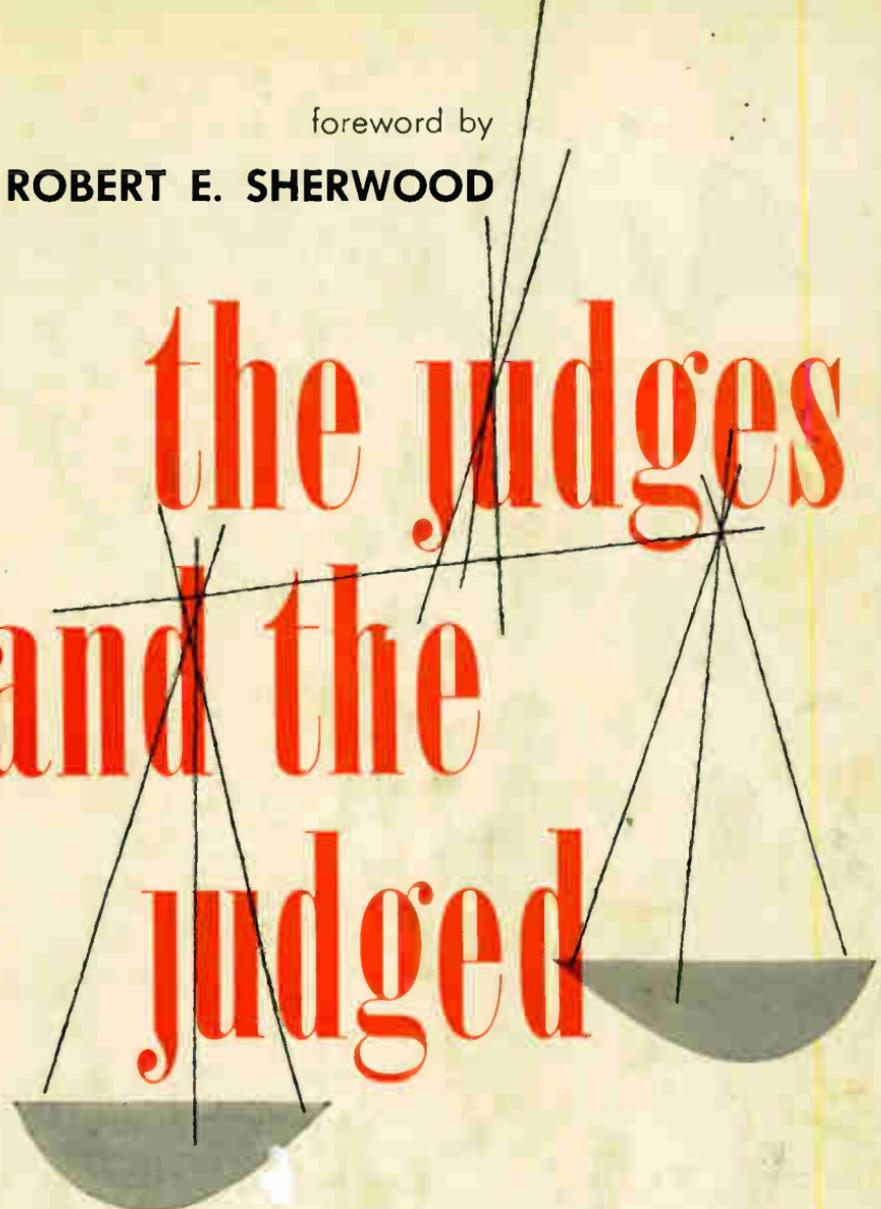


foreword by

ROBERT E. SHERWOOD



**the judges
and the
judged**

The report on black-listing in radio and television
for the American Civil Liberties Union

BY MERLE MILLER

T.J.A.T.J.
Price, \$2.50

THE judges AND THE judged

BY MERLE MILLER

"FOR YOUR INFORMATION: Keep these names in mind when casting. . . ." This was the heading of a memorandum recently circulated to all directors of a major radio-television network. This memorandum listed the names of between eighty and a hundred persons who were not to be employed in any instance, persons who had been branded as "undesirable."

Who were the judges compiling this and similar lists? From where came their authority to determine or identify subversives in the United States? The answers to these questions are the object of this book, which spotlights groups and individuals who have taken upon themselves the responsibility of deciding who and what are menaces to our country, and describes the methods they use in making the judgment.

In the fall of 1950 a contract for actress Jean Muir to appear regularly on the Henry Aldrich show was abruptly canceled because her name had appeared in a book called *Red Channels*. This book, issued in June of 1950, lists the names of 151 writers, actors, singers, dancers, producers, and network executives, along with their alleged Communistic affiliations. So great has been the influence of the book on the radio and television industries and on the closely related advertising agencies that it is now referred to as "the Bible of Madison Avenue."

Because of such name calling in *Red Channels*, in *Counterattack*, a weekly newsletter issued by the same publishers, and by individuals following a similar line of attack, many persons in addition to Miss Muir have lost their jobs and have had their reputations irreparably damaged without redress.

(Continued on back flap)

Jacket Design by Sydney Butchkes

(Continued from front flap)

In September 1950 the American Civil Liberties Union, always alert to combat any threat to the rights of the individual, commenced an intensified inquiry into the whole question of a radio and television black list. In characteristic non-partisan fashion, the ACLU was concerned not only with the activities of *Red Channels* and *Counterattack* but also with other reported black lists, against alleged anti-Communists. Merle Miller was appointed to head this investigation, and *THE JUDGES AND THE JUDGED* is his report in full, a fascinating exposé of a situation, critical to every American, which can eventually result in "freedom from freedom."

ABOUT THE AUTHOR:

Iowa-born Merle Miller attended college at his state university and at the London School of Economics. After wartime service as an editor of *Yank*, he worked briefly for *Time* and *Harper's* magazines, then turned to full-time free-lance writing. He is the author of two successful novels, *That Winter* and *The Sure Thing*, and his stories and articles appear frequently in many national periodicals.

Mr. Miller is a member of the Board of Directors of the American Civil Liberties Union, for whom he conducted the investigation reported in *THE JUDGES AND THE JUDGED*.

ABOUT THE SPONSORS:

The American Civil Liberties Union is a private organization composed of individual citizens. It is the only organization in this country devoted solely to supporting the Bill of Rights for everybody; it is a non-partisan group, its only cause being that of serving civil liberties. Founded in 1920, it now has more than 18,000 members throughout the United States, and its work primarily takes the form of court cases on issues where the constitutional rights of Americans have been challenged.

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A SAMPLING OF THE judges

Theodore C. Kirkpatrick, secretary-treasurer of American Business Consultants, publishers of the weekly newsletter *Counter-attack* and the book *Red Channels*: "We've never said the 'facts' in *Red Channels* were correct or incorrect. We've just reported from public records."

Mrs. Hester (John T.) McCullough: "just somebody who lives in Greenwich, but I guess you might say I was always on the lookout for Them [Communists]."

Rabbi Benjamin Schultz, executive director of the American Jewish League Against Communism: "A full-scale program has been worked out to 'police' the radio and television networks, producers and entertainers trying to 'sell' Communist ideas."

AND THE judged

A radio-television writer: "They called me names in *Counter-attack*, too, and that's when it started, as long as two years ago. Up to then, I averaged about \$20,000 to \$25,000 a year; now I'm down to \$2500."

A prominent author and lecturer: "A couple of years ago I had more than seventy-five lectures a season, but this year I was only signed up for six. Two have already been canceled, one in Omaha, Nebraska. The program chairman there was pretty frank about it. He wrote my agent that they just couldn't have me in Omaha because my name is in *Red Channels*."

A well-known radio actor: "For three straight years I appeared on a repeat holiday TV show, same time, same station, same cast every year. This year it was almost the same. With one exception. I didn't get called. I might add that none of the others in the cast is in *Red Channels*."

Actress Jean Muir: "I don't want the Communists to use me. I want to stay clean. The best way for me to refute these charges is for me to get a job in television, or radio, or in some acting capacity. There must be someone with enough courage to hire me."

THE
JUDGES
AND THE
JUDGED BY

MERLE MILLER

FOREWORD BY ROBERT E. SHERWOOD

*DOUBLEDAY & COMPANY, INC., 1952
GARDEN CITY, N.Y.*

In the preparation of my report for the American Civil Liberties Union, I received the valuable assistance of Alan Reitman, the ACLU's assistant director, both in the collection of information and in the general preparation. Whatever credit the report is given he deserves to share in.

M. M.

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THE
JUDGES AND THE JUDGED

BOOKS BY

MERLE MILLER

THE JUDGES AND THE JUDGED

THAT WINTER

THE SURE THING

INTRODUCTION BY

ERNEST ANGELL, CHAIRMAN OF THE BOARD OF DIRECTORS

AND PATRICK MALIN, EXECUTIVE DIRECTOR
OF THE AMERICAN CIVIL LIBERTIES UNION

JOHN MILTON

"Who ever knew Truth put to the worse in a free and open encounter?"

JOHN STUART MILL, ON LIBERTY

"A state of things in which a large portion of the most active and inquiring intellects find it advisable to keep the general principles and grounds of their convictions within their own breasts, and attempt, in what they address to the public, to fit as much as they can of their own conclusions to premises which they have internally renounced, cannot send forth the open, fearless characters, and logical consistent intellects who once adorned the thinking world. The sort of men who can be looked for under it are either mere conformers to common-place, or time-servers for truth, whose arguments on all great subjects are meant for their hearers, and are not those which have convinced themselves."

FOREWORD BY

ROBERT E. SHERWOOD

This book tells with accuracy and objectivity a factual story of subversion and sabotage of freedom in the United States of America at a time when the cause of freedom throughout the world is in mortal peril. It is quite clear that whereas the editors and publishers of *Red Channels* and *Counterattack* do not consciously strive for the same objectives as the agents of Communism, their methods and techniques are very similar and so are their standards of morality and their respect for the essential "Blessings of Liberty" guaranteed by the Constitution and the Bill of Rights. As the vigorously anti-Communist *Saturday Review of Literature* has said, "'Red Channels' accepts Red doctrine: to accuse is enough." It would be difficult to imagine any doctrine more profoundly un-American.

We are all too familiar with defamation used as a conventional weapon in political strife, and defamation in the rantings of racial and religious bigots; but defamation conducted as a commercial enterprise belongs in a category of contemptibility all by itself.

After I had read the manuscript of this book—which is the result of an investigation conducted by Merle Miller at the instigation and with the active co-operation of the American Civil Liberties Union—I witnessed an ugly demonstration of the conditions herein described and documented:

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Elmer Rice joined with other distinguished dramatists in a group to present famous plays on television. This project promised television entertainment of a superior quality, and in its first productions this promise was amply fulfilled. Mr. Rice and his colleagues were given, according to their contracts, "as much control over the script, casting and production, as each playwright may wish" and "the plan should so operate as to permit each playwright to have maximum casting and other production participation to the extent that he may desire it."

When it came to the casting of his own play, *Counsellor-at-Law*, Mr. Rice was anxious to participate. For the leading role, he first suggested Paul Muni, who had starred in the play originally, but Mr. Muni was doing film work in Italy and was therefore unavailable. The next suggestion was Gregory Peck, but his motion picture commitments prohibited any television work.

Mr. Rice then suggested the names of six other actors, all of them acknowledged stars of Broadway or Hollywood or both, who have been identified with some of the greatest successes of the past few years. One of them recently won the Motion Picture Academy Award (the "Oscar") for the best performance of the year by a male star. I believe that anyone experienced in casting plays or movies would agree that each of these actors is qualified to play the leading part in *Counsellor-at-Law*.

But Mr. Rice was informed that all six names are listed in *Red Channels*.

Realizing that, contract or no contract, he did not have any more "control" over the casting of his own play than the sponsor and/or advertising agency might care to grant him—and that indeed he could become an accomplice in the perpetration of downright injustice—Mr. Rice resigned from the group, making public his reasons for doing so. He said:

"I have repeatedly denounced the men who sit in the Kremlin for judging artists by political standards. I do not intend to acquiesce when the same procedure is followed by political commissars who sit in the offices of advertising agencies or business corporations."

In recording Elmer Rice's unhappy experience, I have not

mentioned the well-known names of the six actors. This omission is in conformance with the policy established in this book by Mr. Miller, to avoid further extension of the cruel and inhuman publicity to which many decent, non-Communist American artists have already been subjected.

There is one name, however, that Mr. Miller mentions frequently because it has appeared on so many front pages that it has become a symbol of the fight to purge the radio and associated industries of what John Crosby of the New York *Herald Tribune* has correctly called "this appalling moral cowardice." The name is Jean Muir. The shocking story of this respected actress is told in these pages.

The *Washington Post* had this to say about it: "There is no nicer name for what happened in Miss Muir's case than blackmail." Typical of editorial comment in a wide variety of newspapers was the following from the conservative *Berkshire Eagle* (of Pittsfield, Massachusetts): "The whole business of bringing unsupportable charges against people in the public eye of any profession, and demanding that they be jailed, fired, or disgraced, on the undocumented charges of any Tom, Dick or Harry with a McCarthy complex, is thoroughly sinister."

Jack Gould of the *New York Times* has written: "There comes a time in the lives of individuals, corporations and countries when it is not enough merely to find a plausible and practicable reason for not facing up to an issue. The obligations of citizenship go beyond expediency and require vigorous protection and defense of those freedoms upon which, among other things, the continued existence of free enterprise rests."

It is all too doubtful whether Mr. Gould would have been permitted to write those fine words and get them printed in the *New York Times* if the newspaper business enjoyed no more independence than does radio. In this unthinkable event, the advertisers, not the publishers, would determine the policy and would hire and fire the editors, reporters, feature writers, cartoonists, judging each news story or editorial solely on its effectiveness in selling the product.

One of the most embittering elements in this ominous situation

FOREWORD

is the fact that at the top of the radio and television industry are some of the most honorable, enlightened, progressive men in this country. They created and developed these mighty media of communication, and they have made and are still making determined efforts to devote them to the fullest feasible extent to the public service. But they—unlike their counterparts in the newspaper, magazine, book-publishing, motion picture or theatrical businesses—have lost authority over a large part of the essential material that is delivered to the public; they have delegated (i.e., sold) that authority to the sponsors, who in turn may delegate it to the advertising agencies, talent agencies, “packagers.” Thus, between the heads of the radio and television companies and the people whom they serve is a vast area of cynical irresponsibility populated largely by hucksters.

There are implications in this of truly fearful import for the future of this Republic and all that it stands for. Some of these implications have lately been underscored by Raymond Rubicam in an article for the *Saturday Review of Literature*—and it is ironic to note that Young and Rubicam, the important firm which he helped to found and from which he retired some years ago, was the advertising agency involved in the firing of Jean Muir from a steady job on the television show, *The Aldrich Family*. Conceding that some of his former associates may consider his present views “the newly acquired righteousness of a reformed sinner,” Mr. Rubicam does not hesitate to point out that because “only sellers of products of the broadest mass appeal can afford to use radio and television advertising; therefore, for the most part, only audiences of the largest size are of value and interest to the advertiser.” With the result that “radio programming in the United States has been comparable to a school system in which everything stopped at the elementary grades designed for the largest number of students, and which consequently had no colleges, universities, or postgraduate schools to serve the rest of the population.”

Mr. Rubicam fears that we “face an age in which a higher and higher percentage of what our minds take in will be taken in

from radio and television. Their danger is that if miscondacted they will make for a population standardized on a narrow base and a low level of preoccupation."

Even more alarming is an article, "It's Still a Business," by Maurice B. Mitchell, written in defense of the radio industry and in opposition to the views expressed by Mr. Rubicam. Mr. Mitchell has a low opinion of people who believe there might be more "helpful educational talks and discussions" on the air; he dismisses such people as "crackpots." He writes: "Sometimes he [the broadcaster] wonders whether there shouldn't be another 'freedom' added to the list of new ones we've discovered lately: freedom from culture."

That statement might be taken to confirm the portrait of Americans as nothing better than greedy barbarians that is being spread abroad by the Communist propagandists.

Our American culture is based not on our natural resources, our mountains and prairies and rivers, our farms, factories and mines: it is based on freedom—and when freedom is abrogated, then we must become tongue-tied, impotent, doomed. One of the most reputable of the radio and television trade papers, *Sponsor*, has conducted a vigorous exposure of *Red Channels* and *Counterattack*, and its editor quotes with "firm agreement" this statement in *Fortune*: "It makes all the difference whether our business world merely pays lip service to the Bill of Rights and to such words as 'freedom' and 'non-discrimination', or actually lives by the principles inherent in them."

It does indeed "make all the difference." An accounting of the assets and the liabilities in radio's achievements in the United States to date would certainly show a tremendous margin on the credit side. We may hope that this credit margin will continue; we may even hope for some improvement. But it is a sure thing that radio and television could become fatally destructive forces, reducing toward the vanishing point the morality and the mentality of the people, if their policies and their programs were to be shaped by men and women who demonstrate "appalling moral

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cowardice" and who yearn for "freedom from culture"—and perhaps, deep in their hearts, freedom from freedom itself.

(NOTE: Since this foreword was written, Elmer Rice has reached amicable agreement with the sponsors, The Celanese Corporation, who deserve honor for creating a precedent by repudiating black-listing.)

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INTRODUCTION

BY ERNEST ANGELL, CHAIRMAN, BOARD OF DIRECTORS
AND PATRICK MALIN, EXECUTIVE DIRECTOR, AMERICAN
CIVIL LIBERTIES UNION

The American Civil Liberties Union is concerned about radio-television black-listing, whatever its source or form, because it is a threat to the spirit of the Bill of Rights, whose defense—for everybody—is the Union's sole purpose. The Union believes in freedom of speech and press, freedom of assembly and association—for everybody. It believes in the principles of due process and impartial trial: specification of charges, full and fair hearing, careful consideration and reasoned findings, and opportunity of review—for everybody. It believes in equality before the law—for everybody.

The radio-television industry, a private business organized for profit, has the special characteristic of operating in the field of communication, under licenses granted by the Federal Communications Commission in the public interest, since the relatively few wave lengths and channels belong to the people as a whole. Hence it is imperative that everyone connected with it, and everyone seeking to influence it, should promote scrupulous observance of those three basic constitutional guarantees of American democracy—free speech, due process, and non-discrimination.

Therefore, when radio-television black-listing first received

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widespread attention in late August 1950, with the cancellation of Jean Muir's contract to appear in *The Aldrich Family*, sponsored by the General Foods Corporation, the American Civil Liberties Union made public a letter to the sponsor, reading in part as follows:

"We are dismayed that one of the giants of American industry, grown strong by serving the people in their basic need for food, has let itself be overcome by a few individuals and groups bent on suppressing a person of whom they disapprove. . . . Miss Jean Muir has no constitutional right to appear in 'The Aldrich Family', and her opponents have the right to protest her appearance. But, just as we oppose censorship by public authority, we deplore suppression by private pressure. And we are shocked at your sudden eleventh-hour yielding to such pressure, without according Miss Muir the elementary right of a full hearing.

"We hope you will immediately reconsider, and reverse your decision. Members of our Board of Directors, several of whom have long experience in the fields of entertainment, communications and public relations, are available for prompt consultation, if you should desire it. In addition, we are continuing and intensifying our comprehensive inquiry into the whole question of possible black-listing in the radio industry."

On September 15, 1950, the Union announced the appointment of Merle Miller, well-known correspondent and novelist, and a member of the Union's own Board of Directors, to head its investigation. In this announcement, it was reiterated that the ACLU was opposed to suppressing any protest, but was equally opposed to black-listing or attempted black-listing ("from whatever quarter it emanates") for alleged beliefs or associations.

The full text of Mr. Miller's report is now at length being issued by one of the country's foremost publishers, instead of by the Union itself: a deserved tribute to Mr. Miller, and to the continuing importance of the subject. The problem did not suddenly come into existence in August 1950. It did not disappear with the fading of the Muir case from the headlines. Unpublicized black-listing continues and multiplies—in darkness, and it is in darkness that suppression does its deadliest work.

The American Civil Liberties Union has sponsored Mr. Miller's report because it believes that the American people have more than ordinary business considerations at stake. As the audience of the radio-television industry—its ultimate consumers—the American people have a heavy stake in the industry's offering programs of the greatest possible variety in both education and entertainment, with the best available talent; and, as citizens of a free society, the American people have a still heavier stake in mass-communication channels being kept free. The radio-television industry and those who work in it, the commercial sponsors and their advertising agencies—as responsible units in a free society and, in effect, trustees of a scarce natural resource—can properly be asked to risk some loss in order that this giant private business may render the vital public service it should render.

Dealing with controversial material and employing controversial personalities may on occasion cause some loss of business income, but American industry, which has thrived on taking risks, surely has enough courage to look below the surface of "bad publicity" and to appraise the accuracy, fairness, relevancy, and significance of any allegations. It should estimate a few protesting letters and phone calls for what they are worth, and no more. It should revise upward its estimate of the character of the American people, who can be expected to respond affirmatively to demonstrations of intelligence and bravery. Freedom is everybody's business, all the time. Unless it is so recognized, all our other business will be jeopardized by the decay of the free society which sustains it.

This is Mr. Miller's report. Whenever the ACLU must find supplementary manpower for an especially large task, it chooses a man in whom it has confidence, and then asks only that he submit his own findings. It now presents Mr. Miller's report (which was approved for ACLU sponsorship by the board's Publications Committee, to which the Board of Directors, in accordance with its custom, delegated such authority in advance) as an important contribution to the understanding and solution of the complex problems involved in radio-television black-listing. The main features of the Union's position on those problems are separately

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summarized in the concluding paragraphs of this Introduction, but one matter should be stressed here. Mr. Miller and the ACLU as a whole were united in their determination that his investigation should include the utmost possible checking on every suggestion of black-listing by Communists or other "leftists," and he devoted weeks of time to this effort. Everything which he succeeded in discovering is included in his report. The relatively few pages required to tell that part of the story indicate once again that one of the main dangers of Communist tyranny is the secrecy in which its adherents regularly operate.

It seems to us that the greatest value of Mr. Miller's report is that his generalizations are based on comprehensive and detailed inquiry by an experienced reporter. He was aided by the cooperation of the publishers of *Counterattack* and *Red Channels*, and of many other persons. He and the American Civil Liberties Union deeply regret that nearly all those other persons made it a condition of supplying information that their names not be mentioned in the report (a tragic commentary on the low state of freedom in the radio-television field). However, not only are such sources specifically recorded in the files of the investigation, but also every effort was made independently to verify the accuracy of the information.

We take the following to be its salient points:

There has been a good deal of attempted private black-listing—organized and unorganized—in the radio-television field, by persons holding various views, including Communists and their opponents.

The black-listing attempts of the anti-Communists have, naturally enough, been much more visible and extensive than those of the pro-Communists; and, apparently, much more effective.

This effectiveness—reflecting the fear of business loss from "bad publicity" attached to "controversial personalities"—is much greater than the number of actual protests would seem to warrant.

Contract cancellation, with candid announcement of the real reason, is rare; simple refusal to hire or rehire, with no reason (or the wrong reason) given, is the rule.

The stated purpose of those engaged systematically in making and publishing lists of alleged Communist or Communist-front connections of radio-television personalities, and of those employing the information contained therein, is threefold:

- (a) to promote national security;
- (b) to curtail the incomes of persons who supply funds to Communist or Communist-front organizations; and
- (c) to diminish the prestige accruing to such organizations by way of sympathetic "big names."

Most of those so engaged profess to be sincere, and to regard their private activities as necessary because they believe that the activities of the security agencies of the executive branch of the government do not extend far enough.

There is some confusion in the minds of those so engaged as to whether all persons with the alleged connections should be completely excluded from the radio-television field, or whether their connections should simply be brought into the open; but the former seems to be the real preference.

Those who make and publish the lists have done a woefully inadequate job of establishing the accuracy, fairness, relevancy, and significance of their listings, excusing their inability to distinguish among zealots and dupes and innocents by saying that such distinctions are immaterial for their purpose; and, while formally disclaiming the making of any charges against anybody, they have counted too cheaply the irreparable damage which is done to a person's reputation (even if he is successful in a libel action, necessarily costly and difficult), as well as to the spirit of civil liberties when there is a "trial by publicity," with private prosecutor, jury, judge, and executioner.

The interest of national security in the radio-television field can and should be protected by the decision of governmental security agencies as to when the industry is "sensitive" and who is a security risk.

The use of "loyalty" oaths or "clearance" plans within the industry is both ineffective, because the person intent on subversion will perjure himself without hesitation, and unwise, because the

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conscientious person will be outraged and the ordinary person will be intimidated.

The radio-television industry and those who work in it, the commercial sponsors and their advertising agencies, need nothing more magical to safeguard practically the whole of their economic interest than an individual and corporate determination to hew to the line of honestly offering the best available talent.

The overwhelming majority of Americans who regard a radio-television performer as obnoxious because of his real or alleged Communist or Communist-front (but still legal) connections should do exactly what a Communist would *not* do—act in accordance with democracy and civil liberties, attacking the obnoxious person by argument, but not by haphazard suppression.

We shall now conclude this Introduction by summarizing the main views of the American Civil Liberties Union on the range of problems covered by Mr. Miller. These are the ideas of an organization which defends the civil liberties of everybody, even those whose anti-democratic opinions it abhors and opposes; but which, because that is its function, bars from its governing bodies and staff all who hold such anti-democratic beliefs, whether as Communists, Fascists, Ku Kluxers, or as adherents of other totalitarian doctrines.

(1) Even in a free society, as the ACLU has repeatedly said, the government has the right and duty to keep the nation itself secure; and, for that reason, to eliminate or exclude from positions closely affecting that security—in private as well as public employment, in peace as well as war—persons whose employment would represent substantial risk of subversive action, intentional or unintentional. But the security agencies of the executive branch of the government, as they have consistently urged, are the only proper authorities for the designation of such positions, for the determination of when they should be so designated, and for the decision as to what persons should be eliminated or excluded from them.

(2) In all other positions in a free society, employment should be decided on the basis of qualifications strictly relevant to the particular task involved. There are some non-security positions—

for example, those of the officers of a labor union—for which persons may be disqualified because they owe a disciplined obedience to some organization with contrary interests. But separate things should be kept separate, even when that basic constitutional principle has some consequences which are distasteful—for example, the funds and prestige which a neighborhood druggist's customers may find themselves contributing, by way of his business success, to local organizations in which he believes but they do not. Radio-television actors, writers, et al. should be tested for employment by the single standard of competent performance, as long as their acts and associations are lawful ones. It is useless to ask the pro-Communists in the radio-television field to abide by that principle, because they do not believe in civil liberties for everybody; but the anti-Communists ought to abide by it, because they do profess such a belief. We do not, in civilized and humane America, kill or jail or force on relief even all those persons whom we regard as too untrustworthy to allow in positions closely affecting national security. The only remaining possibility is to let them work in other positions, according to their qualifications. This is hard doctrine in a time of international tension and conflict, but it is indispensable, not only for maintaining a free society, but also for buttressing our national defense by winning the world-wide struggle for the minds of men through demonstrating our sincerity. Nobody can be expected to sponsor *ideas* which he rejects, but the great bulk of the radio-television black-listing problem has to do simply with *performers* in programs whose ideas have already been accepted by the sponsor.

(3) Some members of the public may disapprove the employment of a particular radio-television performer, for one or more of any number of reasons relevant or irrelevant to that single standard of competent performance. Whatever their reasons, they may, within the spirit as well as the letter of the Constitution, express their disapproval to anyone at all, and attempt to dissuade people from looking at or listening to that performer. And, as far as legal right is concerned, they may use such orderly and lawful means as peaceful picketing and the organization of a specific and primary boycott; and, subject to action for libel or slander, they

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may publish derogatory information or circulate it by word of mouth. But when they aim at censorship or suppression which would prevent other people who do not agree with them from looking at or listening to the performer, then they are acting contrary to the spirit of the First Amendment. Its ideal is that we should handle differences of opinion (as distinct from illegal action) by argument, not suppression.

(4) If, despite the above considerations, and the repeated urging of governmental agencies that they be allowed to exercise a monopoly of investigation and judgment in the field of security and loyalty, private persons or groups continue to exercise their freedom to purvey information reflecting on a person's loyalty, or continue to consider it in relation to non-security employment, then the least they owe to the free people of this country is to observe the elementary canons of due process. Disloyalty to his country is one of the most serious charges that can be leveled at a man, and those who make or consider such an attack on a man's livelihood and reputation—whether directly or indirectly, explicitly or implicitly—should do their work thoroughly for the sake of the nation and scrupulously for the sake of the man himself. This means, at least:

- (a) Doing everything humanly possible to insure absolute accuracy of information—not merely accurate quotation from some source, but an energetic effort to discover whether that source's "facts" are really correct and to arrive correctly at the exact meaning of the facts.
- (b) Doing everything humanly possible to insure completeness of information—not merely unfavorable information, but favorable information also.
- (c) Providing the person concerned with the opportunity of a full and fair hearing so that he may deny or explain (specifically listed) items of unfavorable information and offer items of favorable information.
- (d) Providing a qualified and impartial third party to preside at any such hearing, and to render judgment on all the information obtained. . . . The American Civil Liberties Union does not itself have the facilities to de-

termine, for example, who are Communist zealots, who are dupes, and who are completely innocent persons; but anyone who does systematically bring other people's names into question should, at least, practice the fundamental decency of due process. And, to the extent that such due-process procedures reveal errors in listing and in exclusion from employment, there should be published retraction and the offer of reinstatement or equivalent employment.

(5) Even if one or more of the elements in the radio-television industry—the broadcasting-telecasting companies, their employees, the commercial sponsors, and their advertising agencies—should develop procedures along such due-process lines, it must be recognized that at least some of those who assemble and publish derogatory information about radio-television performers, and some members of the public who employ that information, will not be so careful. They may be somewhat held in line by libel or slander actions, or actions against outside interference with contracts; by Department of Justice action against restraint of trade, or Federal Communications Commission action on the ground that broadcasting and telecasting licensees must not yield to such pressures. The American Civil Liberties Union, on the basis of Mr. Miller's report, is urging the Federal Communications Commission to demand that those licensees—to fulfill the requirement of public interest—refrain from making use of any black list of radio-television performers and from dealing with anyone who uses such a black list. But the probability is that the various elements in the radio-television field will always have to face some challenge from those who do not believe in civil liberties. To meet it, they will need simply to develop in themselves the determination to pay what little cost may be involved to support free speech, due process, and non-discrimination, and to practice open honesty. A pro-Communist who refuses employment to patriotically American actors, but claims to have refused because they are incompetent performers, is clearly seen to be guilty of violating all that we hold sacred. But the anti-Communist who refuses employment to actors because of the bad pub-

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licity arising from their names having been "linked" with a "front" organization, but claims to have refused because they are incompetent performers, is also violating the spirit of American liberties.

Here, as everywhere in a free society, there is a choice between risks. No solution can be perfect for everybody concerned. The best solution is simply the one which promises the greatest balance of benefit over harm for the whole society.

This is a problem which extends far beyond the radio-television field. In a time of international tension and conflict, there is naturally a growingly inclusive and pervasive social atmosphere of fear and intolerance, stifling the good old American habits of speaking one's mind, joining the organizations one believes in, and observing the principles of fair hearing and of holding a man innocent until he is proved guilty. People are constantly tempted to depart from the central principle of American law that a man is accountable only for his *own* illegal actions, not for mere *association* with other people who hold obnoxious *opinions*. They are letting themselves drift into the practice of discriminatory penalization of anybody who may have ideas which are unpopular in any particular time and place—ideas which have nothing to do with those of Communist or Communist-front organizations.

The ever increasing attempts of pressure groups of many sorts to bring about the censorship or suppression of what they disapprove, not only in the radio-television field but in the publication and entertainment fields generally, are dangerously undermining one of the foundation stones of American democracy, the freedom of expression. We call on everyone connected with the radio-television industry, and everyone seeking to influence it, to do free Americans the vital service of bravely reversing the trend.

THE
JUDGES AND THE JUDGED

HOW

IT ALL STARTED

Rumors of the existence of one or more black lists¹ in radio and television began not long after the end of the Second World War.

For at least three years, perhaps longer, an anonymous list of between eighty and a hundred (no one will say how many) names of so-called "undesirables" has been circulated within the industry. Although this investigator could find no one who knew—or would admit knowing—how or by whom the list had been drawn up, it was in the hands of some network and many advertising agency executives. At one network it was shown to all directors together with a memorandum advising, "For Your Information: Keep these names in mind when casting. . . ."

As will be seen, the American Legion's *summary of trends and developments exposing the Communist conspiracy*, an informational newsletter circulated mainly among Legion officials, has for several years now published occasional lists of the names of persons found to be "unsuitable or inappropriate" for appearances before American Legion posts and, more recently, for appearances on radio and television as well.

In October 1949 the *Sign*, a nationally circulated Catholic mag-

¹Definition: "Black list, a list of persons who are believed to deserve punishment, blame, suspicion, etc." Thorndike-Barnhart Comprehensive Desk Dictionary.

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azine, printed an anonymous article entitled "Red Fronts in Radio," which listed the names of 51 "radio celebrities who have been cited in public records as having been associated with Communist causes or fronts." The author, identified only as "a well-known figure in the broadcasting industry," also declared, ". . . pro-Reds [have] been using a black list against loyal Americans in radio for the last dozen years."

On July 18, 1949, the New York *World-Telegram* carried a lengthy story, written by Pulitzer prize winner Frederick Woltman, headlined, "Reds Colonizing in TV and Radio." Mr. Woltman quoted a resolution passed by the New York Council of the Radio and Television Directors Guild declaring that "Widespread reports in the radio and television industry point to the existence of a black list of actors and directors based on political belief."

However, Mr. Woltman wrote, a check by the *World-Telegram* failed "to disclose evidence of any such industry black list. On the contrary, black lists have been used for years by individual pro-Communist directors, according to anti-Red sources in the industry."

Since May 1947 there has been the weekly newsletter of *Facts to Combat Communism, Counterattack*, which is published by three former FBI agents and has concentrated increasingly on those in radio and television, often, as will be seen, with instructions to its subscribers on how to protest the appearance of a certain performer or the use of a particular writer. ("Write to the sponsor, not the network or the station.")

In addition to its intermittent inquiry into "possible Communism in Hollywood," with what one committee member has called "occasional emphasis on Red infiltration into the radio and television industries," the House Committee on Un-American Activities has often heard widely publicized testimony concerning, among others, entertainers accused of "subversive," "Communist," or simply "fellow-traveling" activities. So have several of the state committees, particularly the Tenney group in California.

On June 22, 1950, a 213-page booklet called *Red Channels, the*

Report of Communist Influence in Radio and Television, was issued by the publishers of *Counterattack*. *Red Channels* listed the names of 151 writers, actors, singers, dancers, producers, and network executives together with the alleged Communist-dominated organizations and causes to which they were "reported as" belonging—or having once belonged.

Red Channels led off with a statement made by J. Edgar Hoover, director of the Federal Bureau of Investigation, before a congressional committee in 1947. "The [Communist] party has departed from depending on the printed word as its medium of propaganda and has taken to the air," Mr. Hoover stated. "Its members and sympathizers have not only infiltrated the airways, but they are now persistently seeking radio channels."

The impact of *Red Channels* was both immediate and widespread. Its effect was, of course, intensified by the fact that, three days after it was issued, South Korea was invaded by the Communist-controlled North Korean Army, an invasion that was resisted by a United Nations force made up mainly of American soldiers.

The purpose of this report is quite simple. The American Civil Liberties Union wanted to find out the facts—whether *Red Channels*, the names intermittently included in the *Legion summary*, those printed in the *Sign*, and the eighty to a hundred "undesirables," actually do constitute a black list and, equally important, whether there is a left-wing black list. If so, who is affected, those on the political left, the political right, or in between? Finally, what, if anything, can be done?

The investigation got under way on October 5, 1950; the preliminary research was completed in late January 1951, and a first draft was finished in late April. By that time the project had reached such magnitude that the original idea of publishing the findings as a pamphlet sponsored by the American Civil Liberties Union was out of the question. After the manuscript was accepted by Doubleday & Co. the author spent an additional two months bringing the findings up to date and completing a final draft. Altogether the writer spent approximately five months on the project. In addition to Mr. Reitman, a paid investigator spent six

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weeks on the project; several other staff members of the ACLU assisted part time on the undertaking, and a group of volunteers dug up clippings and other information already in print.

During the investigation the following were interviewed:

Fourteen advertising executives (in all but one of the half-dozen major agencies, which refused to co-operate).

Eight writers' and actors' agents, from all the important artists' agencies.

At least three executives from each of the major networks—American Broadcasting Company, Columbia Broadcasting System, Mutual Broadcasting System, National Broadcasting Company—plus a few representatives of independent stations.

Officials in five of the twenty firms which buy the most radio and television time (as listed by *Broadcasting* magazine).

Officers of all the important entertainment unions and guilds, i.e., (1) American Federation of Radio Artists (AFRA), (2) Authors' Guild, (3) American Guild of Variety Artists, (4) Authors' League of America, (5) the National Association of Broadcast Unions and Guilds (NABUG), (6) Radio Writers' Guild, and (7) Television Authority (TVA).

Government officials, past and present, particularly from the Federal Bureau of Investigation, the Federal Communications Commission, and the United States Congress.

Officials of the trade organizations, i.e., National Association of Broadcasters, the Association of National Advertisers, and American Association of Advertising Agencies.

In that part of the investigation concerned with the rumored left-wing black list, attempts (not always successful) were made to see anyone who might have information on the subject, i.e., members of the right-wing group in AFRA, officials of the National Catholic Welfare Conference, all those suggested by the publishers of *Counterattack*, and directors who were alleged to have discriminated against anti-Communists.

In this area, too, there were conversations with such veteran anti-Communist newspapermen as Frederick Woltman and Victor Lasky, both then on the staff of the *New York World-Telegram*,

and the editors of the *New Leader*. Lasky has since become a free-lance writer, mainly in Hollywood.

To obtain more general information, there were conversations with radio columnists Jack Gould of the *New York Times*, John Crosby, whose observations are widely syndicated, and a number of other newspaper and magazine writers specializing in radio and television. Telephone calls and letters to Ed Sullivan, the TV master of ceremonies and columnist of the *Daily News* who has written extensively on *Red Channels* and its publishers, were not answered.

There were also twenty-one additional interviews with persons on the periphery of broadcasting, lawyers specializing in the field, Vincent Hartnett, who wrote the introduction to *Red Channels*, and Mrs. John T. McCullough, one of those involved in the dismissal of Miss Jean Muir.

The undersigned and Alan Reitman received the fullest co-operation from the publishers of *Counterattack* and *Red Channels*, who spent several days answering most of the questions put to them. Three of the interviews were recorded in their entirety by a stenotypist, and in addition a series of questions was submitted in writing and, with some exceptions, answered.

As will be explained in detail later, we were less successful with spokesmen for the American Legion, with Rabbi Benjamin Schultz, head of two anti-Communist groups active in the field, and Stephen Chess, Queens commander of the Catholic War Veterans, who was also said to be involved in the Muir incident. Mr. Chess wrote that he was "unavailable."

A series of questions was submitted in a letter sent to all of the 151 persons listed in *Red Channels*. Thirty-two replied by mail, twenty-six in considerable detail. Fifty-one others were interviewed personally, as were five more whose names did not appear in *Red Channels* but who had been named in other lists of "suspect" performers.

Finally, there were hundreds of press reports to be read, scores of editorials, dozens of magazine articles, and several books.

We are dealing here with an industry that depends largely on public opinion. Thus there was always caution. In addition to

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the instances listed above, dozens of letters written by the investigator were never answered; scores of telephone calls were never returned, and, most important, most executives and almost all entertainers agreed to an interview only if guaranteed that their names would not be revealed.

In writing the report, particularly that section dealing with those who feel they have been affected by a *Red Channels* listing, the investigator felt that mentioning any name, no matter how favorable the context, might affect a livelihood, now or in the future. Thus the names of most individuals are omitted in the report. With a few exceptions (public figures like Philip Murray, Trygve Lie, Mrs. Eleanor Roosevelt, etc.) the names of those condemned in *Counterattack* and listed in *Red Channels* are not repeated here.

In my first interview with the publishers of *Counterattack* and *Red Channels*, I said, "I plan [in the report] to be as coldly analytical as a reporter possibly can be, as is humanly possible. I am not interested in drawing any conclusions until I have found out the facts on all sides."

In what follows I have attempted to live up to that pledge.

—Merle Miller

1. A

LAZY AUGUST WEEK END

In late August 1950, Young and Rubicam, the advertising agency in charge of the popular television program, *The Aldrich Family*, issued a routine press release announcing that the former screen star, Jean Muir, had been chosen to play the role of Mother Aldrich. Her first appearance was to be on Sunday, August 27.

The press release stated that "Miss Muir's wide experience as a mature actress and the real life mother of three young children has ideally equipped her for the role of Mrs. Aldrich, who guides her family with a loving and understanding hand."

On Friday, August 25, the news of Miss Muir's forthcoming appearance on the television series appeared in the left-wing New York paper, the *Compass*. A similar item was published on the radio pages of the Sunday editions of several other New York papers, but it was the few lines in the *Compass* which led to a series of events the culmination of which was within fifty-six hours to reach the front page of almost every newspaper in America and throughout most of the rest of the world, including the Soviet Union.

The first and perhaps most important happening of that hectic and historic week end occurred on Saturday morning, August 26, shortly after Theodore C. Kirkpatrick, a former FBI man and

secretary-treasurer of American Business Consultants, arrived at his office at 55 West Forty-second Street in Manhattan.

Although Mr. Kirkpatrick's organization was at the time publicly obscure, within the radio and television industry it was already widely known and greatly feared. He and two colleagues, also former agents of the Federal Bureau of Investigation, had for three years been issuing a weekly newsletter called *Counterattack*, the exclusive aim of which was "to expose the Communist menace." Three months earlier the former FBI men had released a paper-bound booklet called *Red Channels, the Report of Communist Influence in Radio and Television*. The publication listed 151 names of persons associated with the industry, along with the so-called "Communist or Communist-front" organizations with which each was "reported as" having been affiliated at one time or another.

Miss Muir's was one of the names in *Red Channels*, together with nine alleged affiliations.

