed amendments, but realism required those who appraised the situation to recognize political factors that might induce Congress to follow a course other than the one that pure reason might dictate.

After the hearings on Taft-Hartley, the President directed the Secretaries of Labor and of Commerce to agree on amendments to Taft-Hartley. The Secretary of Labor, doubtless with an eye to the time when he again will wish to be head of the A. F. L.'s plumbers' union, proposed a program that echoed, item for item, most of the changes the A. F. L.'s president had proposed, and some that went beyond even these extreme demands. The Secretary of Commerce was willing to make some concessions, but Mr. Durkin would agree only to those that met his demands in full, and would agree to no change that was in the interest of employers, employees, or the public, or that limited in any way the already tremendous power over working people and our economy as a whole that the law gives to labor leaders.

A group of lawyers for unions and for employers, working independently, agreed upon a number of amendments. The changes included enlarging the Board, completely separating its deciding functions

from its administrative duties, and vesting the latter in an independent administrator; enabling the administrator to replace many members of the present staffs of the Board and of the General Counsel who have been largely responsible for maladministration of the act; forbidding the Board to force employers to bargain with unions that the employees have not chosen by secret ballot; plugging loopholes in the secondary boycott provisions of the act, and defining precisely the circumstances in which employees may refuse to do work that struck employers farm out to secondary employers; strengthening, not weakening, the non-Communist oath that labor leaders must take; forbidding the Labor Board to find unions or employers guilty of an unfair labor practice when they refuse to bargain on new terms while a collective bargaining contract is in effect; providing for direct appeals from rulings in representation cases; restoring the right to lock out, and applying the rules of evidence and, so far as practicable, the rules of procedure of the federal courts in cases before the Board. In the negotiating, the union lawyers waived many of the changes on which union officials had been insisting.

On the debit side, the agreement included some of the concessions that Congress seemed most likely to make to union leaders.

The Secretaries of Labor and of Commerce tentatively approved most of the changes this agreement included, each reserving the right to propose other amendments. Later, however, the Secretary of Labor withdrew his approval.

As the first session of the 83rd Congress drew to a close, it became obvious that Congress could not deal with Taft-Hartley this year. Nevertheless, on Friday, July 31, 1953, the day before Congress adjourned, and the same day that Senator Taft died, the story broke that the President was about to send to Congress a message on Taft-Hartley. According to this story, the message proposed nineteen changes. It constituted abject surrender to the demands of labor leaders. The assumption is that the Department of Labor "leaked" the story in order to "nail down" the concessions it had gained.

Vice President Nixon is credited with having insisted that the White House, in deference to the memory of Senator Taft, if for no other reason, delay sending the message to Congress. The text of the proposed message confirmed the worst fears of friends of the Taft-Hartley Act and was a major shock to millions who thought that last year they had voted for a change from domination of the federal government by labor bosses.

Of the nineteen changes, only one, and a minor one, could be deemed a concession to employers or to the public interest. All the rest were concessions to labor leaders. None was in the interest of individual employees. The message followed closely the Secretary of Labor's proposals. The story goes

that it resulted from a deal to which the Secretary of Labor, leaders of the A. F. L., and members of the White House staff were parties, and was a down payment for a promised pat on the back for Republicans at the A. F. L. convention in September.

Senator Smith of New Jersey, Chairman of the Senate Committee on Labor and Public Welfare, has expressed doubt that President Eisenhower saw the message. This seems plausible. It is a purely political document, based not on merit but, evidently, on hopes of luring the A. F. L. leadership into the Republican fold, or at least of rendering it less vocal against Republicans than it has been in the past. President Eisenhower, in one of his first meetings on Taft-Hartley, rebuffed a political approach to the problem. He had declared that labor policy must not be governed by "the vagaries of political expediency." It therefore is hard to believe that he knew of the deal, or if he saw the proposed message, that he read it with attention and understanding.

How Protection Would Be Whittled Away

To understand the message, one must study it carefully. No one of the nineteen proposals, taken by itself, scuttles the Taft-Hartley Act. But taken together, they go far in that direction.

Take, for example, the Taft-Hartley provisions on compulsory union membership: an employer and a union may agree that employees must join the union within thirty days. The union may expel a member for any reason, thereby depriving him of any voice in fixing his own wages, hours, and working conditions, but it may require an employer to fire him only if the employee fails to tender initiation fees and regular union dues.

Six clauses of the message whittle away the slim protection that the present law provides against agreements between unions and employers that force people into unions against their will.

One clause would allow unions, under agreements compelling union membership, to require employers to fire employees for disclosing "confidential information of the union." What information is "confidential" and what is not presumably would lie in the discretion of union officials, who could use the clause to oust from their jobs anyone they claimed had disclosed something that the officials called "confidential."

A second clause would allow unions to require employers to discharge employees that the union officials think are Communists or "in sympathetic association with" subversive organizations. In view of the freedom with which rival unionists accuse each other of being Communists, and in view also of the tolerance that some unionists show to Communists when that suits their purposes, one well may shudder at the abuses to which this clause, if adopted, would lead. Aside from the question of a union's being able to have a man fired because of

his actual or suspected political beliefs, the least that any fair clause would provide would be a hearing on his beliefs by a government agency, or an objective standard, such as a refusal to take a non-Communist oath.

Union officials could use and abuse these provisions freely, safe in the knowledge that, as the Labor Board administers the law, if it found a union had forced an employer to fire a man unfairly, the employer, not the union, ordinarily would have to give the man back pay.

The third clause that would whittle away the protection the law now gives employees would allow unions to require employers to apply to the unions for new employees. This, at least, would restore the hiring hall, and is little short of restoring the closed shop, unless one is so naïve as to think that unions would refer members and non-members, indiscriminately, when employers need employees.

A fourth clause would authorize unions and employers to enter into agreements specifying "the minimum training or experience qualifications" for employment and the order in which employers will hire applicants for jobs, based on the applicant's experience. This would legalize, throughout industry, the method by which the Typographical Union has sought to get around Taft-Hartley prohibitions against closed shops and closed unions.

A fifth clause would give to unions in the construction industry (Mr. Durkin is a plumber) and in other industries where employment is "casual, temporary, or intermittent" (it suggests no clear standards) further exemption from the watered-down restraints on compulsory unionism.

To cap it all off, a sixth clause would, in effect, repeal statutory and constitutional clauses of at least a dozen states that forbid any form of compulsory unionism, and would subject their citizens to the increased domination and control that the new clauses would confer on union officials. The fact that all of these states went for Mr. Eisenhower in 1952 reflects upon the political sagacity of the authors of the message. Mr. Eisenhower, throughout his campaign, championed states' rights. The authors advancing these proposals reflect upon their opinion of Mr. Eisenhower's sincerity and integrity.

Although almost everyone, including many union lawyers, sees the need of revising the administration of the act, the author of the message, taking to the last resort of the obstructionist, recommends "further study" of the problem.

Following World War Two, unions sought to gain control of people who supervise the rank and file in the plants, keep the work going, and maintain order. This would put into their hands the most important duty of management. Taft-Hartley forbade the Labor Board to subject supervisors to unions' control. The abortive message would give unions control of many supervisors, and would authorize state agencies to subject still others to

their control, regardless of the effect upon the purpose of the act to promote output and thus to increase the flow of goods in the stream of interstate commerce.

Without plugging loopholes in the secondary boycott clauses that enable unions to involve disinterested employers and their employees in disputes between other employers and their employees, the message would legalize secondary boycotts and sympathy strikes in wide areas, including secondary boycotts to force employers to deal with a union that their employees do not wish to represent them. This notwithstanding that responsible labor spokesmen concede that many secondary boycotts the message would allow cannot be justified. And notwithstanding also that small businessmen, the backbone of the Republican Party, and their employees are the principal victims of secondary boycotts.

Other Warning Signs

Far from meeting the widespread demand that Congress restore to the states their traditional powers to deal with breaches of contracts, organizing strikes, secondary boycotts, and other tortious acts, the message would do the opposite, making the greatly weakened federal law the "paramount authority," and limiting still more, and more clearly, the right of the states to enforce their laws.

In addition, the message proposes, apparently, legalizing checking-off fines and assessments whose amounts are unknown to the employee when he authorizes the check-off; lessening still more the inadequate protection the law now gives to employees for whose benefit employers pay billions of dollars a year into so-called "welfare funds"; redefining the term "agent" to please union officials; reducing from sixty to thirty days the "cooling-off" period during which there may be no strike or lockout at the end of a contract's term, relieving unlawful strikers of present penalties, but leaving present penalties on employers who lock out; forbidding an election to determine a bargaining representative within four months after a strike begins; taking away from employees who are subject to a contract compelling union membership the right to revoke, by secret ballot during the contract's term, the authority of their bargaining agent to compel them to remain members; repealing, not strengthening, the non-Communist affidavit provisions of the present act, with a promise of further recommendations on this subject; repealing the clause that requires the General Counsel of the Board to seek temporary injunctions against secondary boycotts; and proposing "further study" of the national emergency provisions of the act, without a hint that Congress should deal with the greater and basic problem of labor monopoly. A minor "neutral" change would say that neither unions nor employers need to bargain over new

terms and conditions while a contract is in effect.

But completely ignored are important changes that compelling evidence and a mass of it shows to be in order, that Congress once seemed likely to adopt, and that many labor spokesmen privately admit are in the public interest.

In view of the outcry over the proposed message, its authors doubtless will revise it, and this may even happen before this piece appears. They may include in it some recommendations benefiting employers to which union officials object only mildly or not at all, such as one equating the right to lock

out with the right to strike (employers almost never lock out) or one giving employers and unions the right to appeal directly to the courts from rulings in representation cases.

But this much seems certain: that the influence on the White House staff of the Secretary of Labor, and of promises of the A. F. L. officials, will play an important part in the coming battle over Taft-Hartley; that the act remains as much of a political football as it ever was, and that, unless the President repudiates the proposed message, Congress will find it difficult indeed to do its duty next year.

Reprints of "Will Taft-Hartley Be Scuttled?" may be secured at the following rates: single copy, 10¢; 12 copies, \$1.00; 100 copies, \$6.00; 1,000 copies, \$45.00. Address Dept. R 23, the FREEMAN, 240 Madison Avenue, New York 16, N. Y.

Lord Jowitt's "Objectivity"

By C. DICKERMAN WILLIAMS

A former Assistant U. S. Attorney discusses the legal validity of the argument of the ex-Lord Chancellor in his much-discussed book on the case of Alger Hiss.

The Lord High Chancellor is a most distinguished officer, with most varied duties. Seated on what is called the "woolsack," he presides over the sessions of the House of Lords; he is a member of the cabinet; he may sit as a trial judge or as presiding judge of the courts of appeal; he directly appoints judges of the lower courts; he recommends the judges appointed by the Crown to the higher courts; he takes precedence over all temporal peers except dukes of the royal family and over all spiritual peers except the Archbishop of Canterbury.

