

**ANN COULTER'S ACCOUNT OF THE HISS CASE
SUFFERS FROM MULTIPLE ERRORS:**

**WEB SITE STUDY OF "TREASON"
UNCOVERS 101 INACCURACIES IN 18 PAGES**

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The thesis of Ann Coulter's best-selling new book, "Treason: Liberal Treachery from the Cold War to the War on Terrorism," is that Democrats have been aiding America's enemies since before the beginning of World War II.

Many critics have challenged her facts, arguments and conclusions. A review by www.Spinsanity.org, for instance, a Web site that has been called "the nation's leading watchdog of manipulative political rhetoric," faults the book for "repeatedly making outrageously irrational arguments and demonstrably false claims." According to Spinsanity's close reading, "Treason" is characterized by "a series of deceptive practices" that include "misleading quotation and sourcing of claims" and "utter falsehoods and egregious factual misrepresentations."

Writing in www.FrontPageMagazine.com, conservative commentator David Horowitz, who admires Ann Coulter, has called the book "distressing," saying she "mars her case with claims that cannot be substantiated."

Although Coulter's subtitle refers only to post-World War II Democrats, the first Democrat she actually takes aim at is Franklin D. Roosevelt, who was elected president in 1932. "Twenty Years of Treason," an unofficial (and posthumous) anti-Roosevelt Republican campaign slogan from 1952, was a clear reference to the Alger Hiss case – Hiss worked for the Roosevelt administration for 12 years, and his case, which was front-page news for months when it came to trial in 1949 and 1950, centered on charges of Russian access to government secrets in the 1930s.

These same 55-year-old charges now serve as Ground Zero for Coulter's tale of Democratic betrayal and weakness. Her retelling of the Hiss case is the cornerstone argument of "Treason," and occupies the book's entire second chapter, "Alger Hiss, Liberal Darling." "The Alger Hiss Story" Web site has now subjected that chapter to a line-by-line analysis, comparing her assertions to the trial records, to hearing and grand jury transcripts, and to other statements, depositions, articles, and books by witnesses, reporters, and historians of the period.

It's perhaps no surprise that Coulter staunchly defends the credibility of Alger Hiss's chief accuser, Whittaker Chambers. Like everyone, she is free to reach her own conclusions. But like all of us, she must respect the universal obligation to stick to established facts. As the following examination of her chapter demonstrates, Coulter has not in this book been able to advance Chambers' case or cause, since in its approach to the Hiss case, "Treason"'s Chapter Two makes use of the same unreliable techniques and asserts the same kind of inaccurate claims that have dismayed critics of the book as a whole.

Specifically, Coulter's 18-page discussion of the Hiss case incorporates 101 errors. These include errors of fact, errors of omission, and misstatements and misinterpretations of the record; 14 such errors occur on the first two pages alone:

Error No. 1: At the very beginning of the chapter, on page 17, Coulter says that "in

1938, Whittaker Chambers broke with the Communist Party.” This innocent-sounding statement is in fact crucial to any telling of the Hiss case, because it goes to the heart of Chambers’ credibility. No document has ever come to light, either in America or in Russia, that shows when Whittaker Chambers left the Communist Party.

The only evidence that exists is Chambers’ own testimony – and Coulter does not mention that Chambers told two distinctly different versions of this story. For nine years, between September 1, 1939 and November 17, 1948, Chambers on more than two dozen occasions swore or stated that he had left the Party in 1937, and, in addition, swore or stated that he and Hiss had never committed espionage. The 1938 Party-leaving date only emerged on November 17, 1948, when, for the first time, Chambers swore that he had repeatedly been lying for the previous nine years. It was at that moment that Chambers first produced copies of State Department documents that he said Hiss had given him; the documents were dated 1938.

Error No. 2: Coulter, again on page 17, quotes Chambers’ supposed fears that the Communists might kill him after his break from the Party. Coulter does not mention that no documentary evidence or oral testimony from any of Chambers’ contemporaries has ever surfaced to substantiate his claim (put forward a decade and a half later) that his life had been in fact in danger. Coulter also ignores Chambers’ own statements that during this same period he had traveled openly to New York to meet with his publisher, someone, he later said, who was himself connected with the Communist Party underground; and that his phone number continued to be listed in the Baltimore phone book. Chambers even claimed that he had dropped by Alger Hiss’s home, uninvited, and stayed for dinner, despite being convinced that Hiss might even murder him that evening.