Discussing his part in what has since become known as "The Jean Muir Case," Mr. Kirkpatrick later said, "I was out of town on Friday [August 25] and came into the office Saturday morning. Someone called me here Saturday morning and asked me if I had heard about the story in the *Compass* that Jean Muir was to appear on the Henry Aldrich show and also suggested that I get in touch with as many other people as possible and advise them."

When asked who called, Kirkpatrick stated, "I would rather not give the person's name. . . . It was no one . . . connected with *Counterattack*."

As a result of the call, however, Kirkpatrick immediately got busy on the telephone. "My reaction," he explained, "was certainly one of surprise, and I certainly felt that the fact she [Miss Muir] was to appear would probably have been carried in *Counterattack* that week had we known it, because I felt her record was that serious. As a result, I . . . called two or three people. . . ."

However, he added, "I didn't call General Foods [the sponsor] or the station."

Among those he did telephone was Mrs. Hester (John T.) McCullough.

Later Kirkpatrick said of his call to Mrs. McCullough, "I regretted . . . it . . . because she had been through so doggone much herself that no one should ever have gotten her involved in the Jean Muir controversy."

For more than a year Mrs. McCullough had been involved in a nationally publicized libel suit brought against her by Paul Draper, the dancer, and Larry Adler, the harmonica player. Mrs. McCullough had accused the two entertainers of being "pro-Communist."

Nevertheless, despite the fact that the Draper-Adler case had, according to her own analysis, "exhausted me physically, and every other way, including financially," as soon as she heard from Kirkpatrick, Mrs. McCullough went to work.

"I called a few people," she has said, "maybe twenty or thirty, and asked them to get busy. I knew this was a fight that had to be won."

Among those she telephoned was Stephen Chess, Queens commander of the Catholic War Veterans and a member of a group called the Joint Committee Against Communism in New York (of which both Kirkpatrick and Mrs. McCullough were then also members). She also called "a man on the Americanism Committee of the Connecticut American Legion" and "a couple of women I know on Long Island."

In addition she telephoned the National Broadcasting Company, the network on which The Aldrich Family was to be televised. She has said, "As soon as they [the switchboard at NBC] got my call, I was switched to someone else, an executive, I think, and he knew my name right away."

According to her, the second voice said, "Oh yes, Mrs. McCullough, we've had hundreds of calls on this matter."

Mrs. McCullough did not, she reported later, "ask them to fire the Muir woman. I just asked if they were familiar with her record and said if they weren't they ought to look it up in *Red Channels*. Then I hung up."

After that she phoned an executive of Young and Rubicam. "He lives right here in Greenwich," she has said, "and I asked him the same question—if he knew about Muir's record, I mean. He

said he didn't, and then I reeled some of it off. He just listened for a while, and then he said, 'But, Mrs. McCullough, she's just an actress. What harm can she possibly do?'

"I then said to him, 'Yes, I know she's just an actress, but, until all the loyal Americans have been put to work, I don't think people like that should be on radio and television.' That stopped him for a moment.

"He said something about a relative of his having died a few hours ago, and he wanted to go, but I insisted on his listening to me and told him that in times like these personal matters don't count.

"I think he finally understood what I was talking about, but it took a little time."

Another of those who telephoned the National Broadcasting Company that Saturday to protest Miss Muir's appearance was Rabbi Benjamin Schultz, executive director of an organization called the American Jewish League Against Communism and coordinator of the Joint Committee Against Communism in New York.

The rabbi is reported to have told the network, "I am speaking for the more than two million members of my organization," the Joint Committee.

The network also received a few other complaints about Miss Muir, including several from the handful of women on Long Island who had been alerted by Mrs. McCullough.

The total number has never been revealed; however, an NBC official has said, "You might put it that there were more than twenty—and less than thirty, altogether, that is."

Sixteen months later "an official spokesman¹ for General Foods"

¹Almost all of the "spokesmen" quoted on the subject of "black-listing" are in this report and elsewhere of necessity anonymous. According to *Sponsor*, one of its editors found that "the question of what to do about alleged subversives had become the most hush-hush subject along Madison Avenue. . . . It was as though many high-brass members of the industry had banded together to form a furtive, almost conspiratorial, Gentlemen's Agreement of silence. Normally voluble executives changed into clams. Mention of the epithet, 'Red Channels,' transmuted usually fearless business men from lions into mice. They reacted as though some sinister monster had suddenly cried 'boo' at them."

remembered the protests as being considerably more numerous. According to the October 8, 1951, issue of *Sponsor* magazine, a trade publication circulated mainly within the radio and television industry, the corporation representative said, "Altogether, we got some two hundred telephone calls touching on the Muir case. Our public relations department, especially, was flooded with protests, both at the office and at home, from people opposing our use of Jean Muir.

"It was only afterwards," he went on, "that we learned these persons were fronts for pressure groups. At the time, though, our chief consideration was the fact that they claimed they represented large groups."²

After the appearance of the article in *Sponsor*, one of three on the subject of black-listing in radio and television, an *unofficial* spokesman from General Foods told this reporter, "If I'm even seen talking to you, it means my neck, but my memory is that twenty is closer to it than two hundred."

Whatever the number of protests, they were effective. The Sunday night production of *The Aldrich Family* was canceled, and Miss Muir, after being paid in full for the length of her contract, was permanently dropped from the program. The following week she was replaced by another former film actress, Miss Nancy Carroll, who is not named in *Red Channels*.

Officials of the network and of Young and Rubicam are reluctant to discuss precisely what happened in the troubled hours before the program was postponed, and General Foods has not made any detailed statement about the events of that hectic Sunday afternoon.

However, at the time, the corporation did issue a press release stating that "The use of controversial personalities or the discussion of controversial subjects in our advertising may provide

²In answer to the quotations in *Sponsor*, an attorney for American Business Consultants has this to say: "You may be interested to know that General Foods Corporation has informed *Counterattack* that the *Sponsor* article 'did not accurately report the facts it purported to report or the attitude of the company' and that *Sponsor* had 'abused and misrepresented an off-the-record conversation' between the writer of the article and a company employee who, it was clearly understood, was not speaking for the company."

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unfavorable criticism and even antagonism among sizable groups of customers. Such reaction injures both acceptance of our products and our public relations. General Foods advertising, therefore, avoids the use of material and personalities which in its judgment are controversial."

Much later the spokesman quoted in *Sponsor* added, "The decision to release Miss Muir and pay her off over \$10,000 for her 18 weeks of contractual commitment was not made hastily. It was taken up by the General Foods executive board. Right up to Clarence Francis, chairman of the board. Our decision followed the seeming logic of our already established policy. . . .

"We had two of our own precedents to follow. In the past, when Kate Smith once said on a show that 'all mediums and spiritualists are fakes', we had received many protests from people believing in that form of religion. We told Kate to stop it, and she did. When Jack Benny once got into trouble by not paying duty on goods he brought in through Customs, his utterances became a controversial topic. But he, too, cleared himself."

There is one major difference between the cases of Jack Benny and Kate Smith and that of Jean Muir. Neither Miss Smith nor Mr. Benny had a contract canceled.

An official of Young and Rubicam explained what happened in the Muir case by saying, "The whole thing came during a lazy summer week end. None of the big wheels was around. Otherwise, the show probably would have been taken off because 'the scenery was bad'; or 'the script wasn't right'; or 'the show wasn't ready.' And by the next week, probably, some cast changes would have been made, including Miss M. But there wouldn't have been the publicity. The public would never have known."

However, the public emphatically did know. In addition to front-page headlines, there were hundreds of editorials in the nation's press, the majority of which supported Miss Muir. General Foods also received thousands of letters on the subject. The "spokesman" for the company said, "A tally of the total letters we received shows that 3300 were against the firing of 'untried persons,' and 2065 were against the rehiring of Jean Muir. Pressure groups stimulated letter writers on both sides. But of the

letters written independent of pressure, three to one were against our firing of Jean Muir. It's our estimate now that eighty per cent of the letters complaining of Jean Muir were a result of articles written in two New York City religious publications."

Many of the "independent" letters supporting Miss Muir wanted to know how she had become a "controversial personality."

Was General Foods convinced that she was "subversive"? At one point in a conversation with her and her husband (Henry Jaffe, a New York attorney), Francis said, according to the actress, "I wouldn't be sitting here with you if I thought these charges were true."

Was she dismissed because her name was listed in *Red Channels*, together with nine organizations she was "reported as" having supported? The company's spokesman denied that. It had, he told *Sponsor*, "nothing to do with our subsequent action. In fact, we hadn't even heard of *Red Channels*. We had to send out to get a copy so we could see what the hell the thing was."

In this, General Foods executives were clearly an exception. *Red Channels* was already so well known throughout the industry that Jack Gould of the *New York Times* called it "the bible of Madison Avenue."

"Even then," the spokesman continued, "it was none of our business trying to judge whether or not she had belonged to the eight [sic] organizations listed. . . ."

In this instance, too, Miss Muir differed from both Miss Smith and Mr. Benny. Miss Smith was allowed to "stop it, and she did." Mr. Benny "cleared himself."

Miss Muir tried. She publicly denied any association with four of the groups. Of the other five, she said:

INTERNATIONAL WORKERS ORDER "I know it has something to do with a workers' insurance plan. It's remotely possible that it was one of the groups I spoke before in the Roosevelt campaign."

STAGE FOR ACTION "I might have attended a show they gave, but I certainly cannot believe I was on their board of directors. Nor do I remember the show, if any."

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CONGRESS OF AMERICAN WOMEN "Yes, I was a member . . . for about six months. I believed then they were for better integrating American women in American life. . . . I quit as soon as I found out they were a front group."

SOUTHERN CONFERENCE FOR HUMAN WELFARE "Yes, and I'm very proud to have been a member of the conference. . . . At the same time as I belonged, so did Mrs. Franklin D. Roosevelt, [former] Senator Frank Graham, officials of the YMCA and the NAACP and later Senator Estes Kefauver. The conference was a sincere effort to improve the lot of all people in the South, white and Negro."

MOSCOW ART THEATRE "I'll admit that one, too, gladly. I sent them a cable of congratulations—so did a lot of other theater people—on the fiftieth anniversary two years ago. We all follow the Stanislavsky method of acting; we were paying tribute to that and nothing else."³

Did General Foods have independent evidence of Miss Muir's disloyalty? None was ever presented. The actress has said that she considers Communism "a vicious influence in the U.S." She has stated that "Communism is abhorrent to my way of thinking." She played in the first network anti-Communist documentary, "to which I donated my services, as did all the actors."

Morton Wishengrad, who is described by the anti-Communist magazine, the *New Leader*, as a "veteran radio writer who has been fighting Communists and Communism for the better part of two decades," wrote, "More than a year ago, Miss Muir was invited to participate in the production of a radio commentary on civil liberties which I had written.

"Since she had been invited to contribute her services without fee, she properly asked to see a copy of the script. She read it,

"Long after Miss Muir was discharged, *Counterattack* continued to list groups to which she had allegedly belonged at one time or another, but Miss Muir did not reply. The General Foods spokesman told *Sponsor*, "When the newspapers began to side against us editorially, I got a telephone call from Mr. Theodore Kirkpatrick. . . . He said, 'I can offer General Foods additional data on the background of Jean Muir. . . .' I didn't even let him try to sell us on having his organization screen all of our show talent. I said, 'Mr. Kirkpatrick, you've already done too *much* for us. Good-bye.' And I hung up on him."

expressed satisfaction with its contents and appeared at a performance which was given in the Yankee Stadium.

"I seem to remember," Wishengrad went on, "that she particularly liked the following statement contained in the script:

"'Nineteen forty-eight—and five months of 1949—not bad months at all. In spite of many things. In spite of the double standard whereby some Negro consumers who hate Jim Crow nevertheless boycott Jewish stores. In spite of some Jewish store owners who detest anti-Semitism but won't hire Negroes or even sell to them. In spite of some Catholics who loathe the Soviet proscription of intellectual freedom but who themselves proscribe what others should say. In spite of some Protestants who are so carried away by anti-Catholicism that they will permit themselves to be used by the Communists. In spite of the double standard and false moral posture, 1948 was still a good year.'

"I hope," Mr. Wishengrad concluded, "readers of the *New Leader* will agree with me that pro-Communists would not be voluntarily associated with the thoughts expressed in the last portion of the narration."

In an interview Miss Muir said, "I think there are three bases for what has happened to me. One is I wanted to find out about the world and do something about it; the second is that I have always believed in equality of opportunity for everybody, regardless of race or creed, particularly Negroes. But, more important, I was so much in favor of the third and fourth terms for Franklin Roosevelt that often I didn't stop to think for whom I was speaking; I never questioned; I just went. . . . The fact is that in the end I chose pretty well. I don't think I chose anti-American movements. It was just on an American level."

However, according to Miss Muir, when she asked Clarence Francis, "Suppose I get cleared, would you give me a job?" the chairman of the executive board of General Foods replied:

"Don't ask me a question like that."

What's more, whether General Foods took action hastily or at its leisure, it did so without giving Miss Muir any chance to speak for herself. In fact, she has said, "We found out I'd been fired quite by accident, and when Henry [her husband] and I

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called up to find out if it was true, at first they wouldn't even accept our calls. When they did, it was all over but the shouting."

A few months after her discharge the producer of a documentary program sponsored by a welfare group did consider using her on the program, but permission was refused, first by the network, next by the welfare organization.

Miss Muir's personal life has also been seriously affected by what happened on the week end of August 27, 1950. As one example, a few days after she was let go by General Foods one of her sons ran home from school screaming. As he rushed into her arms, he asked a question which that week had been the chief topic of discussion at his school.

"Mummy," he shouted, "is it true you're a Communist?"

Shortly after the furor over Miss Muir had subsided, General Foods announced a change of policy. The corporation declared that it would henceforth not ban material or drop performers from its programs merely because they were "controversial." In a statement to the press the company said that all complaints regarding the loyalty of radio or television performers would have to be backed up by "proof" before it would act.

The seeming change of policy came after a pressure campaign, particularly in the Brooklyn *Tablet*, against Philip Loeb, who played Jake on the Columbia network's television program, *The Goldbergs*, then sponsored by General Foods' Sanka Coffee. Loeb is listed in *Red Channels*, along with seventeen organizations he is "reported as" having supported.

At first the corporation had apparently decided to drop the actor just as it had Miss Muir. Its corporate mind is said to have been changed only after Mrs. Gertrude Berg, who not only writes the show but plays the leading role, told its executives that if Loeb were fired she would withdraw the program from its sponsorship. Not only that, Mrs. Berg is said to have stated, "I will appear on every available platform from coast to coast denouncing General Foods and advising people not to buy its products."

At that point the corporation decided to retain Loeb, and the next day the supposed policy change was announced.

However, a few months later Sanka dropped its sponsorship of *The Goldbergs*. At one time or another two reasons were given for the action. On May 19, 1951, the *New York Times* reported that "A representative for the sponsor said, 'The Goldbergs' program . . . was being dropped for 'economy reasons' and that less costly shows would be used in the future."

On June 1, Jack O'Brian, radio columnist for the *New York Journal-American*, stated, "The Columbia Broadcasting System may deny it, but won't most of the flagrant 'Red Channels' listees find it necessary to earn their crackers and caviar on other networks next fall? Including Phil Loeb of *The Goldbergs*?"

In October the "official spokesman" for General Foods told the *Sponsor* editor that the company had been "dissatisfied with the show's rating."

Most observers in the industry discounted both explanations, particularly since the same spokesman was reported to have added, "We got 1197 letters protesting against our keeping Loeb and 14 against our letting him go."

In January 1952 the National Broadcasting Company announced that the program would be resumed on its network the following month. However, the part of Jake would not be played by Loeb. Who made that decision? Was it the sponsor?

The first sponsor to sign the program, Morton Edell, president of the Vitamin Corporation of America, denied it. He said, "The program was offered to us by the National Broadcasting Company without Mr. Loeb. . . . At that time I had never heard of the controversy about Mr. Loeb." Moreover, Edell went on, "If he is a Communist I wouldn't want him within a thousand miles of the show, but, if he is not, I wish there were some way to find out. . . . The show certainly would be a lot better with him in it."

Was Mrs. Berg responsible for the actor's dismissal? She said not; she told the *New York Times*, "Philip Loeb has stated categorically that he is not and never has been a Communist. I believe him. There is no dispute between Philip Loeb and myself."

A LAZY AUGUST WEEK END

Had the network insisted that the program be presented without Loeb? Its officials had no comment, public or private, on the record or off.

Loeb did receive a financial settlement for the remaining two years of his contract with the program; the total sum will probably be around \$40,000.

However, as Loeb pointed out, "I'm still black-listed." No other sponsor offered to hire him for a radio or television spot, and it seems unlikely that he will ever again be asked to appear in a Hollywood film. Mr. Loeb has been an actor for nearly forty years.

In October 1950, at the height of the controversy over Jean Muir, General Foods hired Dr. George Gallup's Opinion Research Corporation of Princeton, New Jersey, to make a nationwide poll of the matter. "The results," the official spokesman declared, "were reassuring. Less than forty per cent had ever heard of the Muir affair. And of those that had, less than three per cent could relate the name of General Foods or the product involved, Jell-O, with the name of Muir. They tied up the name of Muir hazily with General Mills, even the Bell Telephone Company. To check up further, we telephoned several General Foods sales offices in other cities, like Chicago. We asked, 'How has the Muir publicity affected our sales?' The answer invariably was, 'Muir? Who's Muir? . . .'"

Nevertheless, the company's attitude toward the actress remained unchanged.

Shortly after her discharge she told the press that she would not co-operate with any committee that wanted to "make a cause out of me." She was, she added, afraid that the Communists would work their way into any such campaign.

"I don't want the Communists to use me," she concluded. "I want to stay clean. The best way for me to refute these charges is for me to get a job in television, radio, or in some acting capacity. There must be someone with enough courage to hire me."

To date, no one has.

2. "YOU'RE EITHER

TOO YOUNG OR TOO OLD"

The Jean Muir case remained on the front pages of the nation's newspapers for a few days; then, outside the industry, it was generally forgotten. So was *Red Channels*.

Most people felt that, unfortunate as what happened to Miss Muir may have been, her experience was, after all, an isolated one. Others believed that the public indignation aroused had, once and for all, ended the influence of *The Report of Communist Influence in Radio and Television*.

However, quite the opposite is true. *Red Channels* today is just as influential as it was in August 1950, probably more so.¹ Miss Muir differs from numerous other listees in the book only in that the reason for her discharge was publicly admitted, perhaps, as the Young and Rubicam executive put it, because it occurred "during a lazy summer week end." Since that time very few dismissals or program cancellations have been attributed to the existence of the booklet published by American Business Consultants. At present a majority of those listed in that publication

¹Shortly after Elmer Rice withdrew from the TV Playwrights' Theater, charging that certain actors had been black-listed from the American Broadcasting Company's Celandese Theater, *Variety* reported that "certain television networks and agencies, instead of discontinuing their 'political clearance' of performers used on the major video shows, have virtually redoubled their efforts in that direction."

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are simply not hired in the first place. They are not even considered for most jobs.

An influential and vigorously anti-Communist lawyer, a number of whose clients are in the radio and television field, has said, "Every one of them [the 151 listees] has been affected. A few don't even know it, but they've *all* lost some shows. A majority have lost a great many jobs, and a good-sized minority just aren't working at their professions any more."² However, a few, most of them among the less prominent listees, continue to work, sometimes anonymously, often with credit, perhaps because their names are not well known to the general public.

For example, a former network executive has, "for reasons not unconnected with that publication," resigned and turned to another field for his employment. A long-time producer has become a magazine columnist. A once successful script writer is "trying my hand" at magazine fiction; he has yet to make a sale. Another listee has gone to the West Coast as a scenario writer and states, "I'm doing all right with the movies now, until, I suppose, the House Committee [on Un-American Activities] subpoenas me." Several actors and actresses who once depended on their income from radio and television to supplement the always unpredictable amounts earned in the theater have, one reports, "given up sitting by the phone any more." One has become a part-time sales clerk in a Manhattan department store; a second actress decided, "I'd better get married; that's one way of being sure I eat." She did. A third recently opened in a play which "looks as if it'll run forever, or six months anyway; so right now I don't have to worry. But next year?"

The statements that follow are additional examples of the way in which *Red Channels* has affected every segment of the

²Many have suffered in more personal ways as well. For instance, late in the summer of 1951 a large life insurance company tried to cancel the lease of a famous theatrical man and wife, both of whom are *Red Channel* listees. The couple was preparing to move into an apartment building owned by the insurance corporation when an executive of the firm called the couple's lawyer to see if the two would agree not to occupy the apartment. When the lawyer asked why, the insurance official said, "Well, they're in that *Red Channels*, and we don't want any trouble."

\$500,000,000-a-year radio and television industry. The people quoted here are not named. In almost every case they consented to an interview only after being guaranteed that their anonymity would be protected. They felt that any repetition of their names would simply be an additional reason for finding them "controversial."

However, here in their own words are some answers to the question, "What do you think has been the effect of *Red Channels*—on you personally or on the industry?"³

A LEADING ACTORS' AND WRITERS' AGENT:

"You see this list? There are seventeen names on this list, some of the biggest names in the business. Why, I don't even bother suggesting them any more. I know better. I've had too many turndowns. They're in *Red Channels*.

"The other day I got a call from this producer, and he says he wants somebody for the lead in one of his shows. He asks me, 'Who've you got like — [the name of a prominent Hollywood star named in the booklet]?' I say, 'What do you mean, who've I got like —?' I've got the boy himself. Why don't you use him?' And this producer says, 'We just can't do it. I'm sorry, but we just can't, and you know why we can't.' . . . Now how do you like that?"

ONE OF THE NATION'S LEADING PLAYWRIGHTS:

"The other day on Madison Avenue I met a radio producer I used to know pretty well, and he said, 'Things are really bad in our business. We just can't seem to get the writers any more. We'd

³Wherever possible, these statements were checked with those on the hiring end said to be responsible. In most cases, however, the network and advertising agency officials involved proved unavailable when the question of *Red Channels* was raised. For weeks on end telephone calls and letters remained unanswered, and even when the investigator did succeed in seeing a director, a producer, or an account executive, he usually would not admit—with a few off-the-record exceptions—to using the booklet.

However, this series of statements was chosen, out of many others, because, as nearly as the investigator could determine, the person quoted was speaking the truth—or writing it—as he saw it. Three of the statements are from letters.

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like to repeat some of those adaptations you did for us right after the war.' I asked him why they didn't, and he said, 'Are you kidding? You're in *Red Channels*, brother.' "

A TELEVISION PRODUCER:

"Look at the spot I'm in. All these actors, the old stand-bys. You want to use them; they're the best you can get; the parts are practically written for them, but you can't. . . . Just look at that list. And there's nothing you can do about it."

A ONCE PROSPEROUS RADIO-TELEVISION WRITER:

"Of course, they've called me names in *Counterattack*, too, and that's when it started, as long as two years ago. Up to then, I averaged about \$20,000 to \$25,000 a year; now I'm down to \$2500. I get an occasional sustainer for —— [the name of a religious organization], but that's about all, and those only come along every two or three months.

"I sometimes wonder if maybe I've lost my touch.

"For years—God knows how many—I did most of the scripts for —— [a top radio dramatic show], never had a turndown in all that time, except for one outline that I rewrote and sold them later. Then I got named in *Counterattack*, and bang, five outlines in a row are turned down. I haven't sold them a script since. Coincidence? You tell me.

"Or things like this. A friend of mine recommended me for a show, along with two other writers, but he spent most of his time building me up. Result? The other two writers got assignments; I didn't. Maybe it's *Red Channels* and *Counterattack*, maybe it isn't.

"Another thing. Another buddy [was] on the commuting train coming from Princeton, and he asked —— [the assistant of the television department of a leading advertising agency] why he didn't use me for a one-shot. The agency man said to my pal, 'Is —— [the writer's name] in *Red Channels*?' My friend said, 'Yes.' The agency boy said, 'Ain't it awful? That's all.'

"It was, too."

**AN EXECUTIVE OF THE NATIONAL ASSOCIATION
OF RADIO AND TELEVISION BROADCASTERS:**

“What’s happened is that before *Red Channels* was published, not one producer in ten thousand would consider whether Mary Jones was a Commie—or whether perhaps somebody would *say* she’s a Commie, which, incidentally, is just as bad. Now if he’s got a choice between her and Suzy Smith, and Mary Jones belonged to a couple of things and Suzy didn’t, he hires Suzy. It’s too bad, but that’s the way it works out.”

**THE EXECUTIVE SECRETARY OF ONE OF THE LEADING
ENTERTAINMENT UNIONS:**

“Don’t be silly. There’ll never be another Jean Muir case. These days they just don’t hire anybody that might get in any trouble.”

**A POET, PLAYWRIGHT, AND RADIO AND TELEVISION WRITER
WHOSE NAME IS LISTED IN RED CHANNELS AND, SOME TIME
EARLIER, WAS DENOUNCED IN COUNTERATTACK AS A “PARTY
LINER”:**

“What happened? Well, for six years I held a job as a radio continuity writer for a musical program, and in all those years I was on the best possible terms with my producer and the advertising agency that handled the show and paid me for my work. There wasn’t ever any problem about my work. I was even praised for my contribution toward the winning of several awards the show got.

“Then these attacks came, and I don’t know how long later, not very much later, I was let go. The reason was pretty vague. They just said it had something to do with getting a new writing approach for the program. Well, I’ve tuned in since, and the writing is right along the same line.

“Naturally, when it happened, I pressed for a reason, but I was just told there wasn’t anything sinister behind it. I’d like to believe that, but I’m sorry. I just can’t.

“Since then I haven’t sold a single script anywhere. Last August [1950] I was being considered for an assignment on the new — [a weekly one-hour dramatic show on television] as a script writer, but just then the Jean Muir case broke, and I was notified by a third party that I was out.

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"I'll admit the whole thing could be coincidence, but it's awful damn strange."

A WELL-KNOWN RADIO, TELEVISION, AND BROADWAY ACTRESS:

"I've always made most of my eating money from radio, and, lately, television; you know the theater.

"Anyway, for the first six months of this year [1950], as usual I did at least two, sometimes three shows a week. I was on a TV show early in July [1950], just after *Red Channels* was published. I understand there were four calls complaining about my listing. I'm not sure about that, but the upshot I am sure of. For the next fourteen weeks, I didn't have a single offer. It does something to you, sitting there waiting for that phone to ring, calling up the service [Radio Registry, an actors' answering service] and asking is there any message, and there never is. Finally, at the end of fourteen weeks, I was called for a TV spot; it was more or less sewn up, and I breathed a sigh of relief. I thought the drought was over. Then they changed their minds; they told me I just wasn't the type for the part. Maybe I wasn't and maybe I was—except for that damn little book.

"Now I've got a job in a show [on Broadway]; I hope those boys stay away from the theater. Otherwise, I'll be on the county one of these days."

A FULL-TIME RADIO AND TELEVISION ACTOR:

"My work has fallen off at least fifty per cent since *Red Channels* was published. Oh, I'm working, but the family budget just can't take a cut like that. And things happen. For instance, the *Times* listed me as being cast for a radio show, a regular program; I thought it was set, but I didn't get it, and when I saw the guy who'd cast me, I asked him why. He said that, after the *Times* announcement, there'd been a couple of calls at the studio, maybe half a dozen (he wasn't sure) saying, did they know I was in *Red Channels*. Not only that, one of the people that called said they ought to investigate whoever it was that hired me in the first place. The guy that told me this just said, 'You know how it is.' I said I did.

“And another thing. In one show I’m now on, I went into the agency and asked for a raise. You know what happened? This account executive took a copy of *Red Channels* out of his desk and he said, ‘I see you’re listed in this. It’s a terrible thing, but what can we do? We’re just middlemen in this business, and we have to use the damn book.’ Need I say I didn’t get the raise?”

A POPULAR AND HIGHLY PAID RADIO AND TELEVISION ANNOUNCER:

“It’s hard to pin down, but from what I might immodestly say was one of the biggest incomes in the business, my take is down at least two thirds, and for the first time in twenty-five years, I don’t have a single commercial spot on either radio or TV.

“But, as I say, you can’t be sure it’s because of *Red Channels*. For instance, I did an MC job on one sponsored show for a couple of weeks, and then, suddenly, I was dropped. Reason? They said it was ‘bad performance,’ and maybe it was, but that kind of thing had never happened to me before in all these years. I found out there were some letters and maybe some telephone calls to the sponsor mentioning that I was in *Red Channels*. I also found out that the agency told the network, ‘Get anybody for the show except —— [the announcer’s name].’ But try to prove anything in court from that. As I say, it’s hard to pin down.”

A WELL-KNOWN COMEDIAN:

“For a while there, I thought it [the fact that his name appears in *Red Channels*—M.M.] hadn’t affected me. Then this happened. I was signed for a part in —— [a famous Broadway play adapted for TV]. Three days after I was hired the producer called me and said, ‘Since we’ve had to cut the show so drastically, we’ve eliminated your part altogether. I’m awfully sorry about it, but I wonder if you’d be willing to settle for half?’ [The entire fee was to have been \$550.]

“I said, ‘Sure’; I said I knew how those things were, and then, two days later, the producer’s secretary called and said: ‘We’ve decided to pay you the full amount, the entire \$550.’ Well, I was glad about the dough, but that made me suspicious. Things just don’t happen that way unless there’s something behind it; so one

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day I just casually dropped into the producer's office and, just casually, I asked the secretary, 'Why was I cancelled?'

"She said, 'I don't know.'

"I said, and I was bluffing, I said: 'Well, I do. It's *Red Channels*, isn't it?'

"The secretary got white, and she said, 'My God, how did you find out?'

"After that, I didn't need to wait around and see the producer."

A FORMER NETWORK NEWS COMMENTATOR:

"*Red Channels* hasn't affected my income from radio and television a particle; the reason is I haven't had any for more than five years now. I've been making my living by writing books and lecturing. The books still get published, but, as time goes on, I get fewer and fewer lecture engagements. A couple of years ago I had more than seventy-five lectures a season, but this year [1950] I was only signed up for six. Two have already been canceled, one in Omaha, Nebraska. The program chairman there was pretty frank about it. He wrote my agent that they just couldn't have me in Omaha because my name is in *Red Channels*. That's about the only effect it's had on me—so far, anyway."

EXCERPTS FROM TWO LETTERS, BOTH WRITTEN BY WEST COAST STAGE, SCREEN, AND RADIO ACTRESSES:

A. "Effect [of the *Red Channels* listing]? Well, all I know is that my income has dropped from a nice hefty figure to less than five thousand for the past year."

B. ". . . My agent has informed me that there are two major movie studios that will not hire me, though they think I am a very good actress, and a couple of radio directors who consulted me about parts for summer replacements were prevented from using me at the last moment by either the producers or sponsors of the shows. The fact is that I have not worked for the past six months, though able and willing to do so."

FROM A LETTER WRITTEN BY A MAN WHO WAS UNTIL RECENTLY ONE OF THE MOST SUCCESSFUL RADIO-TELEVISION PRODUCERS:

"Yes—I have been seriously affected.

"Before this book [*Red Channels*] was published, Counter-

attack . . . devoted several paragraphs to me regarding a job that had been offered me to serve overseas in the —— [a government agency]. *Counterattack* listed the same activities and associations for me as does *Red Channels* and asked, rhetorically, how I could square my working for the —— with my 'former beliefs.' The magazine also added the phrase . . . 'If he gets the job.' I did not get the job.

"The —— people in Washington made their customary explanation for the withdrawal of the offer, to wit, 'certain necessary clearances have not come through.' —— stated that there was no connection between the *Counterattack* piece and the withdrawal of the job offer. I have no way of knowing whether this is true.

"Two attacks upon me were printed in a Brooklyn newspaper, the *Tablet*. One was a reprint of the *Counterattack* paragraphs, under a heading, 'Ben Davis's friend, etc. . . .' It referred to —— [the name of a radio dramatic series] I produced for —— [the network then employing the producer]. Some of the programs dealt with the Reformation. They were the result of competent research. The writer of the *Tablet* letter stated that, after the —— [government agency] incident, it was 'now all clear,' that is, he could now understand why my historical interpretations were 'red motivated.'

"As for the accuracy of the listing, *Red Channels* says that I was a 'sponsor for re-election of Ben Davis' [according to the *Daily Worker*, September 24, 1945]. I looked up a copy of the *Worker* of that date and found my name listed, without authorization, in a report of a formation of a group of artists and writers to 'actively campaign for the re-election of Ben Davis.'

"I was never a sponsor of Mr. Davis. I did not campaign for his re-election. The *New York Times* refreshed my memory of the circumstances. In 1945, the Democratic Party nominated Ben Davis as its regular candidate for city councilman from the Harlem District. Subsequently, under pressure, they withdrew it. A petition was circulated in my office at —— [name of the network] protesting this, and I signed it, because I didn't like the pressure tactics, and because Mr. Davis is a Negro.

"*Red Channels* says that I was a sponsor and speaker at a

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Cultural and Civil Liberties Conference on behalf of the 'Hollywood Ten.' That is correct. I spoke at that meeting. I never knew any of the so-called "Ten." Explaining why to you [the American Civil Liberties Union] is like carrying coals to Newcastle, but for the record, if any explanation is in order, the words of old Justice Holmes are more than adequate. 'If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those that agree with us—but freedom for the thought we hate.'

"*Red Channels* states that I signed a letter protesting the treatment of the Hollywood writers by the Thomas Committee. Again, correct, except I suppose the book has reference to an open letter in *Variety*, signed by a small host of people in show business.

"Yes—I have been seriously affected.

"I haven't worked in radio or TV since the *Counterattack* piece. Of course, that may be due to other factors, but I am not without some reputation in the industry, and the coincidence may be more than accidental. People who know me have told me categorically that work that might have been offered me was not offered because of my listing in *Red Channels*.

"My family and I have had to face the usual pain and discomfort in our personal and social life."⁴

A RADIO-TELEVISION WRITER WHO IS ALSO A PLAYWRIGHT AND A HOLLYWOOD SCENARIST:

"I guess you could certainly say the listing hurt me. I first began negotiating for television work just about the time of the Jean Muir episode, but, then, all my negotiations suddenly ended, without explanation.

"I did, finally, get a show, but there was considerable trouble at first about the use of my name, since I was in the little book, I mean. The producer said, 'What do you want to do about it?' And I said, 'To save embarrassment, I'll be anonymous,' and I was, for about three months, though I was occasionally given a verbal plug as the writer during the course of the show. Then,

"The writer is now employed by the radio division of the Ford Foundation which, apparently, has not been influenced by *Red Channels*.

all of a sudden the ban ended (why, I don't know) and my name is now up there, just like the rest of them.

"As I say, I do have one show, but I must add that I have a strong feeling I've been hurt with picture work, too. I used to stave off the requests. . . . Now they just don't come along.

"You know, I was pretty scared for a few weeks that I wasn't ever going to be able to make a living again . . . but I guess it's all right now. I guess."

A WELL-KNOWN RADIO ACTOR:

"That's the \$6400 question—how the fact that my name's in the little book has affected my living. Plenty, friend, plenty. Want me to prove it? I can't.

"Just let me say that for three straight years I appeared on a repeat holiday TV show; same time, same station, same cast every year. This year it was almost the same—same station, same time, and almost the same cast. With one exception. I didn't get called. I might add that none of the others in the cast is in *RC*.

"A couple of other times, too. I was set for two TV shows at the same time. This wasn't long after *RC* came out. Suddenly, in the middle of rehearsal, one show was canceled. Reason? Well, the director said weak script—but it went on a couple of weeks later, unchanged, as far as I could tell, and another actor had the part. I was told by a minor executive at — [name of network] that 'There's a new directive out, boy; we just have to be careful about who we use these days. *Red Channels*, you know.'

"The other show was different. When I went to pick up the script, the producer said he was sorry, real sorry; his heart was bleeding, but he'd decided I just wasn't tall enough for the part. Now that might make a little sense on the surface; the guy they got is taller than I am, but, hell, the producer knew how tall I was when he picked me. I haven't changed size recently.

"Well, there you are. It's a little like that song they used to sing during the war; you know, you're either too young or too old, too short or too tall, too fat or too thin. There's liable to be something wrong with you if you're in *RC*."

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THE VICE-PRESIDENT OF A NETWORK:

"Of course, there's no such thing as a black list. There never has been, and there never will be, as long as I'm around anyway. . . . But we're a business that has to please the customers; that's the main thing we have to do, keep people happy, and, to do that, we have to stay out of trouble. . . . I'll tell you the truth now. If I were picking a writer for a documentary, I'd pick the best writer for the job. However, if there were two writers available, both about equal in talent, and one was in the little book and one wasn't, I'd take the one that wasn't. I'd feel the same way when it came to choosing the cast. That's just common sense."

A FAMOUS RADIO AND TELEVISION PRODUCER, NOW NOT WORKING:

". . . I'd just started a new TV series. Not that I was a beginner in the business; I'd been with the network for seventeen years. Well, for the first show I picked what I thought was a terrific script, but, in the middle of rehearsals, I was told it wouldn't do. I was told the reason we couldn't use the script was that the subject matter—it had to do with race relations—might annoy some people, which makes sense. Except later it dawned on me that the two writers who'd done the script were both listed in *Red Channels*, and I am too, you know.

"Anyway, at the last minute we dug up another script, and God knows it wasn't the best show I've ever done, but it was competent. At least I thought it was.

"However, the day after the show, —— [the producer's immediate superior] called me in and said, 'Look, we've made a mistake. You can't do this job, and, besides, we're paying you too much.' I tried to explain about the sudden switch in scripts but it didn't do any good. I was through. I said, 'This doesn't have anything to do with *Red Channels*, does it?' And he smiled and said, of course not; don't be silly. Well, maybe. . . . About the money. The man who replaced me is getting the same amount as I was, and until he started the series, he'd only produced two TV shows in his life. . . .

"Perhaps I've lost my touch. I don't know. . . . I just don't

see much of anybody these days. I keep looking at my name in that book, and I keep wondering.”

A RADIO AND TELEVISION WRITER, FORMER WAR CORRESPONDENT, HOLLYWOOD SCENARIST, AND FREQUENT MAGAZINE CONTRIBUTOR:

“It’s not as bad as Hollywood—yet. I get occasional jobs here and there, but not as many as before and not as often. At Columbia [the Columbia television network] the word has gone down, and I’m not called at all. I used to do a lot of work for them, too. Oddly enough, from being the most liberal, Columbia has now become the most conservative network. But I have written a few shows under a pseudonym, and a peculiar thing happened about that. A few weeks ago a friend of mine up at the Playwrights’ Company—they’re in charge of the Celanese Theater, you know [a dramatic series which mainly uses adaptations of plays written by members of the Playwrights’ Company], called up and asked if I’d do an adaptation. I said I would, and my friend said she’d let me know. A few days later she called and said she was sorry; they just couldn’t use me, and she guessed I understood why. I said I did and asked how about letting me do the adaptation under my pseudonym. She said she thought that would be fine. When she called the next time, she was full of apologies. She said the other name wouldn’t work either. I said why, and she said, ‘Well, it just doesn’t have enough credits.’

“Life these days is full of little ironies like that.”

AN ACCOUNT EXECUTIVE IN ONE OF THE HALF-DOZEN LARGEST ADVERTISING AGENCIES:

“Nobody has to tell me not to use anybody listed in *Red Channels* if I can help it; I just know not to.”

POSTSCRIPT:

FROM THE VETERAN ANTI-COMMUNIST MAGAZINE, THE *New Leader*

“Black listing of any of the thousands of actors and writers who have been sucked into party-line traps at one time or another, banning hillbilly songs, go far toward bringing about the world of *Nineteen Eighty-Four*. If it is argued that such stringencies

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are necessitated by the fight against Communism, don't believe it. If you shot every Communist and fellow-traveler in America today (as Mr. Pegler has proposed), you would still not be one step closer to ending the Stalinist threat which originates in the Kremlin and not in Radio City. Mr. George Kennan, in one of his more lucid moments, has condemned this 'cramp of introspection' which doubles us up in looking for native bogies and prevents us from fighting the real enemy. Our advice to the irate citizens: Stand up straight and look the real foes in the eye. Their guilt and the extent of their threat have been proved beyond doubt. Their names are Stalin, Malenkov, Beria, Vishinsky, Kaganovich. It is they—and not the Jean Muirs—who must be barred from all future employment. It is the wail of their oppressed people—and not hill-billy songs—which must be ended forever."⁵

⁵In Syracuse, New York, a list of approved performers has been circulated by a Mrs. John Buchanan, who identifies herself as the wife of a Reservist now fighting in Korea. Mrs. Buchanan's list includes 188 names, beginning with Abbott and Costello and concluding with Robert Young. She calls it "a partial list of actors and actresses who have never been supporters of Communist causes." "The entertainment world is crowded with competitive talent," Mrs. Buchanan adds. "Why not ask your entertainment promoters to support *exclusively* honest stars of the calibre of Ginger Rogers, Robert Montgomery, John Wayne, Lois Wilson, Adolphe Menjou, Robert Taylor?"

3 . AFTER THE FBI,

WHAT?

J. EDGAR HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
(*Newsweek*, JUNE 9, 1950)

We can successfully defeat the Communist attempt to capture the United States by fighting it with truth and justice, implemented with a few "don'ts":

Don't label anyone as a Communist unless you have the facts.

Don't confuse liberals and progressives with Communists.

Don't take the law into your own hands. If Communists violate the law, report such facts to your law enforcement agency.

Don't be a party to the violation of the civil rights of anyone.

When this is done, you are playing directly into the hands of the Communists.

Don't let up on the fight against real Fascists, the KKK and other dangerous groups.

Don't let Communists in your organization or labor union out-work, out-vote or out-number you.

Don't be hoodwinked by Communist propaganda that says one thing but means destruction of the American Way of Life. Expose it with the truth.

Don't give aid and comfort to the Communist cause by joining

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front organizations, contributing to their campaign chests or by championing their cause in any way, shape or form.

Don't let Communists infiltrate into our schools, churches and molders of public opinion, the press, radio and screen.

Don't fail to make democracy work with equal opportunity and the fullest enjoyment of every American's right to life, liberty and the pursuit of happiness.

[Italics supplied.]