But the Lord Chancellor's tenure is only so long as that of the cabinet of which he is a member. And when forced from office he is in a predicament: traditionally the Lord Chancellor has been selected because of his record at the bar and in the House of Commons, but the ex-Lord Chancellor may not appear in court because so many judges owe their appointment to him and may not renew his career in the House of Commons because he has become a peer.

Confronted with the problem of what to do, ex-Lord Chancellors have turned to the pen. Lord Halsbury edited a legal encyclopaedia known as *Halsbury's Laws of England*; Lord Hailsham subsequently edited a revision of it. Lord Birkenhead wrote books on famous English trials and judges. The Earl Jowitt, displaced Lord Chancellor of the Labor government, has introduced a new note in the writings of ex-Lord Chancellors, that of advocacy, in *The Strange Case of Alger Hiss*. This book has finally been published in the United States purged of the inaccuracies in the English edition

cited by Miss Rebecca West in her review in the *London Sunday Times*.

According to the jacket, Lord Jowitt "makes no pretense of being wholly objective." The word "wholly" is superfluous. Lord Jowitt sums up for the defense and suggests that the conviction was due to the frailties of judicial procedures and rules of evidence in the United States.

Under the principle of "comity" the judiciary of one country as a matter of courtesy respects the judgments of the courts of other nations unless to do so would violate its own policies or interests. It is therefore somewhat astonishing that Lord Jowitt should criticize the outcome of a trial conducted by one of our most experienced and respected judges. Lord Jowitt does, however, express himself with moderation and without sarcasm or invective. He sticks to the Hiss case, and does not digress to denounce "McCarthyism," "witch hunts" or "reigns of terror." Although his attitude toward our procedures has been described as supercilious, "plaintive" seems a more accurate word. He appears both sad and mystified that with such excellent examples as the British have provided, the Americans should choose to do things differently.

Lord Jowitt's principal grievance against the conduct of the proceedings is that the trial covered so large a field. In England, we are told, the prosecution would have been restricted to direct evidence of espionage; the Communist aspect would have been confined to cross-examination of Chambers on his "discreditable activities as a Communist agent." Yet evidence of motive is always admissible.

Certainly that is true in the United States, and it had been my understanding that in this respect the law of England was the same. In the absence of evidence of Communist sympathy espionage by Hiss would have been wholly inexplicable. The government's case could be understood only in that background.

The complaint is the more difficult to understand because Lord Jowitt, when he can thereby buttress his contentions, does not hesitate to put forward evidence beyond that received at the trial. He frequently relies on Chambers' autobiography *Witness* and regards himself as "fortunate" that its "materials are at hand," despite the assertion in the preface that he "desires *merely* to review the evidence which was presented in the course of the case." Again, he draws conclusions adverse to the prosecution because it did not prove Communist affiliations on the part of Donald Hiss. To have incidentally tried that issue would have required an excursion far more remote from the basic questions than the admission of the evidence Lord Jowitt particularly criticizes—testimony by Hede Massing that Alger Hiss talked to her as a Soviet agent. And although Lord Jowitt condemns the admission of the psychiatric testimony—a point on which he is on firmer ground—he himself uses that testimony at length to rationalize Chambers' actions on the hypothesis that Hiss was innocent.

Trial Procedure Criticized

A second procedural defect, as seen by Lord Jowitt, was the failure of the trial judge, Judge Henry W. Goddard, to include a review of the evidence in his charge to the jury. Now it is almost impossible for a judge, or anyone, to review the evidence of an entire trial in which the testimony is in sharp conflict, without indicating his own appraisal of the credibility of the witnesses. Necessarily the trial judge in a criminal case will often believe the prosecution witnesses, so much so that the "reviews" tend to become "exhortations" to convict. The expression is quoted by Lord Jowitt from the reminiscences of a British criminal lawyer, who says that for that reason he prefers the American practice by which the judge does not review the evidence. In this instance Judge Goddard must have accepted the testimony of Whittaker Chambers, for he told the jury at the end of the trial that it had "rendered a just verdict." Accordingly his review of the evidence, if he had included one in his charge, would have reflected that acceptance. The indignation of the partisans of Hiss at such a charge to the jury can well be imagined. It is impossible to escape the feeling that the review of the evidence Lord Jowitt thinks the jury should have had is one by himself.

Lord Jowitt's other principal dissatisfaction with our procedures is the absence of restriction of newspaper comment on pending cases. He thinks

that in a highly publicized case such comment may adversely affect the defendant with the jury. But in the Hiss case prior to the conviction comment was not all one way by any means. To forbid comment on pending cases would open the door to grave abuses and smacks of the totalitarian state. Undoubtedly our present system has its dangers, but it is hard to think that jurors who lived with the characters of the drama throughout a trial lasting over two months, heard them testify, saw the exhibits, and had the benefit of the argument of counsel on both sides, could have been influenced by stories in the press.

The bulk of the book is taken up by a description of the trial and analysis of the evidence, interspersed with lively comments. The analysis may properly be called a summation for the defense because repeatedly he emphasizes and clarifies matters helpful to Hiss, while glossing over, or failing to mention, those matters which support Chambers.

On the principal issue, Lord Jowitt takes what seems the only possible position—that the crucial evidence was the typewritten documents:

There is, I think, no escape from this conclusion: either Hiss was guilty, or Chambers had at some time got access to the typewriter and had either himself, or by some agent, caused the forty-three documents produced at Baltimore to be typed on that machine.

The reference is, of course, to the typewritten copies or summaries of confidential State Department documents which Chambers produced at Baltimore in November 1948, in his examination before trial in the libel action brought against him by Hiss. The defense conceded at the trial, and Lord Jowitt repeatedly states his agreement, that the papers had been typed on a Woodstock typewriter that had belonged to Mrs. Hiss.

It is remarkable that Lord Jowitt, who so freely uses *Witness*, published in the spring of 1952, makes no mention of the latest theory about the typewriter advanced by defense counsel on a motion for a new trial made in January 1952. The Hiss attorneys then asserted that the documents had been typed between August and November 1948 on a typewriter specially fabricated for that purpose by Chambers or some confederate. Judge Goddard denied the motion, and the Court of Appeals affirmed in January of this year. Why does Lord Jowitt fail to reveal this last contention, inconsistent as it is with what he presents as agreed fact?

Its inability to develop any persuasive explanation of the typewritten documents has always been the chief stumbling block of the defense. Unquestionably Mrs. Hiss gave the typewriter to the Catlett boys, sons of their maid. But when? Mrs. Hiss and the Catletts identified the time as the occasion of the Hisses' move to Volta Place in December 1937. As many of the documents were

dated in early 1938, the typewriter would on that theory have been out of their possession at the time of typing. But Perry Catlett said that as soon as he got the typewriter he took it to be repaired at a shop that, it was discovered, did not open until September 1938. Another possible shop had not opened until May.

The Hiss Typewriter

Lord Jowitt does not throw any new light on this problem. His principal reason for thinking that Chambers may have gotten hold of the typewriter and typed the documents is a familiar one—Chambers' failure to make the accusation of espionage until November 1948, after having said under oath several times between August and November that he had no evidence of espionage by Hiss. Lord Jowitt finds support for this belief in the suicide attempt made by Chambers between the time he produced the documents and the Grand Jury's indictment of Hiss. The original print of this book placed this attempt *before* the production of the documents, but the present edition states that on "further consideration" the author has concluded that the attempt came afterwards. The stimulus to the "further consideration" was of course Miss West's review. Lord Jowitt learned of the suicide attempt not from the "evidence presented in the case," but from *Witness*, in which the timing is entirely clear at first glance. He hammers at the attempt again and again, describing or referring to it on no less than seven separate occasions, and deduces that it shows a sense of desperation on Chambers' part. According to *Witness*, our only source of information, that attempt was inspired by the erroneous statement of an expert, subsequently corrected, that the microfilm with the typewritten documents had not been manufactured until 1945. The error was the last straw for Chambers' mood of depression induced by the expectation that, because of Hiss's high-level friendships, President Truman's "red herring" statement, and the fact that the Department of Justice official in charge of the case was a devoted Truman henchman, it was he, not Hiss, who would be indicted. "God is against me," he thought. In none of his seven references to the suicide attempt does Lord Jowitt mention this explanation.

Chambers' delay in charging espionage, and his prior inconsistent statements, do tend to impair the credibility of his testimony. The jury must have concluded that the corroboration of his testimony, together with the absence of a persuasive explanation by Hiss, decisively outweighed that impairment. The elusiveness of the Hisses about the typewriter was particularly significant.

When Chambers produced the documents the FBI naturally sought to locate the Hiss typewriter or samples of work done on the typewriter. Hiss said to the FBI on December 4:

This was an old-fashioned machine, possibly an Underwood, but I am not at all certain regarding the make. . . . Possibly samples of Mrs. Hiss's typing on this machine are in existence, but I have not located any to date, but will endeavor to do so. Mrs. Hiss disposed of this typewriter to either a second-hand typewriter concern or a secondhand dealer in Washington, D. C., some time subsequent to 1938, exact date or place unknown. The whereabouts of this typewriter is presently unknown to me.

Mrs. Hiss said on December 7:

I do not recall the make of this typewriter. I do not recall how I disposed of it.

Also, Mrs. Hiss told the Grand Jury that Mrs. Catlett had died, and that she was not aware of any samples of her own typing in existence. It subsequently developed that Mrs. Hiss had seen one of the samples, her report as President of the Bryn Mawr Club of Washington, only a few weeks before her Grand Jury testimony. On cross-examination she said she had forgotten it.

The term of the Grand Jury expired on Wednesday, December 15. On Friday, December 10, the foreman reported that the Grand Jury was unable to find an indictment. On Monday, December 13, the FBI independently of the Hisses located a long letter typed by Mrs. Hiss. As the typing matched that of the documents, the Grand Jury voted an indictment. But Alger Hiss had very nearly escaped.

Of course, after the samples had been found, the defense case would be helped by evidence that the Hisses had disposed of the typewriter before the dates of the State Department documents. Mrs. Hiss was then able to recall a gift to the Catlett boys in December 1937, and an energetic Hiss lawyer traced the typewriter through the hands of the Catletts and several others. The typewriter was offered at the trial by the defense, although, as already noted, on the motion for a new trial made in January 1952, the defense claimed that this machine had been fabricated by Chambers, and, indeed, that it had been "planted" on the defense.

What thus appears to have been a deliberate effort by the Hisses to conceal both the typewriter and samples of its typing was stressed by the prosecution and may have weighed heavily with the jury. Yet Lord Jowitt nowhere makes that effort clear.

Lord Jowitt concedes that there is no evidence that Chambers had access to the typewriter. It would seem, on the contrary, that if he had known or had any clues to its whereabouts he would have informed the FBI in those crucial days in December 1948, when the case was before the Grand Jury and hung in the balance.