Error No. 3: Coulter, on page 17 again, quotes Chambers saying that his break with the Party “was more than ‘leaving one house and occupying another.’” Actually, Chambers said at Hiss’s trial that this was precisely what he had done: “I broke by disappearing from the place where I had been living and going into hiding” (first trial transcript, page 193).

Error No. 4: On page 18, Coulter says that Walter Krivitsky (a former Russian general who defected to the United States and wrote a book about his experiences) forced Chambers to “state the painful truth out loud” about the Soviet government, and quotes Chambers saying he had decided to become an informer after meeting Krivitsky. Despite Chambers’ statement, his informing in fact considerably predated his meeting with Krivitsky, which didn’t take place until 1939. In 1938, Chambers told journalist Herbert Solow that he would be willing to tell all he knew in exchange for a promise of executive clemency.

Chambers’ introduction to Krivitsky was arranged by Isaac Don Levine, who had ghost-written Krivitsky’s memoirs and was himself a Russian immigrant. Levine, who played a crucial (and still mysterious) role in developing Chambers’ story, years later was shown to be a falsifier of evidence: he claimed to have a document showing that Stalin had once been an agent of the Czarist secret police; the document proved to be a forgery.

Error No. 5: Still on page 18, Coulter implies that Chambers’ revulsion with the Nazi-Soviet pact first led him to approach American government officials. Although it’s true that this first meeting took place after that pact had been signed, planning for it had begun long before Hitler and Stalin formed their alliance.

Error No. 6: Coulter, again on page 18, writes that after dinner at the home of Assistant Secretary of State Adolf A. Berle, Jr., the State Department's chief security officer, Chambers "spent several hours detailing the Communist espionage network of which he had been a part." This is a critical misstatement since, as we shall see, it becomes the bedrock argument on which Coulter's presentation of modern American history rests – her contention being that, beginning in 1939, the American government laughed off warnings of Soviet espionage, a situation that went uncorrected for over a decade and was first reversed only by Sen. Joseph R. McCarthy's 1950s campaign against Communist subversion.

The fundamental flaw in this argument – omitted by Coulter – is that according to 14 years worth of testimony about this meeting (including notes Berle made immediately after the meeting in 1939; diary entries Berle made in 1948 and 1952; interviews Berle gave to the FBI and the Hiss defense; sworn testimony Berle gave to the House Committee on Un-American Activities in 1948; and 1948 HUAC testimony by Chambers himself) Chambers never at that meeting accused anyone of espionage. Indeed, Berle told a Hiss lawyer in 1950, Chambers, although he seemed sincere, "was incapable of standing up under questioning on any matter."

Although Chambers at first called several people (including Alger Hiss and his brother, Donald) Communists, he later "admitted that he really meant no more than that they were the kind of people whom the Communist Party had tried to interest generally in the Communist point of view." (Chambers also told Berle that he had left the Party in 1937.) Chambers, Berle concluded, "gave the appearance of a crackpot."

Errors No. 7 and 8: Coulter, still on page 18, says Chambers named "at least" two dozen men "in high government positions" as Soviet spies. Berle's notes of the meeting, however, record 13 names, not 24; none held high-level positions (and, of course, as just noted, none were named as spies, or even as Party members). Several, for example, worked for the Agricultural Adjustment Administration, while another was in the Office of Price Administration.

Error No. 9: Coulter, still on page 18, calls Alger Hiss a "top" State Department official. Hiss later became important in the Department, but in 1939 he was a mid-level official, one of many.

Error No. 10: Coulter, still on page 18, says that Chambers named Donald Hiss as an espionage agent: As already noted, Berle said Chambers made no such accusation; in later years Chambers indeed repeatedly repudiated the notion: he told the FBI Donald Hiss had never been an espionage agent, and swore to the same fact at both of Alger Hiss's perjury trials.

Error No. 11: Coulter, still on page 18, says that after meeting Chambers in 1939, Berle urgently reported his information to President Roosevelt, who, she says, "laughed and told Berle to go f--- himself." This is completely false, according to Berle, who only heard about this claim in 1952 when he read in Chambers' "Witness" (which Coulter cites in a footnote) that Roosevelt had said, "in words which it is necessary to paraphrase, 'go jump in a lake.'" In 1948, Berle had recorded in his diary his enduring memory of what Chambers told him in 1939: "There was no evidence sufficient to base a conclusion as to Hiss's underground associations." Berle's 1952 diary entry shows that, because Chambers had failed to put forward convincing evidence, Berle had not gone directly to the President, but had instead "reported the substance of this [his

interview with Chambers] ... to [Presidential secretary Marvin H.] McIntyre. “ Berle said he had a vague recollection of having later mentioned the matter to Roosevelt, and called the allegation about Roosevelt’s alleged comment “an unfair attack” since no specific charges had ever been made that the President could respond to – either to act on or to laugh off. Berle’s diary entries at no point indicate that Roosevelt ever made any negative comments whatever about Chambers’ allegations.