J. EDGAR HOOVER, DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
(NEW YORK *Times Magazine*, APRIL 16, 1950)

The FBI files are confidential.

The FBI makes no accusations.

An investigative report of the FBI is like a newspaper reporter's notebook. In the course of covering a story, a well-trained reporter secures much information; some true, other portions rumor, gossip, or hearsay. In writing his story, he uses only the material which is verified.

HUGH CLEGG, ASSISTANT DIRECTOR OF THE FBI, SPEAKING FOR J. EDGAR HOOVER (NEW YORK *Herald Tribune* FORUM, OCTOBER 1950)

Efforts by private individuals and groups to screen, process and evaluate information pertaining to subversive activities, before reporting it to the FBI, are inconsistent with our best interests.

[Italics supplied.]

ATTORNEY GENERAL J. HOWARD McGRATH IN A JACKSON DAY ADDRESS AT SPRINGFIELD, MISSOURI, ON JANUARY 13, 1951

We have an efficient Federal Bureau of Investigation to prevent sabotage and to keep track of Communist espionage, maneuvering and conspiracies. . . .

But Mr. J. Edgar Hoover and I are determined that there will be no Gestapo witch hunts—that basic civil rights of the individual will be securely protected and defended as guaranteed by the fundamental law of the land. . . .

Those who pose as the saviours of our nation by seeking to abridge beyond reason our tradition of democratic freedom are as

dangerous to American liberties as the Communists themselves. For in destroying that fabric of democracy and reason, they play directly into the hands of the Kremlin's agents.

For a trio whose activities have had such a profound influence on an industry as crucial as radio and television, surprisingly little is known about the three men mainly responsible for *Red Channels* and *Counterattack*.

What is American Business Consultants? How was it started? Why? How successful has it been? What is the background of its publishers? How reliable are they? What is their financial backing? What connection is there between them and Mrs. McCullough, Rabbi Schultz, and that handful of others in organizations like the American Legion who have caused so much industry-wide turmoil in the last two and a half years?

Although, as has been seen, *Red Channels* itself is widely known, very few people in the industry realize how it was put together, the way in which the 151 listees were selected, the manner in which the so-called "Communist and Communist-front" organizations were designated.

Even *Counterattack* itself has been something of a mystery to the men and women whose careers have been so seriously affected by what it had to say.

On May 16, 1947, when the first issue of *Counterattack* was published, not even its publishers suspected its eventual importance. At the time, the three former FBI men were not even particularly interested in radio and television.

Their purpose, they stated in a republication brochure explaining why they were adding another to the more than two hundred newsletters already in existence, was "to obtain, file, and index factual information on Communists, Communist fronts, and other subversive organizations." The publishers felt, the brochure explained, that "to date, the efforts of our government to expose and combat Communist activities have failed."

Thus, they argued, a private organization was needed to do the job. American Business Consultants, they stated, was that organization. As for subscribers, the brochure declared, "The . . . fol-

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lowing . . . need our weekly reports to help them suppress the Red Menace—churches and synagogues, veterans posts, boy scouts, newspapers, teachers, law enforcement agencies, and labor unions.” Significantly, neither radio nor television was listed.

However, the brochure concluded, those who could afford it “can render a patriotic and public service by making *Counterattack* available to the foregoing who lack the funds to subscribe.”

As a subtitle, the publishers at first settled on *The Newsletter of Facts on Communism*. However, the following January they became slightly more militant, and the subtitle became *Facts to Combat Communism*.

“There are,” the first issue began, “Communist fronts for Business Men as well as for labor, youth, women, sports fans, lawyers, doctors, and so on endlessly.” *Counterattack* then named a few of what it said were such groups as well as a new “Communist labor group.” “Innocent” William L. Green, president of the AFL, was denounced for endorsing it. Green was, *Counterattack* admitted, a sincere anti-Communist, “but repeatedly he has let himself be duped.”

Of course, the publication added, Philip Murray had also endorsed the organization, “but then that’s to be expected of Murray because the Communists are much stronger in CIO than in AFL.” In the same issue the War Department was given a backhanded compliment because, “Now, very late,” it was “abandoning its tolerance toward Communists. . . .” Finally, as it so often has since, the newsletter declared that “Proof is available for every statement published in *Counterattack*.” The subscription rate was announced as \$24 for 52 copies, each containing about 2000 words, somewhat less than the average magazine article.

Except for a now almost weekly feature, “What Can You Do to Beat the Communists?” or, more often, “What to Do?” *Counterattack* has not changed much since.

From the beginning, the newsletter has praised very few people or organizations. However, when, as sometimes happens, one of its suggested actions is carried out, the weekly is warmly congratulatory.

After a magazine publisher discharged one of his employees

following a vindictive attack by the newsletter, *Counterattack* proudly announced that the publisher had "taken the right attitude." Moreover, it added, "*Counterattack* subscribers can take credit, in this case as in many others, for contributing to a quick corrective action against Communism."

However, in that same issue another large publishing concern got off less easily. "*Counterattack* last year pointed out some serious faults in a forum conducted" by the publishing house, but, "instead of frankly admitting the faults, the company delayed for months . . . and then answered our subscribers by saying that conferences had been held with *Counterattack* and that the forum matter had been explained to the satisfaction of 'everyone.' This seemed to imply that *Counterattack* had agreed that its report . . . was inaccurate. But in fact it was accurate and thoroughly justified. The publishing company in question is surely NOT pro-Communist. . . . But we stand by our report on the matter, and we believe that by printing it we have discouraged a repetition of the faults we pointed out."

The company referred to is the one that publishes the *New York Times*.

At various times in what is, by comparison, a short history, *Counterattack's* targets have been widely varied. Trygve Lie, secretary-general of the United Nations, at one time was dismissed as "Stalin's choice." ("He is a favorite of CP and crypto-Communist press.") As for the UN itself, "Its officials deny it is a shelter or cover for Communists and pro-Communists." But, "Even though some of the charges . . . are exaggerated the facts explain that UN has employed some American citizens despite their glaring records as supporters of Communist fronts and other Communist projects."

At one point a New York State Supreme Court justice was condemned for using the words "witch hunt" in one of his decisions; he had, perhaps inadvertently, *Counterattack* declared, picked up the phrase from the Communists.

In describing those of whom it disapproves, the newsletter uses varying verbal techniques. For instance, a weekly magazine editor was dismissed as a "commiebut"; the long-time moderator of a

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distinguished radio forum, "anti-Communist but in an abstract way"; a famous scientist, "Don't believe reports that — [the scientist's name] has admitted for years he has been a secret member of the Communist Party. — [the scientist's name] hasn't admitted it"; one of the nation's foremost music critics: ". . . a Communist even if he didn't technically join the Party"; and a prominent Protestant bishop who spoke out against the House Committee on Un-American Activities: "Although — [the bishop's name] isn't a Party liner . . . he has joined many fronts and has been pro-Soviet in many ways."

In its first 182 issues more than 360 persons were, with varying degrees of vehemence, denounced in *Counterattack*; those condemned are, with few exceptions, well-known politicians, international statesmen, labor leaders, industrialists, ministers, artists, writers, and entertainers of all kinds, particularly actors.

Among those condemned are some probable and some admitted Communists and certainly many long-time Party liners. On the other hand, many are equally long-time anti-Communists who at one time or another have supported a cause which also happens to be of interest to the Party. The difficulty is in deciding which is which, and *Counterattack's* publishers have at least once admitted that they don't know the difference. According to T. C. Kirkpatrick, one of the publishers, "It is impossible to do that [distinguish between what he calls 'dupers,' meaning consistent Party liners and actual Party members, and the 'duped,' meaning the innocents] and do it accurately."

Moreover, in the last two years the newsletter has been extremely wary of using the word "Communist" to describe anyone. In at least eight different issues in 1947 and early 1948 that was the word used each time Fredric March or his wife, Florence Eldridge, was mentioned in the newsletter. The Marches sued for \$500,000 (see below, "Why Not Sue?"). *Counterattack* settled out of court and printed the Marches' denial. Since then, practically the only time "Communist" is used in front of a person's name is in the case of an actual CP official, e.g., "Communist" John Gates, "Communist" Eugene Dennis. Otherwise, the editor experiments with what are presumably less legally ticklish descriptions.

In addition to individuals, *Counterattack* has (in the first 182 issues) upbraided more than 165 organizations, not including the *Times* and the UN. Among them are a rival weekly newsletter which “unintentionally helps the Communists”; Standard Oil of New Jersey, which invited an allegedly subversive professor to speak at one of its industrial round tables; the Blatz Beer Company, for featuring a famous “fellow-traveling” actress in one of its advertisements (as often happens, *Counterattack* asked its readers to write directly to the brewery and complain); the book review sections of both the *New York Times* and the *Herald Tribune* (sometimes for damning a book like *Seeds of Treason* of which *Counterattack* approved, again for praising a volume the newsletter disliked); the Yale Law School, for having “reds” on its staff; the Associated Press, for distributing an article “misleading” the public about Communism in Hollywood; the “slick, sophisticated ‘*New Yorker*’ Magazine . . . read in all parts of the U.S. . . . and especially in colleges . . . for what the CP calls its ‘upper-middle class’ type of humor and culture. (*New Yorker*’s chief value to the CP is that it thinks the CP is not worth bothering about. It treats Communists lightly. STALIN and William Z. Foster, CP national chairman, wish all U.S. publications would do this.)”

During the last two years *Counterattack* has been increasingly critical of other American magazines as well. On at least two occasions the newsletter has chided *Life*, once for its cover picture of an “azure-eyed” young actress whom *Counterattack* accused of subversive tendencies. The use of her picture, the newsletter informed *Life*’s editors, seemed to prove that “It pays to support Communist Fronts. The free publicity may exceed \$1,000,000, when you consider *Life*’s circulation of almost five and a half million at twenty cents a copy.”¹ And, when the picture weekly told its readers that the actress “has done more TV shows than any other movie star,” *Counterattack* dolefully warned that, in addition to *Life* needing some editorial advice, “TV really needs a clean-up.” When, on another occasion, *Life* gave “favorable publicity”

¹In spite of the *Life* publicity, after the publication of *Red Channels*, in which the actress was listed, she almost never appeared on television.

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to a stage star who'd recently journeyed to Hollywood, *Counterattack* complained that the actress, while perhaps not very intelligent, had given aid and comfort to the Party, and by publicizing her, the newsletter implied, *Life's* editors had been almost equally guilty.

As for *Fortune*, also published by Henry Luce, *Counterattack* criticized its editorial board for choosing as the cover of an anniversary issue "a proud American eagle" sculptured by an artist the newsletter alleged was subversive, and *Look* magazine was denounced for printing a three-page profile of a young conductor-composer. In all three cases *Counterattack* advised: "Write to the publishers, Messrs. Luce and Cowles." The editor even suggested the text of the letter: "Remind them that there are many artists with PRO-AMERICAN records who would make good feature stories, are attractive enough to adorn the cover of a magazine, or talented enough to create artistic cover designs."

The newsletter did not add, as it had earlier in criticizing the Crowell-Collier Corporation, that its readers should suggest that the publishers "get expert assistance in detecting Communist propaganda and in putting a quick quietus to it." Nor did it say that American Business Consultants offered such services—for a fee.

However, in 1951, shortly after the George Foster Peabody awards for "the most disinterested and meritorious service rendered by radio and television," *Counterattack* turned its stern attention to the ninety-three-year-old *Atlantic*, principally because Edward Weeks, the editor of *Atlantic*, is also chairman of the national advisory board on the Peabody awards.

"Weeks," the newsletter began, "is a popular lecturer for women's organizations and other groups . . . but the *Atlantic Monthly* has followed a strange course under his direction."

To corroborate what was, by comparison, an amazingly circumspect statement, *Counterattack* declared, "this old, respected publication . . . maintained an objective stand on world events until about 1942. Then it published a series of articles on Stalin Russia and later on Poland that ran on and off until 1945." Except for one sentence in one article, the newsletter did not mention the

contents of any of the pieces. That sentence (and it appeared during the height of Russia's war popularity) declared that the people of the United States "can choose whether to work with the Soviet Union as a partner or whether to surrender to memories and fears."

However, *Counterattack* did not approve of the authors of the articles. One was a woman whose worship of Russia was so profound she went to the USSR to live (now, however, she is an involuntary refugee). Another was a well-known commentator who was a wartime member of the National Council of American-Soviet Friendship; he has long since resigned. A third was a columnist of whom *Counterattack* said, "—'s present . . . non-Communism was not always so evident." Moreover, "since 1945" (the emphasis is *Counterattack's*), the newsletter went on, two of the same three authors had appeared in the *Atlantic* again; what's more the magazine had published articles by "such persons as . . . Owen Lattimore. . . ."

As for Mr. Weeks and his Peabody associations, "The same odd line" was, *Counterattack* asserted, evident there. For example, in 1947 an award had gone to Studio One. "This program," the newsletter stated, "had many performers with Communist front records on it."

In 1948 an "award for television art" had been given to Actors' Studio. "This," the newsletter stated ominously, "was first TV program on which JEAN MUIR^{o2} appeared."

But worst of all, according to the newsletter, one of the Peabodys had gone to Robert Kintner, president of the American Broadcasting Company, and two associates.

The citation declared, "At a time when radio stations and networks were either firing or refusing to hire writers and actors on the basis of unsupported innuendoes contained in a publication known as 'Red Channels', [they] refused to be stampeded into either action."

Counterattack denied that *Red Channels* had contained any "unsupported innuendoes." "The book," it said, "states only facts."

^{o2}At present, each time a *Red Channels* listee is mentioned in *Counterattack*, his or her name is followed by an asterisk.

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Finally, the newsletter advised writing to Dean John E. Drewry of the Henry W. Grady School of Journalism at the University of Georgia, where the Peabody endowment is administered, and to Mr. Weeks himself. "Ask them . . . why such a large number of individuals they have 'honored' by their awards have front records or obviously biased or confused attitudes about Communism."

Counterattack did not suggest that its readers give Mr. Weeks any advice about which authors to publish in the *Atlantic*.

At one time or another *Counterattack* has taken a look at book publishers as well. For example, in its issue of November 25, 1948, it warned that "in buying books for Christmas and in deciding what books to recommend for purchase by public libraries, school and college libraries, etc., *be very careful*. The following books are being plugged by the Communists." There followed a list of nine then popular publications, including Norman Mailer's *The Naked and the Dead*, which at the time was heading the fiction best-seller lists, and two other novels which had been among the year's most critically acclaimed and popular. A little while later *Counterattack* was credited with advising a self-appointed committee in Scarsdale, New York, which proposed to go through all the books in the local school libraries to weed out those found to be "subversive." The citizens of Scarsdale declined the committee's offer.

A year later, in November 1949, when Doubleday & Co. published what *Counterattack* labeled "a proletarian novel," the newsletter ran one of its rare book notices. The editor wrote a lengthy criticism, not of the novel (which he gave no indication of having read), but of the author, who "has long Communist record."

Early in the fall of 1951 *Counterattack* in a special six-page issue took on an entire publishing house, the firm of Little, Brown & Co., which is located on Beacon Street in Boston. The newsletter cited two of the firm's employees, one of whom was a director; it also discussed thirty-one authors, all of whom, it alleged, had had close associations with the Communist Party or with Party-front groups.

Almost simultaneous with the appearance of that issue of *Counterattack*, Louis Budenz, the onetime editor of the *Daily Worker*

who has made a good many appearances before congressional committees, told the Senate Subcommittee on Internal Security that he had known the Little, Brown director as a Communist Party member. What's more, Mr. Budenz went on, he had been told that the Communists hoped to make the Boston firm (which celebrated its one hundredth anniversary in 1937) "the international publishers of the Communist front movement."

Mr. Budenz' testimony did not create much of a stir, and, with a single exception, none of the New York newspapers mentioned *Counterattack's* charges. However, Frederick Woltman that week end did a lengthy story in the New York *World-Telegram and Sun* which repeated most of the accusations made in *Counterattack*.

A few days later the Little, Brown director who had been under fire resigned, and the Boston firm, through its four remaining directors, issued a detailed, four-page brochure answering the charges. As for the thirty-one writers, after an examination of the work of each, the Little, Brown statement declared that "the in-print books of the active authors objectionable to *Counterattack* total twenty-two, or 3 per cent of the in-print titles on our list.

"We are glad to report," the publishers concluded, "that *Counterattack* is accurate at least in its statement, 'Little, Brown seems to be doing well.' The position of the company is excellent and we have every confidence that it will continue to improve under the democratic policy of free publishing."

Otherwise, *Counterattack* has left book publishing pretty much alone except for an occasional denunciation, such as the time a number of publishers and editors signed the *amicus curiae* brief for the Hollywood Ten. That week the newsletter devoted considerable space to listing all of the publishers and editors who had signed, but it did not mention that the brief specifically declared that the signers were not expressing "support or sympathy with the political philosophies, whatever they may be," of the West Coast group.

In April 1951, John Gunther was attacked in the newsletter. Mr. Gunther, perhaps the most famous living reporter, was denounced

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because his book, *The Riddle of MacArthur*, was at the time being serialized in a New York newspaper of which *Counterattack* did not approve, the *Compass*.

In addition to its quarrel with the *New York Times* and, more frequently, the *Compass*, *Counterattack* has often found fault with newspapers, individually and collectively. At one time the newsletter condemned what it sweepingly referred to as "US press, with few exceptions (such as Scripps-Howard and Hearst papers)" for what the newsletter metaphorically called waiting "until its own bull was gored."

The phrase referred to the press furor over the imprisonment in Czechoslovakia of Associated Press correspondent William Oatis. "OATIS," *Counterattack* asserted, "is just one more American . . . what about all the other US victims of Communist 'justice'?"

When in the summer of 1951 the Weavers,⁸ a popular folk-singing quartette, had its appearance at the Ohio State Fair canceled as the result of protests against the group's alleged political affiliations, at least two Ohio newspapers objected. They were the *Akron Beacon-Journal* and the *Columbus Citizen*, which, ironically, is a Scripps-Howard newspaper. Both were, *Counterattack* said, "overly solicitous about 'rights' and 'justice' in a case concerning individuals with Communist records." As a result, the newsletter advised its readers to remember that "Newspapers sometimes pontificate on Communist questions without knowing all the facts . . . and arrive at wrong conclusions. Don't believe all you read in the press."

In its more austere moments the newsletter has not hesitated to criticize such awesome corporations as U. S. Steel. When, according to instructions, several of *Counterattack's* subscribers wrote U. S. Steel complaining about the use of alleged subversives as writers and actors on its Theatre Guild on the Air, Chairman Irving S. Olds replied, "Such individuals are considered [by the Theatre Guild, not U. S. Steel] on the basis of their ability in their

⁸Now when the Weavers appear in a night club or theater, the management invariably receives at least one copy of an issue of the newsletter in which the quartette has been attacked (there are several), sometimes with the name of the group circled in ink.

respective fields, and in no way on account of ideological, social, or religious beliefs they may hold.”

After studying Chairman Olds’s letter, *Counterattack* concluded that “U. S. Steel . . . seemingly doesn’t care whether its money goes to Communist Party members or fellow travelers.”

However, *Counterattack* at one time did have a good word for U. S. Steel and the Theatre Guild on the Air, along with a warning. The occasion was the radio production of Herman Wouk’s anti-Communist play, *The Traitor*. The show was, the newsletter said, satisfactory “as a first try.”

But it had its faults. First off, Wouk’s disloyal scientist was made “sympathetic” by casting Tyrone Power in the part. “Choice of this screen hero and lover to play the traitor was proof that the character was meant to evoke sympathy.” As for the way the radio adaptation was written, “The traitor argued that his betrayal of atomic secrets would help peace . . . and there was no rebuttal.”

The reason for these mistakes? “. . . subject is complex. . . . It demands a REAL knowledge of Communism.

“If radio or movie people have questions on this subject that need answering in connection with any script, COUNTERATTACK will be glad to help.”

Although the newsletter paid little attention to radio and television in its early days, during the last two and a half years its interest in and emphasis on this area have increased to such an extent that, in some issues, other fields have been mentioned only casually.

Counterattack’s first statement on its attitude toward Communism in the entertainment fields was short and pointed. In the issue of September 19, 1947, it declared that “Communist actors, announcers, directors, writers, producers, etc., whether in radio, theatre, or movies, should all be barred to the extent permissible by law and union contracts.” Presumably this statement still stands, though there was considerable deviation in press statements issued by the publishers during and after the hectic days of the Jean Muir incident.

During the last two and a half years the publication has attacked specific programs on all of the major networks, but for

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many months the Columbia Broadcasting System was its most frequent target. "All networks let some Communists and Communist fronters get on their programs," the newsletter once stated, "but CBS is worst of all. There are people at CBS who want to correct this, but the top officers somehow let things keep on as they are."

Not long after this item appeared CBS hired American Business Consultants, the corporation publishing *Counterattack*, to "investigate" its employees. The results, a high official said, "were completely worthless. It was just the same kind of thing they put in *Red Channels*." However, even after the "investigation" the attacks on CBS continued.

The fact that "Exact degree of infiltration by Communist Party members and other Communists on CBS or any other network is hard to determine" did not prevent *Counterattack* from rating the networks. NBC and Mutual, the newsletter declared, were (as of July 1949) "LEAST satisfactory to the Communists"; the American Broadcasting Company was "at half-way point between most satisfactory and least satisfactory."

Later, however, when, according to instructions from *Counterattack*, some of its subscribers wrote to Joseph H. McConnell, president of NBC, to protest a program, they "were so amazed . . . by the [form letters] they received to their protests that they forwarded them to *Counterattack* for comment. . . ."

Among other things, McConnell had advised the letter writers to report "pertinent information" on Communists to the FBI. "He implies," the newsletter declared, "that they should stop bothering him with their letters of protest."

McConnell added that he was forwarding the critical letters to the FBI, along with his own reply.

"This policy," *Counterattack* declared, "is one of DOING NOTHING. McConnell must know that the F.B.I. . . . can take no action on any matter (even if it wants to). . . . Information such as that contained in the letters to McConnell will only serve to clutter up F.B.I. files."

Unhappily, the newsletter felt, anti-Communists are just not as effective on the air as Party members. When John Gates, editor

of the *Daily Worker*, appeared on Meet the Press, *Counterattack* complained, "Hostile interviewers on this program just don't know the score when they're up against a Communist. They're prepared with a few 'embarrassing' questions . . . but he's better prepared with specious and often lying answers . . . and they can't see flaws in the answers, so they can't follow up."

One of the few cases in which this did not happen, according to *Counterattack*, was when General "Wild Bill" Donovan appeared on Town Meeting of the Air against the Rev. William Melish. The general, who received the help of *Counterattack's* publishers in preparing his speech, was extremely effective, the newsletter declared. The publication complained, however, that the audience—presumably packed with Communists—did not give him the hand he deserved, and the New York press did not properly report what he had said.

Another difficulty in combating the Communists on the air lies, the newsletter feels, with audiences. In an early issue the publication vigorously attacked an alleged "subversive" radio writer but admitted that "—— [the writer's name] is a clever man.

"Not," *Counterattack* added, "that it takes much cleverness to fool the average radio listener."

WHO ARE THE PUBLISHERS OF COUNTERATTACK?

Like all government agencies, the Federal Bureau of Investigation expanded greatly and rapidly just before and during the Second World War. John G. Keenan, Theodore C. Kirkpatrick, and Kenneth M. Bierly were among the thousands of new and temporary appointees.

The trio first met early in 1943, when all three were working in the New York office of the FBI, according to Kirkpatrick, being associated "as much as any three [agents] have a chance of working together, when we worked on the same squad." Some, though by no means all, of their activities were concerned with the Communist movement in the United States.

In one way the trio differed from most of their colleagues in the Bureau in that, while they did not plan to make a lifetime career of working for the FBI, they did have an idea for their postwar

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careers, what they considered, as Kirkpatrick once put it, "a kind of almost holy crusade you might say."

Late in 1945, when Kirkpatrick and Bierly were still agents and Keenan a supervisor, they lunched together frequently, and, again according to Kirkpatrick, the most articulate of the trio, "We used to talk about how little the public, as a whole, knew of some of the details of the Communist movement and some of the facts that were just routine to us, facts being brought in by us and others day to day and actually being buried in the files."

The long-established FBI policy of neither interpreting nor publicizing its findings was, Kirkpatrick says, "a very frustrating sort of thing, particularly to any individual who is impatient."

He and his two colleagues were impatient.

What, they wondered, were the possibilities of setting themselves up in business to do what the FBI could not do—"expose the Red Menace" by a private publication?

The difficulties were many. First, "None of us had any money to speak of. I myself have had to struggle since I was a kid financially." Second, they were without experience in publishing, and, except for their limited experience in the Bureau, none of the three could even remotely be considered a student of Communism or of left-wing movements, here or abroad. At one time more than three years after *Counterattack* was launched, Kirkpatrick, according to an editor of the *New Leader*, telephoned to ask, "What's the name of the Trotskyite party in the United States?"

In fact none of the three had, they insist, had any active political interests whatsoever. "We have," Bierly once declared, "been active in no kind of political organizations or religious organizations or organizations of social significance other than in connection with school and campus organizations and the Society of Former Agents of the FBI."

Kirkpatrick is a member of the National Republican Club, but he has explained that he joined only because "of the lack of quiet eating places in this community [Manhattan]. . . . I have never attended any of the meetings."

Moreover, Bierly was at one time "listed as a sponsor of Mrs. [Hester] McCullough's committee in connection with George

Sokolsky [Hearst columnist] speaking at the Greenwich [Connecticut] High School on her behalf." That particular group was, Bierly adds, "*a typical front committee to call you up on the phone and ask you if you will go on. They got out a little letter-head of the various names of the Greenwich people and that was used, I think, to send out tickets. We didn't have any control over the policies of the organization* [emphasis mine—M. M.]."

At one time, too, Kirkpatrick had belonged to the Junior Chamber of Commerce and the Optimist Club, both in Phoenix, Arizona, where he was local branch manager of the Beneficial Industrial Loan Corporation.

Kirkpatrick, known as "Ted" to his associates, received a B.A. degree from Earlham College, a small liberal arts school in his home town of Richmond, Indiana; the year was 1932. In the decade before his acceptance by the FBI, in August 1942, he had worked as a minor executive, first for the Dayton Bond Corporation in Dayton, Ohio, and then for the Beneficial, in Charleston, West Virginia, Queens Village, Long Island, Cleveland, Youngstown, Canton, Cincinnati, and, finally, Phoenix, where he was stationed for four years as local manager. Kirkpatrick, who looks considerably younger, is now forty-one.

Bierly, now thirty-five, is also a Midwesterner and was raised in Peoria, Illinois, where S. Paul Ferrin, another former FBI agent who is also a part-time member of the firm, now practices law. Bierly was admitted to the Illinois bar in 1939, after graduating from the Chicago-Kent College of Law; earlier he had attended Northwestern University in Evanston, Ill., and Bradley University in Peoria. Before joining the FBI in 1940, he had two jobs, one as an attorney for the surety department of the Continental Casualty Company of Chicago, the other for the Travelers Insurance Company in Peoria.

The third officer of the firm, John G. Keenan, forty, was born in Brooklyn, graduated from Fordham, received his law degree from St. John's, and, before joining the FBI in 1941, was a member of his father's long-established law firm, Alexander and Keenan, 42 Broadway. Now he is a partner.

From its start in 1947 the firm, incorporated as American Busi-

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ness Consultants, has had only the three officers, Keenan as president; Bierly, vice-president;⁴ and Kirkpatrick, secretary and treasurer.

During their discussions before leaving the FBI, the three men often, according to Kirkpatrick, "wondered if it wouldn't be possible for some of us to help a little on the outside [in fighting the Communists], try to get something started, or do a little more to help. None of the three of us had any definite idea that anything would come of our discussions."

For a while nothing did. Keenan returned to his law firm, and, on his resignation from the FBI, Kirkpatrick found a job as assistant to the protection manager at Bloomingdale's department store. His immediate superior was scheduled for retirement, "and it looked like a good opportunity."

However, ". . . I would say I was unhappy there. It seemed to me small, petty. It was concerned with shoplifting when here the Communists were trying to take our country." Bierly remained with the Bureau until early 1946, by which time "We were ready to start something."

The plan emerged from a meeting early in 1946 between the three former agents, Isaac Don Levine, veteran anti-Communist writer and editor; Christopher Emmet, another anti-Communist writer; and, most important, Alfred Kohlberg, the importer who has been one of Chiang Kai-shek's most active backers in the United States and was one of the principal supporters of the charges made against the State Department by Senator Joseph McCarthy, the Wisconsin Republican.

"We were all," Kirkpatrick states, "interested in a publication of some kind that would be devoted to exposing Communism. Since our group [the former agents] had no experience writing whatever or editorial experience, our interest was primarily one of accumulating information and files. As a sort of research setup for a publication."

The trio's file at the time consisted of one book belonging to Kirkpatrick; it was William Z. Foster's *Toward a Soviet America*.

As a result of the meeting, according to Kirkpatrick, Kohlberg

⁴Mr. Bierly has since resigned, see below.

agreed to furnish the money to launch a publication to be called *Plain Talk*, with Levine as editor. In addition the importer "set aside a sum of money for just one year for setting up of files in a research office" and provided space for the files in a building at 240 Madison Avenue.

The exact amount of money supplied could not be learned. However, according to Kirkpatrick, "It was actually two separate transactions. Mr. Kohlberg placed a sum of money in *Plain Talk*, Inc., but in the research operation we [Keenan, Bierly, Kirkpatrick] were put on his pay roll, and any other expenses there might be, such as for the purchase of files and other supplies, were paid by his office."

In addition, with Kohlberg's assistance, a separate organization was set up, the John Quincy Adams Associates, which Kirkpatrick describes as being "a non-profit organization, primarily for the purpose of trying to get contributions to continue our research and file setup." The hope was that the organization could be tax-exempt, but the U. S. Treasury ruled otherwise, and John Quincy Adams Associates is no more.

At the time the research group consisted of the three former agents (Keenan, then as now, participating only part time), a man (whom Kirkpatrick would not name for the record) who is now an important executive in one of the largest advertising agencies, and a stenographer.

The office at 240 Madison was small and dark and could be reached only by freight elevator.

However, Kirkpatrick states, "It was fine for our purpose because we did not want Commies snooping, and we had no reason for dealing with the public, but at the same time, it would have been difficult to rent to anyone."

The arrangement lasted for about a year, at which time, in the spring of 1947, the three former agents formulated a new and considerably more ambitious plan. According to Kirkpatrick, "we decided to try to continue to maintain the file and [also] start our own publication," a weekly newsletter exclusively devoted to exposing the Red Menace.

As for *Plain Talk*, now defunct, it was a somewhat theoretical

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pocket-sized monthly with a limited circulation. "We felt it was doing an excellent job reaching a certain segment of the population but that . . . there were other segments that needed to be reached, especially people in industry, businessmen and so forth. Wherever there is a Communist on a pay roll, it is with few exceptions a businessman who is paying his salary."

On April 9, 1947, the new firm, American Business Consultants, was incorporated under the laws of the state of New York. The incorporation papers state that its primary purpose is to publish a newsletter, although, in addition, it planned "to promote scientific research and technical investigations."

To finance the new project, "We all bought stock, the three of us with what little money we had or could spare. . . . Then we borrowed some money from John Quincy Adams Associates. . . . We never borrowed more than \$15,000 for *Counterattack*." Thus, since he was the sole backer of the John Quincy Adams Associates, most of the money came from Kohlberg. A reputable outside source familiar with the organization in its early days estimates the importer's contribution at as much as five sixths of the total.

In addition, Kirkpatrick says, "We received a little money from other sources." He would not name the sources.

However, Bierly did deny earlier published rumors that among the backers were a department store executive, a retired Army general, and the well-known wife of a powerful magazine publisher.

"We never had the slightest connection with — [the publisher's wife] at any time. I don't think she is even a subscriber nor has been a subscriber."

As for the name chosen for the new firm, American Business Consultants, "We just took [it] out of the hat," Kirkpatrick states. "My personal opinion is that it was not a good choice. It would have been better not to have used the name 'Business' since from the very beginning some labor people have concluded that we work only for management."

The new corporation at first moved into what Kirkpatrick describes as "a hole in the wall" on the tenth floor at 55 West

Forty-second Street, the building in which it is still located. At present its offices include seven good-sized rooms.

For more than three years most of the rapidly expanding files remained at 240 Madison, but in March 1950, when American Business Consultants moved upstairs to its present suite, Kirkpatrick explains, "We called Mr. Kohlberg and told him we were going to move out the files and that we would not need space there any longer. . . . It was agreed from the very beginning that the files were ours."

QUESTION: Was there any signed agreement?

KIRKPATRICK: I don't believe there was anything in writing.

Kohlberg, also the major financial backer of the American Jewish League Against Communism (see below, Rabbi Benjamin Schultz), now claims not to remember that the three former FBI agents took any part in *Plain Talk*. Moreover, he has been quoted as saying he doesn't recall giving any money to the John Quincy Adams Associates.

"If I did," he declared in a published statement, "it must have been a small amount. I remember when I give a large sum."

Mr. Kohlberg, a resident of Bronxville, New York, is said to be many times a millionaire.

The files of American Business Consultants expanded rapidly. They soon included bound volumes of the *New York Times*; bound volumes of the *Daily Worker* and scattered copies of other Communist publications; hundreds of letterheads, pamphlets, and throwaways issued by Party-sponsored and allegedly "front" organizations; thousands of newspaper clippings concerned with Communist and "front" activities; books on Communism, domestic and international, the hearings of state committees concerned with un-American activities, and, most important, the complete hearings of the House Committee on Un-American Activities. The latter includes three complete copies of the volumes making up Appendix IX, of which only one thousand were printed and later withdrawn by the House Committee. These particular volumes are not available in the New York Public Library or in the Library of Congress.

During one of the interviews with the officers of American

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Business Consultants the investigator asked, "Do you remember how you got it [Appendix IX]?"

KIRKPATRICK: Honestly, I don't. . . . We had a copy . . . very soon after the research office was opened, but, honestly, I don't remember when we got the first one.

BIERLY: We have had several copies. Everywhere I have been there has been a copy. The Bureau has a copy. Isaac Levine had a copy. Everybody had a copy, and there was no thought that it was particularly scarce.

Appendix IX, which is one of the two main sources for *Red Channels*, the other being the California Committee on Un-American Activities, is said to list the names of more than 100,000 Americans who, as far back as the early thirties, at one time or another belonged to alleged "front" organizations. According to Kirkpatrick, "As I recall . . . [it] was compiled as a result of photostating all kinds of documents from the New York Public Library: letterheads, notices of meetings, notices of dinners, and all that sort of thing; and then copying those names onto this documentation in Appendix IX."

QUESTION: Generally, do you consider it an accurate source?

KIRKPATRICK: I suppose there might be some difference of opinion in some very few instances because much of the information . . . does cover the broad, united front.

Its indiscriminate use of names is said to be the main reason the appendix was suppressed by the House Committee.

The appendix was, however, defended by Bierly on the grounds that "as a source available to the public, it represents the broadest and most accurate coverage that there is. In other words, you take away this source of information, and you very substantially eliminate any source John Q. Public can go to check on the Communist problem."

However, in the spring of 1947, even with Appendix IX included, its files were not by themselves, the officers of American Business Consultants admit, sufficient to get a publication started.

"We did not," Kirkpatrick says, "have any writing experience. At least we hadn't written anything except Bureau reports."

Fortunately, shortly before the newsletter was tentatively

scheduled for publication, the former FBI men noticed a lengthy series of articles on the Communist Menace published in the *Chicago Journal of Commerce*, signed with the name Andrew Avery. The author's actual name was Sam Horn, a free-lance writer who claims twenty-five years of newspaper experience. The articles particularly interested Kirkpatrick because they "were so easy to read, concise and to the point. I felt that it was a style which would be very good for a newsletter."

Horn was found in New York, and, to the delight of both parties, it was found that "Some of his friends had been trying to talk him into getting out a newsletter. . . . He wanted very much to do it, but he did not like handling the business end of a publication. So for our setup it was perfect. We could handle the business end and supply at least some of the research he needed, and he could do the writing. It didn't take long to reach an agreement."

Work got under way immediately, and the first issue of *Counterattack* was dated May 16, 1947; then as now, the newsletter was sold partly through direct-mail solicitation and partly by personal canvassing. For instance, "There is one sales representative who takes a building, starts at the top and goes to the bottom."

As for the subscribers, Kirkpatrick says, "The greater percentage is businessmen . . . a few individual labor people and unions . . . a few educators and clergymen . . . and quite a number of government agencies . . . I have been amazed at how many! Scarcely a week passes that we don't get a government check of one type or another."

Writing the publication has always been a one-man job; for two and a half years, the some two thousand words were turned out every week by Horn; the present editor is Francis J. McNamara, who, like his employers, had, before taking over his first job as a researcher with American Business Consultants, no professional editorial experience.

Horn resigned at the end of 1949, not, according to Kirkpatrick, because of a disagreement, as has been published elsewhere, but "because he wanted to devote more time to free-lance writing."

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McNamara, a St. John's graduate with an M.A. degree from Niagara University, went into the Army from college as a private and emerged as a major in strategic intelligence in the Far East. Before joining ABC, he worked for a time with UNRRA in Tientsin. McNamara, a thin-faced, emphatic man of thirty-five, told one of the editors of *Sponsor*, "I was in the Army all of five years. . . . I am proud to have been decorated by the Chinese government [of Chiang Kai-shek]. . . . Don't forget to say I was inducted into the Army as a private."

Despite McNamara's lack of editorial training, Kirkpatrick feels that his style so closely resembles that of Horn (or Avery) that "Nobody could tell where one left off and the other began."

In its early days American Business Consultants consisted of the trio of officers, Thomas A. Brady, another former FBI agent who is also Keenan's brother-in-law and who is now working for the Keenan and Alexander law firm, helping out with the five libel actions in which ABC is currently involved; S. Paul Ferrin, who "represents us principally from the standpoint of digging up information in the Middle Western area, particularly the Illinois area, although he also has a law practice"; Harry A. Morgan, a former official of the American Communications Association, CIO, now resigned from ABC, and another former member of the FBI, who has also resigned.

As this is written, the staff includes fourteen persons, the majority of whom do stenographic, clerical, and research work.

Although the representatives of the American Civil Liberties Union were not given access to the records of American Business Consultants or any official estimates as to its financial status, past or present, it can be authoritatively stated that from the very beginning the newsletter was a financial success.

The editorial expenses have always been minimal. In addition to McNamara, Kirkpatrick breaks down the staff as follows: "He [McNamara] has a girl who acts as an editorial assistant, clips newspapers, and types copy and work of that sort. Then we have a girl who handles circulation." The salesmen, now two in number, are in addition.

According to a long-time friend and supporter of the organization, "They [ABC] have an annual income, a net income, of about \$70,000 from *Counterattack* alone. I know that for a fact."

Keenan told an editor of *Sponsor*, "Conservatively, you can say we gross (from all of the firm's operations) between \$50,000 and \$100,000 annually." But, he hurriedly added, "That isn't really much. Why, we know plenty of other ex-FBI men who make a lot more dough than we do, working for big corporations."

The exact circulation of *Counterattack* has never been revealed by its publishers. In a radio broadcast in the fall of 1950, Kirkpatrick explained, "I would prefer not to give the exact figures because, as far as we know, the Communists do not have the figures, and we are not anxious to turn those figures over to them. But I will say the circulation is still in four figures."

From a reliable independent source, it was learned that the present paid circulation of the newsletter is slightly less than 4000 copies per issue, at \$24 a year (4000 times \$24 equals \$96,000).

As for ABC's income from its "investigative" services, no figures are available. The fees charged for such work vary greatly. According to Bierly, "The minimum fee is five dollars, where we charge a fee. The maximum fees run into several thousands of dollars."

In the interview with *Sponsor*, Keenan said, "Over twelve sponsors and ad agencies use our 'research' services now, and the rates differ. It all depends on how much 'researching' we do. If we charge \$7.50 a head, say, we would lose out. We might have twenty-four radio and TV performers showing a negative. But one might show a 'positive,' requiring five pages of 'research' on him. That twenty-fifth performer, you see, would take a lot more 'research' work than is warranted at seven bucks, fifty cents a head. You must remember, we've got a staff to pay and a living to make."

However, Bierly has added that the firm's income from subscriptions to the newsletter and special reports like *Red Channels* "is far greater than the income from services rendered. Roughly, I would say three times as much, maybe more, maybe less."

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Another occasional source of income is from lectures, of which Kirkpatrick makes an impressive number, mainly in Manhattan and Queens. Many of the lectures, he says, are delivered without charge, but, "Where I am paid a fee, we have an arrangement here, which is true of all of us, not just myself, that sixty per cent of the fee goes to the company and forty per cent the person retains."

Nevertheless, the three former agents claim to collect salaries of only \$6000 each a year. And, Bierly states, "We are making less now than we would if we had remained in the Bureau."

To date, they say, there have been no dividends declared. However, Bierly adds, "We own the stock, and we would declare a dividend if that situation arises."

Moreover, according to Kirkpatrick, "It is possible, also, that we might raise our salaries. I think we have raised them once since *Counterattack* was started."

AMERICAN BUSINESS CONSULTANTS AND ORGANIZED LABOR

Although, as noted above, Kirkpatrick blames the word "Business" in the firm's title for the fact that "some labor people have concluded that we work only for management," the officers of ABC have, in radio and television appearances as well as in the interviews with representatives of the American Civil Liberties Union, claimed widespread labor support. Moreover, it is on the record that American Business Consultants has, on occasion, been consulted by various local units of both the American Federation of Labor and the Congress of Industrial Organizations.

On the Reporters' Roundup broadcast on September 14, 1950, Kirkpatrick said, "We have done research work for various unions."

During one of the ACLU interviews Bierly added, "The national office of the CIO came to us on two different occasions for work."

Of these claims, Allan Swim, former national publicity director of the CIO and editor of the *C.I.O. News*, who is now a Marshall Plan official in Europe, writes, ". . . During the course of the investigation of C.I.O. unions charged with consistently following

the CP line in reference to C.I.O. policy a hearing committee research assistant was told by somebody that *Counterattack* had some 'valuable information' about one of the unions involved. . . . This assistant made contact with *Counterattack*, with which he was not familiar, looked over the material offered and found it valueless, from our standpoint. . . .