Lord Jowitt's exposition of the evidence of friendship between the Hiss and Chambers families is on the whole straightforward, but he tends to "point up" evidence favoring the Hisses. And he occasionally omits altogether little items which the prosecution relied on. For instance, he does not

disclose that after Mrs. Hiss had withdrawn \$400 from the bank on November 19, 1937, she or Mr. Hiss made a number of small cash withdrawals. Chambers asserted the \$400 was a loan to him. The Hisses maintained that they needed more cash on hand because they were about to buy additional furniture for a house for which they signed a lease on December 2 and into which they moved on December 29. They already had house furniture; it is quite true, however, that they were moving into a larger house. The explanation is, as Lord Jowitt says, "unconvincing" and becomes more so when the small cash withdrawals are taken into account.

In one or two instances Lord Jowitt is affirmatively misleading. He asserts it to be a "serious blemish in the trial" that the prosecutor took "two paragraphs" in summation, paragraphs which he does not quote, to argue that "peculiarities in the typing could be used to identify not merely the machine but also the typist." In fact the prosecutor took one paragraph, not two, in a forty-nine-page summation to point out that common errors frequently appeared both in the copies of the secret documents and the agreed samples of typing by Mrs. Hiss. These were "r" for "i," "f" for "g" and "f" for "d." The papers were all in evidence and available for comment by counsel and inspection by the jury. Defense counsel made no objection to the argument. Lord Jowitt implies that the prosecutor should have laid a foundation for this argument by expert testimony. But it does not require an expert to identify common errors of that character. The criticism is unfairly stated and unwarranted.

Confusing Arguments

Some of Lord Jowitt's arguments are hard to follow. That Hiss should bring a libel action he thinks strong evidence of good faith. But elsewhere he emphasizes that Hiss was under heavy pressure to maintain his reputation in order to keep his job with the Carnegie Endowment, and it might be added, in order to continue in any way in what had become his career. Could not that pressure be the explanation of the libel action? And he finds in the assertion by Chambers in *Witness* that he kept the documents so as to have a "life preserver" should he be kidnapped by a Communist murder gang, a motive for falsely accusing Hiss. Yet the Communist Party would hardly spare Chambers in order to save an ordinary government official. It would be only on the hypothesis that Hiss was a highly valuable man to the Communists that documents tending to incriminate him would serve as a "life preserver" for Chambers.

If Hiss was not guilty, who was? Lord Jowitt wavers on this point. At one place it cannot be Wadleigh for the very good reason that he was out of the country when many of the documents were

stolen; at another place, apparently it was Wadleigh, after all; at a third place, it was some one in the Far Eastern Division (of the State Department), to which neither Wadleigh nor Hiss was assigned. But if Lord Jowitt does "not doubt the passionate sincerity of Chambers to protect the free world against the perils of Communism," why should he think that Chambers would expose the wrong man?

Despite Lord Jowitt's sympathy for Hiss, his ultimate conclusions are mild. After reviewing such evidence as the rug, the car, the trips, and the \$400 loan, Lord Jowitt in substance concedes "that the association between Hiss and Chambers was much closer and more enduring than Hiss admitted." That, however, he says, does not "begin to prove" that Hiss handed over secret documents to Chambers. As to espionage, "it might well have been a case in which the equivalent of a Scottish verdict of 'not proven' would have been returned" (apparently referring to a jury disagreement).

For what purpose other than espionage a State Department official would have a "close," "enduring," and secret "association" with a Communist courier, Lord Jowitt does not suggest.

Although the book is not at all persuasive that a miscarriage of justice occurred, it does raise many questions which one can only hope the future will solve. What, for instance, on the hypothesis of guilt, did Hiss do for the Soviets between 1938 and 1948? And the book, together with an examination of the record, reminds the reader of the frightful tragedy of Alger and Priscilla Hiss. The samples of her typing introduced in evidence throw a strong light on the personality of Mrs. Hiss. Her Bryn Mawr report is intelligent, witty, cheerful, competent; her letter to her son's school shows her to be a sensitive and conscientious mother; in the Mercy Hospital letter her industry and desire for self-improvement are apparent. The brilliance and charm of Hiss himself have been everywhere recognized.

Alistair Cooke wrote of "a generation on trial," meaning the young intellectuals of the New Deal era. But is not the true culprit the mature intelligentsia of the 1930's who were, with honorable exceptions, so blind, so stupid, so false to their responsibility as to create an atmosphere in which two young people such as Mr. and Mrs. Hiss, with their sense of social responsibility and their legitimate ambitions, should decide that their most fitting work should be the betrayal of their country to the Soviet Union? Poignant as their case is, it is only a minor, although dramatic, part of the wreckage of the lives of countless individuals and the subversion of nations brought about by the same inability of the intellectuals to appraise the Soviet Union. One would be more sanguine of the future if that inability were more often humbly recognized and not arrogantly defended as a mere lack of the benefit of hindsight.

Letters from Europe

1. How London Sees America

A few days after Adlai Stevenson's arrival in England the London *Times* carried an editorial entitled "A Remarkable Private Citizen" which led off:

Even in this Coronation year, when Britain has been glad to welcome hundreds of distinguished foreigners, there must be many people for whom Mr. Adlai Stevenson is the summer's most interesting visitor. Because the defeated candidate in an American Presidential election has no official position, it is as a private citizen that Mr. Stevenson has come to us.

Had the *Times* not pointed out that he was traveling as a private citizen, it is possible that no one would have suspected it, for the reception accorded Stevenson would have been quite suitable for a big shot on an official mission. He visited Lord Salisbury, was received by Sir Anthony Eden, and with most un-English disregard for the regulation that bans divorced persons from court functions, was invited to a garden party at Buckingham Palace. He was interviewed in the newspapers and on television, laudatory pieces about him appeared in all the press, and the critics greeted his book of speeches with fulsome praise. Since ticker tape welcomes are not customary over here, it is difficult to see what more could have been done to pay tribute to a vanquished hero.

English people, whether Labor or Tory, speak of Stevenson with the deepest admiration, and any comparisons drawn between him and Eisenhower are unfavorable to the latter. Last year the correspondents of British newspapers in the United States, carried away by their own enthusiasm and indulging in much wishful thinking, led their leaders to believe not only that Stevenson must win for Europe's sake, but that he *would* win, and disappointment at the result of the elections is still felt over here. Nevertheless, the reception he received was not entirely due to his personal appeal—it was somewhat like the fuss made over Charlie Chaplin and the protests against the execution of the Rosenbergs, intended as a slap at the United States, particularly at the Republican Party.

All in all, this is not a year in which it can be said that Americans are winning any popularity contests in England. The government itself is doing everything possible to keep friendly relations between our two countries and its attitude was summed up by Lord Alexander, the Minister of Defense, in a recent speech when he said that it would be a great mistake to take too seriously the frank exchanges which occur from time to time between Britain and the United States. The best of friends, he added, don't always see eye-to-eye on

every point. It is true that the difficulties that have arisen in the past few months are not dangerous and should lead to no violent breach, but their effect on British public opinion has been very marked. Resentment against us is noticeable in the press and becomes shrilly apparent in any conversation that veers in the slightest from light social chitchat.

The Labor Party never misses a chance to foster this resentment for reasons of political expediency. Because a major point of conservative policy is the strengthening of the bonds of friendship with the United States, the opposition chooses to be anti-American and tries to make it appear that every effort at reaching an amicable understanding with us is nothing more than groveling appeasement. Such an obvious political maneuver should fool nobody, yet the Labor Party apparently retains so much influence over the minds and emotions of the English people that even the most stubborn Tories talk as though their opinions had been formed by the Opposition papers. For that matter, the news columns in the conservative press sound as though they had been written by members of the Opposition and seldom match the conciliatory tone of the editorials.

On various occasions in the past, the English have disliked us, or felt contempt for us, or been irritated by us. Now something new has been added—fear. To any one who has spent the last three or four years in the United States and been conditioned to think of Soviet Russia as the major threat to world peace, it comes as a surprise to discover that in England America is regarded as a kind of White Peril, more dangerous to the safety of her allies than any enemy could possibly be. Russia is almost forgotten in all the criticism of our hotheadedness, inexperience, irresponsibility, childish naïveté, and bellicose spirit.

This fear of us is, of course, the result of deliberate propaganda. The resentment, on the other hand, has not needed much artificial stimulus. The groundwork was laid by the ineluctable course of history which caused the decline of the British Empire and shot America into preeminence as a world power. The English may have to accept second place, but they can scarcely be expected to like it.

For twenty years a Democratic administration in Washington did its best to help Britain preserve the illusion of being the most powerful and influential nation in the world. Our politicians so often followed where the British led that now that they find themselves up against a group of men who seem somewhat more inclined to lead than to follow, they are reacting with the stunned incredulity of a train passenger who has been called George by the Pullman porter.

As it would be too alarming to many Britishers to think that all the representatives of the Repub-

lican Party could be so arrogant as to wish to make their own decisions, a villain has had to be found who can be accused of mesmerizing them into submission to his diabolical dictates. Senator McCarthy, with his genius for getting into any act, obligingly took over the role when, in May, he sounded off against Attlee's speech. Ever since then the violence expended on attacking him would have more than sufficed for use against a man of far greater stature and importance. He has been turned into a kind of mythological figure—a fiend, bred by the Minotaur out of Medusa, whom even his bitterest American critics would hardly recognize.

Senator McCarthy occupied the center of the stage all through the months of May and June, but early in July he was pushed into the wings and Secretary of State Dulles was brought forward to receive the boos and catcalls of the British public. For some reason, Eisenhower (or Eissenhower, as Churchill prefers to pronounce the name) has not been held responsible for calling off the full-scale conference at Bermuda or for what are regarded as the disappointing results of the minor one in Washington.

A Labor M.P., writing in the *Reynolds News* about Stevenson did say, "Everything in him [Stevenson] is at variance with the clumsy methods of Mr. Dulles or the heavy simplicity of President Eisenhower," but, as a rule, Ike is treated gently. This may be merely caution arising from a feeling that it's wiser not to pick on the top man who is going to have to be dealt with for the next three and a half years. Or it may be slight embarrassment at turning so quickly against a man who was so strongly endorsed by Europe for the Republican nomination when it looked as though Taft might get it. Whatever the cause for overlooking Eisenhower, it is Dulles who is made to bear the full weight of the blame for sabotaging English policy and plans.

Lord Salisbury has also taken a bit of a beating from the Opposition which, having labeled Churchill "warmonger" not so long ago, now turns around and praises him as the cabinet's only wise and farseeing member and berates Salisbury for failing to carry out the program laid down by the Prime Minister in his speech of May 11. The sudden turn of events in Russia, the shakiness of the French government, are swept aside as unimportant considerations, and, with true British tenacity, both the Opposition and the government continue to cling to the conviction that a four-power conference is the only solution to all problems and to the belief that if Churchill could be brought face to face with Malenkov, his charm and eloquence would work miracles. Nobody cares to remember that former conferences of heads of state have created problems instead of solving them and that the famed Churchillian charm and eloquence didn't work any visible miracles with Stalin.