To sum up: all of Berle’s written and oral comments on this one and only meeting with Chambers were consistent. Coulter mentions none of them, and fails to come to acknowledge a central issue of the Hiss case – not the question of “Do you believe Hiss or Chambers?” but the question that precedes it: “Do you believe Chambers or Chambers?” Meaning the Chambers who (after November 17, 1948) swore that he and Alger Hiss had both been Soviet spies, or the Chambers who until then swore there had been no espionage.

Error No. 12: There’s a further problem with this same passage on page 18 about Roosevelt: a Coulter footnote lists William Rusher’s book, “Special Counsel,” as the source for her “go f--- himself” claim, which would appear at first glance to offer independent corroboration for the story. But “Special Counsel” actually says only that the President laughed, citing Chamber’s book, “Witness,” as its source. In “Witness,” Chambers says he heard the story from Isaac Don Levine (who had arranged the Berle meeting) and that Levine had said he received his information from Berle. Since Berle in fact denied that the incident had taken place, the result is Coulter attempting to use Chambers to confirm Chambers’ story.

Error No. 13: Coulter, again on page 18, says no action was ever taken against Hiss. Chambers’ early allegations of Communist sympathies, even when presented only as vague suspicions, were in fact followed up on by security authorities: Hiss was interviewed by the FBI and his phone was wiretapped.

Error No. 14: Coulter, again on page 18, says that Roosevelt, after ignoring Berle’s warnings, promoted Hiss, making him a “trusted aide who would go on to advise him at Yalta.” In fact, Hiss was never an “aide” to Roosevelt, and all his promotions were made by his State Department bosses. Hiss was included as part of the Yalta team almost by chance and only as a last-minute replacement. The decision to take Hiss to the Yalta Conference was made by Secretary of State Edward R. Stettinius, Jr., a former chairman of U.S. Steel. At Yalta, where he worked as a junior Stettinius staffer and never dealt directly with Roosevelt, Hiss took a forceful anti-Soviet position, according to official conference notes released in the 1950s, arguing strongly against the Soviet Union’s request to increase its voting strength by admitting three constituent Soviet republics as independent members of the U.N. (the equivalent of admitting Vermont to the U.N.).

Error No. 15: Coulter, on page 19, writes that William C. Bullitt was also “laughed off” when he reported to President Roosevelt that he, too, had heard of Chambers’ charges. Coulter is correct in citing *Seeds of Treason* as the source for this story (although omitting the name of Ralph de Toldedano’s co-author, Victor Lasky, from her footnote). But a close reading of that book shows that the two authors themselves mention no specific source for the assertion that Roosevelt laughed at Bullitt’s information.

Bullitt himself told the Internal Security Subcommittee in 1952 that he had once spoken

about Hiss not to the President but to Hiss's State Department boss, Stanley K. Hornbeck. Since Bullitt was merely repeating a rumor he had heard via Chambers, Hornbeck, a political conservative who worked closely with Hiss, saw nothing in Bullitt's remarks to raise his suspicions and chose not to act. Hornbeck may have considered Bullitt a witness whose reliability had limits. During a hearing before the House Un-American Activities Committee in 1947, Bullitt, a former ambassador to the Soviet Union, testified that he had seen evidence that Soviet parents ate their young.

Error No. 16: Coulter, again on page 19, writes that "the Democrats' nonchalance about Soviet agents on their staffs was scandalous." In fact, following allegations by Chambers and Elizabeth Bentley, more than 100 government employees were investigated by the FBI, had their mail opened and their phones tapped, and were brought before grand juries.

Error No. 17: Coulter, on page 19 again, accuses Berle of later concocting "an inane straw-man argument" to "soft-pedal" his lack of action against the Hiss brothers. Berle, she says, had in equivalent modern terminology been "informed they were members of al-Qaeda," yet still maintained (here she quotes Berle directly) that "The idea that these two Hiss boys ... were going to take over the United States government did not strike me as any immediate danger." But this *was* a true statement, based on what Chambers had actually said to Berle.