"A C.I.O. attorney who was shown the material said, 'It consisted of clippings and a lot of other stuff that attempted to prove guilt by association. We weren't interested in that kind of material.'"

After the Jean Muir incident the *C.I.O. News* vigorously attacked *Red Channels* and American Business Consultants. Swim adds, "I do not believe that there is any publication in the country which has been more effective than the *C.I.O. News* in the fight against Communism, but we make every effort to avoid punishing the innocent along with the guilty. We do not believe that *Counterattack* has done likewise."

As for the AFL, Kirkpatrick has at least twice in answer to criticisms of *Red Channels* quoted a letter received from William L. Green, AFL president. He mentioned the letter on the Tex and Jinx radio program on NBC, September 6, 1950, and again in attempting to refute a statement by John Crosby, the radio columnist, that "They [the publishers of *Counterattack*] are endorsed by no one of well-established repute."

According to Kirkpatrick, the Green letter declared, ". . . I think you are doing a very instructive work in making available information as to who are members of the Communist Party and who are Party followers, together with their records. I wish you every success."

However, on October 5, 1950, Green wrote an official of an AFL local who had asked about the purported endorsement, "I sent Mr. Alfred Monet, who described himself as the director of *Counterattack* [actually, Monet is a member of a public relations firm at one time retained by ABC-M. M.], a letter commending him upon the fight he is making against Communism. . . . However, in commending Mr. Monet upon his fight against Communism, no endorsement was given to a booklet or book of

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any kind. I know nothing about any book which Mr. Monet or any of his associates has published. . . . Consequently, my endorsement of Mr. Monet's fight against Communism could not be accepted or interpreted as approval or endorsement of any book published by Mr. Monet or Mr. Kirkpatrick."

Although Mr. Green's more recent letter has been made available to American Business Consultants, it has not as of this writing been publicized by Mr. Kirkpatrick or printed in *Counter-attack*.

Two other letters were mentioned by Kirkpatrick in answer to the Crosby charge that ABC lacked reputable support. One, from Dr. Emerson P. Schmidt of the U. S. Chamber of Commerce, called the publication "an indispensable source of knowledge and understanding for anyone who wants to keep abreast of Communist policy, strategy, and tactics." The other, from Major General C. A. Willoughby, former head of General Douglas MacArthur's intelligence staff, declared, ". . . Your paper contains many interesting and instructional items pertinent to the general intelligence field, and it is circulated in all our sections."

So far as is known, neither of the latter two letters has been repudiated by its author.

AMERICAN BUSINESS CONSULTANTS AS AN "INVESTIGATOR"

THEODORE C. KIRKPATRICK

"We work very much like a doctor. If a company wants information, we charge a fee and have a fixed rate, but if someone comes along who cannot afford a fee, we do not turn him down."

NATIONAL BETTER BUSINESS BUREAU, INC., AUGUST 10, 1951

"In addition to publishing the weekly newsletter, the firm [ABC] provides information on subversive activities to newspapers, periodicals, radio, and other public opinion media, and offers to business firms, research services on subversive activities on a fee basis. These services include screening of personnel; investigation of organizations, unions, etc., as to Communist infiltration, if any; and preparation of documentary brochures showing Communist affiliations of organizations and individuals."

JACK TURCOTT OF THE NEW YORK *Daily News*, ON REPORTERS' ROUNDUP, SEPTEMBER 14, 1951

QUESTION: ". . . I understand that you and your associates do on occasion investigate the employees of a given employer to find leftist sympathizers and so on among his employees. Is that correct?"

KIRKPATRICK

ANSWER: Not investigate. *On some occasions an employer has come to us* [emphasis mine—M.M.] and asked us to check our files to see what is in the files regarding certain individuals. Sometimes certain organizations—perhaps an organization will ask a subscriber to *Counterattack* for a contribution and the employer, the subscriber, may want to know whether that organization is a Communist front or not. And he may come to us for a report as to whether it is.

TURCOTT

QUESTION: I see. You don't solicit that sort of business from employers or companies, to report on their employees?

ANSWER: We have, yes.

QUESTION: And you were paid for these things?

ANSWER: Yes.

An account executive in one of the three largest advertising agencies, whose statement cannot, for obvious reasons, be attributed, has this to say:

"This is the way they work their so-called 'investigations.' I'll get a call from Ted Kirkpatrick, and he'll say, 'Don't you people have the XYZ show?' I'll say, 'Yes,' and then he'll say, 'Do you know there's an actor on that show named Jones who's a Communist sympathizer?'"

"I'll say, 'I don't know a damn thing about it.' And Kirkpatrick will then say something like, 'You might be interested to know that in 1948 Jones was a member of the Joint Anti-Fascist Refugee Committee; furthermore, he marched in the May Day Parade last year.'"

"I'll say, 'Okay, thanks a lot,' and then I'll do a little checking, and I'll find out there is a guy named Jones who says two lines

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for the XYZ show but that he's hired by the packager, the John Doe people.

"And so there's nothing we could do about Jones, even if we wanted to. . . . I will then call Kirkpatrick and point this out, and, since I'm the kind of guy I am, also point out that we just can't investigate everybody who works on our shows and, furthermore, that we're not a government agency but an advertising agency and that it's the business of the government to take any action against Jones, if any action is necessary. . . . Kirkpatrick will then say something like, 'But we're set up to do that kind of research for you,' and I'll say, 'No, thanks.' I'll say thanks very much but no. Then he'll say, 'Well, if that's the way you feel about it, all right,' and hang up.

"At least twice it's happened that a couple of weeks later the XYZ show and Jones will be called names (you know what) in *Counterattack*, and, a few days later, Kirkpatrick will call me again and say something like he's sorry about what happened in the newsletter but that, of course, he has nothing to do with editing it, and he didn't even know Jones's name was going to appear. And at least once he added, 'It's a funny thing, but some agencies always seem to have this kind of trouble, and some never do.'

"I get mad then, and I say, 'Just what the hell do you mean by that?' And he says, 'Oh, nothing,' and I say, 'If you mean we haven't retained you boys, you're right, and we never will, as long as I'm around anyway, and if the agency ever does, I'll quit.

"'Furthermore,' I'll say, 'if you've got any charges to make against this agency, let's hear them.' Then he'll back down and say, no, he's got nothing specific in mind, and that's the end of it, from my end anyway.

"Except as a result of what is said in *Counterattack*, the sponsor probably gets a dozen or so letters from fanatics attacking Jones and attacking him for hiring Jones and threatening not to buy any more of the product. Result, Jones doesn't do any more walk-ons on the XYZ show, or maybe any place else.

"A couple of times, too, after the blast, Kirkpatrick or one of

his boys has gone directly to the sponsor and tried to sell him either the investigative service or maybe some subscriptions to *Counterattack*. The last time I know about they tried it with —— [the name of a large oil firm]. It didn't work there, but I suppose it often does."

THEODORE C. KIRKPATRICK

". . . Under no circumstances have we ever even thought of trying to coerce anyone into using the service."

As can be seen, what American Business Consultants refers to as the firm's "research facilities" ("investigation" is a word its officers assiduously avoid in this connection) have, from the beginning, aroused considerable controversy.

However, the research activities have provided a third of the group's income, "maybe more, maybe less"; what's more, "The fees run up into several thousands of dollars."

American Business Consultants does not have access to the files of the Federal Bureau of Investigation; it receives no cooperation from that agency; in fact J. Edgar Hoover, director of the FBI, whose unsigned picture is hung in ABC's suite of offices, is known to disapprove of its activities. A spokesman for Lou Nichols, Mr. Hoover's assistant, told *Sponsor* magazine, "We are aware of the activities of the publishers of *Red Channels* and *Counterattack*, but since they are private citizens, we have no legal control over their practices. Individuals who have severed their relations with the FBI in no way possess our indorsement or stamp of approval. Certainly, all the information in the files of the FBI is confidential, available only to those Government officials so authorized to examine it."

In a speech before the American Bar Association in September 1950, J. Howard McGrath, the Attorney General, declared, "We appear to be going through a period of public hysteria, in which many varieties of self-appointed policemen and alleged guardians of Americanism would have us fight subversion by . . . stigmatizing as disloyal all those who disagree with or oppose them. This hysteria appears in vigilante groups, who decree . . . beatings of purported Communist sympathizers; or, who, in more

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polite circles, intimidate radio advertisers into silencing performers who they say have Communist leanings."

Kirkpatrick and Keenan admit that they receive no co-operation from the FBI. Moreover, in at least one instance a salesman for the "research" services so emphatically emphasized the one-time FBI associations of his employers that the New York office of the Federal Bureau of Investigation called in Kirkpatrick for a "conference" on the matter. That salesman, Kirkpatrick says, is no longer with the firm.

Nevertheless, the sales technique used by some of the group's employees still plays up the FBI theme.

"He didn't exactly say Keenan and Kirkpatrick still get a look at the FBI files," one employer who was recently interviewed by an ABC salesman reported, "but he had a moth-eaten letter which pointed up their former association, and his whole approach was the 'fear technique,' implying that the firm might get in a lot of trouble if we didn't have an investigation made of our people or, at the very least, take several subscriptions to *Counterattack*."

In its promotional literature the firm also relies on the former FBI association. "Ex-FBI Agents Expose Communists," the headline on one such folder declares, and it includes a circled statement from a column by Walter Winchell: "*Counterattack* (an anti-Communist newsletter) is edited by former G-men who have names and other data at their fingertips."

Besides the criticism of sales techniques and the repeated emphasis on the FBI theme, some clients using ABC facilities feel that often considerably more is promised than is produced; more important, many observers see a serious conflict (ethically at least) between the two major activities of the firm, the publication of *Counterattack* and the "research" work performed for a fee.

Although this reporter was unable to obtain a list of the firms which, at one time or another, have used such services, ABC employees have in talks to prospective customers mentioned an impressive list of clients. These, the salesmen have said, include such substantial corporations as General Motors, Du Pont, F. W. Woolworth, Metropolitan Life Insurance Co., R. J. Reynolds Tobacco Co., and Bendix Aviation.

For whatever the fee, ABC's clients receive, according to Kirkpatrick, "whatever facts we have in our files; without any interpretation and without any consideration whatsoever as to what would be published in *Counterattack*."

On the other hand, the managing editor of one New York newspaper which hired ABC has this to say: "We were led to believe we'd be getting some 'inside dope' on a certain Commie reverend we were gunning for. What we got was beautifully typed, triple-spaced, I think, on bond paper and bound in blue, but it consisted of a lot of excerpts from stories about the reverend from other publications, a couple of references to him made before the House Un-American Activities Committee, photostats of a dozen or so letterheads of front organizations that used his name, and, I believe, the fact that he'd been called a Commie before the Tenney Committee in California plus some stuff taken from the Congressional Record. There wasn't a thing we didn't already have in our morgue or, for that matter, hadn't already published ourselves, but the whole thing cost us \$500."

As for a possible conflict between the two branches of ABC, one major example dates back to February 1950. At that time Thomas A. Brady visited the Hutchins advertising agency, which handles, among others, the Philco radio account. Brady, according to a Hutchins official, opened his conversation by saying he wanted to protest against the employment of a well-known radio actress on the Philco show. The actress was, Brady declared, "a Commie"; what's more, he said, if she continued to appear on the program, there would undoubtedly be widespread public protests, all of which, he felt, would be detrimental both to the Hutchins agency and to Philco.

The agency official says that Brady added that, as a member of a firm whose whole purpose was fighting the Communists, he realized the difficulty of keeping track of the political activities of performers, writers, directors, and, for that matter, even of network and advertising agency employees. And that was the reason ABC was in business. For a fee, he is said to have declared, American Business Consultants could and would provide the

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agency with a dossier on any "questionable personalities." Thus trouble could be avoided in the future.

The fee, he is reported as adding, would be \$1000, which would include a subscription to *Counterattack*.

The Hutchins agency declined the offer.

Approximately three weeks later *Counterattack* carried an item attacking the Philco program, calling the actress in question a "fellow traveler" and urging its readers to protest her appearance on the show. This particular item was headlined, "Philco Does It Again."

Following the attack in the newsletter, a handful of protests were received by the sponsors mainly from Queens, as was true in the Jean Muir incident.

Nevertheless, the agency still did not accept ABC's proposal.

The officers of American Business Consultants have never denied the substance of the story. Bierly explained that, at the time, "Tom Brady was not otherwise productively occupied, and we had research facilities here that were capable of servicing more people. . . . The overhead was high, and as a business proposition, we felt it would be well to assign Brady to developing new business for the research end of it—which we regarded—and I still do regard—as a very routine business operation."

According to Kirkpatrick, however, there was no connection between Brady's visit to the Hutchins agency and the subsequent attack on the Philco program in the newsletter.

"Sam Horn phoned me as soon as he had seen this particular copy [of George Seldes' now defunct *In Fact*, where the story was originally published] and stated at that time—and I know it was true—that that was the first time he had ever known anyone had been over talking with the Hutchins agency."

Although at least once, in the issue of September 13, 1950, Kirkpatrick is referred to in *Counterattack* as "its managing editor," the secretary-treasurer of American Business Consultants now claims that the complete responsibility for stories appearing in the newsletter rests with the editor. ". . . We very seldom interfere . . . except to go over it from the standpoint of libel, accuracy, and clarity."

QUESTION: Do you have a story conference or a copy conference each week to go over generally the content of the publication, or is the final draft before it is printed given to you by the editor who says, "This is the contents for the week"?

KIRKPATRICK: He presents us the copy.

QUESTION: In other words, you don't discuss in advance what should go in or what shouldn't go in.

KIRKPATRICK: On rare occasions he [the editor] might discuss with us earlier in the week a story he may have in mind, and ask our opinion as to whether we think it might be desirable to use [it] rather than some other story, but that is about the extent of it.

Thus, Kirkpatrick says, there could be no conflict between the two operations. "The thought never occurred to me that there could be any inferences or innuendoes about the reporting on one hand and carrying stories in *Counterattack* on the other. It didn't occur to me actually until the Hutchins thing came up, but fortunately, we have kept the two separate, not with any anticipation in advance, at least on my part, that that issue might ever come up; it is just fortunate that we kept the two separate."

However, in another reference to the rather unusual division of responsibility in the firm, Kirkpatrick was asked, "If after Agency X had been mentioned in *Counterattack* and the president of the agency called up the next week or next month, or within the next few days, and said, 'Will you do an investigation for us?' would the fact that Agency X had been mentioned in the publication deter you or affect your decision in any way?"

KIRKPATRICK: No, but we would say very emphatically that under no circumstances would that work have any affect whatsoever on the editorial policy of *Counterattack*. As a practical matter, we would more quickly criticize someone if we knew that he had the facts than we would criticize someone who, we might feel, didn't have the facts.

QUESTION: When you are working on the one hand with ABC [as a private "research" organization] and with *Counterattack* and *Red Channels* on the other, I just wonder if in your own mind any conflict ever arises.

AFTER THE FBI, WHAT?

KIRKPATRICK: Certainly not in mine. I think the situation is rather comparable to that of a newspaper. Take a specific example: approximately two weeks before the Jean Muir incident a representative of the *New York Times* came to me to try to sell us on the idea of advertising *Red Channels* in the *Times*. He was from the advertising department. Subsequently, when Jack Gould's stories and editorials appeared in the *Times*, which were quite uncomplimentary to us, at least critical—under no circumstances did any of us conclude that that had anything whatsoever to do with the fact that we refused to place an ad for *Red Channels* in the newspaper, because we consider the people who run the *Times* entirely honest and persons of the utmost integrity. I think a situation of this type has to be viewed on that basis. In other words, what are our intentions?

On the other hand, Kirkpatrick now feels that, "Since all these developments have occurred, I can look back and see instances, had we been unethical and dishonest, where many things could have been done that would have been tremendously open to criticism."

An editor of *Sponsor* magazine has written, "Whether intentional or not, the organization is in the position of hanging a double-edged sword over the head of broadcast advertisers. It serves at one and the same time as disturber of the peace, prosecuting attorney, judge, jury, and detective agency. That is to say, it publishes allegations in *Red Channels*; then follows them up by urging letter-writers to put pressure on sponsors in *Counter-attack*; later holds hearings on the accused in its private offices; and personally solicits sponsors to hire its detective agency 'research service.'"

Nevertheless, the two branches of the business continue to operate side by side.

Sometimes the research jobs take only a few hours—or even minutes, ". . . just a check to see if the Anti-Defamation League (of course, we don't have to check that) is a Communist front or whether the Peace Information Center is a Communist front." At other times the assignments take several months, such as when the firm "had a request to determine the extent of financial aid

that foundations had given to Communist causes or Communist organizations.”

And, while most of the work is for a fee, “gratuitous information” is also sometimes offered. There was, for example, the occasion when Kirkpatrick talked to an officer of a union in the entertainment field concerning the union’s attorney. “We found in our file a tremendous amount of information on him going back to certainly the early thirties; and in view of the fact that it seemed quite possible that sooner or later we might mention him [the attorney] . . . I got the idea that perhaps we should ask an officer of the union whether they knew about [the attorney’s] background.”

However, the attempt was not a success. The conversation took place not long before the union’s election, and the union official was, Kirkpatrick recalls, “almost hostile. . . . Immediately he started thinking of some ulterior motives. I think probably we [Kirkpatrick and a friend] spent an hour and a half to two hours with him. I could probably have been using that time to much better advantage . . . but that is just the way I felt, that my conscience wouldn’t be clear if we here did run a story—and we subsequently did—if I had any idea that the key officers of the [union] weren’t familiar with it.”

Some time later, without benefit of ABC’s information, the union attorney’s contract was allowed to lapse.

Whether or not because of this perhaps disillusioning experience, Kirkpatrick did not in the case of the 151 persons listed in *Red Channels* feel it necessary to warn them of the forthcoming publication of their names.

4 . THE

BIRTH OF A "BIBLE"

JOHN G. KEENAN, IN AN INTERVIEW WITH THE INVESTIGATOR

" . . . After the hullabaloo of *Red Channels* and the Korean War following after that and all this hodgepodge and mess, we felt that we had laid an egg that was a bombshell. . . ."

Counterattack

" . . . The publication of *Red Channels* has already served a very useful purpose."

In the spring of 1950 the three former FBI men who publish *Counterattack* were searching for a crusade. The newsletter, in addition to the usual four single-spaced pages issued weekly, had, on occasion, included a "special report" to its subscribers. There was one in 1948 on the alleged Communist affiliations of leaders in Henry A. Wallace's Progressive ("Commugressive" in *Counterattack*) Party campaign for the presidency; another concerned itself with a detailed and generally favorable analysis of the Mundt-Nixon "Communist-control" bill.

But what next? According to Bierly, it had, early in 1950, "been quite some time since we had any sort of a special report at all. Most of our subscribers had come to expect these occasional things; and we were wondering what perhaps might be desirable or timely."

However, the subject matter had to be very carefully chosen. American Business Consultants had already had one unfortunate experience in working on such a report.

"At one time," Bierly says, "we were interested in getting out a special report on the degree of Communist influence in the American Newspaper Guild. That was about a year or two ago. At that time the most substantial and practically the sole [Communist] influence was in the New York chapter of the guild.

"After we spent considerable effort in our research developing a broad perspective of that, the New York Guild was suddenly won by the right wing, and it knocked that out completely."

Obviously, then, the new "special report" could not be on an organization in which, without the help of ABC, the membership might solve its own political problems.

And so, "after a good deal of soul-searching and thought," the three publishers turned to a subject on which it seemed to them unlikely that there would be much immediate change.

"We had been mentioning [in *Counterattack*] quite frequently various phases of radio and television," Bierly declares. "We found there was quite a good deal of interest in it, and that was the principal reason we felt that it might be a good idea to publish a special report on radio and television.

"Also, it would be fair, I think, to say that we discovered . . . that there was an actual list circulating around the industry . . . which we had absolutely nothing to do with and which seemed to us tremendously unfair if anyone were actually taking it seriously. . . . [This was the mysterious and anonymously prepared list of "undesirables" mentioned in the Introduction.]

"From a combination of these things we felt it might be good to come out with something documented and do it publicly, lay it on the line and sell it over the counter to try to *clear the air* [emphasis mine—M. M]."

Thus, on June 22, 1950, *Counterattack* issued what was by far its most ambitious project to date, a 213-page booklet subtitled *The Report of Communist Influence in Radio and Television*.

The booklet, the cover of which graphically pictured a grasping red hand reaching for a microphone, contained the names of 151

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of many of the most prominent people in the entertainment industry, most of whom had some connection with radio and television. Many of the listings overlap, but there were 44 writers, 28 musicians, 18 directors, 11 commentators, 3 announcers, and 68 actors. In addition there were a music critic, a lawyer, and an accountant whose connection with the industry is slight.

Together with each name was a list of organizations to which the individual concerned was "reported as" belonging—or having once belonged. Individual lists varied greatly in length. One writer was "reported as" having belonged to 41; an actor had only one listing; many had two, some three, the majority about half a dozen.

So far as time was concerned, the listings also varied greatly. Twenty of the organizations listed had been defunct since the late 1930s; at least one, Artists' Front to Win the War, had existed for only one meeting during the Second World War. One actor's most recent listing was 1938; many had no listing after 1941; a sizable minority, none after 1945.

In the introduction, written by a former television "supervisor" at the Phillips Lord agency, Vincent Hartnett, who now calls himself a "package producer," it was pointed out that not all of those whose names followed were "party members or even deliberate collaborators." That, Hartnett wrote, did not matter. "It is sufficient if they advance Communist objectives with complete unconsciousness."

Moreover, the book made no attempt to differentiate between what Kirkpatrick was later to call "the dupers and the duped." Such a distinction, Kenneth Bierly then believed, couldn't be made anyway. "It was immaterial whether they [the 151] were Communists, entirely immaterial to what we were trying to do. It had no bearing on whether they were Communists. *In the first place, we don't know who is a Communist. In the second place, we couldn't find out if we had asked them who were anti-Communists and who were pro-Communists* [emphasis mine—M. M.]"

And so, conscious and unconscious co-operators, dupers and duped, anti-Communists and pro-Communists, 151 names were listed in *Red Channels*. The booklet was sent, free of charge, to

all of the nearly 4000 subscribers to *Counterattack*, and it was sold on newsstands, mainly in Manhattan, and in some bookstores (others refused to handle it) for one dollar a copy. Keenan has since regretted the price. He has said, "We made a mistake in charging only a dollar. . . . We didn't think there'd be such a hefty demand for it. We should have charged two bucks a copy. Now we're smarter than we were then."

Nevertheless, within a week *Red Channels* had more than lived up to the ebullient prediction made by Ed Sullivan, television master of ceremonies and columnist for the New York *Daily News*, who, twenty-four hours before the booklet was issued, had written, "A bombshell¹ will be dropped into the offices of radio-TV networks, advertising agencies and sponsors, this week, with the publication of *Red Channels*."

The impact of the "bombshell" was considerably enhanced by the beginning of the Korean War, which eventually involved tens of thousands of American soldiers, the radio and television industry, perhaps to a greater degree than any other, became acutely aware of the "Communist problem"—both from a public relations and from a security standpoint.

Thus, although many executives in the industry disliked the methods by which *Red Channels* was produced and both distrusted and feared its effects, the majority of them felt they could not ignore it. As one producer has said, "I've got a copy in my desk drawer, and, when I'm thinking about who to use for a show, I find myself taking a look every once in a while. I'm ashamed of myself, but I just can't seem to help it. I guess it's the times. Nobody ever paid much attention to that Mrs. Dilling book. What was it called?"

In that it concentrated on one industry, *Red Channels* was unique; however, the booklet did have at least one famous predecessor—Elizabeth (Mrs. Albert W.) Dilling's *The Red Network, A Who's Who and Handbook of Radicalism for Patriots*.

¹As will be seen (Chapter 5), more than a year later "the bombshell" also was dropped into the lap of Mr. Sullivan's own television show, *Toast of the Town*.

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Sixteen years earlier, in 1934, Mrs. Dilling's book, which she, like American Business Consultants, had brought out herself, had also created a considerable stir. Within nine months after publication it had gone into four printings. However, Mrs. Dilling, usually a remarkably talkative woman, never divulged the exact number of copies sold—or given away. She did admit that there had been a large free distribution of "this most important book ever issued in this country."

In the more than 350 closely printed pages of *The Red Network*, Mrs. Dilling listed (the technique was very similar to that later used in *Red Channels*) "More than 460 Communist, Anarchist, Socialist, I.W.W. or Radical-Pacifist controlled or infiltrated organizations" plus the names of 1300 persons "who are or have been members of Communist, Anarchist, Socialist, I.W.W. or Pacifist-controlled organizations and who, through these memberships, knowingly or unknowingly, have contributed in some measure to one or more phases of the Red movement in the United States."

Although the present-day House Committee on Un-American Activities and the California Tenney Committee were non-existent at the time, Mrs. Dilling's book was also assembled in approximately the same way as *Red Channels*. She wrote that her information came "principally from the official literature and letterheads of the organizations mentioned . . . from the Report of the Joint Legislative Committee of the State of New York Investigating Seditious Activities (called the Lusk Report) based upon documentary evidence; from U.S. Report 2290 of the Special Committee to Investigate Communist Activities in the United States, headed by the Hon. Hamilton Fish . . . and from other reliable sources (mainly private organizations). . . ."

However, unlike *Red Channels*, Mrs. Dilling's book was international in scope. It listed, among other world figures, not all of whom were alive, J. Ramsay MacDonald, Bertrand Russell, Sigmund Freud, Mahatma Gandhi, and, of course, Karl Marx. Among the Americans named were William C. Bullitt, Harry Emerson Fosdick, Robert M. Hutchins, Senator George W. Norris, and William Allen White. Many readers felt that Mrs. Dilling had

deliberately chosen a suspiciously large number of Jewish names.

Again like *Red Channels*, Mrs. Dilling's book did not call for any special action against the listees. She simply concluded her dedication to the "Professional Patriots" by declaring: "May 'professional patriots' increase and multiply; may they cease to be lonely voices crying in the wilderness; may their members and activities grow strong enough to avert now threatening Socialism or Fascism, and to prescribe for America, Christianity, the American Constitution, and American liberty."

At the time few people took Mrs. Dilling's book very seriously. Certainly there is no record of anyone losing his job because his name was listed—but the year, of course, was 1934, not 1952.

A CONSIDERATION OF TIME AND MOTIVE

EDMOND TAYLOR IN *Richer by Asia*

"All things have very different meanings, depending upon the meaning you want to put upon them."

LYLE STUART, FREE-LANCE WRITER ON A RADIO PROGRAM ON RADIO STATION WINS

"Here is the text of a telegram sent to the Council of American-Soviet Friendship [during the war years] . . . Would you consider the sending that telegram a subversive act?"

VINCENT HARTNETT, AUTHOR OF THE INTRODUCTION TO *Red Channels*
"Of course I would."

STUART: "The man who sent it is Dwight David Eisenhower."

[The above quotations are paraphrased since a recording of the broadcast was not available at the time this portion of the report was written.]

ALAN BARTH IN *The Loyalty of Free Men*, VIKING PRESS, 1950

"It is a mistake to suppose that any body of men can measure the good faith of a group committed to political purposes in the way that the Federal Trade Commission can, for example, measure the purity of a patent medicine. There are no objective standards for the measurement of motive. Purity of political purpose can be tested only in the competition of the market."

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Red Channels ignores history; it pays no attention to time; it does not consider the intellectual history of the liberal movement in the United States; it does not consider the possibility that a man who in the thirties or during and after the recent war (or, for that matter, yesterday afternoon) both joined so-called front organizations and supported the Soviet Union may today be a vehement and outspoken enemy of the Communists, domestic and international.

There is in none of the 213 pages of the "report" any recognition of the fact that, as one listee put it, "I joined those organizations because they *said* they stood for the things I'm for and *seemed* to be fighting the things I'm against."

According to a radio writer cited in *Red Channels* (incidentally one whose income has decreased by a third since the booklet was published), "Those fellows seem to judge, if I can use that word in referring to their methods, what an organization was in the thirties by what it might have become in the forties or today. . . . I joined the outfits they list [two committees protesting Japanese aggression, one concerned with the Spanish War, another an American anti-Nazi organization] because I believed in them. And, under the same circumstances, I'd do it all over again."

However, in *Red Channels* the man who in 1939 signed an "Open Letter for Closer Cooperation with the Soviet Union" or a petition condemning Nazi atrocities is listed side by side with the one who in 1949 signed a petition protesting the "prosecution of Communist Party leaders"—not that the latter is necessarily a Communist or even a Communist sympathizer.

Since its editors paid no attention to the time factor, neither did most of the readers of *Red Channels*, including, unhappily, most network and advertising executives.

Thus the extensive quotations that follow seem to the investigator a necessary part of this report.

The first quotation is from a letter by a renowned screen writer listed in *Red Channels*. At the time this letter was written he had seemingly been unaffected (financially anyway) by his appearance in the "report." He states:

"During the decade 1930-40 when, to my mind, any young man

who was not a sympathetic student of Marxism was not quite alive, I participated in many groups that were both pro-CP and anti-CP. . . . I did (as charged in *Red Channels*) write about a dozen play reviews for the *Daily Worker*, *New Masses*, and *Sunday Worker* but stopped writing for any of them because of an attempt to politicalize my reviews. . . . The decade was summed up by me and for me in my novel [title and publisher and date of publication], which was viciously reviewed in the *New Masses*, *Daily Worker* and *Sunday Worker* as a slanderous attack on the Communist Party. . . .

"For myself, I am proud to have participated in a small way in the American and world experience of the Thirties, the enormous energy released, some of it misdirected, some of it evilly used, some of it pouring itself out in sterility, but all nonetheless an intricate part of our times. One cannot deal with such a thing as *Red Channels* statistically, in terms of accuracy even. This requires a study in depth. If the most articulate of those listed could join together in a defiant affirmation of all that was good and right in our past, such evil as *Red Channels* would be shaken to its roots.

"It thrives on fear and the evocation of a 'shame' that was not anything of the kind. Such a joint undertaking could well be dedicated not to the God that failed but to the dream for a better America which most of the so-called fellow travelers of the Thirties devoted themselves to. . . . And with such a defiance the whole truth of that decade as it really was should be set down."

The excerpts that follow are from a letter to one of his employers by a well-known screen-radio-television writer who, again unlike many of the others in *Red Channels*, is still regularly employed. His letter expresses the feelings of the majority of those interviewed; it was written when he was asked "to explain why I am in *Red Channels*":

"My first reaction on learning I was listed in the volume was one of anger. I resented both the action taken and the method of taking it—this not alone because I, personally, was affected. My resentment was against the whole idea of any private, non-

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governmental and non-official organization appropriating unto itself the dual role of prosecutor and judge to conduct a kind of trial-without-jury in which no evidence for the defense is asked for or presented. . . .

". . . With respect to my membership in organizations which *Red Channels* has listed as 'subversive' or 'front' groups:

"Why did I join or become associated with such organizations? For a very simple reason. I had served for three and a half years in the Army, contributing my efforts to the winning of a coalition war in which different political systems and philosophies worked side by side to insure a victory. After the war I sincerely believed it was also possible to achieve a coalition peace. If you will, I took the doctrine of 'One World' literally and, while I was well aware that within these organizations there were individuals whose basic political ideas were far left of my own, I thought our prime immediate objectives were generally the same and that a better democratic America could be assured by unity of effort. Within those organizations I stood for the principles of true liberalism as I saw them—finding myself often at odds with both extremes of ideology within the groups. (This is a point which, I believe, is all too often overlooked by those who label these organizations as rubber stamp machines operated from the offices of the *Daily Worker* if not directly from Moscow. The truth is that there were broad differences of opinion—on issues, on candidates, and on a great number of subjects which came under discussion.)

"During the year 1947, as you undoubtedly know, there was a definite split in the ranks of American liberals on the issue of Communism. There were those who held—that no liberal political organization in this country could function with maximum effectiveness which included Communists in its membership because the hard core of Marxist philosophy held even by a small minority was almost certain to affect, eventually, the policy of the entire organization—not necessarily dominating it, as is so frequently charged, but limiting and in some cases weakening it. Others contended that as long as the Communist Party was legal in this country and inasmuch as the organizations were non-partisan

. . . it was contrary to the spirit of real democracy to eliminate any individual on party affiliation grounds. At first I was inclined to go along with the latter view. Along with a great many other liberals whose loyalty is also beyond question I still defended the coalition principle.

“And then—I am not certain of the exact date except that it was during 1947—I changed that opinion. There was increasing evidence in many parts of the world that the coalition principle was *not* working. And, finally, the collapse of the free government of Czechoslovakia (which to my way of thinking had been the last, best testing ground of the coalition principle) was for me the *coup de grâce*. If I had had doubts before, now I knew certainly. And since that time—approximately three years ago—I have belonged to no political organization or group save one, which by its constitution and membership pledge automatically excludes anyone who espouses totalitarianism of any sort, Communist or Fascist.

“At this point, I want to re-emphasize the time element in this whole matter, because I believe it to be one of the basic fallacies of the *Red Channels* listing that there was a failure to re-assess the judgment of individuals in respect to the changing times. To say that a man defended the coalition principle three years ago is certainly vastly different from saying that he defends it now. (Not, I submit, that a man is necessarily subversive if he does defend it now. Personally, I think he is wrong, misguided and unwise, but to be mistaken is not necessarily to be a traitor to one's country.) . . . The facts are that since 1947 I have not been active in any of the organizations listed.

“There comes the question of whether, as *Red Channels* implies, many liberals like myself who belonged to organizations now accused were ‘misguided dupes.’ The answer, of course, is one of opinion. Actually, in 1946 the declared fundamental objectives of these organizations were basically those domestic and international policies which had been laid down by Franklin Roosevelt, and most of us, I am sure, joined in the belief that we could thus best work together to carry on those principles. I further believe that the reason we later had to leave those or-

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ganizations, as so many of us did in '47 and '48, was because the organizations departed from those original principles and, with the changing international tides of those years, went further to the left than Roosevelt, were he alive, would ever have gone. To put it another way, I don't think we liberals left them; the organizations left us.

"I most certainly do not deny—and have never denied—belonging to organizations in 1946 and 1947 in which there were individuals of very leftist persuasion. Though I was never certain of it at the time it is now evident that some of them were Communists. They were, however, definitely in the minority in such groups and I know of no action taken by any organization while I was a member which was subversive or treasonable in nature.

"And finally, in the overall judgment of this matter, I submit that ultimately a man must be judged by his works. To anyone who shall speak a word of doubt I suggest you refer him to a considerable number of the several hundred scripts which I have turned out in the past fifteen years. . . . The truth is he'll find some 'propaganda' there. . . . For instance, he'll find propaganda for 'Divine Faith' in the several programs I wrote for —; he'll find propaganda for such things as recognizing the dignity of teaching and nursing as professions and of the need to devote new energies to further the work of such organizations as the Community Chest, YMCA, Red Cross, the Sister Kenny Foundation, to name but a few; he'll find a kind of propaganda for many things basically American woven into the fabric of works written primarily for entertainment. The one thing he won't find is anything designed to destroy faith in this nation or its government. There's a very simple reason for that. I don't think this is the best of all possible worlds, but I *do* think it's the best hope of one."

SOME EXAMPLES OF ANTI-COMMUNIST STATEMENTS AND ACTIVITIES OF RED CHANNELS LISTEES

GYPSY ROSE LEE

"If a man (or woman) is to be judged by the company he keeps, he should be judged by *all* the company he keeps."

In the introduction to *Red Channels* the publishers promise that "Where an anti-Communist action or condemnation of Communism has been made by an individual mentioned in the following report, and known to the publishers, it has been noted in the text."

The key words in that sentence are, "and known to the publishers."

As will be seen, a great many such activities by listees were not known to the publishers—possibly because they made no real effort to find out.

For example, entirely aside from the accuracy of Gypsy Rose Lee's² listing, each item of which she has challenged, there is no mention of the fact that she played a benefit for France at the Waldorf-Astoria during the time of the Non-Aggression Pact and took part in a benefit for Finland when that nation was being attacked by Russia; she participated in four benefits for Bundles for Britain, also during the time of the Non-Aggression Pact. No Communist, Communist sympathizer, or fellow traveler is likely to have been involved in any of these activities, and Miss Lee has a record of many other clear "anti-Communist actions," but none is mentioned in *Red Channels*.

Nevertheless, Miss Lee who, until the appearance of *Red Channels*, made guest appearances on radio or television or both as often as two or three times a week has, as this is written, very

*The conservative *Post-Star* of Glens Falls, New York, had this to say about the listing of the versatile dancer-wit-writer: "*Red Channels*' evidence against Miss Lee consists of four items: in 1941, she was reported in a book by Eugene Lyons to have spoken before the Hollywood Anti-Nazi League. There was no report of what she said. Last March [1950], the Communist *Daily Worker* reported her attendance at a dinner of the Anti-Fascist Refugee Committee. Also in March [1950], the *New York Compass*, a leftwing newspaper, listed her as an entertainer at a carnival stage by the Council of Arts, Sciences and Professions. Miss Lee denies attending. The final item, in the *Worker*, said she attended a book auction by the League of American Writers-International Labor Defense in 1942.

"Thus two of the charges are eight and nine years old; two are reported in the *Daily Worker*, whose reputation for truth is on a par with *Pravda*; and all are based on unsubstantiated information. If we have reached the point where our citizens can be indicted out of the hands of the *Daily Worker*, American Communists should have a field day."

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little work in either field. Her program, *What Makes You Tick?*, is, at the moment, no longer being broadcast.

Tom Glazer, a well-known folk singer who is also listed in *Red Channels*, has said that in a personal interview with Kirkpatrick the singer pointed out that, among other anti-Communist activities, none of which is mentioned in the booklet, he had: (a) participated in the successful fight to halt Communist infiltration into the American Veterans Committee; (b) been one of the early members of the liberal, anti-Communist Americans for Democratic Action; (c) appeared at many ADA rallies; (d) in 1948, when every fellow-traveling stalwart was drafted into service for Henry Wallace, had performed extensively through New York for the Democratic State Committee and was on record as a supporter of Harry Truman's candidacy; and (e) had made several contributions to the International Rescue Committee, which aids those who have escaped from Communist-dominated countries.

However, according to Glazer, Kirkpatrick was apparently not much impressed with his record. The former FBI man asked only one question. "Can you," he wanted to know, "tell me about any arguments you've had with Communists?" Glazer couldn't think of any.

A few months later the folk singer submitted a written statement to American Business Consultants, and *Counterattack* then carried an item headed, "Folk Singer Tom Glazer Says He Is Anti-Communist." The paragraph quoted Glazer as stating, "I am unalterably opposed to Communist tyranny or any other kind of tyranny or dictatorship, wherever it exists in any country, organization, industry, or union."

At the moment, however, the number of Mr. Glazer's radio and television appearances, which dropped sharply after the publication of *Red Channels*, has not increased much.

As has been mentioned, in eight issues of *Counterattack*, from October 1947 until March 1948, Fredric March and his actress wife, Florence Eldridge, were called "Communist." It was not until December 1949, after more than a year of legal battling, that *Counterattack* conceded that, among other political activities of

the Marches, they had, during the time of the Non-Aggression Pact (a crucial period so far as determining Communist sympathies is concerned, though many then Communist supporters have long since changed their minds), contributed an ambulance to Finland, another to France, had been, along with Wendell Willkie, among the founders of the strongly interventionist Fight for Freedom, and had given substantial sums to Bundles for Britain, American Friends of France, and British War Relief.

A network news commentator has this to say about his *Red Channels* listing and his own anti-Communist activities:

"As a journalist and professional writer, a news correspondent in Moscow, Paris, Vienna, Athens, etc., I have in the past fifteen years sold dozens of articles to numerous American and Canadian magazines of all political complexions. *Red Channels* lists only *New Masses* and *Soviet Russia Today*. It also fails to mention that my two articles in *New Masses* were non-political, although it does say that the two in *Soviet Russia Today* were book reviews.

"*Red Channels* quotes me as casting aspersions on the conduct of the Polk murder trial in Greece. So I did. I cast similar aspersions on the conduct of the Mindzenty and Vogeler trials in Hungary, and on various political trials held in Sofia, Bucharest, Prague, and Warsaw. Yet no mention is made of this, nor does *Red Channels* provide any other quotations from my broadcasts on the Polk trial."

In an appearance before the House Committee on Un-American Activities, Hazel Scott, pianist and singer, put it this way:

"One of these listings [there are nine] is for an appearance—by direction of my employer—an appearance of which I am not ashamed—another was ostensibly a series of benefits for orphaned children. When I found out otherwise, I discontinued such activity. Still another involved the use of my name three years after I had played a benefit. The group later merged with one that developed a bad name. The fourth listing advertised that I was a guest of honor at a dinner I never went to or heard of. . . . I did not support Henry Wallace, and I voted for Harry Truman. Again this well-known position seems not to have interested the pub-

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lishers of *Red Channels*. . . . Anyone who says I played any part in the Civil Rights Congress [*Red Channels* does] is mistaken or a liar. . . . But the document I am about to present may shed some light on this and other false listings. Here, gentlemen, in their own words, is proof of how such groups operate. . . . My husband [Congressman Adam Clayton Powell], more fortunate than I, did find out about his Civil Rights Congress listing . . . by the simple method of opening his mail one morning and reading a notice of the national board's annual meeting. . . . Immediately, he wrote asking what the notice was for, since he had never agreed to any participation with the Congress. . . . I read from the reply sent by the executive secretary [of the Civil Rights Congress], William L. Patterson: '. . . The names of a number of people were presented . . . as members who had not been consulted. You, it seems, were one of them.'

". . . I should like to note in passing that all my life I was a regular worshiper in the Roman Catholic Church, until my marriage in 1945 to a Protestant Minister. Since that time I have been an active Baptist."

Despite the incompleteness of her *Red Channels* listing, shortly after the appearance of ABC's "special report," Miss Scott's program on DuMont television was abruptly dropped. Officially the DuMont action was said to have nothing to do with *Red Channels*: as one official there told this reporter, "It was just that we felt we could more easily sell the time if somebody else was in that spot."