Neither does the suspicion seem to have arisen

here that Eisenhower might have built up an immunity against Sir Winston's persuasiveness during the war years. Although Ike's reluctance to agree to holding the Bermuda conference was most evident, its cancellation took England by surprise. When Churchill's breakdown was announced a couple of days before he was scheduled to sail, there were a few quotations printed from American newspapers hinting at the possibility of a diplomatic indisposition, but such cynical doubts were quickly snowed under with paragraph after paragraph of regrets that the grand old man's robust health should have failed at such an inopportune moment. The admission that a British Prime Minister might have been told by an American President, "You got into this, get out of it the best way you can," would have involved such a loss of prestige that no one was unpatriotic enough to speculate as to how a man seventy-eight years old could be too ill to travel but not so ill as to cause serious worry for his condition.

As far as could be judged by an outsider, the British public accepted the version of the facts presented by the government with no reservations at all. Which would seem to indicate that the English have not studied Ike's career and character carefully enough to note that he's a man with a very special talent for never letting himself get boxed into a corner. Or, perhaps, they have noted it, and that explains why they are suddenly viewing America with alarm.

ALICE-LEONE MOATS

2. Adenauer on Vacation

Tucked away in somber woods redolent of sun and pine needles, the Kurhaus Buehlerhoehe looks out on valleys bright with flowers and fruit. The Kurhaus is actually a three-winged, rose-colored castle built just before the First World War by the widow of General Isenbart as a memorial to her late husband. This highly cultivated but somewhat eccentric woman hit upon the idea of constructing a convalescent home for twelve generals and presenting it to the Kaiser as a gift. The castle was completed in the spring of 1914. Frau Isenbart set out at once for Hamburg to see the Kaiser, carrying with her a model of his prospective property. But the Kaiser hedged. The elaborate luxury of the place, he thought, was out of keeping with the proverbial austerity of his generals. Besides, its upkeep would be too costly. Now if Frau Isenbart wished to provide the necessary funds, of course, that would be a different matter.

That she could not do. She had already spent seven million goldmarks on the castle and several millions more on a farm and sanatorium connected with it. Her wealth was not sufficient to endow it into the bargain. Before she could find a way to use or dispose of it, the First World War broke out, making her sumptuous establishment more

than ever superfluous. The disappointed woman shut herself up in her dream castle and committed suicide.

If she had only waited a little, she would have seen at least a part of her idea realized. In 1920 the entire estate was converted into a health resort. Since then tired businessmen, sick and worried politicians, overweight divorcées, and neurotic wives have flocked here for a regime of diet, baths, massage, and electric wave treatments. Germany abounds in health resorts. But what distinguishes Buehlerhoehe is the quiet perfection with which it cares for the veterans of life. Informed as to the latest medical discoveries, the most recent theories on the treatment of sick souls and bodies, it scrupulously avoids all fads. Yogurt and vegetable juices have been on the diet list here for over thirty years, but nobody regards them as miracle foods. All of which is a result of Dr. Strooman's gentle wisdom. Dr. Strooman has directed the Kurhaus Buehlerhoehe since the beginning. To him man is not just a mechanism whose tired heart or overworked stomach is in need of repair; he is a human being whose soul must be refreshed. This concept of the *person* filters down to the last little nurse in the place. It makes for a quiet, somewhat distant serenity which is extraordinarily restful.

Buehlerhoehe has always been a favorite retreat of German statesmen. It is natural, therefore, to find Dr. Konrad Adenauer here this summer. Were it not for his seventeen secret service agents who, clad in showy yellow tweeds or sporting tyrolean hats, lurk in the corridors and passageways, one would hardly suspect that so important a personage is in our midst. He keeps pretty much to the first floor, which is reserved for him and his small party. He takes his meals regularly, goes for walks and drives, receives visiting high officials and parliamentarians. There are no journalists around watching and reporting his comings and goings. The guests for the most part take no notice of him. At mass on Sunday morning in the tiny local chapel, the tall spare figure with the sharp, chiseled features that seem almost to be cut in wood arouses little attention among the other communicants.

Whether this attitude indicates hostility, indifference, or merely respect for the statesman's privacy it is hard to say. The Germans are becoming more and more impenetrable, even to one who grew up among them, as I did, and knows them intimately. At any rate, the outcome of the elections of September 6 will give some idea at least of what they think of their present Chancellor.

In Bonn and Godesberg and the Rhineland, where I have just spent ten days, the general consensus is that Adenauer will be returned to office, and with a good majority. Even his political opponents are of this opinion. The Free Democratic Party, which might perhaps have taken away some votes

from the Christian Democratic Union (the party of Adenauer), lacks the funds to conduct a bang-up campaign. It seems that the Nazi fringe of the F.D.P. frightened the wealthy Rhine and Ruhr industrialists who originally backed it. The Naumann case was an eye-opener. Several high-ranking Free Democrats have confided to me that further conspiratorial activities will be disclosed before long and will be highly compromising. They don't want to risk dirtying their hands. They prefer to vote for the Christian Democratic Union, although it is too Catholic for their taste. As for the Socialists, one of the leaders of the Social Democratic Party told me they would rather sit it out four more years than enter a coalition with either the C.D.U. or the F.D.P. Why they are reluctant to enter a coalition in electing members to the Bundestag it is difficult to figure out, since their coalition in the Laender elections worked excellently.

At any rate, on the whole the prospects would be fairly sure for Dr. Adenauer and our policy in Germany (for Adenauer *is* our policy and no mistake) were it not for the matter of reunification. Since June 17 the pressure for reunification has become so intense that no German statesman can ignore it. There is even the possibility that the Soviets will suddenly come forward with a grand offer for general elections in a united Germany and make the September elections in West Germany impracticable. Even if nothing untoward happens before September 6 and Adenauer is voted in again, there is no doubt that the reunification of Germany rather than the European defense community will be the subject of chief consideration in the future. Adenauer and his associates talk and act as though Germany can achieve both reunification and a place in the European defense community. But nearly everybody else knows this is simply a polite fiction kept up to make the Americans happy. Reunification now, they realize, would involve too high a cost—among other things, Germany's membership in the European army.

Dr. Adenauer is perfectly aware of all this. Kneeling silently in that bare little chapel in the pine woods, he might well have been praying that this cup be taken from him. R. G. WALDECK

On a Hilltop

For the briefest instant
The earth stopped spinning
And there was no end
And no beginning.

I stood on tip-toe
Like a dancer
And almost—sh—almost
Heard the answer.

K. WHARTON STURGES

Germany: Key to Europe

By WILLIAM HENRY CHAMBERLIN

How Soviet and Western policies compare on the issues of defense and reunion will decide the German election, says an on-the-spot observer.

Frankfurt, August 15

I have now spent a month in Germany—my fourth trip since the end of the war. Never has one sensed such a ferment of mingled hope, fear, and uncertainty, this latter element aggravated by the fact that Germany will have its second national election on September 6 for a new Bundestag. Never has the possibility of reunion seemed so close, never have the obstacles which stand in the way of reunion on a basis of genuine freedom stood out so clearly.

Germany is the object of an extremely complicated chess game, of which the Germans are interested and sometimes critical spectators. On the proposition that Germany should be reunited on a basis of political and civil liberties there is no serious difference of opinion. This is common ground for the parties of Chancellor Konrad Adenauer's coalition and for the leading opposition party, the Social Democrats. Indeed the latter take special pride in the fighting courage and spirit of the East German workers, whom they claim, on the basis of pre-Hitler voting, as Social Democrats. (They say less about the fact that the rebellion was directed against the Soviet puppet party, the SED, which includes, along with Communists, a fair proportion of renegade Social Democrats.)

But in the matter of priority and methods of achieving this goal the inquiring visitor to Germany finds sharp differences of judgment and opinion. These differences are complicated because many Germans seem unable to decide between the arguments of those who would have the country align itself unreservedly with the West and those who would sacrifice more or less of the Western orientation for the sake of winning back the 18,000,000 Germans in the East.

The latter is the position of the majority of the Social Democrats (there are exceptions, like Mayor Max Brauer of Hamburg, a militant anti-Communist) and of some Germans who have no Social Democratic affiliation. Their line of argument runs as follows: Despite the heroic stand of the East German strikers and demonstrators one cannot beat Soviet tanks with sticks and stones. It is unrealistic to expect that the Soviet Union will evacuate East Germany and let that area be absorbed into a hostile bloc. A price must be paid for unification. This price could be German agreement to abstain from any military alliance with the

West or with the East. Germany would not slip behind the Iron Curtain, but retain close cultural and economic ties with the West. Ultimately it might occupy a position comparable with that of Sweden, with an independent national army for self-defense, friendly to the West but not committed to any Western military bloc.

A Realistic View

All this, in the opinion of tough, resilient, consistently anti-Communist Chancellor Adenauer and the Bonn officials and Bundestag deputies who share and support his views, is dangerous self-deception. Germany cannot be compared with Sweden; its population and resources make it too tempting an object of Soviet imperialist designs. Imagine the precariousness of Germany's position, if American troops were withdrawn across the Atlantic and Soviet troops were withdrawn—a few miles into Poland. Germany is a key factor in an effective European defense set-up. (This viewpoint, as I know from earlier talks in Paris with General Alfred Gruenther, new head of the European armies united under SHAPE, and with high MSA officials, is shared by virtually all Americans charged with responsibility for European defense.) Disrupt this set-up by taking Germany out, leave Europe with small and weak national armies, and the continent lies open to piecemeal Soviet infiltration and conquest.

The positive proposal of Adenauer's supporters is to press on with the project for a six-nation European army, despite French lukewarmers, while at the same time assuring the Soviet Union that this army, with its multi-national character, could never be used except for defensive purposes. On this question of the European army, however, there are serious doubts among some Germans who are unquestionably in the Western camp.

One of the most interesting and informative evenings I spent in Germany was at the house of Mayor Brauer, in the company of some fifteen local Hamburg journalists. Our talk naturally turned on the issues which are absorbing Germany today—how reunion could be obtained, whether and how Germany should be rearmed. In my capacity as an inquiring foreign reporter I took a few votes.

All were for some form of German rearmament. No one favored a German national army. Where the

split in opinion came was on the choice, if it is a choice, between the European army and German membership in NATO. A sizable minority was for accepting the European army arrangement as it stood. But the majority, following the lead of the Mayor, favored German membership in NATO, on the ground that only this method would assure German equality in making decisions of war and peace and create the morale necessary for an efficient army.

This experience was only one of several indications that the blankly negative reaction to suggestions for rearmament familiar in Germany two or three years ago is on the way out. This was a mood compounded of bitterness after two lost wars, a sense of grievance against both East and West, and a feeling of *Schadenfreude* (spiteful pleasure) because Germany's two principal enemies in the last war were at odds. The mood was strengthened by the total demilitarization proclaimed as an allied war objective and preached to the Germans during the first years of occupation. Now, however, there is a growing realization that there is such a thing as cutting off one's national nose to spite one's face, that some form of rearmament is unavoidable for a nation in Germany's geographical position.

The position of the advocates of the European army is somewhat undermined by French balkiness in implementing what was originally a French proposal. The average German has little confidence in the French and Italians as prospective allies, partly because of their showing in the last war, partly because both countries have such large Communist minorities.