A few months later when Miss Scott was announced for a guest appearance on a network television program, the plan was suddenly changed, allegedly on the demand of the sponsor. According to an official source, when Miss Scott's appearance and statement for the House Committee were pointed out to the sponsor, he said, "She's still listed in that book [*Red Channels*], and we don't want to get involved in any controversy." On the night Miss Scott was to have appeared, the master of ceremonies of the program informed the audience that she was "ill."³

³More recently, however, Miss Scott has been on at least one well-known television show.

The above are only a few of many verifiable examples of clear-cut anti-Communist activity by some of those who have been denounced in *Counterattack* and listed in *Red Channels*.

However, in the booklet itself, of the 151 persons named, only two are credited with such activity—one, Alfred Drake, is listed for “Denial of pro-Communism, New York *World-Telegram*, 2/5/49”; John Garfield is recorded as having stated, “The Marshall Plan is killing Communism in Europe . . . and that’s good. *Sunday Mirror*, 9/25/49.”

When the investigator pointed out the incompleteness of the *Red Channels* listings, Bierly replied, “. . . If we had known about these various things, we would have put them in.”

QUESTION: Did you collect, prior to the publication of *Red Channels* or since, in your research . . . anti-Communist statements of . . . people whom you feel have been anti-Communist?

BIERLY: I would say, yes, but the way we are geared here is on Communist matters, and that is the whole thing. As we are geared to that, *we do not really concentrate on collecting anti-Communist statements as such* [emphasis mine—M. M.].

And in a subsequent interview Bierly said, “We didn’t go out and . . . actively try to find out how many Communist statements they [the *Red Channels* listees] made at cocktail parties, nor how many anti-Communist statements they . . . made at cocktail parties or in business, or *anti-Communist organizations they belonged to, nor did we try to find out whether they were Communist, pro-Communist, Fascist, or what have you. . . .* [emphasis mine—M. M.]”

QUESTION: . . . If you had to do it all over again, would you have tried to give a more rounded picture?

BIERLY: . . . In the light of the experience we have had . . . with the business of *Red Channels* . . . we would be much more alert to developing that type of information . . . to give a more balanced picture.

On the other hand, Keenan said, “Let’s presume for the sake of discussion there were 25 Communists among the 151. Part of their credo is to lie when the occasion demands. So you [if ABC had questioned the 151 listees prior to publishing their names]

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would be printing a bunch of lies. So who could draw a conclusion if they wanted to between those who were telling the truth and those who were lying?"

QUESTION: What about the 125 who may not be Communists?

KEENAN: You couldn't tell the difference.

THE PURPOSE OF *RED CHANNELS*

THEODORE C. KIRKPATRICK, IN A SPEECH BEFORE THE RADIO EXECUTIVES CLUB, OCTOBER 19, 1950

"I don't say you shouldn't hire the performers listed in *Red Channels*. I do say that those who continue to support Communist Party causes since June 23, 1950,⁴ must take the consequences. Anyone who has continued to support a Communist cause since June 23 is just as much . . . an enemy of our country as if he were in Korea passing ammunition to the Communists."

Since not even the publishers of *Red Channels* can distinguish between the "innocent and guilty" as listed in the booklet, or between Communists and non-Communists, it is not surprising that most of the readers were even more confused. What was the purpose of *Red Channels*? What should be done with the list? Should all 151 be discharged, only part (which part?), or none at all?

There is no place to turn for an answer to any of these questions. As for the officials of American Business Consultants, who might be presumed to know, their statements on the subject have varied considerably.

In the introduction to Part II of *Red Channels*, the "Alphabetical Index of Names," three objectives are stated: "One, to show how the Communists have been able to carry out their plan of infiltration of the radio and television industry. Two, to indicate the extent to which many prominent actors and artists have been inveigled to lend their names to organizations espousing Communist causes. *This, regardless of whether they actually believe in, sympathize with, or even recognize the cause advanced.* Three,

⁴June 23 is one day after *Red Channels* was published and two days before the Korean war began; some listeners felt Mr. Kirkpatrick meant to use the latter date.

to discourage artists and writers from naively lending their names to Communist organizations or causes in the future [emphasis mine—M. M.]”

In the September 13, 1950, issue of *Counterattack* it was said that the publishers “hoped that RED CHANNELS, by awakening the American people would lead to the elimination of Communist influence in the sensitive and strategic radio and TV industry. . . .”

But how? On this vital point Messrs. Bierly, Keenan and Kirkpatrick have been discouragingly vague and contradictory.

During one of the interviews with the investigator, Bierly said, “Do we believe that people who are Communists, known Communists . . . should be kept off the air? Our answer is no, so long as the public knows they are Communists. . . . Do we object to people who have been in fronts being on the air? We have pretty well solidified the idea that our objection is based on the fact that it is a fraud on the public not to be aware . . . that individuals taking certain positions on controversial subjects have had certain connections or certain affiliations in the past that would condition what they have to say. . . . [We feel] that it is a fraud not to have these facts made known. . . . Therefore, a person who has been affiliated with front organizations should be identified as such so that there will be no misunderstanding. . . . That would eliminate ninety-nine per cent of the objections to that person appearing. . . .”

QUESTION: You mean where people are giving their own opinions on a talk show.

BIERLY: That is right.

Conversely, however, in the issue of September 13, 1950, the newsletter flatly stated, “It is COUNTERATTACK’s stand that no sponsor of any radio or TV program should have a totalitarian of any kind on the air. Quite a few people with continuing records of pro-Communist activity are still associated with a considerable number of programs. They should be dropped even if they are good money-makers for the sponsor.”

Perhaps *Counterattack* was referring only to actors, who, in the minds of Bierly and Kirkpatrick, fall into a separate category.

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BIERLY: . . . Where a person is taking a dramatic part in which in many cases there is no chance to interject the Communist line or Communist position in any way . . . that person [the performer] is a member of Communist front organizations . . . and his income is being used for Communist front organizations . . . there again we feel it is something that the public should know.

QUESTION: Would you think that the entertainer should be taken off the air, in that instance?

KIRKPATRICK: Yes, if he has a significant and continuous record of Communist fronts and other causes.

QUESTION: Do you think by that criteria . . . that people listed in *Red Channels* are people who would be in that category?

KIRKPATRICK: Most of them, yes; some of them, no.

QUESTION: Actually, then, doesn't the entertainer who does not give an opinion suffer more than the one who does?

KIRKPATRICK: *No, because in most cases those opinion shows don't carry a salary* [emphasis mine—M. M.].

QUESTION: How does one choose between the 151 in casting a show or choosing a writer?

KIRKPATRICK: *Well, we have never recommended any action on the basis of Red Channels* [my emphasis—M. M.].

However, Bierly admits, ". . . People with whom we have been in contact . . . [have said] that they know of their own personal experience that *Red Channels* resulted in people not being hired who otherwise would have been hired. . . .

QUESTION: And you would not condone its [*Red Channels*] being used in that manner?

BIERLY: Absolutely not.

KIRKPATRICK: You asked—What did we think would be the effect of *Red Channels* when we published it? If I were to answer that question very briefly, I would say I expected the average person who picked it up to say, "Gosh, I had no idea the extent of Communist influence was this great," by seeing all of this information together in one place.

QUESTION: And that is all?

KIRKPATRICK: . . . If I were to give one basic reaction that I hoped there would be, that would be it. . . .

WHAT ARE THE SOURCES OF RED CHANNELS?

THEODORE C. KIRKPATRICK ON REPORTERS' ROUNDUP, SEPTEMBER 14, 1950

"There is nothing new in the book. It has all been printed or published before. The only thing we did was to bring it together in one place."

THE INTRODUCTION AND ITS AUTHOR

The introduction to *Red Channels* was written by Vincent W. Hartnett, a former naval intelligence officer and television supervisor who now lists himself as a "package producer." In addition, Hartnett gives frequent lectures, most often on the subject of "The Complete Exposé of Communism in Radio."

Hartnett is not now an employee of American Business Consultants. When asked whether ". . . at this moment he has any official connection with ABC," Keenan said, "He never did have."

When it was mentioned that Hartnett is advertised as "The Author of *Red Channels*," Kirkpatrick added, ". . . He is not an employee and has no other connection with us whatsoever except that he did write the introduction."

And Mr. Bierly continued, ". . . Both past and present [he] . . . has had no affiliation with this organization, either as an employee or otherwise."

QUESTION: . . . But he did write the introduction. How did you happen to choose him for that?

KIRKPATRICK: At the time we were discussing doing this report, in a discussion with Vince on one occasion he mentioned the fact that he had been thinking of the same sort of thing himself . . . and he had already jotted down something that he had in mind. After some discussion it was agreed that instead of both of us going ahead and doing this thing, if we liked what he had written, perhaps we could work it out jointly.

(Hartnett has his own considerable files on "who is and who isn't a Communist," to use his own words. "For years now I've made it my business to keep an eye on those babies and get them when I could.")

QUESTION: He did this on a paid basis . . . or on a volunteer basis?

BIERLY: He did it on the basis of us paying him royalties on the sale

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of the book. [N.B. Despite its considerable impact, *Red Channels* has by no means been a best seller. Of an original printing of "not quite 17,500" there were, in October 1951, "only a few" unsold. However, as stated above, each of the nearly 4000 subscribers to *Counterattack* received a free copy. "We didn't make any money on it," Kirkpatrick has said.]

On October 15, 1950, Hartnett made what has been perhaps his most widely publicized speech. He appeared in Peoria, Illinois, at the All-Peoria Conference to Combat Communism, sponsored by the American Legion. The meeting was one of a series of "anti-subversive seminars" the Legion Americanism group had been sponsoring throughout Illinois.

S. Paul Ferrin, a part-time member of American Business Consultants and also a practicing lawyer in Peoria, had, according to Kirkpatrick, "nothing to do with arranging that [Hartnett's] speaking engagement."

According to the Peoria *Journal Star*, Hartnett told his audience, "You hold the purse strings for most entertainers. Big corporations and radio stations will listen to you. Wire, phone or write your protests."

He was also quoted as saying that, since the publication of *Red Channels*, many of those listed had denied association or knowledge of the groups their names had been associated with. "I have dared them time and time again to sue me, so we could take the matter to court where they will be subject to the laws of perjury, but they refuse." (Since that time five *Red Channels* listees have sued not Hartnett but American Business Consultants. None of the cases has yet come to court.)

Then, the *Journal Star* continues, "Hartnett led off a scathing attack on Red-front tools by reiterating charges against Jean Muir." He "pointed to the sympathies" of fourteen entertainers, five of whom are not listed in *Red Channels*. He named three radio shows "which support Communist sympathizers"; perhaps coincidentally, at the time of writing two of the programs are off the air; the third is only on television.

Moreover, Hartnett is quoted as saying, "*Red Channels* tells only half the story on them; if they get tough, just wait until you

see the second edition." (At the moment American Business Consultants has no plans for a second edition.)

The Peoria paper reported that Hartnett also "blasted Attorney General J. Howard McGrath for his defense in New York City of entertainers like Miss Muir." In the speech to which Hartnett referred, McGrath had not mentioned Miss Muir or any other entertainers. He had simply attacked what he called "Vigilante groups who intimidate radio personalities."

"Surely, Mr. McGrath's files on Miss Muir are as full of proof as mine," Hartnett is quoted as saying.

Finally, the newspaper reported, Hartnett said he had just seen an announcement that the road company of Arthur Miller's Pulitzer prize play, *Death of a Salesman*, was scheduled to appear in Peoria. He called it "a Communist-dominated play," said that Miller is a Communist-fronter, that the Broadway producer, Kermit Bloomgarden (who was not associated with the road company), was also a Party-fronter as was Lee J. Cobb, the original star, and Albert Dekker, who headed the road company production.

"You have your choice of supporting or denying support to any entertainer, playwright or artist," Hartnett is quoted as having told his listeners. "Why should you patronize such a performance?" What's more, he added, a great part of the income from the Peoria appearance of the company would go direct to the Communist Party or to Party fronts.

Miller, Bloomgarden, and Dekker (Cobb was in Hollywood) wired the local newspaper, "Any allegation that any part of the income of the play has gone, is going, or will go to the Communist Party or its affiliates is an outright and preposterous lie. Nor is the producer, author, or star a 'front' for any political theory or organization." The non-political Authors League of America telegraphed the Peoria press that *Death of a Salesman* had, in addition to the Pulitzer prize, won many other national and international awards and asked that Peoria remain a city "which can receive and appreciate a serious work without further prejudice or hindrance."

Nevertheless, the Peoria Junior Chamber of Commerce and the

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Peoria Post No. 2 of the American Legion put pressure on Bernard C. Worley, city manager of the Publix-Great States Theatres, to have the performances canceled. Explaining that the contract had been signed nine months earlier, Worley refused. At that point the local Junior Chamber of Commerce announced a boycott.

According to an Illinois representative of the American Civil Liberties Union, "The play went on as scheduled, but the attendance was extremely small due to the boycott."

In January 1952, Hartnett ran an advertisement in the Brooklyn *Tablet* with the headline, "Red Channels Was a Piker." The book for which he wrote the introduction "only scratched the surface of Communist influence in Radio and TV.

"Now hear the full, documented exposé of Communists and Communist fronters in TV, Radio, the Stage, and your daily Newspaper! A must for every Holy Name Society, K. of C. Council, C. W. V. Post."

What's more, the copy went on, Hartnett is "the nation's top authority on Communism and Communications." Then the advertisement urged readers to "wire, phone or write now to insure early booking." In the New York area, the former naval intelligence officer has said, his fee is "usually around fifty dollars a lecture." Out of town, his rates go up.

In the same issue of the *Tablet*, the official paper of the Catholic diocese of Brooklyn, Hartnett also complained in a letter to the editor that "calendars feature pictures of scantily clad women" on the tobacco and candy counter of his neighborhood drugstore. He had, he wrote, taken his business elsewhere.

More important, however, Hartnett has recently published and circulated his own *Confidential Notebook (File #13)*; the loose-leaf book, bound in black, is mimeographed and sells for five dollars a copy. Each is numbered in ink, but the author-publisher refuses to say how many copies are in circulation.

The technique used in assembling the material is approximately the same as that used in *Red Channels*, and most of the more than a hundred names in Hartnett's book also appear in the earlier

publication, sometimes with more organizations to which those involved allegedly belonged. In addition, however, there are the names of several playwrights, musicians, book and magazine publishers and editors, newspaper columnists, and well-known lawyers not included in *Red Channels*.

In some cases, again as in *Red Channels*, Hartnett uses the *Daily Worker*, a letterhead, or a report of the House Committee on Un-American Activities as the source for his allegations. In others, he credits only "a private source."

As usual, no one either on the networks or with a single exception in the advertising agencies would discuss the *Confidential Notebook (File #13)*. No one would say if or how it is used. No one would discuss its accuracy or authority. No one would admit having seen it.

However, one executive, part of whose job is to approve or disapprove on a political basis performers for his agency's programs, did say, "It hasn't replaced *Red Channels* yet, and I doubt if it will. It's just too irresponsible." For instance, he pointed out that the names of such long-time anti-Communists as Oscar Hammerstein and John Crosby are listed in the Hartnett book.

"Why," said the executive, "we've used Hammerstein in one of our shows."

Nevertheless, he keeps a copy of Hartnett's book in his desk, in the same drawer as *Red Channels*.

Hartnett, whose business office and files are in his East Twentieth Street apartment in New York City, will, he says, "make my files available to a few qualified persons. By qualified I mean not everybody would understand them and be able to weigh the information properly."

However, such a service is not given gratuitously—even to those so qualified. "The price," the onetime intelligence officer went on, "varies, but you might say it's frequently in the neighborhood of five hundred dollars."

Hartnett is at this writing at work on still another publication which he has described to possible subscribers as "an encyclopedia of Communism and Communists in the United States." The new book will, he is quoted as saying, "contain several thousand

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names, some of which will be a complete surprise to everybody, and there will be a lot of textual material, too." He has said that owning the book "is essential to anyone in a position of authority who is a true anti-Communist."

The publisher-author, who has written several magazine articles and short stories under one pseudonym or another, told this investigator that the encyclopedia "isn't quite finished, but it will be on the presses soon." He would not say how much he expected to receive for a copy of the book, but he did add that it would be available only in a limited edition.

However, in a talk to the advertising agency official quoted above he did mention a price for the book.

He said it would sell for five hundred dollars a copy.

In the introduction to *Red Channels*, Hartnett declares, "A few documentary programs produced by one network in particular have faithfully followed the Party line. Several commercially sponsored dramatic series are used as sounding boards, particularly with reference to current issues in which the Party is critically interested: 'academic freedom,' 'civil rights,' 'peace,' 'the H-Bomb, etc.' These and other subjects, perfectly legitimate in themselves, are cleverly exploited in dramatic treatments which point up current Communist goals." At no point in the introduction does Hartnett give specific examples of such programs, and several months later in his interview with *Sponsor* magazine, one of Hartnett's publishers, Mr. Keenan, appeared to disagree. When asked, "Can you name one instance when a piece of subversive literature was ever heard over the air?" the former FBI man, after a pause, replied, "No."

As for the way in which Communists work, Mr. Hartnett wrote that ". . . No cause which seems calculated to arouse support among people in show business is ignored: the overthrow of the Franco dictatorship, the fight against anti-Semitism and Jimcrow [Hartnett's spelling], the outlawing of the H-Bomb, all are used. Around such pretended objectives, the hard core of Party organizers gather a swarm of 'reliables' and well-intentioned 'liberals' to exploit their names and their energies."

What's more, Hartnett writes, "*Our so-called 'intellectual classes—members of the arts, the sciences, and the professions—have furnished the Communist Party USA with the greatest number in these classifications. The reliables, dupes or innocents who, for one reason or another, will support its fronts.*"

Despite Mr. Kirkpatrick's assurance that "There is nothing new in the book," with the exception of a few scattered quotations from J. Edgar Hoover, Stalin, Louis Budenz, and a few unnamed sources, almost none of Mr. Hartnett's introduction had ever been printed or published before its appearance in *Red Channels*.

Nearly all of it is original with the author.

RED CHANNELS, PART II, ALPHABETICAL INDEX OF NAMES

HARRY GOLD, AT THE TRIAL OF ABRAHAM BROTHMAN, NOVEMBER 20, 1950

"I was told by my Soviet superiors never to read *The Daily Worker* or any liberal publication, or to express any liberal thoughts, or give any thought to liberal ideas myself."

The full responsibility for selecting the 151 names listed in *Red Channels* has been accepted by Messrs. Bierly, Keenan, and Kirkpatrick. Moreover, no matter what some of their readers may have concluded, the three former FBI men insist that they did not think they were "putting out a list of honest-to-God Communists in radio and television."

According to Kirkpatrick, ". . . If we felt it could have been done accurately, we probably would have tried it. . . . I don't think it would be possible for any private organization to do it."

QUESTION: Did you feel that you had to give consideration . . . to the importance of keeping what you were doing within the bounds of what are generally considered due process of law or civil liberties?

BIERLY: I do not recall any specific deliberation on civil rights except certainly to stay within the laws of libel, No. 1, and, No. 2, to do it on a factual, unemotional, objective basis rather than editorializing, and that type of thing. . . . That is my personal

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reaction, no specific discussion of civil rights⁵ of people who might lose their positions because of something that we might say about them in a publication.

KIRKPATRICK: That is essentially my recollection, too.

QUESTION: Did you . . . [feel] that there were some people whose names are listed who might be innocents?

KIRKPATRICK: Well, innocents. You mean people who may not have completely understood that the thing was a front? . . . The thing we tried to do was look at the significance of the information more than anything else. . . .

QUESTION: How about a person who had a very long list . . . would other factors enter into leaving his . . . or her name out?

BIERLY: A fact such as personal knowledge? [Yes] . . . I would say in a limited degree in this respect. There are many people who have affiliated themselves with an organization at one time or another in their lives that were either Communist at that time or later on were Communist. . . . One such person, for instance, is Father Cronin [of the National Catholic Welfare Conference] down in Washington, and there are others. . . . Another such . . . would be Eddie Cantor. *It is in a sense like a court taking judicial notice of the fact that we don't know personally Eddie Cantor, but we know what he does stand for. We happen to know Father Cronin personally, and we know what he stands for* [emphasis mine—M. M.; neither Father Cronin nor Eddie Cantor is listed in *Red Channels*].

QUESTION: Let's take Eleanor Roosevelt. . . . As far as organizations are concerned, she has [belonged] to many at one time or another. She is also on television and every day on the radio. Why not Eleanor Roosevelt?

BIERLY: Eleanor Roosevelt and Paul Robeson, for instance, are two that might have been in *Red Channels*. Robeson is not [either]. The same rule, practically, applies to both.

Her [Mrs. Roosevelt's] activities are a matter of general knowledge. She has very vigorously condemned the Communists, but

⁵According to the October 22, 1951, issue of *Sponsor* magazine, in an interview with one of the trade publication's editors, Mr. Keenan "spoke mockingly of the civil liberties line and all that stuff."

at the same time I think it is pretty generally known that she has acted as a sponsor of many Communist organizations or causes.

Applying the same thing to Paul Robeson . . . he could be classified as just as much of a radio personality as Mrs. Roosevelt could. . . . Here is a fellow who is well known, whose actions are well known and pretty well understood, the subject of a special report and inquiry in Washington before the Un-American Activities Committee and all the press throughout the land.

Just as a jurist would, I think, take judicial notice of who Mrs. Roosevelt is, I think in a sense he would take judicial notice of who Paul Robeson is, if his name should happen to come up in a trial. We did not feel that any useful purpose would be served by including their names because of that [emphasis mine—M. M.].

QUESTION: How about the less well-known persons, the ones about whom you didn't know?

BIERLY: In some cases, as you know from *Red Channels*, we have indicated that they have done some specific anti-Communist thing.

QUESTION: Am I wrong in thinking only two, Alfred Drake and John Garfield?

BIERLY: That's right.

Among those of whom the editors did not take "judicial notice" and the listing of whose names apparently did, in the minds of the publishers of *Red Channels*, "serve some useful purpose" are writers, actors, producers, and others in radio and television publicly branded in *The Report of Communist Influence in Radio and Television* because:

They publicly backed Loyalist Spain more than ten years ago, protested anti-Semitism in Germany, contributed to Russian War Relief, opposed Jim Crow in baseball, lent their names to the campaign against Republican Congressman Frederic Coudert of Manhattan, sponsored or attended a dinner in support of Mead and Lehman in the 1946 elections, signed petitions against the Dies Committee and its successors in the investigation of un-American activities, wrote a book which was selected by or even favorably mentioned by the Book Find Club, asked that no more

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scrap iron or oil be sent to Japan before the Second World War, wrote for, spoke, or entertained at a rally applauded by the *Daily Worker*, the *People's World* (West Coast Communist-sponsored newspaper), or the now defunct *New Masses*, or even wrote or appeared on a radio or television program which happened to be praised in a Communist publication.

One writer is listed because, in addition to writing a skit for a rally on the H-bomb, he refused to create a documentary "exposing Communism in the schools and churches." At the time, the writer reports, he had just returned from Germany, and the news of the Peekskill riots, which had occurred during his absence, shocked him. He wanted to do a documentary on Peekskill instead.

Here again Mr. Kirkpatrick is mistaken about *Red Channels*. The writer's refusal to expose "Communism in the schools and churches" had never been "printed or published before." It was made on what was presumably a private telephone conversation with the program chairman of the organization sponsoring the proposed broadcast.

WHAT ABOUT CHECKING?

None of the information in *Red Channels* was checked with the persons involved. "As a matter of fact," according to Bierly, "we have felt that in that particular respect we have been more like a magazine than a newspaper. Whereas it is a common practice in the newspaper field to get statements from both sides on any controversial matter, in magazine writing, such as in *Plain Talk*, that is not the custom nor the routine, and it hasn't been with us at *Counterattack*."

This reporter was never a contributor to *Plain Talk* but he has, for some time now, made a major part of his income by writing for magazines; he has never yet been told by a magazine editor to report only one side of any controversial matter.

However, as Kirkpatrick put it in an interview with Ted Poston, a reporter for the *New York Post*:

"We made no effort to talk to any of these people before we published the book. . . . But any of these people can feel free

to come here to me and my associates and convince us that a mistake has been made or give us reasons why they should not be listed *after* they have read *Red Channels* [emphasis Poston's]."

On the other hand, in complaining that the New York *Herald Tribune* had misquoted him in an editorial, Kirkpatrick declared, "It is deplorable that a respectable newspaper such as the *Herald Tribune* based its editorial on an inaccurate interpretation of an article without interviewing *me* on this particular subject [emphasis again Poston's]."

RED CHANNELS, PART III, ALPHABETICAL INDEX
OF ORGANIZATIONS

LEE MORTIMER, COLUMNIST, *Sunday Mirror*, OCTOBER 15, 1950

"The beauty of these publications [reports of the California Committee on Un-American Activities, popularly known as the Tenney Committee—M. M.] is that the citations may be repeated or republished without fear of civil or criminal action, because they are the official reports of a legislative body, issued under the imprint of the State, and thus are privileged."

Of the 319 citations (labeling organizations and publications "Communist or Communist fronts") on pages 161 through 213 of *Red Channels*, 124 are originally from the reports of the California Committee on Un-American Activities. There is, of course, considerable overlapping; many of the organizations cited have been named by several investigative bodies and by successive Attorney Generals.

Curiously, however, in eight cases the newsletter published by American Business Consultants, *Counterattack*, is the only source given for listing the organization. For instance, the Committee for a Democratic Far Eastern Policy and the Committee of One Thousand are "reported as" front groups. Why? *Counterattack* said they were.⁶ Conversely, when *Counterattack* now denounces a person, often the sole reason given for the condemnation is that, as is explained in a footnote, he is "Listed in *Red Channels*." It is as if the *Daily Worker* labeled a group as "Fascist" and used as

⁶The Attorney General has listed the former group as "subversive," but this is not mentioned in *Red Channels*.

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its only proof the fact that the organization had been called "Fascist" in, say, *Mainstream and Masses*. The practice is not common in reputable publications.

In four cases in *Red Channels* no reason at all is given for listing the groups involved.

The complete breakdown of sources is as follows:

In addition to the California Committee's citations, the Dies Committee on Un-American Activities, 66; former Attorney General Clark's list of "subversive organizations," 36; the Massachusetts Committee on Un-American Activities, 21; former Attorney General Biddle's report on "subversive groups" as printed in the Congressional Record (1942), 18; the Thomas Committee (one of the successors to the Dies group), 13; the Pennsylvania Commonwealth Counsel report before the reviewing board of the Philadelphia County Board of Assistance, 9; a special subcommittee of the House Appropriations Committee, 9; the New York City Council Committee investigating the Municipal Civil Service Commission, 9; *Counterattack*, 8; the Rapp-Coudert Committee Report (1942), 6.

It must not be supposed, however, that the editors of *Red Channels* went in each case to the primary source for the citations involved. In the introduction to Part III the editors note that, "Unless otherwise indicated," the organizations and publications mentioned "are listed in 'Citations by Official Government Agencies of Organizations and Publications Found to be Communist or Communist Fronts' prepared and released by the Committee on Un-American Activities, U. S. House of Representatives, December 18, 1948."

Moreover, with the exception of the eight citations from *Counterattack* itself, all of the material printed on pages 161 through 213 of the report also appears in the Fifth Report of the Un-American Activities Committee in California—1949; in the 124 citations mentioned above, the California group has simply quoted its own earlier reports.

In other words, fifty-two pages of *Red Channels*, almost a fourth of the whole, comes from a report issued in 1949 by the California Committee. In several instances, errors in punctuation

and spelling in the California report are repeated in *Red Channels*. And those four organizations listed in *Red Channels* without documentation to show why they are considered "un-American" are listed only by name in the California report, too. In a few cases *Red Channels* has dropped a sentence or two from the California Committee's documentation, but that may have been for reasons of space.

WHAT ABOUT THE TENNEY COMMITTEE?

Since the editors of *Red Channels* have relied so extensively on the reports of the California Committee on Un-American Activities, it seems appropriate to examine the reputation of that group, which is not well known outside the state in which it has operated.

A few of the published comments on its activities follow:

SAN FRANCISCO *Chronicle*, A REPUBLICAN NEWSPAPER

A Communist is any
Who disagrees with Tenney.

After Tenney's resignation from the committee chairmanship the *Chronicle* commented:

"Anyone who was in favor of overthrowing Tenney, as distinguished from overthrowing the government, was likely to be hauled up and smeared by inquisition and innuendo. His methods have done more damage to the cause of intelligently combating Communism than almost any other influence in California."

LOS ANGELES *Daily News*

". . . This newspaper's objections to Jack B. Tenney's 'Operation Un-American' is that it knits together signs, symbols and good progressive citizens to form a wholly erroneous public conception—a conception that every organization working for reform or change or betterment is honeycombed with disciples of Karl Marx.

"The effect of producing such an image in the public mind is two fold: (1) It brings disrepute to the forces of progressivism and (2) It frightens many progressive citizens who are not Communists but who don't like to be branded and ostracized and

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thereby discourages them from joining organizations working for the public good."

Of the 1948 Tenney Committee report, the *Daily News* added:
". . . While naming a number of Communists in various parts of the state—characters who are obviously up to no good—State Senator Jack B. Tenney seems to have taken pains to bracket with these known Reds a great number of well-meaning, well-intentioned and certainly non-Communist citizens."

Of the 1949 Tenney Committee report (so heavily relied on by *Red Channels*), John A. Despol, secretary-treasurer of the California-National CIO-PAC, said in a telegram to the then committee chairman:

"As one who has fought the reactionary Communist Party for the last sixteen years, I resent your attempts to publicly link such eminent patriotic citizens as Frank Sinatra, Congressman Helen Gahagan Douglas and others who have fought to correct conditions that Communists feed upon with those persons such as Philip Connelly and his wife, Dorothy Hanley, an admitted Communist Party official, who actually move in the Communist orbit. . . . When you stop mixing anti-Communist liberals with fellow travelers and secret members of the Communist Party we shall be able to successfully expose and isolate the Communist Party from the American political scene. . . ."

Even *Counterattack* has, on at least one occasion, criticized the Tenney Committee. In the issue of March 5, 1948, the newsletter declared:

"DO YOU WANT TO HELP THE COMMUNISTS? There's one sure way of doing so. It is to call people Communists who aren't. If you're a member of an investigating committee, this is a perfect recipe for DISCREDITING your work and making enemies for it instead of friends [emphasis that of *Counterattack*].

"Calif Un-American Activities Committee has done a lot of good, especially in its Hollywood investigation. But lately it got off the beam when it gave the impression that the National Farm Labor Union is Communist-controlled. This is a small A.F.L.

union that has been conducting a long strike at the big DiGeorgio farm, near Bakersfield. . . . This union is strongly ANTI-Communist. It bars Communists, Fascists and Kluxers from membership. It not only says this but DOES it.

"Another organization that has been MISLABELED is National Sharecroppers Fund. . . . Its sec-treas. and main officer, Alfred Baker Lewis, is one of the most tireless anti-Communists in the country. *Tenney plays into Communists' hands when he makes wrong charges* [emphasis here is mine—M. M.]."

In one of the interviews with the American Civil Liberties Union, Kirkpatrick was asked: "Do you consider the Tenney Committee an accurate source generally?"

"Our answer to that," Kirkpatrick replied, "would have to be certainly not one hundred per cent accurate because in *Counter-attack* we criticized the Tenney Committee on at least one or two instances for citing an organization as a front which we knew was not. I personally have spoken to Tenney himself about fighting the ACLU as a front. *But, needless to say, we would not have used the Tenney Committee as a source or as a citation if we ourselves felt that in those particular instances Tenney was in error.*"

Jack Tenney, the long-time head of the California Committee, was first elected to the state legislature in 1936 on the Democratic ticket.⁷

At the time, Tenney, a former professional piano player and song writer ("Mexicali Rose" was his most popular composition), accepted left-wing support and was openly critical of "so-called investigations into un-American Activities." In August 1938, at a meeting of the Hollywood Anti-Nazi League, he opened his speech by saying, "Fellow subversive elements, I have just heard that Mickey Mouse is conspiring with Shirley Temple to overthrow the government and that there is a witness who has seen the 'red' card of Donald Duck. . . . When the Dies Committee

⁷Most of the information in this section comes from a book, *The Tenney Committee, Legislative Investigation of Subversive Activities in California*, by Edward L. Barrett, Jr., published by the Cornell University Press.

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stoops to calling President Roosevelt a Communist and says that Mrs. Roosevelt is a front for subversive elements, then I think the rest of us should be flattered to be put in that category." However, Tenney's point of view soon changed (some say because of a dispute with left-wingers in his local of the American Federation of Musicians). In early 1941 when the Fact-Finding Committee on Un-American Activities in California (once known as the "Little Dies Committee") was set up, Tenney gladly became its first chairman.

The committee was continued every two years until 1947. That year there was considerable opposition in the lower house, partly because of a report in which the committee had accused two assemblymen of links with Communist fronts. Thus, in 1947 Tenney introduced a resolution to continue the committee only in the upper house, which was done. However, the opposition to the group and its methods increased both in the legislature and in the press throughout the state. The *Fresno Bee*, which at one time had supported the committee, said, "It has shouted wolf so often and so long when no wolves could be seen that people have lost confidence in its warning cries."

In 1949, Tenney and two other members of the committee were allowed to resign. According to the *New York Times*, Tenney then said that the Communist Party had used him as "a target to obscure factual and shocking findings."

"The new committee under new leadership" would, he predicted, "confuse them [the Communists]. They will have to re-aim their smear artillery." In 1949, Tenney also had been a candidate for mayor of the city of Los Angeles; he finished fourth in a field of nine candidates, despite the vehement support of, among others, Ed Gibbons, editor of *Alert*, a West Coast anti-Communist newsletter strikingly similar to *Counterattack*. Gibbons, who often quotes his sister newsletter, in one issue of *Alert* declared that only those who accepted and supported the (Tenney) Committee's methods of fighting Communism were themselves "free from the Communist taint." (N.B. Gibbons is authoritatively reported to have written part of the 1948 committee report and all of the one issued in 1949; both jobs are said to have been

done for substantial fees. However, this allegation could not be verified.)

As for the techniques used by the committee during Tenney's chairmanship, Mr. Barrett has this to say in his book: "'Friendly' witnesses were led by committee counsel through their stories. Individuals named by such witnesses or their counsel were not permitted to cross-examine the witnesses or otherwise test their credibility and the sources of their information. The committee itself did not supply a substitute for cross-examination by close questioning of the 'friendly' witnesses. Instead of being asked embarrassing questions such witnesses were treated as great patriots and friends of their country and encouraged to 'tell all.' Testimony presented under such circumstances, as every lawyer knows, provides a highly unreliable basis for any rational finding of facts."

In all, the committee published five formal reports totaling 2241 pages. The sources of its information included data from its own investigators, information from the House Un-American Activities Committee and other state and federal investigative groups, its own files, and letterheads, circulars, pamphlets, and left-wing publications such as the *Daily Worker*, *New Masses*, and the West Coast Party-line newspaper, *People's Daily World*.

According to Mr. Barrett, "Private anti-Communist publications, such as *Alert* and *Counterattack* have made extensive use of the material in the reports as have veterans and other patriotic and service organizations. All such private organizations have quoted from the reports in the belief, not yet finally tested, that the legislative immunity from liability extends to those who quote the legislative documents."

THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

JUSTICE ROBERT H. JACKSON, AS QUOTED IN *The Loyalty of Free Men*,

BY ALAN BARTH

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein."

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As their second most important source of information on organizations and publications that are "Communist or Communist fronts," the editors of *Red Channels* have relied on the reports of the House Committee on Un-American Activities.

By now, almost every literate American is surely familiar with the techniques used by that committee; before the present group, which, by comparison, has been strikingly unhysterical, the committee was never notably judicious in its methods.

There are those who consider the methods justifiable, and even many who formerly were inclined to be critical of the committee now believe that its exposure of certain subversive activities, particularly in the now famous case involving Whittaker Chambers and Alger Hiss, more than make up for occasional excesses.

Others, particularly those concerned with civil liberties, feel that the House Committee has done considerably more harm than good, that its sixty-odd reports and its files (used both by government and by private employers), containing more than a million names of Americans, constitute a serious threat to this country's democracy despite the considerably more judicious methods used by the current committee.

In his book *The Loyalty of Free Men*, Alan Barth, an editorial writer for the *Washington Post*, has this to say:

"The members of this body [the committee], like the men who conducted the medieval inquisition, were chosen as judges to determine the existence of heresy and to extirpate it. They identified loyalty with orthodoxy and perfected techniques for the extra-legal punishment of all who questioned their dogma.

"No committee in the history of the United States Congress has ever been accorded so vague an assignment and so elastic a definition of its domain. Nothing is foreign to it, nothing is deemed beyond its competence. . . .

"A great deal has been said and written about the manner in which the committee . . . conducts its business. Numerous attempts have been made to correct its commonly acknowledged excesses by reforming its procedures. But the real defect lies deeper than this. It is an incurable deft. It is rooted in the purpose

for which the committee was created and in the concept that Congress may properly punish, by publicity, activities which it cannot constitutionally declare criminal."

The officers of American Business Consultants do not agree.

"We," Kirkpatrick says, "have always been friendly with the House Committee on Un-American Activities." What's more, both in *Counterattack* and in *Red Channels* the three former FBI agents have used the House group's reports without question.

THE DAILY WORKER

ROBERT LAUTER, RADIO COLUMNIST, *Daily Worker*

"Now here is a sentence I'm inserting in *The Daily Worker*. The editors of *Counterattack* have done inestimable service to the Communist Party and to the cause of Socialism.

"This is, of course rot—but just suppose some unprincipled publishing rival were to extract this sentence from this column and send it to all the NAM subscribers to *Counterattack*."

AT THE RADIO EXECUTIVES CLUB, OCTOBER 19, 1950

QUESTION: Doesn't the *Daily Worker* sometimes use people's names without their permission?

KIRKPATRICK: I have never known this to happen.

JACK TURCOTT OF THE NEW YORK *Daily News*

QUESTION: Mr. Kirkpatrick, I have tried to subscribe to *Counterattack*. I file all its issues. I read it very carefully, and for more than three years I have been reading in *Counterattack* that Communists cannot be trusted, that they are devious, that they are full of intrigue and so forth. And yet you can sit there and tell us that you take things out of the *Daily Worker* and do not check them and print them?

ON THE RADIO PROGRAM, REPORTERS' ROUNDUP, SEPTEMBER 14, 1950

KIRKPATRICK: When names are printed in the *Daily Worker*, it's presumed that those names are checked before they're printed; otherwise, that person has recourse to the *Daily Worker* [emphasis mine—M. M.].

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Ireene Wicker, quoting Kirkpatrick: "He said to me, 'The *Daily Worker* is very accurate. They never make a mistake.'"

Red Channels, PAGE 209

"*Daily Worker* 1. The chief journalistic mouthpiece of the Communist Party . . . founded in response to direct instructions from the Communist International in Moscow. . . . The first issue of The *Daily Worker* appeared on January 13, 1924. . . . No other paper or publication of any kind in all American history has ever been loaded with such a volume of subversive, seditious, and treasonable utterances as has this organ of the American Communists.

"(Special Committee on Un-American Activities, Report, March 29, 1944; pp. 59 and 60; also cited in Reports, January 3, 1939, p. 30; January 3, 1940, p. 7; January 8, 1941, p. 14; and June 25, 1942, p. 4.)"

In more than fifty instances in *Red Channels*, the *Daily Worker* is used as a source when a listee is "reported as" having attended a rally, signed a petition, supported a candidate for office, written a book which the Party apparently thought (or was ordered to think) commendable, or having made or produced a broadcast or television program praised in the Communist Party daily.

Although this investigator checked only about half of the citations, he is inclined to think that, in most cases, the person involved was indeed mentioned in the *Worker*.

As for a program or a piece of writing praised by the Party newspaper, there is nothing a writer or performer can do about that—disastrous as such praise may prove to be.

However, five *Red Channels* listees did say that they had not attended the particular meeting mentioned in the *Worker* in two cases, had not signed the petition cited, had not sponsored the cause listed. In each case the reporter checked the issue of the *Daily Worker* mentioned in *Red Channels*. In each the person was named "as reported." None of the five listees would protest the error made, deliberately or otherwise, by the *Worker* either to the Communist publication or, despite his standing and urgent invitation, to Mr. Kirkpatrick. One of the five said, half seriously,

"That would just give some more promotion to the *Worker* and American Business Consultants." Another will probably bring a libel suit against the latter.

Thus, in these five cases at least, the *Worker* was not, as Kirkpatrick insists it invariably is, "meticulously accurate when it records names of people belonging to its 'front' groups." (*Sponsor*, October 22, 1951.)

As for forcing a retraction from the *Worker*, that is difficult if not impossible. One listee tried it; after five telephone calls over a six-week period, the error remained uncorrected. It was only when the performer's attorney threatened legal action that the Communist daily printed a one-line correction.

Besides, many persons named in the Party newspaper at one time or another are not necessarily among its regular readers. Thus they often don't even know they have been so named. Irene Wicker, for example, has said that she was not aware that her name had been listed in the *Worker* as being a sponsor of the Committee for the Re-election of Benjamin J. Davis until the appearance of her name in *Red Channels*; when her attorney failed to uncover her name on the lengthy list of some 30,000 nominating Mr Davis for office, he forced a retraction from the *Daily Worker*. Miss Wicker's name will not be included in any future editions of *Red Channels*, if any. But, so far as "The Singing Lady's" career is concerned, that may not matter. Despite her official "clearance" in *Counterattack*, Miss Wicker, a veteran of more than twenty-five years, is no longer seen on television or heard on the air.

In the case that follows, not involving a *Red Channels* listee, the entertainer involved discovered that his name had been used in the Communist newspaper through an in-law, one of the editors of the anti-Communist weekly, the *New Leader*, in the offices of which the *Worker* is regularly read—and as often attacked.

The entertainer is the jazz orchestra leader and composer, Duke Ellington.

In its issue of May 27, 1950, the *Daily Worker* reported that

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Ellington had signed the Communist-inspired Stockholm "peace petition." The statement was repeated in the *Worker* on August 25 and 27.

What had happened, according to Mr. Ellington, was that while he was in Stockholm, writing music for a forthcoming musical, an anonymous young man came to the hotel in which he was working and asked him to sign something which the orchestra leader later assumed to be the "peace petition." The Duke refused. Nevertheless, after his return to the States, he found, through his informant on the *New Leader*, that his name had been publicized as a signer of the petition. He immediately demanded a retraction.