The Germans are primarily interested in the military backing which they can expect from the United States, secondarily in British support. By sheer driving leadership Adenauer pushed the treaty ratifying the European army through both houses of the Bonn parliament. A further hurdle remains to be cleared: a ruling of the Constitutional Court on whether the treaty represents a modification of the federal Constitution which would require a two-thirds vote of affirmation, not a simple majority in the Bundestag. But Germany has now advanced farther toward ratification than any of the other five signatories.

Some Germans approve of and support the European army as an important step toward the goal of a united Europe. More probably accept it as apparently the only means, at the present time, of obtaining an assurance of United States permanent military cooperation.

The American, British, and French notes to the Kremlin, proposing a four-power conference of foreign ministers in the autumn, were more calculated to please Adenauer than his opponents. The notes contained no hint of bargaining and simply called for a discussion of means of organizing free German elections and creating an all-German government, with freedom of action at home and

abroad. This approach was received with satisfaction in Bonn. German critics of the Chancellor's position as too inflexible argue that nothing in the notes would be calculated to make evacuation of the East zone attractive to the Soviet Union.

Most German observers, regardless of political sympathy, believe that the Chancellor will get a vote of confidence in the September election and will be able to carry on with the right-of-center coalition which has given Germany stable and reasonably efficient government during the last four years. One usually hears, however, a qualification for this prediction. No one is quite sure what the effect on the election would be if Moscow would make a really tempting offer on German reunion. So long as a regime of ruthless terror and oppression is maintained in the Soviet zone, so long as brutal sentences are meted out to participants in the June uprising, even the Social Democrats cannot be very hopeful about the prospect of reunion on tolerable terms.

If the Soviet government has nothing to offer but old records cracked with much playing, such as the often repeated suggestion that Grotewohl and other Red Quislings should meet representatives of the Bonn regime to discuss conditions of reunion, the course of the election will not be very much affected. In this case Adenauer's chances seem favorable, especially if he can broaden his coalition to include representatives of the "All-German Bloc" (formerly "The League of the Homeless and Disinherited"). This party draws most of its following from Germans and people of German origin who have been driven from their homes in the provinces east of the Oder-Neisse frontier line and in Czechoslovakia, Poland, and other countries of eastern and southeastern Europe. It was not organized on a national scale at the time of the last Bundestag election.

Trump Card for the West

Markedly improved living conditions, the obvious and direct result of the courageous, consistent application of the principles of a free market economy, should be a trump card in the election propaganda of the coalition parties, such as the Christian Democratic Union and the Free Democrats. The German economic recovery so ably described by Wilhelm Röpke in a previous issue [see the *FREEMAN*, August 24] remains one of the most spectacular achievements of Europe since the war.

A Soviet proposal for free, internationally supervised elections in all Germany, on condition that a united Germany should dissociate itself from any Western military combination, would put Adenauer's pro-Western policy to a severe test. For the emotional pull of rescuing 18,000,000 Germans from Communist slavery is strong. And West Germany, while overwhelmingly anti-Communist, is not correspondingly pro-Western. There are still

bitter memories from the war and the early phase of the occupation; there is resentment over the detachment of the Saar by France; one senses a growing skepticism about the brave new world of a united Europe, although the European idea still makes a strong appeal to many idealistic young Germans.

Many Germans are inclined to feel that, if a price must be paid for the reunion of their unnaturally divided country, the sacrifice of still uncertain and hypothetical military alliances with the West would not be an excessive ransom. There is speculation about means of guaranteeing a united Germany's independence by some system of non-aggression, neutrality pacts.

However, to withdraw foreign troops from Germany while West Germany is completely disarmed would leave a vacuum of the most perilous kind. No paper pact (and it would be hard to count how many non-aggression pacts the Soviet regime has violated) could give Germany the security which it now derives from the simple fact that any Soviet military move against West Germany or West Berlin would automatically mean war with the United States, Great Britain, and France.

It would be a much healthier situation if German divisions were standing side by side with American and British, and it should be a Number One task of American diplomacy to overcome French resistance to German rearmament. There will probably be a suspension of major diplomatic activity until it is clear what kind of German government will emerge after the September election, although Soviet blitz tactics are always a possibility.

But after the election, assuming that German cooperation is assured, the United States should make it clear that the time for action on German rearmament is due and overdue. The French government should either ratify its own original project, the European army, or accept an alternative, such as German membership in NATO. Should the French reject both these alternatives, some more extreme American decision, such as unilateral rearming of Germany or abandonment of the whole present assumption that America should participate in the ground defense of Europe may be called for. Quite probably a really convincing intimation that the United States was considering one of these courses would suffice to change the French attitude.

Meanwhile the ferment of hope and uncertainty in Germany and the possible maneuvers of tortuous Kremlin diplomacy require an American diplomacy that should be informed, alert, sympathetic, and flexible. We should never forget that Germany is the key to Europe, that the answer to the question whether Europe will be free or totalitarian depends more on what happens in Germany than on anything else.

The reunion of Germany in freedom, the rescue of 18,000,000 East Germans from Communist rule,

should be the cause not only of West Germany, but of the free world. We cannot, however, allow ourselves to be blackmailed in this matter, or to consent to a settlement in which the Soviet government, by temporarily abandoning its present crude terrorist oppression and exploitation of East Germany, would clear the way to fastening its tentacles on all Germany.

Aims for U. S. Policy

America should take every opportunity to show demonstratively that we regard West Germany as an equal sovereign state, entitled to the reattachment of the eastern zone not as something to be bought, but as a matter of right. The Soviet moral and propaganda position in East Germany has been fatally weakened by the June revolt. There is a fair chance that, if the Western powers stand firm and pay no heed to siren voices of appeasement, the Soviet rulers will agree with Talleyrand that one can do anything with bayonets except sit on them, and write off its plundered German colony as a bad investment.

The raising of the American High Commissioner, Dr. James Conant, to the rank of Ambassador was a good move; so was the reported agreement to put in force a mixed commission to review the cases of so-called war criminals. It would be still more effective if it could be made clear that Dr. Adenauer will be invited to participate as an equal partner in any future councils of the West.

It should be possible to think of more and more imaginative ways of demonstrating sympathy and solidarity for the oppressed people of East Germany and for the stout-hearted people of West Berlin, who have been an invaluable outpost of freedom during these last years. American policy should be guided by the constant consideration that Germany, united or even in its present truncated borders, is potentially much the most solid obstacle to the Soviet sweep to the Atlantic. And German policy, as it comes to be framed more and more independently, should be guided by the parallel consideration that American military and industrial power, both present and potential, was a main factor in saving the whole of Germany from suffering the fate of the Soviet zone.

The liberation of Germany in freedom should be the first step, the liberation of the satellite countries of eastern Europe the second, in an American policy which, looking beyond timid and defensive-minded containment, aims at expanding the frontiers of freedom and contracting the boundaries of tyranny. If these two aims can be accomplished (and weakness and dissension in the Soviet hierarchy open up new prospects for disintegration through political and psychological warfare), the sorry aftermath of the Second World War will be undone and the prospects of enduring peace will be immensely strengthened.

Is Laughter a Weapon?

By TIM TAYLOR

Recently the *Literary Gazette*, a Soviet government periodical, printed a strong editorial about the "wicked tellers of lies and slander who stand in little groups, chuckling and smirking over the latest piece of subversive, anti-state propaganda camouflaged as a so-called 'funny story.'"

Anti-Communist forces throughout the world, including the Voice of America, employ "funny stories" in their campaigns. When *Pravda* reported that too many Soviet publications tend to overuse technical language, a Voice of America broadcast beamed to the Iron Curtain countries suggested that Communist journalists brighten up their stories with anecdotes like this one:

A small Russian boy was asked by his teacher: "What is the size of the Communist Party?" He replied: "Five feet, two inches."

"Idiot!" exploded the teacher. "I meant how many members does it have. How do you get five feet, two inches?"

"Well," answered the boy, "my father is six feet tall and every night he puts his hand to his chin and says, 'I've had the Communist Party up to here!'"

This apocryphal story—and any anecdote about the size of the Communist Party *has* to be apocryphal—and others of similar nature have been appearing in American newspapers and magazines, and on the radio and television, for years as evidence of the true feelings of the Russian people. One of the more recent magazine articles of this type was titled, "Laughter Is a Weapon," and told of the Voice of America campaign using laughter "to bombard the Iron Curtain in a world-wide battle of wits." The writer went on to say that the international radio system is using humor "to puncture the egos of humorless Communist leaders and expose their distorted propaganda," that political jokes are not meant to be genial or whimsical but to sting, that anti-state anecdotes are "poison" to dictators, and that laughter can be a potent weapon because it has destroyed tyranny by ridicule in the past, and will again in the future.

This is so much nonsense. Laughter is not a weapon of the oppressed, but a relief from the rigors of totalitarian-style living, a means of sniping at the inaccessible. Laughter is not a weapon, but an excuse for inaction. Laughter is a bee sting, not a heart thrust.

No dictator has ever been laughed off his throne. The same kind of stories—and in some instances the identical stories—now being told about Malenkov were told about Stalin and Hitler and Mussolini and even Nero. When Malenkov emerged as the new Soviet strong boy, a gag was heard almost

simultaneously in New York, Chicago, and Los Angeles about Molotov missing out on the top spot "because he refused to sell his General Motors stock." This joke benefited the anti-Communist movement in this country just about as much as the gag about the size of the Communist Party aided the underground forces in Russia.

The main difference between political jokes heard in Russia and those heard in this and other democracies is that the gag writers behind the Iron Curtain don't get paid. There is no Milton Berlovitch who would dare poke fun at the golf game of Georgi Malenkov, even if the successor to Stalin were disposed to take up the game of the Scots. And it is a safe bet that no Soviet comedian tosses off remarks about the coiffure of the First Lady of the Kremlin, whoever she may be.

Even in a democracy, laughter carries little weight as a political weapon. The Democrats were not defeated last November because of the hundreds of jokes about mink coats and deep freezes, although one of the reasons for the Republican victory may have been the situation which gave rise to these witticisms.

Only the most egotistical of political leaders lose sleep because they know the people are laughing at jokes in which they are made to appear ridiculous. Malenkov and Company seem to be realists who face tomorrow with the comforting knowledge that their subjects are armed with little more than weak jokes. And they have taken the strongest precautions to ascertain that the joke tellers do not lay hands to more formidable weapons.

Laughter, as a political gun, is a laugh. And a shallow one at that.

Garden of Eden

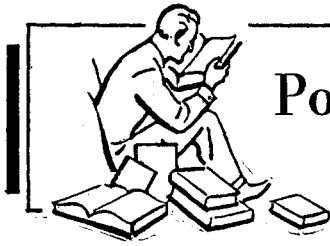
Don't go till we remember it together,
Grasp it and hold it like a misty thistle
Whose leaves are sharp within your hands and
mine:

The way the cove lay like a curled white feather,
The night a glass, a sacramental vessel,
Filled with a purple wine.