The following account of the aftermath comes from the *New Leader* of September 30, 1950:

"Just before press time, *The New Leader* sent a staff member to the 'Peace Information Center' on Broadway and West 11th Street, headquarters of the Stockholm movement, and he was able to pick up three different pieces of Communist literature, each bearing the name of Duke Ellington. At the same time, he questioned the woman in charge at the Center.

"Didn't Mr. Ellington repudiate the use of his name by you?"

"Yes," replied the woman. "Using his name was an error on our part. An error in transmission."

"Why hasn't Mr. Ellington's name been removed since the error has been discovered?" our reporter inquired.

"We will remove it," the woman said, "after we use up the literature in print. There are a number of errors there." She pointed to the stacks of leaflets on a long table, "but we can't print up new stuff every time we find an error."

The *New Leader* concluded that ". . . It had not occurred to the Communist defamers that, having made an error, they were morally obligated to correct it instantaneously. What does it matter if, as a result of continuing to disseminate a lie, thousands will believe that lie? And thousands will continue to associate the name of a great artist with an ignominious cause?"

Later, after Ellington threatened suit, his name was removed from the literature.

THE PROBLEM OF "CLEARANCE"

AN AGENT, SPEAKING OF ONE OF HIS CLIENTS, AN ACTRESS LISTED IN *Red Channels*

"Sure, they've 'cleared' her all right, but I still can't sell her. At the agencies they say all people will remember is that she's been in some kind of trouble and the trouble had something to do with Communism. That's enough."

In his column heralding the publication of *Red Channels*, Ed Sullivan, columnist for the *New York Daily News*, wrote:

"Kirkpatrick has sat in my living room, on several occasions, and listened attentively to performers eager to secure a certification of loyalty. On some occasions, after interviewing them, he has given them the green light; on other occasions, he has told them: 'Veterans organizations will insist on further proof' [emphasis mine—M. M.]"

Mr. Sullivan, who in addition to being a columnist is master of ceremonies on a weekly television program on the Columbia television network and, more recently, also an officer of Columbia, could not be reached by this investigator. In more than a month Mr. Sullivan did not reply to uncounted telephone calls or to letters asking for an interview to verify the statement concerning Kirkpatrick made in his column.

When asked about the accuracy of the Sullivan statement, Kirkpatrick said: "Well, I feel quite sure it is accurate insofar as his interpretation of the word 'clearing' is concerned. My interpretation of the word 'clear' or 'clearance' is different. On one occasion that I can recall he [Sullivan] told me that he had discussed with this particular entertainer various aspects of quite a sizable Communist-front record going back several years. He said that he had discussed it with the entertainer and his agent, and he said that he was favorably impressed with the man; he seemed to be sincere and claimed that he had broken. He asked me if I would come over one day and sit down and discuss the matter with the three: Ed Sullivan, the entertainer, and his manager. As is our policy always in instances of that type, I agreed to talk to the man. . . . The result, I would say, was not conclusive at all.

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There were no opinions drawn. I was interested in talking to him. I, too, was quite well impressed with him. He seemed sincere. Among other things, he admitted that he had been a Communist Party member up to, I think, three years prior to the time we talked. . . . I wasn't asked by Ed Sullivan, 'May I use this man or may I not?' If I had been asked, I certainly wouldn't have expressed an opinion one way or another. . . . But we had been asked by Ed Sullivan previous to this conversation what was in our files on individuals, and we had always given him factually what we had. If he asked us to interpret the nature of some of the affiliations, we were glad to do so, but we never expressed an opinion.

"In other words, I think undoubtedly he honestly considered it clearance because he had cleared through our files, but I wouldn't consider it clearance in my definition of the word."

QUESTION: Did you mention veterans' organizations, as he said in his column?

KIRKPATRICK: This *one* discussion I referred to in his apartment, I do recall having made some mention of veterans' organizations.

From the time of the Jean Muir incident on, the interpretation of "clearance" has continued to plague the editors of *Red Channels*. There has always been considerable confusion as to the precise meaning of the word.

For instance, on the Tex and Jinx NBC radio program on September 30, 1950, Kirkpatrick was asked by Tex McCrary, "Is there any way in which people listed in *Red Channels* can be cleared through *Counterattack*?"

Kirkpatrick replied, "Yes, positively so."

On the other hand, on September 11, 1950, Kirkpatrick had, in a letter to the editor of the New York *Herald Tribune*, written, "I should like to make it very clear that no one including myself has a right to 'absolve' or 'condone' anyone of Communist leanings. . . . I have never said that I have that right. . . ." A *Tribune* editorial had stated that Kirkpatrick had been "quoted as announcing that none whom he suspects will be absolved until they come to him with positive proof of their innocence."

In an article in *Editor and Publisher* that same week, the following appeared: "How does a name get off the list? Mr. Kirkpatrick declared listed persons must prove to his organization that they are not Communists or fellow-travelers. Public denial, he insisted, would have to be accompanied by active work in behalf of 'pro-American organizations.'" (At one time or another Kirkpatrick has—according to this reporter's possibly incomplete records—mentioned three such groups, the American Legion, Americans for Democratic Action, and the American Civil Liberties Union.)

In its issue of September 13, 1950, *Counterattack* declared that, owing to "the failure to check facts and non-objective reporting," the Communist Party had been "helped" by, among other periodicals, "the *New York Times*, the *New York Herald Tribune*, *New York Post*, *Washington Star*, and *Time Magazine*."

Under the heading, "THE TRUTH," the newsletter added, "TED KIRKPATRICK has never made a statement, or hinted that he intended to 'police the airwaves.' He has never said, or implied, that anyone mentioned in RED CHANNELS must come to him for clearance or to be 'absolved' . . . or that he will prescribe what they must do to clear their names."

What's more, "Every paper and periodical in the U.S. which has printed any of these false statements, or implied them, has unjustly damaged the reputation of COUNTERATTACK and has directly aided the Communist Party."

In one of the ACLU interviews Keenan said, "Here we don't clear anybody. We don't claim that we have the right or the privilege to do it. But after the hullabaloo of *Red Channels* and the Korean War following after that and all this hodgepodge and mess we felt that we had laid an egg that was a bombshell and in all fairness to some people who possibly could have been hurt, we decided to do what we thought was the fair thing. That is what we did. There was nothing else we could have done."

Kirkpatrick added in a statement to *Sponsor*, ". . . We've never said the 'facts' in *Red Channels* were correct or incorrect. We've just reported from the public records. Anyway, we've published in *Counterattack* dozens of statements from talent claiming the

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records were wrong. People like Meg Mundy, Ireene Wicker, Samson Raphaelson, Tom Glazer, and Josh White. Ethically, we could have refused to print their statements but we bend over backwards to be fair."

Francis McNamara, the editor of *Counterattack*, told a reporter from *Sponsor* magazine, "You should see the big act some of them put on in this very office. It's a panic to hear them! Those acts that we consider obviously fake, without the people showing us proper affidavits, we don't print their statements."

In view of the seemingly contradictory statements made by the officials of American Business Consultants, it is not surprising that considerable confusion exists in the minds of *Red Channels* listees as to just what a person can do if his name happens to be included among the 151. A handful did go to the offices of American Business Consultants to "explain" their positions. In several issues following the Jean Muir incident the newsletter reported on such interviews, together with examples of anti-Communist statements and actions taken by those involved.⁸

In one instance playwright-novelist Irwin Shaw was, without a personal talk, given credit for a "definite anti-Communist action." Shaw in a letter to the drama section of the *New York Times* had announced that he would no longer allow "any groups or persons" to produce his anti-war play, *Bury the Dead*. He stated, "It is to balk these double-tongued gentlemen [the Soviet leaders] with whatever small means at my disposal, that I have withdrawn my play." *Counterattack* added, however, that it was not passing "judgment on IRWIN SHAW any more than it did when it listed him in RED CHANNELS. It is up to the public to judge his case."

Several times, both in public statements and in the newsletter, the editors of *Red Channels* have suggested that performers appear before the House Committee on Un-American Activities to clarify their positions. In the middle of the controversy over Jean Muir, Josh White did so. So, as indicated earlier, did Hazel Scott.

However, a short while later such appearances stopped abruptly. Congressman John S. Wood, chairman of the committee,

"For an account of the "clearance" of the singer Lena Horne, see page 185.

declared that his group was unable to hear "any and all persons" accused of Communism. Wood said he wanted to make it clear that the "committee's hearing records are closed to any proffered anti-Communist statements from showfolk mentioned in *Red Channels* unless their names had also been mentioned in testimony before the House Un-American Activities Committee."

Wood added, "Under existing or proposed statutes, there is no federal body, other than courts of law, for publicly and officially processing formal denials to charges of Communism hurled from any and all quarters."

Moreover, even if such appearances had been possible, many would not, on ethical grounds, have made what one listee disdainfully called "a public confession" before the House Committee. Another large group felt, with justice, as has been proved in the case of (to give only one recent example) Larry Parks, that any additional publicity given their names in connection with accusations of Communism would have a harmful effect. Mr. Parks's testimony that he was once a Communist has been praised by House Committee members; however, the Veterans of Foreign Wars threatened a national boycott of any future pictures he might make, and his contract with Columbia Pictures has been canceled.

Except for that handful of listees who agreed to a personal interview with Kirkpatrick, those listed in *The Report of Communist Influence in Radio and Television* had no way of "clearing themselves." Many others with whom this reporter talked said they would consider a talk with any one of the three former FBI men both undignified and personally demeaning. Besides, as was the case with the actress mentioned at the beginning of this section, there is no guarantee that the report of such a conversation in *Counterattack* would, as another listee put it, "Make me clean again."

"The damage," he went on, "has already been done. It was done on June 22 of last year [1950] when my name appeared in that book. Now it's there for all time. Besides, I don't want to have anything to do with pygmies playing God."

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WHY NOT SUE?

In recent months five suits for libel asking total damages of more than \$2,000,000 have been brought against American Business Consultants by Ralph Bell, a radio actor; Pert Kelton, Bell's wife and a radio and television actress herself; Selena Royle, who has appeared on radio, on the stage, and in the movies; Joe Julian, a radio actor, and Allan Sloane, a radio and TV writer.

The outcome of the libel action will not, of course, be known for many months.

When Fredric March and his actress wife, Florence Eldridge, sued *Counterattack* for \$500,000, the case was settled out of court, after almost twenty-one months of legal skirmishing. The total cost to the Marches was more than \$50,000, not including the loss of time and income.

From being one of the highest-paid and hardest-working acting teams in the country, March and his wife, according to the actor, in 1948 (following the repeated denunciations in *Counterattack*) filed a joint return on an income of \$2.58.

In the issue of *Counterattack* dated December 23, 1949, the following statement was printed:

"Fredric March and his wife, Florence Eldridge March, Condemn Communist Despotism in Stalinist Russia: Up to a couple of years or so ago, they publicly supported a number of organizations, some of which are now included in the lists of organizations which the United States Attorney General has declared subversive and totalitarian. Because March and his wife were prominent in such groups, Counterattack said they were Communists. This charge the Marches vehemently denied. Their position is now clear. They pointed out they supported these organizations from which they resigned from patriotic and humanitarian motives. The same motives that led the Marches to contribute towards an ambulance for Finland during its war with Russia in 1939. The same motives that led Fredric March to volunteer his services to the USO during World War II when he traveled over 35,000 miles to entertain our troops. Their position is best stated in their own sworn testimony and their testimony is quoted—'We are not, have never been and do not intend to

become Communists. We are not members of any Fascist group and we oppose totalitarianism, be it Communism or Fascism. We condemn the Russian regime and its agent, the Communist Party of the United States, as a totalitarian system, and we condemn the totalitarian practices of their leader, Joseph Stalin. We believe deeply in the Constitution of the United States and in our system of government. We believe we can best protect our way of life by endeavoring through legislation to constantly improve our society and to gradually correct existing injustices. We believe in the system of free enterprise, but we also believe that it can best survive if men will search their hearts to determine where freedom ends and license begins. We shall continue in the future as we have in the past to try to preserve our democracy by exposing and attempting to eradicate its weaknesses and by extolling and practicing its virtues. Because we believe that if we live democracy, we need fear no other ideology.’”

The Marches have since made a few television appearances; they played leading roles in Lillian Hellman’s *The Autumn Garden* both in New York and on the road, and Mr. March was Willy Loman in the much-praised film version of Arthur Miller’s *Death of a Salesman*.

However, for at least six months after the appearance in *Counterattack* of the statement quoted above, the demand for the couple’s services could, according to March, “be counted on the fingers of one hand, with a finger or two left over.” And, their agent has said, “There are still some people [employers in radio and television] who don’t remember exactly what happened, who just remember there were some charges made and some kind of a lawsuit. Why, I could name half a dozen places that are still afraid of using Florence and Freddie.”

AND WHAT OF THE FUTURE?

Meantime, American Business Consultants continues in its private “advisory” capacity to business, and the newsletter *Counterattack* is published weekly. According to Kirkpatrick, “The rate of renewal [of subscriptions] is very high.”

When asked (in a series of questions submitted by the inves-

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tigator in writing), "Are there to be addenda to *Red Channels*?" the answer was, "Not contemplated at the present time."

QUESTION: Is there to be a West Coast *Red Channels* [on the movie industry]?

ANSWER: We don't know.

QUESTION: If so, will the techniques for selecting the names be the same?

ANSWER: If there is one, there probably will be no fundamental change, although we can't predict what unforeseen circumstances may arise to alter our policy.

QUESTION: Is there to be a *Red Channels* of Broadway?

ANSWER: None contemplated at present.

QUESTION: Are there to be *Red Channels* on other industries?

ANSWER: We don't know, but we do know there should be.

QUESTION: Do you consider *Red Channels* a success?

ANSWER: Yes.

QUESTION: Specifically, what do you think *Red Channels* has accomplished on the credit side?

ANSWER: It has made the public more aware and actors and actresses in the industry more aware that there has been a definite plan by the Communists to infiltrate the industry for their own purpose. Also, there is evidence that *Red Channels* has discouraged many actors and artists from lending their names to Communist fronts and causes.

QUESTION: Do you think there have been any debits so far as *Red Channels* is concerned?

ANSWER: Yes.

QUESTION: Would Ted Kirkpatrick still say, as he did before the Radio Executives Club, that not one mistake has been pointed out in *Red Channels* since its publication?

ANSWER: Yes, to our knowledge no one has yet pointed out a *fundamental* error of fact [emphasis mine—M. M.]. As in most publications, some minor typographical errors have been discovered.

As for the future of American Business Consultants, when Kenneth Bierly was asked, "When will you be ready to close up shop?" he replied:

"We have had a little discussion on that point and our feeling

is that probably we are going to be closing up shop when this hot war becomes a livid war.

"The point is that soon it is going to be purely a matter of the government and there would be no reason for a privately constituted organization.

"In other words, the closer we get to war, the closer we get to closing up shop."

Since then, however, Mr. Bierly has changed his mind about a number of things. He and American Business Consultants have parted company in a manner which, Mr. Bierly has said, "You couldn't exactly call friendly." Bierly has moved his office to a West Fortieth Street address and has set up a new organization called "Kenby Associates." Among Mr. Bierly's clients is a rather substantial one, Columbia Pictures.

His job, as he puts it, "is partly to get people out of the trouble that *Red Channels* got them into."

Bierly, who now describes himself as "the most left of the three of us," feels that Keenan "was more the businessman and was certainly the most right-wing of us" and that Kirkpatrick was "kind of in the middle, whichever way the wind was blowing."

As for *Red Channels*, Bierly is at present convinced that "It has been used in many frightening ways that I am against. I don't think I've changed my position. . . . It's just that now I feel it's being used to keep innocent people out of jobs, and it shouldn't be. I'm against that."

When asked whether he felt that *Red Channels* does constitute a black list, Bierly replied, "It has had a bad effect, a very bad effect, and you can quote me on that. You can't possibly make my position too strong in saying that I'm against that kind of thing."

His first job for Columbia Pictures was to "clear up the confusion about Judy Holliday," a *Red Channels* listee who had frequently been denounced in *Counterattack* as well. Shortly after the release of the movie version of *Born Yesterday*, Miss Holliday, who received an Academy Award for her performance, was attacked by several groups, including leaders of the Catholic War Veterans. At one point there was talk of a picket line wher-

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ever *Born Yesterday* was shown. Garson Kanin, the author, is also a *Red Channels* listee.

However, the picket line did not materialize; the protests against both Miss Holliday and the film soon died down.

"You might put it," said Mr. Bierly, "that I had something to do with getting the facts, the true facts, to the right people.

"You can say for me that Miss Holliday is not a Communist and never has been, and neither are a lot of other people in it."

By "it" Mr. Bierly referred to *Red Channels*.

5 . AND

A TRIO OF HELPERS

To a large degree, the actions of Ted Kirkpatrick, John Keenan, and, despite his recent change of heart, Kenneth Bierly have resulted in what an executive of the Columbia Broadcasting System has called "An undertaking that eventually may cost the industry fifty, maybe a hundred million dollars and God knows how many ulcers and gray hairs and broken hearts and shattered careers and suicides. Plus a lot of public respect—and good shows. The trouble with people who've never joined anything and therefore are 'safe' for us to use is that they usually aren't very good writers or actors or producers or, hell, human beings.

"But we're relying on mediocrities now, and the three boys on the flying trapeze are responsible. My God, it's straight out of Kafka, isn't it? These three gents have the whole damn industry stymied—three guys, count them."

Nevertheless, from the beginning the trio of former FBI men could always count on the help of at least three others, a housewife, a rabbi without a temple, and an editor. Since they also have played a major part in "stymieing" an entire industry, it seems important also to examine the activities of Mrs. John T. (Hester) McCullough, Rabbi Benjamin Schultz, and an editor named Karl Baarslag.

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MRS. JOHN T. McCULLOUGH

It is not surprising that when, on August 26, 1950, Theodore C. Kirkpatrick learned that one of the *Red Channels* listees, Jean Muir, had been signed for an important television series, he should have thought first of calling Mrs. John T. (Hester) McCullough of Greenwich, Connecticut. For one thing, he was familiar with her point of view; for another, although a Connecticut resident, she was listed as a fellow member of Rabbi Schultz's Joint Committee Against Communism in New York.

Besides, Mrs. McCullough had just defended herself in a lengthy and widely publicized libel suit involving two other *Red Channels* listees.

In December 1948, a month before Paul Draper, the dancer, and Larry Adler, the harmonica player, were scheduled to appear before the Greenwich Community Concerts Association, Mrs. McCullough had protested to the association, and her comments were printed in the *Greenwich Time*. Both entertainers, she complained, had been described as "pro-Communist," and both then and later she attempted to document her point by listing a number of organizations to which they had belonged or still did belong. Her technique was strikingly similar to that later used in *Red Channels*.

Later, partly as a result of the publicity the McCullough letter received, Draper and Adler found the number of their engagements dropping rapidly (today neither can find any work in the United States), and a few months later they sued for libel, asking \$200,000 in damages.

On May 27, 1950, following a protracted trial, a jury of eight housewives and four men in Hartford, Connecticut, was dismissed after reluctantly reporting its inability to reach a verdict.¹

When the Muir case came along Mrs. McCullough had not, she has said, "recovered from all that other trouble." She was, she declared, "exhausted, physically, and every other way, including financially." She had, during the trial, received some backing from admirers, "but not enough, not nearly enough."

¹In October 1951 the libel action was dismissed by the federal court in New Haven since Draper and Adler did not ask for a retrial.

Although she was, as has been seen, extremely effective in the spectacularly successful telephone campaign which resulted in Miss Muir's dismissal, Mrs. McCullough a few days later apparently had a change of heart. She resigned from Rabbi Schultz's Joint Committee (of which she told reporters she had not really understood she was a member), and she said, "General Foods should have been as respectful of Miss Muir's rights as they were of my rights in protesting."

Now in her mid-thirties, Mrs. McCullough was, until she became involved in the Draper-Adler suit, "just somebody who lives in Greenwich, but I guess you might say I was always on the lookout for Them [Communists]." Her husband is picture editor of *Time* magazine.

At present, however, she said, "in every place except Greenwich I'm appreciated for what I am." Much of the town has not taken kindly to the widespread press coverage given the Draper-Adler suit.

"Why," Mrs. McCullough told the investigator, "last week I went to a meeting on Long Island, and I had to stand up three times to take a bow. They knew who I was all right."

When she and her husband went to Hollywood to gather additional evidence for the Draper-Adler case, "Hedda Hopper took us to lunch at Romanoff's, and a lot of people came up to meet us, movie stars, I mean, important people like that, and all of them knew my name."

During the course of a full morning's interview with Mrs. McCullough, whose husband was also present, she spoke several times of "very, very talented singers and musicians," none of whom she named, "because they might get in trouble if I did," who could not appear on any American concert stage. "In fact, they just can't get jobs at all, even though they'd put some of the ones that are up there now to shame."

"Why?" she was asked.

"Pretty simple. They [the Communists] know these people are against them, and They won't let them perform. It's the same way in Hollywood. Lots of people who won't play along with the Party out there are starving to death, the best people, too.

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"Adolph Menjou, for instance. He hasn't worked since he appeared before the House Un-American Activities Committee [in 1947]."²

Although, generally, Mrs. McCullough was not hopeful that we will make such progress against Them in the radio-television industry, she did feel that "we're making some headway on the West Coast." For instance, she said, one producer-writer told her that what he called the "McCullough Clause" is going in the contract for everybody working on his picture. She referred to a loyalty oath.

"He said he wished more of them would call it that, the McCullough Clause, I mean, just so everybody'd know who started this whole thing."

As for the Broadway theater, Mrs. McCullough reported that a few weeks earlier she had attended a production in which an old friend was playing.

"After the show, we went backstage to see him, but, do you know, I couldn't use my real name. The rest of the cast was all Communist, and he was afraid; he didn't know what would happen to him if They found out I was a friend of his. We just had to meet in a dark corner there. . . . Of course, most of these Broadway shows are run by the Communists, but can you imagine a thing like that happening in America?"

As she left the investigator at the Greenwich station to catch the train for New York, Mrs. McCullough said, "I haven't been at all active in the fight lately, but there is one man [and she named him] I'm going to get. He's on this quiz show, you know [and she named the program]. He's got a record a mile long, and he may think he's getting away with it, but he's not."³

²Among Menjou's movies since 1947 are *State of the Union* (1948), *My Dream Is Yours* (1949), *Dancing in the Dark* (1949), *To Please a Lady* (1950), etc. The actor has also been on several successful nationwide lecture tours; he has written a book since 1947, and he will soon be seen in the Stanley Kramer production of *The Sniper*.

³The entertainer mentioned by Mrs. McCullough has since been dropped from the program to which she referred; he no longer appears on either radio or television.

RABBI BENJAMIN SCHULTZ

For more than twelve years Benjamin Schultz was rabbi of Temple Emanu-El in Yonkers. Except for a column he wrote for the *National Jewish Post*, Schultz was not well known outside Yonkers until October 1947 when he sprang into sudden prominence as the result of a series of three articles he wrote for the *New York World-Telegram*. The pieces, called "Communists Invade the Churches," purported to show the extent of Red infiltration into Catholic, Protestant, and Jewish religious organizations. Among others, the Schultz articles attacked the late Rabbi Stephen S. Wise. Rabbi Wise replied by calling Schultz "a professional and probably profiteering Communist baiter, unworthy to be a member, not to say a rabbi of a Jewish congregation."

Almost immediately, according to Schultz's statements at the time, the board of trustees of Temple Emanu-El asked him to resign; Schultz said the articles were responsible; the trustees denied it, and at first Schultz stayed on. However, when the trustees began boycotting his services, the rabbi stepped down. He has not been assigned to a temple since.

At the time, and significantly considering his own activities later, Rabbi Schultz complained, "My articles on Communist infiltration are based on facts. To condemn them without investigation and WITHOUT HEARING [caps are mine—M. M.] is patently un-American."

A few months later, in March 1948, the American Jewish League Against Communism ("How Can Americans of Jewish Faith Combat the Infiltration of Communism into the American Jewish Community?") was launched, with Schultz as executive director and Alfred Kohlberg as chairman and almost sole financial backer.

Although Rabbi Schultz refused to see the investigator or to answer any of a long list of written questions about the League, a high official of one of the largest and most respected national Jewish organizations has this to say:

"Schultz's claims about the League's membership vary, but, usually, they run into the thousands. Actually, he has only between 300 and 400 members, including a small chapter in Dallas

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[about 35 members] and one in Los Angeles [fewer than 50].

"The total budget is between \$28,000 and \$30,000, of which \$10,000 goes to Schultz as salary.

"The League has no affiliation with other Jewish organizations and is not financed by the organized Jewish community of the country as is the case with the American Jewish Congress, the American Jewish Committee, the Anti-Defamation League of B'nai B'rith, the Jewish Labor Committee, and the twenty-seven local Jewish Relations agencies. [N.B. All of the organizations named are anti-Communist.]

"Further, both the New York Board of Rabbis and the Synagogue Council of America have disassociated themselves from Rabbi Schultz."

Except for an occasional and usually little publicized attack on such scattered targets as former Chancellor Robert M. Hutchins of the University of Chicago and now of the Ford Foundation; Morris Hadley, president of the New York Public Library; Albert Einstein; and a protest against the proposed appearance of Paul Robeson on Mrs. Eleanor Roosevelt's television program, neither Rabbi Schultz nor the American Jewish League Against Communism received much public attention until the time of the Jean Muir incident.

The Joint Committee Against Communism in New York, which claims it includes representatives of the American Legion, Catholic War Veterans, AMVETS, and "other prominent anti-Communist groups" as well as Theodore C. Kirkpatrick of *Counterattack*, was set up early in 1950; Rabbi Schultz is the co-ordinator.

According to Kirkpatrick, the Joint Committee originated when "A group of representatives of various membership organizations got together . . . to try to do something about the infiltration in education. . . . The organization became quite active and instrumental in having a resolution proposed before the Board of Education which would deny the Teachers Union the right to come before the board representing teachers. That was ultimately successful. At the conclusion of that some of the people who were active in it thought it would be a good idea to make the organi-

zation a permanent one and instead of having it a joint committee of official representatives of other membership organizations, [we decided] that it would be only a group of individuals who desire to work together and meet together on the problem of various aspects of Communism in the city."

QUESTION: In each case, these persons [members of the Joint Committee] represented only themselves, not their organizations?

KIRKPATRICK: That is right. . . . Just a week or two before the Henry Aldrich show incident . . . it was decided to set up a radio and television subcommittee. . . . The subcommittee had not been organized at the time all the publicity broke.

However, even though, according to Kirkpatrick (later listed as a co-chairman), the radio committee was not yet set up, on August 1, 1950, Rabbi Schultz wrote to the executive producer of one of New York's four network outlets protesting against the guests appearing on a morning woman's program as well as the moderator. "A look at the record," he wrote, "will show that [the moderator] has had many more left-wing guests on her show than the average American would think normal."

He would not, the rabbi stated, "think of suggesting that this woman be removed or that any so-called censorship be exercised at present." Instead, Schultz wanted Alfred Kohlberg to answer one of her guests, even though Mr. Kohlberg had not been mentioned on the program; failing that, the rabbi suggested Senator Joseph McCarthy, who had been mentioned, as a guest.

More important, however, so far as the station executive was concerned, Schultz stated, "I am writing this letter not only in my capacity of National Executive Director of the American Jewish League Against Communism, Inc., but also as Co-Ordinator of the Joint Committee Against Communism in New York, representing more than 2,000,000 citizens of this state [emphasis mine -M. M.]."

When, twenty-five days later, Rabbi Schultz called the National Broadcasting Company, he was less wary of "any so-called censorship."

As indicated earlier, he is reported to have demanded Miss Muir's immediate removal from the Henry Aldrich program, and

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he is said to have added, "I'm speaking for the more than 2,000,000 members of my organization." Moreover, in the *World-Telegram* of August 30, the rabbi announced that he ". . . had the support of 2,000,000 members of various patriotic and anti-Communist organizations."

At that time, too, Schultz added that "a full-scale program has been worked out to 'police' the radio and television networks, producers and entertainers trying to 'sell' Communist ideas." Miss Muir's dismissal, he concluded, was "Only the beginning."

In addition to Kirkpatrick, Schultz said members of his radio committee included Mr. Kohlberg, Mrs. Earl French, former president of the Queens YWCA (who several years ago claimed widespread Communist infiltration in the YW), Mrs. A. E. Bonbrake of Forest Hills; Stephen Chess, Queens commander of the Catholic War Veterans, and Mrs. McCullough.

A few days after the Muir incident Schultz said that members of the Joint Committee, this time "acting as individuals," had complained to officials of Columbia and RCA records against further distribution of the then popular song, "Old Man Atom."

"We learned about this song three or four days ago," he stated, "and we began working on it. I won't say we did it, but we made our sentiments known." Both record companies withdrew the song from circulation.

That same week Isaac Don Levine, one of the organizers of the League and former editor of Mr. Kohlberg's magazine *Plain Talk*, resigned from the Schultz committee. He said he didn't approve of its public relations policy; furthermore, he condemned Miss Muir's dismissal as "panicky" and added that she should have had a fair hearing "before losing her job."

Mrs. McCullough also resigned, claiming that she'd never authorized her name to be used by the committee anyway. "I don't want to be part of a committee that sits in judgment," she added.

In an interview with the ACLU, Kirkpatrick said (even though he had been listed as a co-chairman), "I was never an officer of the committee and never had much to say regarding policy." In addition, the newsletter at one point declared, "There is no con-

nection between COUNTERATTACK and the Joint Committee Against Communism in New York."

More recently Schultz has been in numerous other public controversies, and in January 1952 he demanded a legislative investigation of "the international Communist conspiracy in New York State"; as an example of what he wanted looked into, Schultz presented a "one-case history" naming eighteen members of the Brooklyn College faculty as having been "seriously involved with organizations or activities cited as subversive." Kohlberg, identified as chairman of the subcommittee which drew up the charges, added that ". . . the burden of proof is upon these teachers to prove their fitness to teach." Dr. Harry D. Gideonse, a long-time and vehement anti-Communist who is president of the college, denied the charges and added, "The activities of the Joint Committee have—to put it very mildly—not been characterized by the care and caution which it would be reasonable to expect from folks who expect others to act in a responsible and official capacity."

Schultz also makes many speeches. As a sample of his oratorical technique in a lecture in Lansing, Michigan, before the Wolverine All-American Conference on Subversive Activity, he attacked Mrs. Roosevelt for "corrupting American thinking"; he declared that Americans for Democratic Action, from its inception an avowedly anti-Communist group, is "an organizational extension of that lady's personality," and he concluded that the ADA is really more dangerous than Communism, "because the reforms they seek are exemplified in countries like Norway and Sweden, which are in the greatest danger of going Communist."

THE AMERICAN LEGION

A LETTER TO THE AMERICAN CIVIL LIBERTIES UNION FROM ALLEN B. WIL-
LAND, DIRECTOR OF THE NATIONAL AMERICANISM COMMISSION OF THE
AMERICAN LEGION

". . . I am sorry but do not believe that it would serve any useful purpose for Mr. Baarslag or any other members of our staff to interview Mr. Miller."

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The American Legion has been consistently active in what its 1951 national commander, Erle Cocke, Jr., once called "the crusade to clean up the air waves and the television channels."

Frequently a state, local, or post commander of the Legion will, apparently without prompting, protest the appearance of a certain radio or television performer. For instance, shortly after the Muir incident, Edward Clamage, then chairman of the Illinois Legion's Anti-Subversive Commission, complained in a speech to the state Legion convention about the forthcoming appearance of Gypsy Rose Lee on the American Broadcasting Company radio program, *What Makes You Tick?*

A few hours later Robert Kintner, president of the network, wired Mr. Clamage, "If you have evidence [of Miss Lee's alleged pro-Communism], please wire me." Otherwise, Kintner stated, the show would go on as scheduled, with the intellectual striptease dancer as moderator.

Clamage answered that his information was based solely on the listing of Miss Lee's name in *Red Channels*. As for proof, he said, "The entire matter could easily be clarified and the answer should come from the publishers of *Red Channels*."

Theodore C. Kirkpatrick of *Red Channels* simply stated, "We are not adding any further documentation to the information already published."

And so Miss Lee went on the air, and, according to a network spokesman, there were no further protests from Mr. Clamage—or, so far as this investigator could discover, anyone else.

However, after Kintner received a Peabody award for his action in "resisting organized pressures and . . . [his] reaffirmation of basic American principles," *Counterattack* complained that in the Lee case Kintner had "abnegated his responsibilities and tried to shift them to someone else." The whole thing, including the Peabody award, was, the newsletter concluded, "an excellent example of the code of conduct of certain pseudo-liberals . . . there must be excess proof of any charge of pro-Communism, but any anti-Communist individual or group can be smeared without factual basis."

Most of the American Legion's protests originate not with local officials but with a former radio operator who was once associated with a maritime union. Karl Baarslag is the full-time assistant director of the Legion's Americanism Commission, and, so far as could be discovered (Mr. Baarslag ignored all telegrams, telephone calls, and letters from the investigator), does all the writing for an official Legion newsletter called *summary of trends and developments exposing the Communist conspiracy*.

Like *Counterattack*, which the *summary* often praises and sometimes imitates (or vice versa), the Legion publication covers the whole field of alleged Communist activities, from analyses of official CP publications like the *Daily Worker* to supposed infiltration into labor unions to listings of "front" organizations. In recent years, however, the Baarslag letter (subscription \$3.00 a year) has increasingly concentrated on lists of "lecturers, entertainers, writers, playwrights, educators and others, whose past activities make them unsuitable or inappropriate for Legion sponsorship."

In the May 1949 issue 127 persons were named (many of the same names later appeared in *Red Channels*), including some of the most famous entertainers on both coasts. On May 18 the entire list was released to the wire services, which in turn transmitted the names to individual newspapers. However, a few hours later the press associations ordered the story killed, presumably for fear that libel action might be brought by those listed. Only the left-wing *New York Compass* printed the names. At the time, so far as radio and television were concerned, the list seemed to have no effect.

However, as of now, again like *Counterattack*, the *summary* almost every month includes a section called, "What You Can Do to Combat Communism," also with special emphasis on the entertainment field.

In April 1950 the editor advised his readers, most of them national, state, and local Legion officials, to:

"Organize a letter-writing group of six to ten relatives and friends to make the sentiments of Americans heard on the important issues of the day. Phone, telegraph, or write to radio and

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television sponsors employing entertainers with known front records. There are an estimated two to three fully qualified and thoroughly loyal Americans at present unemployed ready to step into every job vacated by a Stalinist writer, actor, or entertainer. Give Americans a break just for a change by giving pro-Communists the bum's rush off the air."

How to uncover the names? Readers could, the publication advised, obtain them from "this summary, *Counterattack*, *Alert*, *The Sign*, *National Republic*, *New Leader*, and other dependable sources."

As for the method of protest, the *summary* bluntly advised: ". . . In writing or phoning radio sponsors and others **MAKE NO CHARGES OR CLAIMS.**

"Merely state that you buy their products or services and enjoy their radio or TV shows but that you **DISAPPROVE OR OBJECT TO SO-AND-SO ON THEIR PROGRAMS AND DESIRE THAT THEY BE REMOVED. NOTHING ELSE. . . . DON'T LET THE SPONSORS PASS THE BUCK BACK TO YOU BY DEMANDING 'PROOF' OF COMMUNIST FRONTING BY SOME CHARACTER ABOUT WHOM YOU HAVE COMPLAINED. YOU DON'T HAVE TO PROVE ANYTHING. . . . YOU SIMPLY DO NOT LIKE SO-AND-SO ON THEIR PROGRAMS. . . .**"

Later the letter added, "Responsible agencies are reported as carefully checking the backgrounds of all people connected in any way with the TV or radio shows. Several others, however, are attempting to bluff their way through or playing dumb by pretending they have 'no way of looking into a man's head to see if he is loyal' or, 'We are interested in an entertainer's policies as long as he has talent and is in demand.' The answer to that, of course, is a letter to a known official of the sponsor, **NOT THE RADIO STATION OR AGENCY**, saying in effect that, 'you are not interested in their products or show until so-and-so is canned from the air.'"

The effect of suggestions by the Legion publication is difficult to gauge, unless specific names are mentioned. Significantly, a few weeks after the *summary* presented a dossier on the alleged pro-Communist activities of a detective-story writer whose most famous character was being used in a weekly radio series, the program was dropped. Reason? The agency in charge complained

that the original program "Cost too much"; the sponsor had "No comment."

In any case a new detective, *not* created by the mystery writer of whom the Legion *summary* complained, was soon on the air, same time, same station. (N.B. The star of the original show was listed in *Red Channels*; he was not in the new series either.)

At one point the Legion letter commented that a certain band failed to appear on a radio program "as reported in last month's summary. . . . The sponsor pleaded a 'conflict' in schedules . . . but that ain't the way they explain it in studio circles."

After the firing of Jean Muir, the *summary* devoted a large part of its September 1950 issue to comment on the case:

"The long overdue housecleaning of commies, pinkos, and Stalinist camp followers in the radio entertainment industry seems to be getting underway at last."

The firing of Miss Muir was, however, "of very little importance. If she is to be the last and only one fired off the air, then practically nothing has been achieved. . . . The main point at issue has very cleverly been obscured, completely covered up and kept away from the public eye. That is the culpable negligence of many—not all—radio sponsors, agencies, and networks in policing their own programs and keeping them clean.

"All the yelpings and bleatings of the typewriter pundits and self-appointed plumed and armored 'guardians of American liberties' are NOT GOING TO STOP THE HOUSECLEANING, for the simple reason that economics, as General Foods had the good sense to point out, is going to settle the argument. . . . Blatherskite columnists, editorial pundits and radio smart alecks DO NOT SPEAK FOR ANY ORGANIZED GROUP OF CONSUMERS OR ANY OTHER SIZABLE AMERICAN ORGANIZATION. [The emphasis throughout is Mr. Baar-slag's.] They speak only for themselves and that, as any smart business man realizes, won't even sell a can of beans."

6 • THE OTHER SIDE

OF THE COIN

For years now there have been rumors, printed, whispered, and shouted, of the existence of a Communist or left-wing black list in radio and television. Such allegations have been made in numerous newspaper stories, particularly in the New York *World-Telegram* (before it was combined with the *Sun*) and in some magazines. The most famous was that appearing in the October 1949 issue of the *Sign*.

The latter, said to have been written by a well-known radio actor, listed 51 persons allegedly Party members or Communist-fronters, including actors, directors, and producers. Some of the names later appeared in *Red Channels*.

In addition both *Counterattack* and *Red Channels* have many times stated that its editors have "proof" that such a black list does exist. In the introduction to *Red Channels* it was said that ". . . Those who know radio and TV can recite dozens of anti-Communists who, for mysterious reasons, are *persona non grata* on numerous programs and who are slandered unmercifully in certain 'progressive' circles."

And in its issue of September 13, 1950, most of which was devoted to an account of the Jean Muir incident, the weekly news magazine said, "*Counterattack* has evidence that for years

loyal, anti-Communist Americans have been blacklisted in radio and TV industry. . . .

"For some strange reason [emphasis throughout is Counter-attack's], the press which became so irate about the falsely reported black list of anyone mentioned in Red Channels has not expressed a word of resentment about the black list of loyal Americans. . . .

"Why doesn't the U.S. press initiate a campaign to destroy this, the real black list?"

In addition, the newsletter that week declared:

"Lois Wilson played the role of Henry Aldrich's mother (39 performances) last season. She received many favorable notices.

"Lois Wilson is very definitely anti-Communist. She has freely expressed her views on this subject.

"She is not playing the role this season.

"Why haven't the newspapers shown any interest in finding out why LOIS WILSON was not rehired to play the part of Henry Aldrich's mother?"

In discussing the alleged left-wing black list with representatives of the ACLU, Mr. Bierly was, however, considerably less vehement.

". . . Where there is evidence of black-listing because a person is right instead of left, it is most difficult to establish an airtight case that it was done. . . . It is a matter of a word over a cocktail to a casting director, or it is done in the nature of a telephone call or at a social gathering, something of that type, which is almost impossible to prove. . . .

"We have had many allegations from various people that this exists, and we are not in a position to demonstrably prove the situation right now. . . . One of the most cogent reasons for the statement is that in an AFRA discussion concerning this problem various people stated that there had been black-listing of anti-Communists. . . ."

As an example of the kind of "allegations" he meant, Mr. Bierly mentioned an actor who "claims that he was specifically canceled [out of a mystery show] because of his open anti-Communist statements. . . ."

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The actor himself had this to say: "I've a strong feeling that I've lost out all along the line in radio and television because I'm a strong anti-Communist, but I certainly couldn't prove it in a court of law. I wouldn't even want to try. Maybe they're right; maybe I just wasn't good enough."

An executive from the advertising agency in charge of the program said, "I don't know anything about his [the actor's] anti-Communism. I just know he wasn't any damn good—for this show anyway." The executive also mentioned the name of an aggressively anti-Communist member of AFRA who has frequently appeared on the program.

An actress, whose name was given the investigator by Mr. Bierly as another example of someone who had been discriminated against because of her right-wing sentiments, wrote from the West Coast, "While it seems to be generally agreed that a 'black list' [of anti-Communists] has been existent for some time and many others have suspected its use against them, I have never known anyone who produced proof—which is the only material you would be interested in."

As for Lois Wilson, Mr. Kirkpatrick was asked, "Is there any evidence about that, that she wasn't put back on [The Aldrich Family program] because she had been outspokenly anti-Communist?"

"There is no concrete evidence of that, to my knowledge," said Mr. Kirkpatrick.

Miss Wilson, who, like Miss Muir, is a former screen actress, said, "I certainly would not be able to say definitely why I was not rehired for the show. I just do not know, and I just could not say, and I do not have any idea whether politics was involved or not."

An official at Young and Rubicam added, "Politics was not involved in Miss Wilson's discharge. . . . The best way to demonstrate that is to mention that for a long time on The Aldrich Family one of the most outspoken anti-Communists in the business has played a leading role." (At this writing, he still is.)