The ecstasy was on us, wild and stark,
Now we could sing and shout and madly run,
The hard wet sand beneath our feet, the salt
Translucent odor in the crystal dark
So luminous the world was just begun,
Pristine, without a fault,

Like us, the lovers, come alive in Eden
Where the primeval ocean first and fully
Broke on the crescent of the new-made shore.
That was the young Creation, that the Garden,
The early passion innocent and holy,
Never revealed before.

LOUISE TOWNSEND NICHOLL



Portrait of a Fellow-Traveler

By JAMES BURNHAM

The advancing bureaucratization of the world some time ago overran memoirs, in particular the memoirs of official or once-official persons. Ordinarily, nowadays, a memoir is not written, but produced like a truck by assembly-line methods. Teams of secretaries and novice Ph.D.'s, working under research or journalistic foremen, process tons of memoranda, files, and daily journals. The end product is imposing in bulk, and about as interesting to read as the Budget.

As an autobiographer, Franz von Papen has been more fortunate, at least from his readers' point of view, than he understands. (*Memoirs, by Franz von Papen, translated by Brian Connell, E. P. Dutton and Company, 634 pp., \$6.50.*) He makes grumpy complaints about the loss of his records. "It would be hard to devise conditions more difficult and more discouraging . . . The personal files and public archives to which a person in my position would normally have had access have been denied to me. Most of my own papers have been seized by one or other of the Allied powers, or destroyed in the final stages of the war."

The result of this happy loss is that Herr von Papen has had to rely on himself in place of his filing system, and has written a living book instead of a dead report. No doubt the surface account is less accurate than the records could have made it. Most of the conversations in quotes come, we must assume, from an old man's memory, colored by the bitterness of the defeated and the bias of self-justification, rather than from a stenographic transcript. But the story is marvelously interesting every page of the way.

The victorious powers put von Papen among the twenty-one defendants whom they prosecuted at the great Show Trial of Nuremberg, in which the democratic nations of the West so shamefully imitated the juridical practices of their totalitarian enemy and ally. The imitation was incomplete, inasmuch as three of the defendants, von Papen one of the three, were found Not Guilty. In part, these *Memoirs* are a continuation of the defense that von Papen began at Nuremberg. There is no doubt that the well-known charges against him, and the seeming facts of his career, are in need of skilled defending.

To many, and with some plausibility by the chronological succession, von Papen has appeared as the Judas sheep of his flock, the springer of the trap door to disaster. His evil reputation began

early in his career, when he was charged, after his service as military attaché in Washington during the First World War, with instigating the Black Tom explosion and other acts of sabotage. From that time on he seemed always to be near when the dark bell tolled. His chancellorship in 1932 seemed to prepare Hitler's in 1933; his vice-chancellorship during the first period of Hitler's rule, to open the road for the full totalitarian dictatorship to come. He secured the early Concordat with the Vatican that helped to gain international acceptance of the Nazi regime. It was he who was Minister to Austria during the years that ended in forcible Anschluss. As wartime Ambassador to Turkey, he engineered the fabulous "Operation Cicero," which gave the Wehrmacht the plans of its enemies, and with the cinematic title *Five Fingers* has so fascinated the movie-goers of the world. It is a formidable list.

Von Papen insists that his career is a paradox. "I stand accused as a supporter of Hitler, yet his Gestapo always had me on their liquidation list. . . . As a convinced monarchist I was called upon to serve a republic. . . . By family connection and conviction an outspoken protagonist of Franco-German *rapprochement*, I have seen both countries beat each other to a standstill. . . . Seeking only a peaceful solution of the German-Austrian problem. . . . I stand accused of organizing Hitler's Anschluss. . . . Although an ardent Catholic, I came to be regarded as the servant of one of the most godless governments in modern times. I am under no illusion as to the reputation I enjoy abroad."

It is the contention of his personal defense that he has lived his "long and industrious life . . . according to the best of my ability in the service of God and my country." His country's true mission, to which he regards himself as bound, remains, he says, what it has been for more than a thousand years: to "spread Christianity to the eastern provinces and the Baltic: to build a dyke against the threat of Slav aspirations and aggression," to rise "as a bulwark of Western thought against the advance of totalitarian ideas."

This all has a lofty air, and contains a certain proportion of truth. It is a little too pat, though, after the night of the long knives and the death chambers. It seems to me clear, and clearer than ever with these *Memoirs* as additional evidence, that von Papen is not and never was a Nazi. Spiritually and morally it was impossible that he should

be a Nazi; he is simply not that kind of person. He is obviously sincere in portraying himself as conservative, monarchist, religious, attached to family, home, and tradition. Nazis are none of these things.

At the same time, it is equally certain that von Papen collaborated with the Nazis, that he served the Nazi regime after it had come to power, or at least served objectives which were simultaneously the regime's objectives. Von Papen—successively Vice-Chancellor, Minister, and Ambassador under Hitler's government—does not pretend to deny this. His explanation of his conduct is fourfold.

First, he contends that the Weimar Republic, functioning in the aftermath of defeat, a vindictive peace and a financial breakdown, was impossible as a political system for Germany. Second, he believed prior to 1932 that the best chance for a political solution under the Weimar rules would have been a government based on a right-wing coalition that would have included the Nazis as well as his own Center Party. If faced earlier in its career with a share in the responsibilities of governing the nation, Nazism might have developed its positive aspects—which he still insists were contained in it—instead of exclusively its destructive tendencies.

Third, he argues that even “when Hitler formed his first coalition Government, both his Conservative colleagues and the nation as a whole hoped to assimilate his movement into the normal framework of our existence.” It became the duty of a conservative like himself to collaborate, with the aim of reinforcing the positive goals (combatting unemployment, rousing the nation's spirit, fighting Communism, revising Versailles) and braking the negative (anti-Semitism, lawlessness, materialism, worship of the State).

After 1938, by which time the impossibility of checking the Nazi nihilism had become apparent, there arose a “dreadful dichotomy which affected every honorable patriot . . . I can well understand the disdain and disbelief of those abroad when they read memoirs and articles on life in the Third Reich which proclaim that nobody was really a National Socialist, that everyone was secretly in opposition to Hitler and that he therefore attained his ends against the resistance of the whole German nation. This picture is, of course, false . . . Germany was entirely responsible for the Second World War.” This situation justified the attempt to remove “by internal means . . . the head of a State whose activities are damaging the nation.” But von Papen, even in the face of Nazism, remains a German patriot: “I cannot understand . . . how people calling themselves patriots can lend their services to an enemy to ensure the downfall of a Government by contributing to the nation's military defeat.”

Finally, von Papen says that he was mistaken about Nazism, and he argues that it was not he alone or Germans alone who were mistaken. “If

Hitler had attempted an immediate revolution such as Lenin brought about, he would have met overwhelming opposition . . . Historians are mistaken in assuming that the details of this process were laid down in advance.” Why was it that “a dictator was granted [by the Western governments] concessions and recognition which were denied to the bourgeois Governments that preceded him?”

He now holds that his own “fundamental error was to underrate the dynamic power which had awakened the national and social instincts of the masses . . . As a professional soldier, I should have realized that even in the political field, defensive tactics can never prevail against concentric attacks. The dynamism of a mass movement could only have been met by equal dynamism—never with the doctrinaire ideas of a thin layer of liberals and intellectuals.”

In terms of behavior, Franz von Papen resembles a type with which we have become familiar in another connection. He is the fellow-traveler, marching along with the totalitarian movement under the mixed stimulus of idealism, ignorance, vanity, and opportunism. As with all fellow-travelers, his own goals and “ideals” seem partly to interest the professed goals of the totalitarians. His failure to think things through combines with his opportunism to lead him into the totalitarian parade. His vanity makes him suppose that he is influencing and “moderating” the revolutionists whose puppet and front he in reality is. Shift the labels, and we may compare von Papen with Henry Wallace, although Wallace is a less substantial person. As Presidential candidate of the Communist-controlled Progressive Party, Wallace is not at all unlike von Papen as fussy and impotent Vice-Chancellor in Hitler's Cabinet.

Unlike many one-time fellow-travelers, von Papen has observed carefully and learned a good deal. His book, as a consequence, has remarkable historical as well as personal interest.

According to our various standards, we will condemn, detest, pity, or merely try to understand Franz von Papen. The vast spiritual gap that divides his personality from the type of the true Nazi is strikingly shown by the map of Hitler's mind drawn in *Hitler's Secret Conversations* (translated by Norman Cameron and R. H. Stevens, with an introductory essay by H. R. Trevor-Roper, Farrar, Straus and Young, 597 pp. \$6.50).

The text of this book is, according to Mr. Trevor-Roper, Martin Bormann's corrected version of notes taken, chiefly during 1941 and 1942, at Hitler's changing military headquarters. They are the Fuehrer's “table talk”—his running remarks and monologues delivered at lunch or dinner, “more often at his last, most sociable meal, the long succession of tea and cakes which—generally

long after midnight—closed the working day.”

I cannot agree with Mr. Trevor-Roper's rather frenetic and high-pitched estimate of the content of these talks and the mind that they reveal. He discovers Hitler to be “a systematic thinker and his mind is, to the historian, as important a problem as the mind of Bismarck or Lenin.” Trevor-Roper judges Hitler to have a “crude but clear” interpretation of history and an “astonishing memory”; his mind is “restless, rigid, systematic . . . From at least 1923,” his ideas were “absolutely clear and consistent.” I cannot reconcile such comments with what I read in these curious and on the whole rather drab “conversations.”

Hitler unquestionably had certain key insights—insights rather than intellectual concepts—about the nature of man and history. Around these much of the texture of his thought and feeling was woven or stuffed. But these insights were neither consistent among themselves nor the principles of any consistent system. His thought, and the theoretical side of Fascism in general, is distinguished from, for example, Bolshevism (the most obvious and relevant comparison) precisely by its intellectual shallowness and its lack of any systematic structure. What Hitler possessed was not intellect, but passion and an incredible *will*.

Malcolm Muggeridge, in his admirable short introduction to Ciano's early diaries, makes a more convincing summary. (*Ciano's Hidden Diary, 1937-38, translation and notes by Andreas Mayor, with an introduction by Malcom Muggeridge, E. P. Dutton and Company, 220 pp., \$4.00.*) He describes “the character of the Fascist regime” as “a strange mixture of bombast, lies, cynicism, and sincerity which furnished its mystique, the bizarre personalities and lurid atmosphere it generated.” Hitler is more weighty and terrible than anything in Italian Fascism, but he is on no comprehensible account a thinker.

The spirit that seems to speak through these “conversations” that the disciple Bormann checked each day is that of the quintessential *plebeian*, the mass-man of Ortega y Gasset, without place or status or wisdom, whirled by a gigantic will to a summit of power and unleashed egotism. All the frustrations, envies, snobberies, vulgarities, longings of all plebeians seem to get utterance through his voice. In these hours of the night, to three or four intimates, he lets go with his hatred of all persons and social classes that rest on tradition, order, established hierarchy, measured knowledge: “the arrogant idlers of the aristocracy”; the bourgeois—“the top hat is the signature of the bourgeois”; “the frock coats”; “the pretentious upper ten thousand”; “specialists” and “theoreticians” (“I hate those specialists' jobs. I regard everything that comes from a theoretician as null and void”); the Jews, of course, and above all “the parsons,” as his phrase goes for the Church (“the

two great scourges: the pox and Christianity”).