Mr. Bierly mentioned the names of two other entertainers who, he said, "thought" they had suffered because of their anti-Com-

munist sentiments. In two weeks of trying, neither could be reached.

Thus *Counterattack's* publishers do not, despite the claims of the newsletter, have any "evidence that for years loyal, anti-Communist Americans have been blacklisted in radio and TV industry."

At the office of the National Catholic Welfare Conference in Washington, D.C., several names were suggested as victims of "the Red black list." Only one actor could definitely point to what he thought was such an experience. During the Wallace presidential campaign in 1948, he said, he began receiving the *Daily Worker* in the mail at his home; after a while he casually asked the director of the show if the director knew why he was receiving the Communist paper. The director said no.

A few days later, however, the director returned to the actor, apologized, and said that the author of the script had decided he wanted a younger voice for the part. The original actor was replaced by a second who, it is alleged, had marched in the 1947 May Day Parade.

After he lost the job Actor No. 1 stopped receiving the *Daily Worker*. "I think," he says, "that I was being tested for my political attitude, and when I didn't react and didn't offer to make any contributions to the Wallace campaign, I became *persona non grata* to the author."

A former network commentator, whose name was also suggested by officials of the Catholic group, had this to say: "I'm not on the network any more because of my vehement, violent, consistent, discretion-be-damned denunciation of the Red Rats." He did not, however, have any evidence that such was the case. As for those now suffering because of accusations of left-wing activities, he said, "We've [the anti-Communists] been taking it on the chin for years. Let them squeal now."

In a meeting with a quartette of the more active right-wing leaders of the American Federation of Radio Artists the investigator was not given a single specific example of such a black list. One of the four, just now one of the busiest performers in tele-

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vision, attributed his success in the newer medium to the "fact that they [the Communists] aren't as strong in TV yet." Another, one of the best-known actors in radio, alleged that at least one package producer was "an out-and-out Commie and has a black list a mile long, and I'm on it." When it was pointed out that the actor had been starred in one of the producer's shows, he said, "Well, he [the producer] would have hired me for more shows than that if I weren't such a red-baiter."

Late last summer Lola Montez, who was identified as "a prominent radio-TV actress," was quoted in the New York *Journal-American* as demanding an investigation of what she called "an economic boycott against pro-Americans" in radio and television.

Miss Montez added, the newspaper story said, "One speech against the Communists or any public stand against Russia can cost us jobs on many shows."

The actress had been one of the most outspoken supporters of an anti-Communist constitutional amendment in AFRA (see Chapter 11).

". . . I had plenty of work both in radio and TV until then," Miss Montez went on, "and had turned down shows which I had no time to do.

"A few days after the AFRA meeting, one major TV show in which I was to play the lead was suddenly canceled. No explanation was given although I had been told I was ideal for the part and the job was mine.

"Other roles in both radio and TV were suddenly lost. In three weeks I've been transformed from a busy actress to an unemployed one. And I've been in the industry long enough to know I'm not the only one. My case is typical rather than exceptional.

"I am," she concluded, "only one of many union members [of AFRA] who have suffered economically and professionally because of our opposition to Communism."

At one time, Miss Montez told this investigator, she had fifteen television shows a week, including a daily interview program and "the only woman's sports commentary"; however, both her daily programs were canceled "without explanation and despite very high ratings," and no more jobs were forthcoming.

"I did talk to the producer of one show, and he said I didn't even need to read for the part; he said I was exactly right for it. Then he talked to a friend of mine about my politics, and the next day he called my agent and said he was sorry he couldn't use me.

"And that's the way it's happened all along. I don't like to think people could be small enough not to hire me because of my pro-Americanism, but I'm afraid that's the only conclusion I can reach. I guess I'll have to move to some other country because I can't seem to make a living here any more."

Again, however, Miss Montez added, "I can't be sure, and there certainly isn't any way to prove it."

The actress could not cite any specific examples of fellow performers who had been discriminated against because of their "pro-Americanism."

Franklin Pulaski, a radio and television actor and announcer, who has been described in an editorial in the *Journal-American* as "one of the few people in the broadcasting business with guts enough to fight Reds and pro-Reds in that odd industry," is also one of a handful of performers to testify, voluntarily, before the Senate Subcommittee on Internal Security where, according to the Hearst newspaper, he "named names."

"This was," the editorial continued, "not the first time he was willing to stand up and be counted as anti-Commie.

"Now he is finding the going tough. He has appeared in more than 1,000 radio shows and 250 TV programs and hence can be counted an experienced hand. But the minute the word got around that he didn't like Commies and pinks and wasn't afraid to say so, the jobs got less and less. . . .

"The disheartening thing, Pulaski says, is that pro-Americans outnumber pro-Reds in the industry 10 to one and could 'clean out the industry in a few weeks' if they got together. What are they afraid of?"

In an interview with this reporter, Mr. Pulaski said he had worked on several New York radio stations, and he had, he is convinced, lost the jobs because "They knew I was fighting the Commies."

For example, during the 1948 presidential campaign, he con-

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tinued, he had complained to the manager of a station on which he was working when an announcer inserted in "what was otherwise a straight news broadcast the so-called 'news' that the Wallace people were holding a rally in Brooklyn. . . . I raised hell over that, and, not much later, they let me go. The manager said, among other things, that I just couldn't get along with people, but I know what the real reason was."

Again, when Pulaski was working for the radio division of the United Nations, he complained that an actor who frequently re-created the speeches of Soviet delegate Andrei Vishinsky "put too much feeling into it; he tried to make it sound convincing. If I'd been doing it, I'd have read the stuff in a dull monotone so the listeners would sense there was something wrong with it." Pulaski also was discharged by the United Nations. "They gave me a lot of reasons, everything but the right one, which is that I'm fighting the Commies tooth and nail." Mr. Pulaski has, he said, lost several other jobs and many engagements for the same reason, but he is admittedly unable "to tie it all down."

"I know why it happens, but I can't prove it."

While he acted as guest master of ceremonies for the Cholly Knickerbocker show on WJZ, the New York outlet of the American Broadcasting Company, last summer, Pulaski tried to use as his guests, among others, Ralph de Toledano, co-author of *Seeds of Treason*, and Benjamin Gitlow, the onetime head of the Communist Party in the United States who has since become vehemently anti-Communist. Both names were turned down by an official of the American Broadcasting Company, according to Pulaski, and he quoted one official as "turning thumbs down on both De Toledano and Gitlow" because they were "anti-Communist . . . and too damn political."

A spokesman for that particular official (he himself was invariably busy when the investigator called to check) said, "We may have said no to De Toledano and Gitlow; I'm not sure, but I do know that De Toledano has appeared on ABC, and, if he and Gitlow were nixed, it was because the Cholly Knickerbocker show is a late evening disc jockey program, and that's not the time of night to get into any violent political discussions of *any* kind. That

time of night you want to listen to a little music and, maybe, a little light chatter—but no politics.”

Mr. Pulaski, who also narrates training films, feels that “It would be a lot easier to give up, to stop fighting the Commies, I mean, but I won’t. My conscience wouldn’t let me.

“But I do know They’re all around . . . and even if we did clean up radio and television, we’d still have to deal with Washington. It goes right up to the top down there, you know.”

One widely respected radio writer who has been a long-time anti-Communist is convinced that he lost out on many assignments because the Communists circulated rumors that he was “hard to get along with,” that he was “unstable,” and, in one instance, that he was “anti-Semitic.” The writer is Jewish.

However, here again he had only his suspicions; he had no proof that the damaging rumors had originated with the Communists.

In the several weeks of the investigation that were concerned with this aspect of the whole problem, not a single instance of such proof was uncovered. Even the soap-opera actor could not be positive why he was replaced.

Of course, if there is a Communist black list, it, like the Party itself, operates in secret.

There would seem to be very little doubt that the Communist Party has been as active in radio and television as in the rest of the entertainment field. There can be no argument about the fact that, in the past at least, many small-*l* liberals have co-operated with the Party, possibly even to the extent of discriminating against the Party’s enemies when it came to jobs. It is certain that in some circles it has been as costly to have been a premature anti-Communist as it was in others to have been prematurely anti-Fascist.

But only the Federal Bureau of Investigation can say whether or not there actually is a Communist black list in radio and in television and, if so, how widespread and effective it has been. The publishers of *Counterattack* and *Red Channels* have done the industry a disservice by referring to “evidence” which they do not now have—and never have had.

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THE VOICE OF FREEDOM COMMITTEE

Since March 1947, by far the most vociferous and active left-wing group concerning itself exclusively with radio and television has been the Voice of Freedom Committee, with writer Dorothy Parker as chairman and Stella Holt, onetime head of the Citizens Committee of the Upper West Side (N.Y.C.), as executive secretary.

The political point of view of VOF, as it is known to its supporters, can best be judged by its outlook on the Korean War, as stated in its quarterly publication, *Voice of Freedom*. The war, the publication states, "is between two rival governments." And as for the radio coverage of the fighting, it has been "a barrage of hysteria, distortion, outright mendacity and bloody-shirt waving. . . . From the earliest radio reports . . . on that morning of June 25th, the 'Red Menace' sales-appeal throbbed like a tomtom." Commentators have been forced "to suppress, play down or sneer off the North Korean claim that it was they who had been attacked . . . [or] any mention of the oft-voiced plans of Rhee and his associates to march on North Korea." In addition, another editorial declares, "Secretary Acheson moves from the passive plotting of the cold war to the active Totentanz of 'total diplomacy,' while five-star generals and jingo senators gleefully plan for the new V-E (Vaporize Everybody) Day."

"Those who listen to radio, those who look at television must realize," another VOF bulletin asserts, "the bloody madness that is being purveyed to them, and cry out against it with all their might."

In general, the outlook of the Voice of Freedom Committee and the flamboyant style of its bulletin have not changed much since, in its early days, it campaigned—without success and often without the consent of those involved—to return to the air such "missing commentators" as William L. Shirer, William S. Gailmor, Robert St. John, Johannes Steel, and John W. Vandercook.

At present VOF claims to have "A National Network of Monitors to Democratize the National Networks" numbering 3000.

After Paul Robeson's scheduled appearance on Mrs. Eleanor Roosevelt's television program was canceled, VOF's monitors

were urged to demand a Negro commentator on each network; in another issue of the bulletin the monitors living in the New York area were asked to listen every Sunday "to Rep. Vito Marcantonio, a people's commentator," and, most recently, the monitors were told to "protest the slanders" against VOF allegedly made by Fulton Lewis, Jr., Mutual network commentator.

"In emergency cases," according to one throwaway published by the committee, "whole divisions of monitors are alerted and called into action by V.O.F. and the offending radio station may be swamped with indignant letters, phone calls, and telegrams."

However, VOF does not, Miss Holt insists, "indulge in black-listing. We simply ask that we be given time to answer attacks and lies and distortions generally." To date, such requests for time have usually either been refused or, more recently, ignored altogether.

Except for an official check, there is, of course, no way of finding out how many so-called "monitors" actually support VOF's frequent calls for action, but, of one recent case in which the organization's bulletin asked its supporters to "demand" time to answer an alleged slander made by the moderator of a morning network program for women, a network official says, "We received exactly fifteen letters from their people and maybe three telephone calls, and we paid no attention whatsoever to any of them. I don't even know if we answered them."

In an interview with Fulton Lewis, Jr., the Mutual network commentator told the investigator, "They've put a pressure on me, and I did a job on them last summer [1950], but if there's ever been any results of their attack, I never heard about it. They claim to have monitors all over the country, but, frankly, I don't believe it."¹

¹Mr. Lewis is a Hearst newspaper columnist as well as a network commentator. During a two-hour interview with the investigator he spoke not only of the Voice of Freedom but stated his point of view on black-listing generally. Because of Mr. Lewis' unique and influential position in radio, the investigator feels that the highlights of his remarks, quoted below, have a bearing on the investigation.

He said, "In the first place, I am against any listing of names that is used to force people out of jobs. But, even more than that, the whole listing in that book [*Red Channels*] was done without any of the proper kind of in-

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vestigation. Why, we do more research for a single broadcast than those boys seem to have done for the whole book. People in that kind of setup have to have a sense of responsibility and be good reporters, and they [American Business Consultants] certainly don't seem to have either quality.

"This thing has gone too far anyway. Sometimes it scares me, it has gone so far. You can't discriminate against people just because in the past they belonged to a few front organizations. Now, you take Paul Douglas, for instance [U.S. senator from Illinois, Democrat]. He belonged to a lot of front organizations at one time, but he resigned. He repudiated them. And he shouldn't be punished because of past history, or people like him. . . .

"They [the publishers of *Red Channels*] don't seem to realize that people could have innocently joined things in the past. In the late thirties, for example, that happened a lot. Then people changed their minds. That is why you have to pay a lot of attention to *when* these things happened.

"Besides, I want to say I was very much against what happened to Jean Muir. It seemed to me that she was fired without any chance to defend herself, and I'm against anything like that, pressure like that. I've had some experience in the matter, from the other side, of course."

7 • SOME

OTHER CONTROVERSIES, MOSTLY PUBLIC

Red Channels and *Counterattack*, with the occasional assistance of Mrs. McCullough, Rabbi Schultz, and the American Legion *summary*, are not alone in being able to stir up "controversy" in the field of radio and television. Sometimes such "controversies" seem to spring up almost simultaneously; the sources cannot be traced; at other times several factors and several groups are involved; on occasion the trouble is caused by nothing more than the industry's general fright of Communism—or, more often, the threats of those accusing someone of possessing Communist "sympathies."

The case histories cited in Chapter 2 were, of necessity, anonymous. In the examples that follow, only one or two names have been deleted since in the others the incidents have, for the most part, already been publicized.

Here again is what happens when a handful of zealots are allowed to dictate policy to an entire industry.

In January 1950 (five months before the outcome of his case against Mrs. McCullough was known) Paul Draper appeared on columnist Ed Sullivan's *Toast of the Town* television program on a portion of the Columbia Broadcasting System.

As a result, according to the network, CBS received 350 tele-

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phone calls and "60 or more telegrams" objecting to the dancer's alleged left-wing sympathies.

Draper's name had not been in the news that week; he had frequently been denounced in *Counterattack* but not for his forthcoming appearance on the Sullivan show. (As has been indicated, the liaison between Sullivan and the producers of *Counterattack* is extremely close.) The Legion *summary* had not concurrently attacked the dancer; Mrs. McCullough has said she had nothing to do with what happened. Neither, it would appear, did Westbrook Pegler, who had in the past (and subsequently) devoted a good many vitriolic columns to Draper and his partner, Larry Adler.

Where, then, did the telephone calls and telegrams originate? How?

No one at the Columbia Broadcasting System knew—or would say. Besides, the origin of such complaints never seems to matter much. The results are nearly always the same no matter what the source.

Draper's dance was dropped from the film version of the show which the following week was carried in Los Angeles, Miami, Kansas City, St. Louis, Louisville, Atlanta, and Schenectady.

Sullivan declared, "I am sorry if some people were offended by the appearance of a performer whose political beliefs are a matter of public controversy." And a CBS spokesman was quoted as saying that the network did not wish to offend anybody.

There was no great public outcry at the time. Very few newspapers commented editorially on the event. Since then, however, neither Draper nor Adler has been on radio or television. They have, since the end of their lawsuit against Mrs. McCullough, lived abroad, making occasional appearances in the British Isles and on the Continent. Draper, who recently did make a night club appearance in Canada, wrote from London, "I cannot comment on whether or not the listing of my name in *Red Channels* has affected my income since, for some months now, I have been unable to make a living in the United States."

In October 1950 the following news story appeared in the Los Angeles *Daily News*:

"Radio Station Bans Pastor on Whisper He's Red.

"It was learned today that the Rev. Clayton Russell, pastor of the People's Independent Church and one of the leaders of the Negro religious community, has been barred from speaking over station KOWL.

"Russell has been talking from 10 A.M. to 10:30 A.M. each Sunday morning over the 5000-watt, clear channel Santa Monica station which covers Southern California.

"I was told my name had been found on a list of persons supposed to be members of some kind of an organization sympathetic to Communists,' said Russell. 'I am not a Communist. I have never been a Communist or sympathetic with Communists in any way. In fact, I have made anti-Communist speeches. I have never uttered a subversive word in my radio talks.'

"James Coyle, assistant to Arthur Groghan, owner of KOWL, verified the report that Russell had been removed and said:

"The Rev. Clayton Russell was discontinued as a speaker and the reason is that we found on investigation his name is in several lists of persons *supposed* to be friendly with Communism. *We have watched his speeches closely and he has never uttered a word that could be objected to and we do not think he is a Communist'* [emphasis mine—M. M.]"

However, at last report, the Rev. Mr. Russell was still not appearing on Radio Station KOWL in Santa Monica, California.

In December, Station WPIX in New York canceled a series of programs featuring a group of silent movie shorts starring comedian Charlie Chaplin. The movies had been produced in the years 1916 and '17.

At the time Warren Wade, program manager of WPIX, said that a single protest from the commander of the Hudson County, New Jersey, department of the Catholic War Veterans was "the only one I know of." Later, however, other officials of the television station were quoted as saying that there had been additional protests, "twenty to twenty-five of them."

Joseph R. Fehrenback, the official of the Catholic War Veterans involved, said that Chaplin's name was included on a list

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issued by a state Senate committee (it was the Tenney group) as having "followed or appeased some of the Communist Party program over a long period of time."

Mr. Fehrenback added, "It makes no difference if the pictures were made five, ten, twenty, or more years ago. Entertainment for art's sake just does not exist when you talk about Communism. People who talk that way have no basis for fact."

In addition Fehrenback declared that his group had succeeded in "preventing or curtailing" the showing of Chaplin's more recent *City Lights* in several New Jersey theaters.

Ironically, the Chaplin series of twelve silent shorts had already been shown on WPIX the year previous—without protest. They had been given, also without controversy, on various other New York television stations.

At the present writing the interrupted series has not been renewed on WPIX, but some of the Chaplin films have been shown, at least once, on another TV station in Manhattan—again without protest.

William Sweets was a veteran of twenty-five years in radio; he had for six years been director of two programs, *Gangbusters* and *Counterspy*, both packaged by the Phillips Lord agency. *Gangbusters* was sponsored by General Foods, *Counterspy* by Pepsi-Cola.

In June 1949, exactly a year before the appearance of *Red Channels*, Sweets resigned from both programs. Now he runs an antique shop in Manchester, Vermont.

Considerable mystery surrounds Sweets's resignation. He was at the time president of the Radio and Television Directors Guild, and at one point he was quoted as saying that he had been the victim of a black list initiated by *Counterattack*. At another he said he was forced to turn in his resignation because of what he called "sponsor-agency" pressure.

In the August 19, 1949, issue of *Variety*, the trade paper, under the headline "Red Scare Numbing Video," declared:

"Situation, which has already hit video via the firing of director William Sweets for his alleged political beliefs, has staggered

video to such an extent that the problem of clearing talent from fellow-traveler charges has become all-important. According to one network talent chief, clearing property rights on a story or play had been the biggest stickler heretofore in staging dramatic shows. 'Now,' he said, 'we spend our time trying to satisfy our top brass that the actors have never been on the left side of the fence.'

A representative of one of the advertising agencies involved said of Sweets's resignation, "There's absolutely nothing in writing dealing with this case." But, he went on, the "incident" had nothing to do with politics. Sweets's two programs were, he added, suffering from poor direction, and both had low Hooper ratings.

Earlier, as an officer of his union, Sweets had refused, in what was supposed to be an off-the-record meeting of union officials, to sign—for the union's records only—the non-Communist affidavit required under the Taft-Hartley Law. All the other officers of the union did sign, and Sweets's stand soon was widely known in the trade. His resignation followed not long after.

Sweets had several times been condemned in *Counterattack*, and, although he had been out of the industry for more than a year at the time it was published, his name is listed in *Red Channels*.

During the war when, according to a fellow director, "everyone up there was carefully checked for loyalty," Sweets had been on the staff of the National Broadcasting Company. For two summers prior to his resignation he had taken over *This Is Your FBI* when the regular director was on vacation. As the colleague quoted above put it, "This program has the official sanction of the FBI and I am sure that if Sweets were a Communist, the FBI would know about it and would not have allowed him to direct the show."

In any case, whether Sweets's resignation was forced or voluntary, at its twenty-first national convention in Philadelphia in August 1949, the American Legion passed a resolution commending General Foods and Pepsi-Cola "for their patriotic action . . . in removing from their radio and television programs certain persons of known Communist sympathies."

SOME OTHER CONTROVERSIES

"Old Man Atom" is what song writers call "a talking blues number." It was written by a Los Angeles newspaperman named Vern Partlow shortly after the atomic bombings of Hiroshima and Nagasaki.

"I interviewed atomic scientists and government officials who said that atomic war would be disastrous," Mr. Partlow said. Thus, his lyrics declare that:

. . . If you're scared of an A Bomb
Here's what you gotta do:
You gotta gather all the people in the world with you
Because if you don't get together and do it, well—uh
The first thing you know we're gonna blow the world
plumb to—uh— . . .

The song concludes with its "thesis; Peace in the world or the world in pieces."

For a long time not much happened to the song. It was recorded only by a small firm on the West Coast, and it never even came close to the hit class. Then, almost five years after it was written, Martin Block played the recording of "Old Man Atom" on his Make-Believe Ballroom over Station WNEW in New York. The reaction was immediate. Columbia Records bought the rights to the original West Coast recording and brought it out under its own label. RCA-Victor made another recording of the song, and both were successful. "Old Man Atom" was also extremely popular on the radio.

In late August, however, shortly after the Jean Muir incident, a member of the Joint Committee Against Communism in New York heard the song and decided that its message was subversive, that, in fact, the lyrics simply parroted the line of the Stockholm peace petition then being circulated by the Communists.

According to Rabbi Benjamin Schultz (see above), several members of his group agreed that "Old Man Atom" should be banned and told the record companies so.

Almost immediately both Columbia and RCA-Victor, acting with unprecedented unanimity, withdrew the record from circulation. It has not reappeared since. What's more, so far as this

reporter could learn, the song has not been heard on any of the major networks since then either.

After the capitulation of the two record companies, Rabbi Schultz told the press, "We [meaning the Joint Committee] learned about this song three or four days ago, and we began working on it. We have not made any public statement on this because we acted as individuals.

"I won't say we did it, but we made our sentiments known."

Mr. Partlow said, "I thought that [the idea expressed in his lyrics] to be the policy of the United Nations and of our government."

Officials of the two multimillion-dollar record companies said nothing at all, publicly anyway.

In June 1951 the Weavers, the folk-singing quartette whose recording of "Good Night, Irene" became one of the great best sellers, were scheduled to appear on Dave Garroway's informal Sunday night television program then originating in Chicago.

Three days before the program was telecast the National Broadcasting Company said that the singers would not be used after all. The reason, according to a network official who as usual insisted on anonymity, was that there had been "a few complaints" about them. How many? He could not, the spokesman said, be sure. From where? "The usual groups," including Rabbi Schultz's Joint Committee, which had not been heard from in some time.

In most newspapers the fact that the Weavers had been dropped from a television program was not mentioned at all. However, the New York *Journal-American* did have an eight-paragraph story on one of its inside pages. The article was written by Howard Rushmore, a former editor of the *Daily Worker* who specializes in reporting anti-Communist activity.

Mr. Rushmore also attributed his information to an anonymous NBC official. "Basis of the complaint," his story declared, "was the appearance of the 'Weavers' at Communist functions and the frequent listings by Congressional committees of Pete Seeger, founder and director of the song group.

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"Seeger," Rushmore went on, "is listed 13 times in publication *Red Channels*. . . ."

In its issue of June 1, 1951, *Counterattack* had repeated its *Red Channels* charges against the folk singers; oddly, however, the Weavers' appearance was canceled *before* that issue of the newsletter reached its subscribers.

Nevertheless, in the following issue the weekly seemed to be taking credit for what had happened. "WEAVERS APPEARANCE CANCELLED ON TV SHOW," the headline asserted. "Last week COUNTERATTACK gave facts on pro-Communist record of the Weavers' quartet which was then scheduled to appear on the DAVE GARROWAY program . . . a show that is sponsored by Congoleum-Nairn and cast by NBC. COUNTERATTACK subscribers were urged to write letters of protest.

"After COUNTERATTACK went to press, it was announced that the Weavers had been dropped from the program."

Exactly how this miracle of timing was achieved was not explained.

A few weeks later, as noted earlier (Chapter 4), the Weavers' scheduled appearance at the Ohio State Fair was also canceled. According to *Counterattack*, "There are lessons for all anti-Communists in latest incident of 'The Weavers.'"

When Roger E. Sherwood, chairman of the Anti-Communist Committee of the Knights of Columbus in Middletown, Ohio, saw the announcement of the quartette's forthcoming appearance he "decided to act. He wrote for and received permission to quote facts COUNTERATTACK had published about [the] Weavers.

"He sent this information to Gov. FRANK LAUSCHE of Ohio, to Columbus Dispatch, to State Deputy of Knights of Columbus, and to local American Legion, which brought it to attention of State Legion convention.

"*The Weavers' appearance at Ohio State Fair was cancelled.*"

Among the "lessons" to be learned from the incident was, according to the newsletter, the fact that, "A single person, acting intelligently and determinedly CAN get results . . . even in face of non-factual newspaper opposition.

"You DON'T have to call anyone a CP member, Communist or

fellow-traveler to get results. The FACTS about the Weavers' activities published in COUNTERATTACK spoke for themselves and led to cancellation."

Variety added that a spokesman for the Ohio State Fair Board had said, "There wasn't time to conduct an investigation, and rather than support any act about which there was the slightest doubt," it was decided that "it would be better to eliminate it."

In December 1950, two days before the one hundred and fifty-ninth anniversary of the final adoption of the Bill of Rights, the National Broadcasting Company as a public service broadcast a half-hour program commemorating that event. The script, which was called *Friday Is a Big Day*, had been prepared by the American Civil Liberties Union.

The large cast numbered seventeen; stage and screen actor Melvyn Douglas was the narrator. The program was mainly devoted to recent cases in which, the ACLU felt, the Bill of Rights had been violated; the tone of the script was clearly anti-Communist throughout. In one episode, dealing with the loyalty oath at the University of California, a professor is asked by his wife whether or not he has signed the oath. He says no, and his wife asks why.

"Because," says the professor, "this is turning out to be something I associated with Communist Russia."

Another of the dramatic vignettes concerned a librarian at Bartlesville, Oklahoma, who had been dismissed because on the library shelves she had, among other magazines, the *Nation*, the *New Republic*, and the *Negro Digest*.

Another was centered around Dorothy Bailey, who after fourteen years with the United States Employment Service had been discharged; someone had said Miss Bailey was a Communist, a charge she has denied, but, as the script pointed out, Miss Bailey doesn't know who her accusers are. "So she can't answer them, confront them, or prove her innocence." Patrick Murphy Malin, executive director of the American Civil Liberties Union, briefly and critically discussed the then recently passed McCarran Bill.

SOME OTHER CONTROVERSIES

(Senator McCarran later demanded and was given a chance to answer Mr. Malin on the same network.)

At one point during the program narrator Douglas said, "The issue is this—there has been a violation of the Bill of Rights. And at this late date, it shouldn't be necessary to tell even our school children that if we let the law go soft, if cases like these are ignored, you can soon get *this*—

"Knock on door:

"2nd Man: Open the door!

"3rd Man: What for?

"2nd Man: It's a search.

"3rd Man: A search? Have you got a warrant?

"2nd Man: Warrant? . . . All right, men, give him our warrant.

"There is the sound of a machine gun.

"In almost half of the world," the narrator declared, the sound of knocking "comes much too often, usually around three o'clock in the morning. . . . When people hear it, their hearts stop."

Nevertheless, despite the anti-Communist position of the script, before the program was off the air protests began. The National Broadcasting Company was reluctant to reveal the precise number, but there were said to have been 75 received in New York, and, when the program was repeated on the West Coast, 350 in Los Angeles. In addition there were "some" letters of complaint.

It was reported that a number of the callers said that members of the cast were listed in *Red Channels*. Two of the seventeen were. Others alleged that the script has a "pro-Communist line"; some accused the American Civil Liberties Union of being a "Party front."

A few days later *The Tidings*, official publication of the Southern California diocese of the Roman Catholic Church, in a long critical article dealing with the program and the American Civil Liberties Union, declared, "*Prior to the broadcast of the program in question* [emphasis mine—M. M.] *The Tidings* had solicited from NBC officials in Hollywood an explanation of why NBC considered it a public service to present this program 'in cooperation with the American Civil Liberties Union.'

"Because the program originated in New York, NBC officials

here queried New York and later advised *The Tidings* that NBC officials in New York had 'no comment' on the question."

In addition, in the same issue *The Tidings* printed a lengthy letter sent by one of its readers to the National Broadcasting Company. The reader wrote, "I am only one of the thousands shocked by your permitting the American Civil Liberties Union and the National Lawyers Guild—both cited in Un-American Activity reports as subversive and pro-Communist—the use of your facilities. . . ."

The National Lawyers Guild is in no way associated with the American Civil Liberties Union and had nothing to do with the program, and on October 23, 1939, Martin Dies, then chairman of the House Un-American Activities Committee, declared, "This committee found last year, in its reports, that there was not any evidence that the American Civil Liberties Union was a Communist organization."

Nevertheless, there was at least one result of the protests, whatever their origin. A member of the cast was scheduled to appear on a commercially sponsored program a few days later. After the ACLU broadcast, however, the sponsor changed his mind. The cast member had not been listed in *Red Channels*, but the sponsor reportedly felt that because the person involved had appeared on a "controversial" program, "There might be some trouble on my show."

Jack Gould of the *New York Times* concluded his report of the protests against the civil liberties program by stating, "The true meaning of civil liberties can perhaps best be illustrated by a heretofore unrevealed story. During the height of the Jean Muir controversy, T. C. Kirkpatrick, publisher of 'Red Channels,' was scheduled to be interviewed on the local NBC station. An NBC official momentarily leaned toward censoring the entire interview but had a belated change of heart. The interview was held at a later date.

"But which organization called Mr. Kirkpatrick to learn if his right of free speech was in any jeopardy and announced its readiness to support him?

"It was the American Civil Liberties Union."

SOME OTHER CONTROVERSIES

Late in the summer of 1951 a prominent dramatic critic and novelist was scheduled to appear on a television quiz show. However, at the last moment the plan was changed and the critic was dropped. When he asked why, a representative of the program reminded the critic that he was a member of the Censorship Committee of the Authors League of America.

"What's wrong with that?" the critic wanted to know.

"Well," he was told, "we're afraid it makes you kind of controversial."

The following item, from the New York *Journal-American* of October 21, 1950, although not directly related to either radio or television, seems appropriate, if only because of its peculiarly apt subhead:

Headline: BRITISH STAR DUE AT PLAZA

by Gene Knight

Subhead: Signs of the Times

"On October 7, I announced in this column that a band leader in a midtown restaurant is listed in 'Red Channels' as being associated with more than a dozen organizations labeled as Communist fronts by the U. S. Attorney General. The band leader is no longer there.

"On October 14, I reported that a singing act in a swank East Side spot loves to perform at pinko rallies. The act is no longer there.

"On October 19, I stated that a singer in a downtown night club is listed in 'Red Channels' as being associated with five organizations labeled as Communist fronts by the U. S. Attorney General. The singer is no longer there."

On the other hand, in what *Variety* called "a bit of surprise casting," Henry Morgan, the radio and television comedian who is listed in *Red Channels*, early last fall was hired to act as master of ceremonies at a Constitution Day Americanism rally in Elmira, N. Y.

There was no public outcry at Mr. Morgan's appearance,

possibly because the rally was sponsored by and he was paid by the National Association of Manufacturers.

According to *Variety*, Morgan was hired as part of the NAM's "spot-changing" public relations program directed by Leonard Smith, once a reporter for the now defunct Philadelphia *Record*.

"Morgan's hiring was not accomplished without considerable discussion," *Variety* went on. "Smith said, however, that he knew very well that despite the listing in *Red Channels* the comedian isn't and never was anything resembling a Communist. Once this had been explained to NAM brass, Smith said, there was no problem."

However, the NAM action did not indicate a new trend in radio and television.

"If General Foods had done something like that, it would have meant something," said Frank Reel, executive secretary of the American Federation of Radio Artists. "But the NAM doesn't help a bit. Most of the listees in our union still aren't working much."

Last September, Lena Horne, the popular singer, appeared on Ed Sullivan's *Toast of the Town* program on the Columbia television network.

However, until a few hours before the program began, Miss Horne's status was in considerable doubt. An attempt was made to substitute another singer, Carol Bruce. Miss Bruce is not listed in *Red Channels*; Miss Horne is, along with eleven "reported" left-wing affiliations.

On the Saturday before the Sunday night program Jack O'Brian, the *New York Journal-American's* radio columnist, wrote:

"It was no secret along radio and TV row today that the sponsor and the advertising agency were considerably perturbed about what was believed would be certain public resentment [over Miss Horne's appearance] and anxious to correct the latest display of Sullivan's booking genius. That it might take on the proportions of the Paul Draper controversy . . . was deemed almost a certainty. . . . Amazing, isn't it, that so many of these

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pink teas seem to 'just happen' to the Columbia Broadcasting System?"

Somewhat later Hubbell Robinson, Jr., a vice-president of the network, angrily declared:

"The Columbia Broadcasting System wishes to point out that Miss Lena Horne has appeared recently as NBC's master of ceremonies on the NBC Show of Shows, has appeared on NBC's Colgate Comedy Hour with Eddie Cantor, previously appeared in July on Toast of the Town, and has appeared on many other radio and TV programs without comment from the press. Ed Sullivan's record over the years as a vigorous fighter of Communism, subversives, and all un-American activities is too well known to require further elaboration by CBS."

However, Miss Horne's appearance was still uncertain until the singer, backed by her booking agency, the Music Corporation of America, threatened to sue if she were taken off the program. At one time a six-figure lawsuit is said to have been mentioned.

In addition, as has so rarely happened in such cases, Miss Horne's union stood behind her. The American Guild of Variety Artists threatened to remove the other performers from the program if the singer did not appear.

Shortly thereafter the rehearsal continued with Lena Horne included.

The "certain public resentment" predicted by Mr. O'Brian did not occur. A Columbia official said, "We may have received a few calls; I honestly don't know. If there were any, there weren't enough to bother about."¹

Nevertheless, a few weeks later Miss Horne's manager, Ralph Harris, was quoted in the *Amsterdam News* as saying that the singer had received "a clean bill of health" from the publishers of *Counterattack* and *Red Channels*. According to Harris, Miss Horne met with Ted Kirkpatrick and "settled the matter."

Significantly, however, Harris added that Miss Horne had not promised to change "her opposition to Jim Crow and oppression." The newspaper account added, "No other commitments have been exacted from the star, Harris emphasized, despite the fact that the ex-FBI man usually requires a signed statement, recanting past associations and promising to espouse only anti-Communist statements."

8 • A SHORT HISTORY

OF STATEMENTS AND

OATHS ON LOYALTY

E. B. WHITE, IN THE NEW YORK *Herald Tribune*, DECEMBER 2, 1947

"The essence of our political theory in this country is that a man's conscience shall be a private, not a public affair, and that only his deeds and words shall be open to survey, to censure and to punishment. The idea is a decent one, and it works. . . . One needs only to watch totalitarians at work to see that once men gain power over other men's minds, that power is never used sparingly and wisely, but lavishly and brutally and with unspeakable results. If I must declare today that I am not a Communist, tomorrow I shall have to testify that I am not a Unitarian. And the day after, that I have never belonged to a dahlia club. It is not a crime to believe anything at all in America."

On June 9, 1950, approximately two weeks before the publication of *Red Channels*, Earle C. Anthony, president and general manager of Station KFI in Los Angeles, announced that each of the two hundred employees of his station, including the janitors, would be required to "disclaim under oath any membership in the Communist Party or subversive groups."

As a result of this move, Mr. Anthony said, KFI would become the first station in the country "to thus clarify" its anti-Communist position.

"We hope," he went on, "to have set a creditable example."

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One hundred and ninety-nine employees of the West Coast National Broadcasting Company affiliate did sign the oath. One refused, Mrs. Charlene Aumack, who for many years had been the station's network traffic manager. Mrs. Aumack said she was neither a Communist nor a Communist sympathizer; in fact, she added, she was a registered Republican.

However, she told the press she considered the affidavit an "infringement on my rights as an American citizen."

Furthermore, she said, "I am not convinced that the use of dictatorial methods is a sane way to combat undesirable ideologies. Dictation is an admission that our democratic system cannot survive by democratic methods."

As a result of her refusal Mrs. Aumack was immediately discharged by KFI. Claude Mills, acting manager of the station, said, "We do this regretfully, but we have no choice.

"Mr. Anthony feels . . . we must clear our skirts of any suspicion."

A few days later James W. Gerrard, president of Station KRNO in San Bernardino, California, disputed KFI's claim to being the "first" station to inaugurate a "loyalty oath program."

That honor, Mr. Gerrard said, belonged to KRNO. His station, he wrote *Broadcasting* magazine, "is not only the first broadcaster but also the first organization of any kind to institute a program of that kind."

Although the oath itself was not much different in form, at KRNO, Gerrard stated, "The management required no one to sign. It was 100 per cent voluntary."

Mr. Gerrard did not say what would happen if an employee did not volunteer. Fortunately the problem never arose. Every employee did take the oath; it was administered by a state Superior Court judge.

Since that time several other radio and television stations have been rumored as about to set up loyalty oaths; none has so far been publicized. There have been persistent allegations that at one of the major networks a "secret" loyalty pledge has for years been required of all employees. This reporter could find no evidence of it.

However, in December 1950, Joseph H. Ream, executive vice-president of the Columbia Broadcasting System, announced that all of his network's twenty-five hundred employees would be required to sign a statement attesting to their loyalty. The statement was not, Mr. Ream emphasized, to be considered an oath; it did not have to be notarized. However, at least one employee was told that CBS would not object if such statements were notarized. Some were.

The network listed only three questions, but they were preceded by a lengthy statement from Mr. Ream. "We are," he wrote, "faced with a new crisis in our national life. The President of the United States has declared a national emergency.

"If we are to fulfill our obligations and responsibilities as radio and television broadcasters in this new crisis, we must do at least two things: first, we must make sure that our broadcasting operations in the public interest are not interrupted by sabotage or violence; second, we must make sure that the full confidence of our listeners and viewers is unimpaired.

"To accomplish the first objective we will institute measures for physical security generally similar to those existing in the last war. To accomplish the second objective we are asking each employee to answer the questions on the form attached, which we will keep confidential, unless at some future time the information is demanded by a governmental security agency. These questions are IDENTICAL [emphasis that of Ream] to those appearing in the Civil Service Commission application for federal employment.

"We are all aware that in the past certain groups have raised questions concerning alleged subversive influences in broadcasting. IT IS IMPORTANT THAT THE TRUE FACTS—BASED ON THE STATEMENT OF EACH EMPLOYEE—BE ESTABLISHED."

The questions attached were:

"1. Are you now or have you ever been a member of the Communist Party, USA, or any Communist organization?

"2. Are you now or have you ever been a member of a Fascist group?

"3. Are you now, or have you ever been, a member of any organization, association, movement, group or combination of per-

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sons which advocates the overthrow of our constitutional form of government, or of any organization, association, movement, group or combination of persons which has adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States or of seeking to alter the form of government of the United States by unconstitutional means?

"If the answer to Question 1, 2 or 3 above is 'yes' state below the names of all such organizations . . . and dates of membership. Give complete details of your activities therein and make any explanation you desire regarding your membership or activities therein."

On the reverse side of the questionnaire was printed a list of organizations which as of October 30, 1950, had been designated by the United States Attorney General as "totalitarian, Fascist, Communist, or subversive."

And at the bottom of the page was "space for details or explanations, if any."

Of the organizations listed, 22, most of them Japanese-American in origin, were labeled "totalitarian"; another 22, including Gerald L. K. Smith's American Nationalist Party and the Nationalist Action League, were said to be Fascist; 137 were called Communist; 9 were accused of having "adopted a policy of advocating or approving the commission of acts of force and violence to deny others their rights under the Constitution of the United States," and 12 were said to "seek to alter the form of government of the United States by unconstitutional means."

In a few cases, groups such as the Communist Party or the Young Communist League overlapped, falling under two classifications.

Naturally there was also space for each employee to sign his or her name.

The Columbia Broadcasting System announcement caused great surprise throughout the industry, in some quarters great disappointment. At one time CBS had been generally considered the most liberal of the networks. Now, however, according to Jack Gould of the *New York Times*, it was "by becoming panicky

and frightened . . . adding to the negative hysteria which threatens to divert our attention from the many important tasks that lie ahead if we are to combat Communism successfully."

The Authors League, in a statement signed by its president, lyricist Oscar Hammerstein II, said that the CBS move was "more likely to condemn the loyal unjustly than to discover the disloyal.

"We feel," the League went on, "that in the present crisis the issue of individual civil liberties has become one of the central issues at conflict and that no sacrifice in those liberties should be permitted without the most careful scrutiny."

Most observers pointed to one sentence in Ream's statement, the one declaring, "We are all aware that in the past certain groups have raised questions concerning alleged subversive influences in broadcasting." The principal group was, of course, *Counterattack*, which had often denounced CBS. Only eighteen months earlier the newsletter had accused Columbia of being the one of the four major networks "most satisfactory to the Communists." Moreover, a handful of CBS officials had been listed in *Red Channels*. There were no listees from the executive ranks of any of the other networks.

In some circles the CBS action was interpreted as a direct attempt to answer the accusations of American Business Consultants, despite the fact that the network had once used the firm's "investigative" services and found the results "completely worthless."

Several of the broadcasting and television unions had lengthy debates on the legality of the CBS demand; resolutions attacking loyalty statements were passed.

But at the same time the signed statements started coming in. When a group of the network's distinguished staff of foreign correspondents arrived in New York late in December 1950 for a holiday program in the States, each was presented with the statement. As one of them put it, "They practically met us at the plane with the damn thing. It wasn't exactly the kind of Christmas greeting any of us had in mind, but we signed. What else could we do?"

At the time even Mr. Ream, in his public statements at least,

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did not seem to know what would happen if an employee withheld his signature. "We will cross that bridge when we come to it," said the executive vice-president.