The quintessential plebeian has no stake in the world. Thus, when under extraordinary circumstances he finds himself at the trigger of vast power, he is a nihilist, absolutely irresponsible. Unlike the member of a genuine social class or profession—any class, worker, or peasant as well as aristocrat or doctor or bourgeois—he respects nothing, least of all himself, and has nothing that he wishes to preserve. Therefore he is ready, as he falls, to pull all down about him.

This is a long step beyond the world scheme of the good-natured, sly, cynical, and non-plebeian Ciano, and beyond the outlook of his master. (Although it is notable how close Mussolini would come to Hitler's expressions when “he accused the intellectual and bourgeois classes of cowardice . . . and declared that as long as he is alive he will keep them on the move ‘to the tune of kicks on the shin,’” or when he says “he is ready to break a few bludgeons on the backsides of the priests.”) This pre-war section of Ciano's diaries (the later parts have previously been published) show, however, almost step by step, how Italian Fascism was pulled into the wake of the onrushing ship of Nazism. They prove also, in the most specific way, the vanity of appeasement. “There will not be war,” Mussolini exclaimed on the news of Munich, “but this is the liquidation of English prestige.” It became no longer possible for him even to think of holding back from Hitler.

Story with a Moral

A New Slavery, edited by Roger Baldwin. 158 pp. New York: Oceana Publications. \$1.25 paper, \$2.50 cloth

Every worker under Communism is really a forced laborer. He can't quit, he can't strike, he is hemmed in by internal passports, workbooks, the speed-up, compulsory overtime, and the supervision of the M.V.D.

Nevertheless, when Roger Baldwin describes Communist “forced labor” in this book, he is not speaking of the hundreds of millions who try to earn a living under such conditions. He is describing only the more horrible fate of another group—the estimated 15,000,000 suspected oppositionists who are forced to work on superhuman projects under inhuman conditions for no wages at all. As Mr. Baldwin describes it, what these men and women experience in the giant camps across Eurasia is not so much forced labor as it is death on the installment plan. They work in freezing climates with scanty clothing and only about a third of the food the normal body requires; they sleep in harsh, crowded billets with hardened criminals as their “trusties”; they can be tortured, starved, or shot at will.

Mr. Baldwin has himself done much, over the years, to publicize in the free world the facts about Communist forced labor. In 1925, he helped publish the famous *Letters from Russian Prisons*, which spoke for the Russian democrats who were the first inmates of Bolshevik concentration camps. It has taken more than two decades for the world to recognize the lesson that book contained.

In 1930 the Hoover Administration—prompted by a bi-partisan campaign led by Matthew Woll of the American Federation of Labor—placed an embargo on Soviet goods produced by forced labor. But during the Popular Front and wartime alliance with Communism, the forced laborers were forgotten. During the war no one bothered to ask why one of the top Russian commanders—Marshal Rokossovsky—had himself spent several years at forced labor, and was pardoned only when Stalin's back was to the Kremlin wall and he needed every Russian officer he could get.

V-E Day brought new evidence—the testimony of thousands of former forced laborers who had escaped to freedom. In 1947 David Dallin and Boris Nicolaevsky wrote their authoritative book, *Forced Labor in Soviet Russia*, and that same year the A.F.L. urged the U.N. Economic and Social Council to launch an official investigation. For four years both the Economic and Social Council and the International Labor Organization (to which the A.F.L. had also appealed) failed to act. But meanwhile David Rousset, a French slave laborer under the Nazis, had formed the International Commission against Concentration Camps, which collected evidence and held dramatic open hearings during 1950 and 1951.

Largely because of this pressure, the Economic and Social Council and the International Labor Organization jointly sponsored an official investigation in 1951; its findings were released on June 23 of this year. The U.N. verdict completely supports that of Mr. Baldwin, who calls forced labor "one of the most glaring aspects of the inhuman Communist police state."

Mr. Baldwin's book tells the story of this long fight for world attention; it summarizes the testimony which led the U.N. investigators to their findings; it reproduces key Communist documents on forced labor and maps locating the principal camps. In presenting this material, Mr. Baldwin shows that wherever Communist guns rule—whether it is "Western" Czechoslovakia, "Confucian" China, or "independent" Yugoslavia—the barbed wire of the camps follows. He also shows how, under the management of Lavrenti Beria, the political motive for slave labor was supplemented by an economic one—namely, the desire of the Communists to cut both labor costs and popular consumption in an economy geared not to its citizens' wants, but to a global war against democratic peoples.

It has been said that the true horror of Buchen-

wald lay not so much in the Nazis' murders as in the apathy and ennui of the world that discovered them. And the one question Mr. Baldwin's book does not raise is the only question about forced labor that really matters, now that the facts are established. That is: What do we intend to do about it?

About a year ago, a congressman shoved a map of the slave camps into the hands of a Soviet diplomat. This was the boldest "action" on slave labor yet taken by anyone connected with the United States government, and it was a "psychological warfare" prank at best. It seems to me that the very least conclusion to be drawn from Mr. Baldwin's book is that we should arraign the Soviet ruling clique before an international tribunal for its crimes against humanity, bar its representatives from the U.N. and all other diplomatic channels, and enforce a world boycott of its slave economy. It is a measure of our intimidation that even such a tireless fighter for human rights as Roger Baldwin has failed to draw that conclusion.

ANATOLE SHUB

In the Money

The Legendary Mizners, by Alva Johnston. 304 pp. New York: Farrar, Straus and Young. \$3.75

What has frequently been called the era of elegance in America began somewhere in the sixties and came to an abrupt end with the Depression. It was the heyday of snobbish resorts, millionaires' wives with their playboy arbiters of fashion, and of the touts, pimps, and hangers-on who battered upon them. Alva Johnston's story deals with two of the most famous—and notorious—figures in the "best" society and its attendant underworld during that now fabulous period. It is a brilliant and most amusing book.

Bizarre, flamboyant, irreverent, amoral, the two Mizner brothers clowned, toadied, and exploded their way from San Francisco to Alaska, from New York to Palm Beach. They prospected in the great Klondike Rush of '97, Addison on the lookout for gold, Wilson for suckers. From there they migrated to New York, where the idle rich quickly became enchanted by their escapades and wisecracks. Addison was a stickler for form; he confined his attentions to what the society columns call "socially prominent" women, whose husbands were kept busy making the millions their wives (and Addison) spent. Wilson was less fussy; he married the widow Yerkes, some thirty years his senior and not—to Addison's distress—in the *Social Register*.

"Addison Mizner hurried to the Yerkes mansion . . . He found Wilson in bed . . . on a dais with two green velvet steps . . . Propped up among pillows of peach-colored satin, covered to the waist with point lace, the bridegroom was wearing a

gray woolen undershirt, the sleeves of which had shrunk nearly to the elbow. He was holding a sack of Bull Durham between his teeth and rolling a brown-paper cigarette. Addison excitedly asked the reason for the marriage. "The service is good here," said Wilson."

But married bliss was not for Wilson. He filled his wife's house with professional boxers and race-track touts, meanwhile emptying it of whatever portable treasures he could get his hands on. When detectives (employed by Mrs. Mizner) took to searching him as he left the house, he quit. After a season or two of cardsharpping on transatlantic liners he holed up in New York, where he ran the Rand Hotel for women—which was not exactly high class—and went in for opium smoking. Addison meanwhile had set himself up as an architect (the fact that he had no vestige of professional training he brushed off as irrelevant) and happened to be in Florida about the time when the wealthy discovered that its climate was a welcome change from the rigors of a northern winter. He quickly got in on the real estate boom; in fact he *was* the boom. The brothers cleaned up millions; later they lost it all.

Though Wilson was the more celebrated, both were noted wits. Seated one night in a Horse Show box with a couple of glittering dowagers, Addison to his dismay saw Wilson bearing down on him. Addison had "arrived" in Fifth Avenue society and feared his brother might disgrace him. He tried desperately to ignore him. But Wilson was not the ignorable type. He came to the box and greeted Addison. "After an embarrassed moment or two . . . the architect asked Wilson where he was living. 'In a house of ill fame on Forty-Eighth Street,' said Wilson. This statement was overheard by the ladies. They were charmed."

This is a lusty book, not for the prudish. But for those who like their humor straight from the shoulder, *The Legendary Mizners* is a powerful inducement to desert television, at least for a couple of hilarious evenings. JOHN VERNON TABERNER

A Poet Gone Astray

Collected Poems, by Archibald MacLeish. 407 pp.
Boston: Houghton Mifflin Company. \$4.00

Archibald MacLeish was recently awarded the Pulitzer Prize for his *Collected Poems*. This literary disaster was probably inevitable, under the mass hypnosis which makes all but great and original minds—and where are they?—incapable of transcending our little metallic day. MacLeish's taut, nervous, gray-and-white style; his temperament, realistic without being real, stony without being strong, are the very idiom of our ruling intellectuals. Add to this his visionless vision; his dismissal of life as a gray bubble breaking on a sea of

nothing, his obvious distaste for anything that lies to the Right of Roosevelt, his facility in second-rate Eliot, his general nihilism, never glimpsing eternity, and you understand why he won the Pulitzer Prize.

MacLeish is the sort of man who sees "winter-stiffened trees" as

(Posthumously sucking pap
From the pores of a dead planet
Like the bristles on a butchered pig).

His poems "mean" but they never quite manage to "be." This is a pity for him—and a loss for us. Somewhere on his soul's pilgrimage (probably in World War One), his too sensitive heart was hurt; he withdrew into an eclipse of himself; as a poet he died. His early poems, the poems from *The Tower of Ivory* (1917) and from *The Happy Marriage* (1924), prove the poet he was—and might have remained. They sing and shine, they are exquisite in technique and wise in insight; they not only *mean*, but *are*. There alone lives the great MacLeish: the rest was written by his ghost. It has no center in *him*, no singleness or centrality in a living cosmos. Like Picasso (but with inferior art), he flickers from style to style, from mode to mode: he never stands, like El Greco, rooted in the god of himself. His poems fluctuate from such tawdry stuff as "Corporate Entity":

The Oklahoma Ligno and Lithograph Co
Weeps at a nude by Michael Angelo . . .

to "Ars Poetica" (which seeks vainly to carve in American granite what Gautier carved in French marble); from the often very beautiful "American Letter" to the "Conquest of Mexico" written in obsidian rubble. They waver between wanderlust for Europe and nostalgia for America; there is a hollowness in all, and never a home. Never do we say, as of Whitman: "Whoso touches this book touches a *man*."

MacLeish has no grasp of eternity, no roots outside time. So, like the other secular collectivists who at the moment seem to rule American culture, he is most nearly passionate when he praises the politics of the Left. He takes the part (rather feebly) of the slick, eel-slippery Eleanor against Cardinal Spellman; he extols Laurence Duggan as "Pure heart, sweet spirit, humble, loyal, true," and says: "God help that country where informers thrive!" Thus he upholds them against such great spirits as Whittaker Chambers.