One CBS official resigned not long after the loyalty statement was circulated. Publicly his leaving the network was not tied up with the oath, but the association was made in not so private gossip throughout the industry. Months later another official was, as he put it, "allowed to resign." He had several times been attacked in the New York *Journal-American* and was, he was told, in danger of being subpoenaed in the threatened investigation of radio and television by the House Committee on Un-American Activities "mostly because of my *Red Channels* listing." In asking him to resign, the former employee says, Ream told him, "The network is bigger than any of us." When it was pointed out that he had signed the loyalty oath, the former employee says that Ream replied, "Oh, that doesn't mean a thing."

However, a few days after the statement was first announced a girl described as a "minor office employee" refused to sign; she was forthwith dismissed. Ream said, "It's the only way to make it work. Otherwise, the whole thing is only an empty gesture."

The girl involved refused to become a martyr. She said she was "sorry anything has come out." She asked that her name not be publicized, and she refused the legal advice volunteered by the Radio Guild of the Distributive, Processing and Office Workers of America, a group accused by the CIO of consistently following the Communist Party line.

Her position, the girl said, was a matter of principle, but she would prefer not to elaborate on that. And so the matter ended.

Ream said that, if anyone else refused to sign, dismissal would almost certainly follow. "Unless there is some compelling reason, and I can't think of any right now, we can't make exceptions," he added.

In February 1951 such an exception occurred. John K. M. McCaffery, then the moderator of, among other programs, CBS's *We Take Your Word*, wrote Ream that as a "professed Catholic" he had never associated with any Communist groups; he had, he went on, a proven record of anti-Communist activities.

Besides, he added, "It is impossible for a Catholic to be a Communist."

But, McCaffery concluded, he would not sign the statement.

Ream, who had also discussed the matter with him personally, wrote the moderator that he need not worry. His letter alone was enough; to ask that he also fill out the statement would be "a sterile insistence upon form rather than substance."

As of this writing, McCaffery is the only one of the network's twenty-five hundred employees known publicly to have been excused, and Ream has said that the case is in no way to be considered a precedent.

When it was pointed out that professed members of the Protestant and Jewish religions are of necessity as anti-Communist as Catholics, a network spokesman said, "Each case will be considered on its individual merit."

As for the time factor—the year or years in which an employee belonged to an organization now called "subversive"—Mr. Ream said, "We will take that into consideration."

So far as is known, the CBS loyalty requirement has as yet not turned up a single admitted Communist, Fascist, or totalitarian of any kind. It is unlikely that it ever will and doubtful that many CBS officials ever expected it to. Its purpose, after all, was primarily "to make sure that the full confidence of our listeners and viewers is unimpaired."

It is impossible to tell whether or not the network has accomplished that objective. However, it would seem doubtful that, to quote from Mr. Ream's introduction to the questionnaire, the "true facts" have been established by the "statement of each employee."

Faced with the necessity of signing such a statement, a Julius Rosenberg would unhesitatingly have attested to his own loyalty. To judge by the testimony in the recent spy trials, Rosenberg's wife and Harry Gold would have answered all three questions in the negative. At the time he was a Communist courier Henry Julian Wadleigh would have done the same thing. Wadleigh has publicly confessed that he passed secret documents to Whittaker

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Chambers in the late 1930s when he was a State Department employee.

At the time his first loyalty was to the Soviet Union, Wadleigh has stated, he was not a member of the Communist Party. He carefully avoided joining any organizations that might have been considered "suspicious," and he certainly would not have associated himself with those (had there been such at the time) an Attorney General called "subversive."

Wadleigh has said that he did not believe in the violent overthrow of the United States Government; he was not really a convinced Marxist, and to hide his spy activities he forced himself to talk like a conservative.

Thus he could easily have signed the CBS loyalty statement—and with a clear conscience. In discussing his pro-Russian activities at the second trial of Alger Hiss, he said, "I did what I thought was right at the time."

On the other hand, the loyalty statement did cause many troubled consciences on the part of avowed anti-Communists employed by the Columbia Broadcasting System.

"I'm not ashamed of having been a member of the Young Communist League when I was in college," one of them said. "I am ashamed that I used that little space to 'explain' my youthful indiscretions and that I 'confessed' to Joe Ream. He was very understanding, but I felt as if the Inquisition had started all over again, and I was knuckling under."

Another objection to the network's action was that, according to Jack Gould in the *New York Times*, "It raises the disquieting specter of one citizen assuming the authority to investigate and pass judgment on another.

"A corporation executive can use only his own personal standards in judging an employee's loyalty. . . . The idea of thousands of citizens being expected to conform not to a common standard but to varying interpretations of patriotism is a fearsome prospect.

". . . He [Ream] may have to accept the enormous responsibility of reaching a decision which might affect permanently the individual's earning power and reputation. If a specific employee is called up for several hearings on the loyalty question, the ac-

tion can never be kept 'confidential' in the rumor-factory which is broadcasting."

It is true that the three questions asked by the network are "IDENTICAL to those appearing in the Civil Service Commission application for federal employment." However, the federal government has an elaborate system of investigating each of its several million employees; moreover, an accused person is given at least a semblance of a hearing, and he has the right to appeal a decision to an independent agency. CBS has provided for none of these safeguards.

The network has only the word, the unverified and unverifiable word, of its twenty-five hundred employees. Presumably, however, if necessary, it could and would attest that each is a loyal American. Otherwise, the loyalty statement would appear to be an empty gesture.

As for making sure that "our broadcasting operations in the public interest are not interrupted by sabotage or violence," the network has not announced any plans for dealing with that aspect of "security," and certainly the twenty-five hundred loyalty statements won't help.

Ethically, of course, the whole problem of loyalty oaths or statements goes much deeper. On the surface it might seem that no loyal American should object to saying that he is not disloyal.

But Alan Barth, discussing the question of teachers' oaths in his book, *The Loyalty of Free Men*, has this to say:

". . . Why should teachers [or broadcasters—M. M.] be singled out and asked to protest their innocence of an attitude which there is no good reason to suspect them of holding? . . . If we are going to revive the abomination of expurgatory oaths, why stop at one profession [we haven't—M. M.]? Why not extend the device to other offenses? Let us require every legislator to swear that there are no illegal practices at his elevation and that he has never taken a bribe or purchased land knowing of a contemplated public improvement nearby. Let us require every lawyer to swear that he has never solicited clients by ambulance-chasing or otherwise, every doctor that he has never performed an abortion, and every business man that he has never violated the Robinson-Patman

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Act. Imagine the indignation which these proposals would raise from men who see no harm in teachers' oath laws. Yet these offenses are far more frequent in the respective occupations than disloyalty among teachers. . . ."

Further, there is the very basic question of whether or not any private citizen has the right to investigate another and, equally important, to cut off his livelihood because of his failure to sign a loyalty oath or statement. Such methods have heretofore always been considered morally indefensible in a democratic society where, unless those words have lost all meaning, men must continue to be allowed to think and speak and write as they wish without being required to attest that they are "loyal" to freedom.

The total effect of the CBS demand for a personal statement on loyalty from each of its employees can never be measured. It frightened some, intimidated others, and angered many; it disappointed a large number, and it certainly did not strengthen the loyalty most workers felt for the network itself. Quite the opposite. At least a dozen times this reporter was told, by CBS employees who had signed the oath, that the demand seemed not only an affront to personal dignity but also a clear invasion of privacy. Moreover, one said, "The whole thing made it seem as if the network was doubting me personally."

9 • THE HANDBOOK

AND THE ADVERTISER

CHARLES A. SIEPMANN¹

“. . . One of radio's most powerful advertisers [the American Tobacco Company] . . . once declared that its policy was 'never to offend a single listener.'”

The position of the advertiser on radio and television is not the same as in relation to a newspaper. In a newspaper he buys space; on radio and television he buys “time.”

He chooses a newspaper partly because of its circulation, partly because of its character, and he has no direct control over the newspaper's editorial policies.

On radio and television, however, according to Mr. Siepmann, “the advertiser [and more particularly the national advertiser in his dealings with the networks] has acquired so dominant a position that more often than not he prescribes—and actually prepares and produces—the programs presented in the time he has bought.”

“It is,” to quote one critic, “much as if the editor of a newspaper had to farm out the writing of the news, page by page, to

¹For a full discussion of the place of the advertiser in radio and television and of the industry itself, the reader should see Mr. Siepmann's excellent book, *Radio, Television and Society*, published by the Oxford University Press in 1950.

the corporations whose advertising appeared on those pages.”²

Thus, the network cannot afford to annoy a major sponsor, and, naturally, neither can the advertising agency hired to do the actual work of putting the sponsor's program together. Tens of thousands of dollars are involved for a single program. According to *Broadcasting* magazine (October 2, 1950), in the first six months of 1950, Proctor & Gamble, as the largest single radio advertiser, spent \$997,752; General Mills, in second place, \$886,848; General Foods, eighth, \$394,158. On television, the largest advertiser during the same period was Anchor-Hocking Glass, spending \$111,884; R. J. Reynolds, the second largest, \$102,720; and General Mills, tenth, \$44,016.

At one time George Sokolsky, a nationally syndicated columnist, wrote that radio and television advertisers and their agencies should stop hiring artists or writers who had what Sokolsky called “leftist leanings.” The Jean Muir incident followed shortly thereafter.

Did the major sponsors agree with the Sokolsky point of view and the position taken by General Foods in the Muir case?

In its issue of September 29, 1950, the trade magazine, *Tide*, answered that question. “The Tide Leadership Panel,” the magazine declared, “votes heavily in favor of the belief that advertisers and agencies have the right and duty to consider the political ideologies of the people who write and act in the sponsor's show.

“The vote,” the magazine went on, “was overwhelming.

“Almost nine out of ten (88 per cent) said that they believe advertisers and agencies should concern themselves with artists' or writers' ideologies. Only ten per cent disagreed; the rest had no opinion. Further, almost eight out of ten (77 per cent) hold that advertisers and agencies should concern themselves with artists' or writers' past ideologies as well. On this point, 20 per cent disagreed.”

Tide also quoted a few of the comments from the leading advertisers and agency men.

²Bernard B. Smith, “Television: There Ought to Be a Law,” published in *Harper's* magazine, September 1948.

"It takes only one worm in a barrel of good apples," said one.

"Advertising is an attempt to win public support," added another. "The use of a means to that end which alienates the support of even a considerable portion of the public is unwise. While I disagree violently with the type of protest that tossed Miss Muir off the air, I think I would have acted as General Foods did under the circumstances."

On the other side, a panel member commented, "Freedom of thought is endangered when we start a business inquisition." A second declared, ". . . this is still a democracy, where the individual may believe as he likes with consideration of the rights of others."

A more disturbed third said, "How in hell do they know what they are acting upon? . . . Civilized values transcend the interests of Post Toasties. We destroy the essence of freedom . . . when we encourage heresy hunting, when we make dissent synonymous with treason. . . ."

In conversations with sponsors and advertising men, this reporter found, especially in the agencies, a sizable number who personally disagreed with the majority, who were shocked by what had happened to Jean Muir—but their opinions were privately expressed and were, without exception, "off the record."

"Sure, I hate the whole thing," said one account executive, "but, during my working hours, I turn to the old handbook here."

He opened the drawer of his desk and took out a copy of *Red Channels*.

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What is the answer to the problems raised by the publication of *Red Channels* and the fear of Communists and "Communist sympathizers" shared by the entire industry? Is finding a solution the concern of management alone? Many executives seem to think so.

The manager of a large Southern affiliate of the National Broadcasting Company put it this way:

"This is strictly a problem for management. If you think there is going to be trouble with a guy, you simply don't hire him. That's the trouble with this whole General Foods thing. They shouldn't have hired Jean Muir in the first place, or, if they made a mistake and hired her, they should have let her go without giving the real reason. They could have said they'd decided she was too young for the part, too old, too fat, too thin. You know, that's easy.¹

"The whole thing was unfortunate as far as its public relations effect is concerned.

"Now if you have to drop anybody, you simply say you are making a change in the programming. . . . These things can be handled very simply if management is alert. . . . I have had

¹See Chapter 2: ". . . It's a little like that song they used to sing during the war; you know, you're either too young or too old, too short or too tall, too fat or too thin. There's liable to be something wrong with you if you're in RC."—A radio actor.

complaints about a couple of my people, and if there's any more trouble, it's off with their heads."

It is the "public relations" aspect of the problem which has worried the industry most. According to an executive of the National Association of Broadcasters, "If the radio and television business is foolish enough to allow ten Jean Muir cases to happen, I think it would close us up."

The main effect of the Muir case, he said, was to frighten away a lot of potential advertisers. "Many of them decided they'd be in a lot less hot water if they stuck to the magazines and newspapers. Why stick their necks out by radio and television advertising?"

But is there an answer to the industry's dilemma? If so, what?

The Columbia Broadcasting System's move to require a "loyalty statement" from each of its twenty-five hundred employees is that network's reply. But is it enough? Aside from the questions of ethics and justice and civil liberties involved, many observers feel that, should another "public controversy" arise, the protestants would almost certainly not be satisfied with CBS's assurance that the individuals involved had stated that they are not "subversive." In at least one instance, Joseph H. Ream himself is alleged to have said of the statement that it "doesn't mean a thing."

Shortly after Jean Muir's discharge an all-industry panel was set up, mainly at the behest of the American Federation of Radio Artists. Representatives of the four major networks and of the trade associations got together with Frank Reel, the executive secretary of AFRA, and other union officials to discuss the matter.

After the first two meetings the group issued a statement declaring, "It is especially important that a course be maintained which will assure full security and at the same time preserve individual liberties. . . ."

"Everyone present agreed," said Mr. Reel, "that except where actual national security is at stake, black-listing, whether open or secret and for whatever reason, should be avoided. . . ."

Again, how?

Among the possibilities at one time or another discussed by the group were these:

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1. That the industry set up its own "impartial" screening board.
2. That the industry ask the federal government to declare all of radio and television "sensitive" and thus governmental screening agencies could use the same screening process as applied to government employees.
3. That AFRA act as a "clearinghouse" for voluntary statements filed by those who had been accused, in *Red Channels* and elsewhere, of "disloyalty."

As for the first suggestion, when the news leaked out, there were immediate objections from many union officials and others that such a program would be nothing more than "industry-wide censorship." The Authors League called it "A sorry plan for backdoor censorship."

Whatever the merits of the second suggestion, the leader of at least one government security agency refused even to consider taking over the gigantic job of investigating the loyalty of the more than 100,000 persons employed in radio and television. Although there were some conversations on the matter, no one in either the executive or congressional branches of the government has to date backed the plan.

As for the third idea, on May 4, 1951, the AFRA-Industry Committee announced that it had, finally, adopted a procedure which its members "unanimously" believed would "prevent Communist inroads" into radio and television and, at the same time, "protect radio and television actors from irresponsible charges."

The plan was, the announcement stated, supported by AFRA, the American Association of Advertising Agencies, the National Association of Radio and Television Broadcasters, the Association of National Advertisers, and the four major networks.

The announcement described the plan as follows:

1. Where an AFRA member is "publicly accused by an identifiable source of disloyalty or adherence to an organization or organizations described as subversive," he may file any sort of statement he likes in reply with AFRA.
2. AFRA will keep such statements in a "locked and confidential file."
3. Any employer or prospective employer of an accused per-

former may request such statement through the AAAA (American Association of Advertising Agencies) president, who will forward the request to AFRA's national executive secretary. If such request cites publication and date of charges made, a copy of any statement on file in reply to them will be released to firm or person making request.

4. If no statement is on file, AFRA will notify performer of the request and permit him to file a statement. "In either event the employer or prospective employer, after first notifying the performer, may release such statement for the sole purpose of refuting any disloyalty charge."

5. It is understood and agreed that by consenting to this procedure, AFRA is not on behalf of itself or any of its members admitting the veracity of any charges which have thus far been made. Nor is AFRA in any way attesting to the validity or veracity of any of the statements which may be filed by its members. If any performer by his own actions outside of union activities has so offended American public opinion that he has made himself harmful to the best interests of an advertiser or broadcaster, that is the individual performer's personal responsibility and it cannot be shifted to his union.

Other unions in addition to AFRA would, the announcement predicted, adopt the same plan, and, meantime, the Industry-AFRA committee would continue to meet "in an attempt to find further solutions to the problem which caused its creation."

Most of the criticisms of the Columbia Broadcasting System's "loyalty statement" would seem to apply equally to the AFRA-Industry plan. Since possible Communist members of AFRA would, if necessary, not hesitate to supply such statements and since the union does not vouch for their "validity or veracity," it is difficult to see how their release, public or private, would impress or silence or satisfy those making the original "irresponsible charges"—or, for that matter, appease those terrified sponsors who wish to avoid all "controversy." Jean Muir issued such a statement; it did not satisfy the publishers of *Counter-attack* nor the officials of General Foods.

On the civil liberties level, the plan offers no protection to

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those who in principle feel—and there are some—that the filing of such a statement, whether voluntary or not, is in reality no more than a kind of loyalty oath; it also offers no protection for those who, also on principle, oppose the idea of considering political affiliations as grounds for employment or non-employment in areas not considered sensitive. According to *Variety*, the group that might refuse to file statements constitutes about ten per cent of AFRA's total membership. Is this ten per cent, not all and perhaps none of whom are Communists, to be sacrificed for a plan that *Variety* believes "would cover about 90% of the cases"?

Several months later, at the 1951 convention of AFRA in Minneapolis, Reel said of the plan, "It is perhaps too early to tell, but in my opinion it has been a failure." According to Reel, only a few such statements had been asked for, and a very small number had been filed by the union's members.

Another AFRA official said, "When a sponsor or an agency asks for a statement, they already know what it will say, and, if they were going to hire the person anyway, they do. If there's any question, they just don't bother asking for a statement. They don't hire."

Last July, in another attempt to deal with the Communist problem, the National Board of AFRA submitted to a referendum vote a constitutional amendment which had been discussed with considerable vehemence for more than a year. About fifty per cent of the union's membership voted, and the amendment was passed by a vote of 5 to 1.

It provided that:

"No person shall remain a member of A.F.R.A., or retain employment in A.F.R.A., who has been proven to have maintained membership in, or to have joined the Communist Party, since December 31, 1945, in state or federal court action;

"Or who has been named as, or identified as, a Communist by the State Department, Justice Department, or by the F.B.I.;

"Or, who after the adoption of this amendment renders aid and assistance by knowingly lending his name or talents to, or by actively promoting the interests of, or by making financial contributions to, any organization listed by the Attorney General's

office, or by any other duly constituted government agency, as subversive.

"The National Board may, in its discretion, require a written statement in affidavit form, from any officer, member, or employee of the association, or any local, to the effect that such officer, member or employee is not, and has not since the adoption of this Section been in violation of any of the provisions of Section 4 (Above) of this article."

As this is written, the precise meaning of the new constitutional amendment is not clear even to most officers of the union. Up to now no member of AFRA has been proven in court, either federal or state, to be a Party member, either before or since December 31, 1945. (Incidentally, no one in the union has satisfactorily explained the magic of that particular date.) Such court cases, and there have been only a handful, have been almost exclusively concerned with espionage, not actual Party membership. The William Remington case is almost the only exception, and Mr. Remington was tried on the grounds of perjury, as was Alger Hiss. The State Department in a few instances has refused passports to those it considers poor security risks, but the department almost never labels an applicant a "Communist"; neither does the Justice Department. As has already been pointed out, the Federal Bureau of Investigation has yet to publicly name anyone a Communist. Unless its policy radically changes, it never will.

Thus it appears unlikely that the first two paragraphs of the AFRA amendment will have much practical effect.

As for someone who "renders aid and assistance" to an organization on the Attorney General's list, several members of the union are known to be contributors to groups like the Joint Anti-Fascist Refugee Committee, which is on the Attorney General's list. To date, no action has been taken against them. Most officials of the union doubt if it will be. And what is meant by "any other duly constituted government agency"? If the House Committee on Un-American Activities calls a group "subversive" is that sufficient? How about the McCarran senatorial committee on internal security? Again, no one knows; at least no one will say.

One member of the National Board who was a strong supporter

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of the amendment said, "If somebody came to us and showed us his Party card, we'd probably have to do something about it. Notice I said probably. We might not.

"You know how these things are. You've got to get as much anti-Communist stuff on the books as possible, first for its public relations effect, second, everything like this hurts the morale of the lefties.

"Legally, though, it probably won't mean a thing."

And so both management and labor in the radio and television industry are still looking for an answer. At one time one influential group wanted to hire what a network official described as a "man with the widest possible respect who would in case something came up, like Jean Muir's case, for instance, listen to both sides and render a fair verdict."

At least two names were discussed as possibilities for the job, General Dwight D. Eisenhower and J. Edgar Hoover. However, neither was available.

Others felt that the industry itself might be able to declare certain jobs "sensitive" and in some way (no one knew how) screen only the personnel in those positions, thus cutting down on the immensity of an over-all screening of the industry, whether private or governmental.

Immediately, however, this idea ran into what seemed to be insurmountable problems of definition. Just what was a "sensitive" spot in radio and television?

The largest group of names listed in *Red Channels* are those of actors. Was an actor in a radio or television play to be considered "sensitive"? Was there some manner in which by the way he played his role he could either subvert a listener or viewer—or promote the cause of Communism?

Some people thought so. So far as the movie industry is concerned, actor Adolph Menjou does—or did.

In a 1947 appearance before the House Committee on Un-American Activities, Menjou was asked, "As an actor, Mr. Menjou, could you tell the committee whether or not an actor in a picture

could portray a scene which would in effect serve as propaganda for communism or any other un-American purpose?"

Menjou replied, "Oh, yes, I believe that under certain circumstances a communistic director, a communistic writer, or a communistic actor, even if he were under orders from the head of a studio not to inject communism or un-Americanism or subversion into pictures, could easily subvert that order, under the proper circumstances, by a look, by an inflection, by a change in the voice. I have never seen it done, but I think it could be done."

"You don't know of any examples?"

"I cannot think of any at the moment, no sir."

To date, neither Mr. Menjou nor anyone else has given any such examples.

But could an actor who was also a trained saboteur be a danger in wartime?

An official of the Federal Communications Commission answered, "Probably."

During the last war, he said, the FCC monitored "all the important programs on the air, listening for sabotage. I imagine an actor on the radio by a certain voice intonation actually could give a message to the enemy—or by a certain facial expression if it was television. But get this straight now. I'm speaking of trained saboteurs (Soviet agents, if our enemy was Russia), and I'm speaking of actual wartime. I am not speaking of someone who joined up with some one of the innumerable fronts the Communists have lured innocents into at one time or another."

In a global war with the Soviet Union, the FCC official went on, "an orchestra leader could probably play certain notes in a piece or choose a certain sequence of pieces and, if he were a spy, give messages to the enemy."

However, he added, not one example of radio being used by spies (commercial radio, that is) was discovered during the last war.

"It's probably true that in a war with Russia the possibility of such a thing happening would be much greater, but at the moment I'd say there is no such danger, none. The danger to our democracy is from the zealots who now want to ban everybody who was ever left of center."

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The chairman of the board of directors of one of the major networks agreed that it is impossible to say that one job in radio or television is more "sensitive" than another.

"During wartime," he said, "anybody who walked into this building carrying a stick of TNT or, God knows, an atomic bomb in his brief case could put us out of business—for a while at least. I don't know how you can break it down and say who's potentially more dangerous than anyone else. An office boy trained as a Soviet agent could do just as much harm as the chief engineer."

True, the board chairman continued, during the last war only persons approved by the management could go near transmitters, most of which were protected by armed guards.

"Some station managers at the time even carried guns," he said, "and in case of another world war, we'd probably do something of the same kind, but I don't think any of us around here has any illusions that this is the complete answer, any more than the listing of some poor actor's name in *Red Channels* is the answer. That last I consider the most careless kind of 'guilt by association.'"

The publishers of *Red Channels* agree that such a division between "sensitive" and "non-sensitive" positions is impossible.

They were asked, "Do you think that everybody in a radio station is a security problem?"

"In my opinion," Kirkpatrick answered, "a person who has anything to do with a radio station, who comes in and goes out, is a security problem."

And Mr. Bierly added, "I think I agree wholeheartedly with that . . . because I don't think you can too easily break down the areas of a delicate operation. . . ."

"You are," he was asked, "referring to radio, now, aren't you?"

"I'm referring," said Mr. Bierly, "to most everything. As far as I can see it, a person can be potentially just as dangerous in a desolate section of the forest as he can in the heart of a big city, or the scrubwoman scrubbing the floors of the Agriculture Department, as much as the engineer in charge of all the bridges in New York."

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LEWIS CARROLL, *Through the Looking Glass*

“The question is,” said Alice, “whether you *can* make words mean so many different things.”¹

“The question is,” said Humpty Dumpty, “which is to be master—that’s all.”

JUSTICE OLIVER WENDELL HOLMES

“When the going gets tough, we should think things instead of words.”

“I can’t tell you,” said the chairman of the board of directors of one of the major networks, “how many nights I’ve stayed awake trying to decide what we should do.

“Nobody seems to have any clear ideas.”

Meantime, the frantic search for an answer continues, and a large segment of one of this country’s largest industries remains panicked, partly by the hysteria of the times, partly by what is, relatively, one of this country’s smallest corporations, American Business Consultants, and a handful of its supporters.

In 1950, according to a report of the Federal Communications

¹At Rutgers University recently many undergraduates refused to sign the militantly anti-Communist Crusade for Freedom scroll. They were suspicious of the words “crusade” and “freedom.”

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Commission, radio received \$415,000,000 in revenue; television lost more than \$25,000,000. However, since most television stations are owned by broadcasters, television's losses were absorbed by radio's huge profits.

The capitalization of American Business Consultants was \$15,000.

The radio and television industry employs more than 100,000 people; the staff of American Business Consultants numbers fewer than twenty.

At the end of 1950, forty-five million American homes had AM or FM radio sets; most homes had more than one. There were 95,000,000 sets in use as well as 9,800,000 television sets.

On Saturday and Sunday, August 26 and 27, of 1950, as the result of a telephone call from the secretary-treasurer of American Business Consultants, a relative handful of all the millions with radio and television sets started a "public controversy" the results of which are now known in every nation in the world.

And the problem is no nearer to solution than it was then. It has simply moved off the front pages.

One difficulty is that, in the frightened discussions held within the industry since, the "problem" has never been clearly defined. Is it the problem of possible Communist saboteurs in time of war? The saboteur as well as the spy, to judge by the sorry testimony revealed at the trials of Alger Hiss and of the atomic spies, may not be an actual Communist Party member; he will not carry a Party card (if, in fact, any Party members in the United States still do); he probably will never have attended an open Party meeting. He will not have associated himself with a "front"; his name is almost certainly not listed in *Red Channels*; he has never been denounced in *Counterattack*; and he will not be uncovered as the result of any of the "investigations" or "research projects" of American Business Consultants.

The identity of the trained Soviet spy or saboteur whose assignment is to transmit secret messages over American radio and television or to wreck it may not even now be known to the Federal Bureau of Investigation. He will not be useful to the

Soviet Union unless and until a war with the United States occurs; commercial radio and television now possess no "secrets" he can steal. At that time, when and if "the hot war becomes a livid war," as Mr. Bierly put it, when American Business Consultants has, as promised, gone out of existence, the radio and television industry will have a real problem; so will scores of other important industries. That problem will without question be handled by the security agencies of the United States Government. But such is not the problem now.

And meantime, it is difficult to see how the services of the former FBI agents who publish *Counterattack* can be or have ever been of the slightest value in this area.

Is the problem one of finding the number and identity of actual Communist Party members now employed in the industry? If so, the job should not be delegated to American Business Consultants; its officials do not know who is or is not a Communist, and they have no way of finding out; they have said so, repeatedly.

The Federal Bureau of Investigation may know; through the agents strategically placed throughout the Party, the FBI may now be able to identify many actual Communists, in radio and television and everywhere else in the United States. The FBI has not, however, published their names; it almost certainly never will. If, in case of war with Russia, radio and television are found to be "sensitive," the FBI will probably turn over the results of its investigation to the governmental authorities in charge of "screening" personnel.

Meantime, however, until and if the FBI takes over the job of investigating radio and television personnel, there seems to be no sure way of identifying the Communists in the industry. A disciplined Party member would not hesitate to sign a "loyalty statement" whether required by the network which employs him or encouraged by the union of which he is a member.

The House Committee on Un-American Activities in its threatened "investigation" of radio and television may create the equivalent of the famous Hollywood Ten, a list to which several more names have recently been added. The "unfriendly" group in radio

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and television may number two or five or twenty, but even then the fact that an actor or writer or director refuses to answer the question "Are you a member of the Communist Party?" would not be proof that he is.

Ring Lardner, Jr., one of the defiant Hollywood writers, in a letter to the New York *Herald Tribune*, had this to say about his refusal to give a "yes" or "no" answer to the question:

"As the question stands now, if I am a member of the Communist Party I would be exposing myself to the bigotry and inspired hysteria which is forcing not only Communists but all left-of-center political groups into a semi-secret status. More specifically, in view of the Motion Picture Association's blacklist statement, I would be banishing myself permanently from the profession in which I have earned my living since I was twenty-one.

"If I am not a member, I would be exposing other men to the same bigotry and blacklist by contributing to the precedent that all non-Communists must so declare themselves in order to isolate the actual offenders. Further, it would be clear to everyone, including me, that I had purged myself in order to please my past and prospective employers."

What has *Red Channels* contributed to the problem of identifying the real Communists in radio and television? Nothing. Quite the opposite. All of the 151 listees are stained with the same careless red paint. As commentator Raymond Swing put it in a speech to the Radio Executives Club of New York, "A person once named, however innocent he may be, can never quite be rid of the taint, the taint not of his guilt, but of his having been named." An "explanation" in *Counterattack* will not suffice; neither will, if that were still possible, a voluntary appearance before the House Committee on Un-American Activities; neither will, to judge from the experience of Florence and Fredric March, the winning of a libel suit.²

²A well-known lawyer in the field of civil liberties has this to say about the libel problem: "In addition to the expense involved, recourse to the courts is a risky proposition. While accusation of Communist Party membership is considered libel by most state courts that have ruled on the matter, it is uncertain whether or not a person can successfully sue for libel if he is

By lumping together the names of some of the most prominent and talented people in radio and television, *Red Channels* has surely done exactly what the Communists would wish it to do. It has, by innuendo at least, given the Party a glamour, prestige, and importance it has never before enjoyed in radio and television. It has created throughout the industry a suspicion and distrust and despair and hysteria which the Communists themselves could not hope to create. The publication and those executives in advertising and among the sponsors and on the networks who have used it have, whatever their intentions, created in one of this country's most crucial industries the kind of terrified dissension on which the Communist Party always has and always will grow.

More important, the publishers of *Red Channels* and those who adhere to it have wrecked, probably forever, the careers of many talented anti-Communist Americans, not to mention the spiritual pain and humiliation suffered by all of the 151.

Since it is impossible now to uncover a Communist without the co-operation of the FBI, is the problem in the radio and television industry one of isolating those persons who, as George Sokolsky stated, have "leftist leanings?" If that is the case, it should surely be agreed that the words "leftist leanings" must be defined—and with precision.

Does a man have "leftist leanings" if, as one *Red Channels* listee did, he attended a "spring ball" for the *New Masses* in March 1938? If, as the same listee did, he was a "member" of the Abraham Lincoln Brigade—in 1939; if he appealed for a boy-

untruthfully accused of being a member of a Communist front organization. And it is very doubtful whether even an accusation of Communist Party membership would give the individual named a right to sue if the accusation takes the form of merely repeating what was said in a legislative committee report, which is itself privileged.

"A person whose contract is broken as a result of such accusations may be able to sue the person who brought about that breach of contract for damage, if his employer did not pay him in full, but in the Jean Muir case, Miss Muir was paid in full and had no such recourse against those who succeeded in breaking her contract—and there is no recourse where a contract was never made, the situation which occurs most frequently now."

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cott against Japanese aggression—year unknown; if he was listed as an associate editor of a magazine called *New Theatre*—year unknown; if he supported the American League for Peace and Democracy—1938? If he has done nothing “subversive” since?

Is a person leaning leftward if he was a member of the Independent Citizens Committee of the Arts, Sciences and Professions when that group was campaigning for the re-election of Franklin D. Roosevelt? Is he possessed of “leftist leanings” if he protested against the House Un-American Activities Committee in Hollywood? If he attended a meeting of the Stop Censorship Committee, which campaigned against the banning of *Nation* magazine in New York City’s schools? If he wrote an article for the Hollywood *Quarterly*? If he made a broadcast criticizing United States foreign policy in Italy? If he “endorsed” Russian War Relief? If he supported Henry Wallace for President? If he marched in a May Day parade?

Does one affiliation suffice? Will a dozen do? Are forty-one necessary? Who can say? Who is to judge?

Or are all of the 151 listees in *Red Channels* to be thought of as having “leftist leanings” and thus be deprived of their livelihoods? The editors of *Red Channels* are now apparently convinced that they should not be.

According to Mr. Kirkpatrick, “If a person just goes to the book and says, ‘The name is there; I will go no further,’ then certainly that is wrong.

“On the other hand,” Kirkpatrick went on, “it is acceptable if an employer opens the book and says, ‘Let’s see what there is,’ and then goes on from there to consider other factors.” The “other factors” have never been defined.

But the basic question goes far beyond whether *Red Channels* should be a “bible” of itself or whether “other factors” should be taken into account as well.

The basic question is whether in a free society employers in radio and television or any other industry not declared “sensitive” do in fact have “the right and duty to consider the political ideologies”—past or present—of those they hire. It is whether a network or an independent station or, for that matter, a factory manu-

facturing M-1 rifles is upholding or traducing the democratic tradition by requiring its employees to sign a "loyalty statement" or "oath." It is whether any non-governmental employer has the right to decide who among his employees is a good American and who is not. It is whether a man's political beliefs are now to determine if he can continue to work at his chosen profession. It is whether a man's political beliefs are no longer to be considered a private matter.

The publishers of *Counterattack* and *Red Channels* have said that entertainers who contribute money to Party-front organizations are, whether they know it or not, indirectly giving financial aid to the Communist Party. True enough. The former FBI agents further argue that entertainers and artists who lend their names to front organizations give those groups a prestige and respectability they would not otherwise enjoy. Granted.

Nevertheless, however displeasing it may be to the general populace, it is still legal for anyone, in or out of the entertainment business, to contribute funds to a Communist-front organization or, for that matter, to the Party itself; it is still legal to lend one's name to groups that have been called "subversive" by the Attorney General of the United States and to those clearly controlled by the Communist Party. Entertainers or artists who do so may expect to be criticized; they should not be surprised—or demand pity—if their popularity suffers. However, to be deprived of their livelihood because of the pressure tactics of a handful of zealots is quite a different matter. As so often happens, in this area those who would do the suppressing are a greater threat to the democratic idea than those who would be suppressed.

According to a statement issued by the American Civil Liberties Union in April 1951, ". . . the problem of 'pressure-group censorship' is full of differences in degree, and . . . it is hard to draw lines which represent the best possible combination of the freedom of expression and the freedom to see what is offered, on the one hand, and the freedom to protest effectively, on the other hand. But . . . intimidation and reprisal have no place in the field of ideas. The ever-increasing attempts of pressure-groups to bring about the censorship or suppression of motion

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pictures, etc., which they disapprove . . . dangerously undermine one of the foundation stones of American democracy, the freedom of expression. . . . The Union . . . urges those responsible for the publication or production, the distribution or circulation or exhibition, of newspapers, periodicals, or books, of radio or television programs, of plays, motion pictures or other theatrical entertainments, to stand firmly against this threat to the freedom of their industries and the freedom of the people as a whole."

What is true of ideas is surely even more emphatically true of human beings.

To be sure, in radio and television there are certain jobs in which a person's political point of view is important. A news commentator, for example. In certain areas, the writer of a documentary.

But no important sponsor is, in these unhappy times, likely to hire a commentator with whose views he violently disagrees; and the "Communist line" cannot be "secretly" injected into a news broadcast.

As for documentaries, the introduction to *Red Channels* bluntly states that a few such programs "produced by one network in particular have faithfully followed the Party Line." No examples are given. However, the statement continues, "Several commercially sponsored dramatic series are used as sounding boards, particularly in reference to current issues in which the Party is critically interested." As mentioned earlier, the issues listed are "academic freedom," "civil rights," "peace," "the H-bomb, etc."

In a documentary on, say, the war in Korea, any attempt on the part of the writer to "point up current Communist goals" (to quote *Red Channels*) could and would certainly be determined long before the program went on the air. The network or advertising agency official in charge would not need outside help to decide that. As for such issues as "academic freedom," "civil rights," "peace," and "the H-Bomb," these are matters of vital concern to most loyal Americans. It would be a tragedy if, because they are also of concern to disloyal Communists, such subjects could no longer be dramatized on the radio or over

television—or if, for example, because the Communists pretend to believe in “civil rights,” a program endorsing them should be considered as “following the Communist line.”

The fact is, of course, that, because of the present fear in the industry of “public controversy,” such subjects are these days considered with decreasing frequency—and most of them not at all.

John Crosby, the widely syndicated radio and television critic, puts it this way:

“Broadcasting has always been more afflicted with taboos than any other medium. Today the timidity has reached an alltime high. Virtually everything from pregnancy to freedom of religion is considered a controversial subject, leaving almost nothing except homicide as a fit topic to enter our homes. You can’t hire a controversial figure either, meaning anyone whose name has appeared in *Red Channels*. No one in broadcasting from the network heads to the elevator operators will defend these taboos; all scrupulously observe them.

“The motto of the industry could easily be: ‘We just don’t want no trouble around here.’ If it continues that way, they won’t have no audience left except children.”

On the day Mr. Crosby’s column appeared in the New York *Herald Tribune* a vice-president of one of the major networks said, “Well, he’s right, of course, and it’s too damn bad. A little guts would be nice, but we’d all have to stick our necks out together, and everybody knows that won’t happen—not in my lifetime, anyway.” The vice-president is thirty-seven.

It is not surprising that in the troubled year 1950 a *Red Channels* appeared, a publication which played upon and added to the fears of an always cautious industry. There have been similar “reports” before, and there will be again.

What is surprising is that, without a publicly audible murmur, a large segment of a vital industry surrendered to it. What is surprising is that almost no important leader in the field questioned its ethics, its reliability, its reason for being. Robert Kintner of the American Broadcasting Company did, as was noted earlier, advise an official of the American Legion in Illinois that if the Legionnaire’s charges against Gypsy Rose Lee could not be

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“proved” Miss Lee would continue on the air, and she did. Mr. Kintner did not say what he would have done if Miss Lee had not previously signed an affidavit for her union attesting that she was not a Communist, or if the Illinois veteran could have “proved” that she did belong to all of the organizations with which her name is associated in *Red Channels*. In *Tide*, the influential trade magazine in the advertising field, Reginald Clough in an editorial last year deplored the fact that General Foods had discharged Miss Muir “without a full look at the facts.” He agreed with the *New York Times* that the corporation had submitted to “a ‘trial by character association’—a ticket written in full by the pressure groups involved.” However, Mr. Clough added, “In self-protection, the advertising business has no recourse but to screen its writers and producers, its singers and jugglers, to avoid hiring ‘controversial persons.’”

It is not surprising that what *Fortune* magazine has called “a handful of busybodies” should have, as the result of the appearance of *Red Channels* and through the efforts of one of its publishers, protested against the appearance on television of an actress listed in the publication. There have been similar protests on other grounds many times before, from management groups, from labor unions, from political, religious, and economic organizations of all kinds. These are an inevitable part of the democratic system.

What is surprising is that a huge corporation should have found that in August 1950 some twenty-odd or, for that matter, two hundred-odd people could create a “public controversy.” What is surprising is that, apparently, no official of General Foods questioned how many Americans would be profoundly shocked by its decision—as more than three thousand took the trouble to write the corporation that they were.

What has happened in the months since Miss Muir lost her job is even more shocking. In most cases protests are no longer necessary; “controversy” is avoided before it begins, and whether a person is hired often depends solely on the fact that he is listed in *Red Channels*, or, even when not listed, only that “There might be trouble.”

What kind of trouble? And who would cause it? Usually these questions go unanswered—and, for that matter, unasked.

There is no evidence that the great majority of Americans feel they must be protected from looking at or listening to certain performers or from examining certain ideas.

American Business Consultants was not launched as the result of any perceptible public demand for its services. *Counterattack* is in no sense a major publication. Its circulation remains below 5000, considerably less than that of many of the "little magazines." *Red Channels* was not a best seller; fewer than 17,500 copies have been purchased, most of these within the industry.

The men behind these publications speak only for themselves.

Despite the conflicting claims of its chairman, Rabbi Benjamin Schultz, the Joint Committee Against Communism represents only those whose names are listed on the organization's letterhead; the American Jewish Committee against Communism, also headed by Schultz, is not supported by any important segment of the Jewish community; as another example, the commander of the Hudson County, New Jersey, department of the Catholic War Veterans who protested against the showing of Charlie Chaplin's ancient movie shorts was not advised to do so by the fellow members of his organization; Mrs. John T. McCullough is a committee of one, with the occasional help of a sprinkling of other suburban housewives—thirty at most; and the demands and claims of the American Legion's *summary* have not been approved (nor has approval been asked) by the millions of veterans in that organization. There is no indication that, except for occasional zealots, the vast majority agree with the publication's point of view; certainly very few ever follow through on its emphatic demands for "action."

But suppose these groups and individuals were all that they pretend to be.

Expediency aside, does not the advertising business and do not sponsors and the radio and television industry as a whole have "the right and duty" to concern themselves with the survival of democratic principles?

In a recent issue of *Fortune* magazine Lewis Galantière, described by the editors as a "thoughtful student of U.S. and

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European business mores, politics, and history," warned that "The sure way for American business to be reduced to the abject status of European business is the way of moral default—that is, by making it possible for the planners and governmentals (whether of the Left or of the Right) to pose as the sole defenders of the moral foundations of society."

Freedom is expensive. In wartime it is bought at the cost of lives; in peacetime the price must be paid in terms of coolheaded courage.

It is a price that Americans have a right to expect the leaders of one of its basic industries to pay.

We have a right to demand moral responsibility in radio and television as well as in government.