In his "Hamlet of Archibald MacLeish" we see his own desolation:

Giggle of the wind along
The empty gutters of the sky.
Snigger of the faint stars. Catcalls.
And look behind the broken chair.
And look along the shadows on the
Wall. Rat turds. Spiders.

His enigmatic "Trojan Horse," if it has any mean-

ing, has a bad one. Apparently he tries to wrench the ancient legend into a denunciation of conservatism: "Bring that enormous image in [he says], To make official patriots of us." He seems very much afraid of being a patriot, and the danger of the Greeks seems dwarfed by the danger of Troy to Troy. His style degrades and his mind confuses the clear, beautiful, ancient symbol. It is a sad day when this is supposed to be great American poetry.

E. MERRILL ROOT

Briefer Mention

Socialist Thought: The Forerunners, 1789-1850, by G. D. H. Cole. 346 pp. New York: St. Martin's Press. \$5.00

This is the first volume of a projected general history of socialist thought by the dean of living British Marxists. The word "socialist" (which dates only from the first part of the nineteenth century) is used in the widest sense. "The 'socialists' were those who, in opposition to the prevailing stress on the claims of the individual, emphasized the social element in human relations and sought to bring the social question to the front in the great debate about the rights of man . . . The theories rest on a belief in the virtues of collaboration, as against competition, or of planning, as against what their opponents call 'free enterprise.'"

Mr. Cole has a friendly bias, but he is by no means uncritical. He deals informatively not only with figures like Godwin, Saint-Simon, Fourier, Owen, Proudhon, and Blanqui, but with many others who are less familiar: Cabet, Sismondi, Bray, Flora Tristan, Lamennais, and the British "Christian Socialists." Even those who believe this socialist tradition to be the great heresy of modern times will find a lively intellectual and human interest in Mr. Cole's account of the thought of these men (and one woman) who were its early prophets.

Middle East Dilemmas, by J. C. Hurewitz. 273 pp. New York: Published for the Council on Foreign Relations by Harper & Bros. \$3.75

Professor Hurewitz, now at Columbia University, was formerly in OSS, the State Department, and the U. N. Secretariat. He has written a book which is typical of this background, and of the Council on Foreign Relations, which sponsored it. It contains a considerable amount of information, most of it of a more or less official character, unintegrated by any compelling political, moral, or strategic ideas. Professor Hurewitz is a solid "containment" man, and a believer in the Truman-Acheson doctrine of "belly Communism": "The eradication of hunger, disease, and illiteracy was a more effective long-range weapon against Soviet

propaganda and aggression than military alliances."

As a review, addressed to the general reader, of "the responsibilities in the Middle East" that "have been thrust upon the United States by the decline of the British position at a time of rising Soviet aggression," *Middle East Dilemmas* can take a modest, if undistinguished, place in the now quickly growing but still inadequate list of available books on the Near and Middle East.

The Time of Indifference, by Alberto Moravia. 303 pp. New York: Farrar, Straus and Young. \$3.50

In this first novel, written twenty-four years ago, Mr. Moravia already gave evidence of his special, and since then much-lauded, gift for portraying realistically the sordidness of some people's lives. The plot revolves about a down-at-the-heels family—mother, daughter, son—and the mother's lover, who happens to hold a mortgage on their shabby villa. As the story opens, Leo, the lover, in his jocular way, intends to foreclose the mortgage. He intends also—or, perhaps, else—to seduce the ripe daughter of the household, having wearied, as any man would, of her faded, painted, vain, and stupid mother. The daughter is not entirely averse to the idea, having wearied of her mother and her own aimless life. A secondary theme is provided by some scuffling between the son, a sulky, will-less boy, and a blowzy, middle-aged ex-mistress of Leo's. The goings-on of these unlovely, tiresome creatures is related with a measure of suspense and an excellence of style that has lost none of its quality in the translation by Angus Davidson.

Introducing Asia, by Lawrence H. Battistini. 289 pp. New York: John Day Company. \$3.75

This is a kind of briefing handbook. It deals particularly with China, Japan, and India, and includes very short sections on Southeast Asia. The author served with SCAP until 1951, and has continued to reside in Japan as a lecturer at Sophia University, Tokyo.

Mr. Battistini's quick surveys, and his easy maps and statistics, are useful for a reader with little previous knowledge of Asia. On the whole, the book is reasonably objective in relation to a subject-matter toward which that quality is most rare. He exhibits no fellow-traveling traces (his positive estimate of MacArthur would alone damn him eternally in the Communist ledger), but the persistence of the shadier half of the I.P.R. tradition is suggested by some of what he writes about China, and by some of the implications, positive and negative, of his bibliography. His first principle is a beginning of wisdom about Asian affairs that is usually obscured by journalistic and semantic habits: "Asia is a geographical expression, and nothing more. It has no racial, cultural, political, religious, or historical unity."

THEATER

The Straw Hat Circuit

More actors will be eating this season—and eating well—than at any time since the golden days of Edwin Booth. This sudden access of plenty among American thespians is due mainly to the business acumen and resourcefulness of Herb L. Swett, who operated a trolley line in Skowhegan, Maine, at the turn of the century. Every summer Mr. Swett would notice that his trolley business rolled to a virtual standstill. In order to make a few extra dollars, he therefore organized a summer theater and very wisely placed it at the end of his trolley line.

Since that time, the trolley business has gone mostly downhill, and the old interurban trolley has nearly disappeared from the American scene. But summer theaters have multiplied and prospered until today a survey by this correspondent shows that the so-called Straw Hat

Circuit encompasses thirty-eight states, the District of Columbia, Canada, and Bermuda.

Mr. Swett's original summer theater, the Lakewood Playhouse, still operates profitably in Skowhegan. And about five hundred similar enterprises open their barn-doors or tent flaps during the latter part of June and close them around Labor Day. In between those dates, the Summer Theater has become big business, attracting such top producers as Richard Aldrich and Theron Bamberger and giving more or less remunerative employment to three thousand Equity actors and almost double that number of young hopefuls.

The success of Straw Hat productions has come as a *deus ex machina* to help the legitimate theater, caught in the crossfire of television, 3D movies, and the ever-increasing wage demands of stagehands, carpenters, and electricians. While Broadway has been mainly reduced to presenting a tried-and-true formula of musicals and comedies bolstered by star names and enormous bankrolls, the summer operator with his small rentals and low labor costs has been able to experiment, and has thus recaptured the traditional vigor and pioneering spirit of the American theater.

This summer, for example, barn theaters presented more than twenty-five new plays, revived scores of others, and produced a one-woman show, *At Home with Ethel Waters*, which has been optioned for Broadway. The season also proved the success of a theatrical innovation: the Music Circus. This Circus is structurally similar to a New England clambake, in that you first dig a large hole in the sand. But instead of lobsters and hot stones, you fill the hole with canvas seats and a stage. Then you drape a tent over the whole and charge admission. Under the aegis of Richard Aldrich, such circuses have played to capacity audiences in Hyannis and Cohasset along the Massachusetts coast. The Cohasset Music Circus is directed by Hans Busch, son of the famous conductor, who has done a magnificent job of staging Broadway musicals and operettas "in the round," with the audience completely surrounding the stage. Originator of

the idea was St. John Terrell, theatrical ringmaster at Lambertville, New Jersey, where he recently performed the tour de force of staging Offenbach's incomparable *Orpheus in the Underworld* underneath the canvas.

Not only have barn shows been a boon to producers, directors, and playwrights. They have also been a welcome development for actors—stars and strugglers alike. "Apprentices" (a new class of drama neophytes developed by the summer theater) and hopefuls have had countless opportunities of gaining experience and perhaps even recognition. Equity has even reduced the strictness of its membership requirements for young aspirants with two seasons of summer stock to their credit, and has thus opened Broadway's door to them.

Stars, meanwhile, have enjoyed the unique opportunity of appearing in roles they have always wanted to play, at salaries ranging up to \$3,000 per week. Needless to say, these roles have always been the direct opposite of their advertised personalities. Rough-and-tough Marlon Brando chose to play the meek mercenary in *Arms and the Man*, and was a surprising success. So was singer Ezio Pinza, acting his first straight role in *The Play's the Thing*, while brash, blonde Carol Channing gave a sensitive reading of the cockney girl in Shaw's *Pygmalion*.

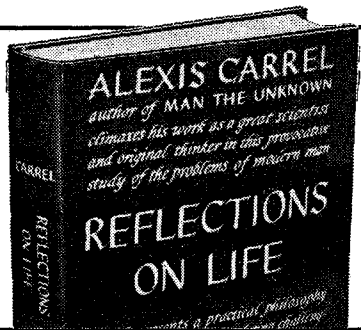
It's the theatergoer, however, who has profited most by the success of summer theaters. Those of us who do not like to wait three months in order to pay \$14 for a couple of bad seats to a mediocre musical have been able to see fine plays and competent performers at prices ranging between \$1.20 and \$3.60, with reservations usually available a few days in advance. And others, who dreaded the tedium of interminable evenings of summer bridge on the porch, can now look forward to the alternative of Shaw, Shakespeare, and Cole Porter, usually performed only a few minutes' drive away.

To the younger generation, the Straw Hat Circuit has also been a revelation. As one moppet remarked during a presentation of John Effrat's *Island Visit* with Sir Cedric Hardwicke: "Why, Mommy, it's even better than 3D—and you don't need any goggles." **SERGE FLIEGERS**

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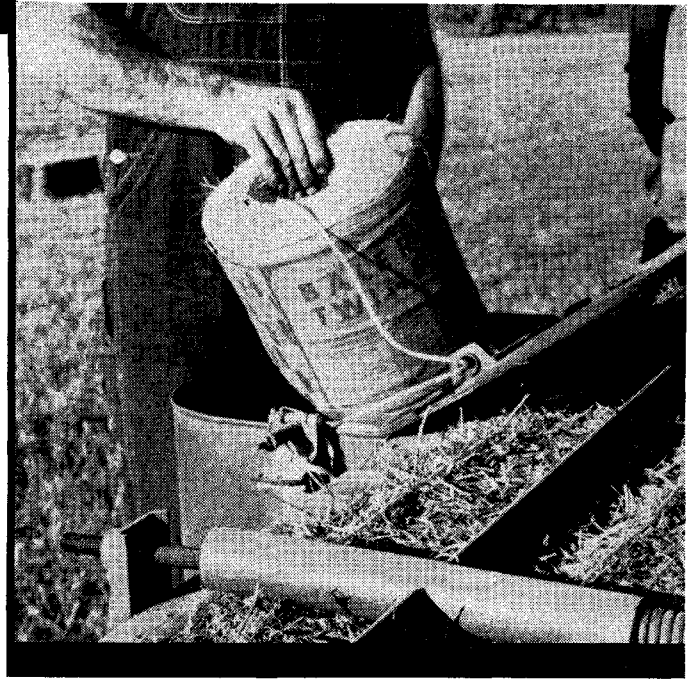
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