To use equivalent modern terminology, all that Berle had really heard from Chambers (see *Error No. 6*) was that the two Hisses could potentially have been useful to al-Qaeda, if it had ever been able to sign them up, though as far as Chambers knew, it hadn't.

Error No. 18: Coulter, again on page 19, quotes Berle as saying that there were "pretty consistent leaks" from Alger Hiss's office, implying both that information went straight from Hiss's office to the Soviet Union, and that Berle knew about it. But this truncated quote only resuscitates a distortion of Berle's testimony first put into print 38 years ago by de Toledano and Lasky, who tried to make it appear that Berle was linking the Hisses to foreign agents when he was actually scolding them for talking to American reporters. To correct the record, here is the full quote from Berle's diary: "The Hiss boys were later of the appeasement faction of the State Department. Anything that went through their office leaked, usually to [newspaper columnist] Drew Pearson...."

Error No. 19: Coulter, still on page 19, writes that, in 1948, "almost a full decade later," Chambers was called to testify before HUAC, implying that he had been ignored or shunned by U.S. security officials during that time. Not so – between the Berle meeting and his HUAC testimony, he was interviewed numerous times by the FBI and twice by Raymond Murphy, a State Department security officer. Of course, Chambers never gave his questioners much to go on, since during these interviews, Chambers always insisted that there had been no espionage that he knew of (and also always said that he had left the Communist Party in 1937).

Error No. 20: Coulter, still on page 19, writes that before HUAC "Chambers again named Hiss as a Soviet agent." In fact, Chambers didn't; testifying before HUAC he swore once again that he and Hiss had not been spies. He also once again swore that he had no proof that Hiss was or had been a member of the Communist Party.

Error No. 21: Coulter, still on page 19, says that HUAC was somewhat more interested in Chambers' charges than Roosevelt had been, implying that the Congressmen were more eager to fight Communist subversion than Roosevelt had been. This is an observation without a beginning, an end, or any context. In the first place, as we've noted, Roosevelt had never been told about allegations of Soviet espionage, because Chambers had never made such charges.

In the second place, there were powerful political reasons for taking Chambers' non-espionage charges seriously in 1948. 1948 was a presidential election year, and the Republicans, who had lost four presidential elections in a row but had just won control of Congress, were looking for issues to use against President Truman, Roosevelt's successor, who was considered vulnerable. In addition, HUAC had its own pressing need for issues – since many Congress members had begun talking about abolishing the committee after the 1948 elections.

Error No. 22: Coulter, on page 20, contradicts herself when she calls Hiss's denial before HUAC that he had ever known anyone by the name of Chambers a "Clintonian lie" – since in her next sentence she acknowledges that Chambers, while in the underground, had adopted a different name. Moreover, Hiss in his early testimony was telling the whole truth available to him at that time: in 1934 and 1935, he had known a freelance writer who had introduced himself as George Crosley. Hiss had never known Crosley by any other name, had never known that Crosley *had* any other names (including Whittaker Chambers). Further, Hiss had never known that Crosley had ties of any kind to either the Communist Party or the Soviet Union. (For a definitive discussion on the Hiss-Chambers relationship, see "Two Foolish Men: The True Story of the Friendship between Alger Hiss and Whittaker Chambers," by William Howard Moore, Moorop Press, Portland, Oregon, 1987.)

Error No. 23: Coulter, again on page 20, repeats her inaccurate contention (see *Error No. 20*) that Chambers, in his HUAC testimony, named Hiss as a spy. He did not.

Error No. 24: Did Hiss and Chambers know each other? Coulter asks, still on page 20. She then offers an abbreviated, oversimplified answer: "One of them was lying." In the first place, Hiss, as soon as he realized who Chambers was, *volunteered* to the Committee that Chambers was a man he had once known as George Crosley, thus amplifying and correcting his first statement. (Chambers, on the other hand, wouldn't admit to having used the pseudonym until months later.)

More troublingly, Coulter ignores the fact that it is only possible to believe in any of Chambers' stories about Hiss by first accepting that he was, necessarily, someone who repeatedly lied under oath. As the man who both swore that he and Hiss had not been spies and then later swore that they both indeed *had* been spies – if Chambers was telling the truth when he said that their espionage was real, then he must have been lying when he previously denied this. Conversely, if Chambers was telling the truth when he originally said no spying had taken place, then he must later have become a liar when he claimed that both of them had once been spies.

Error No. 25: Coulter, still on page 20, says it has now been proved "beyond cavil" that Hiss was a spy. Although she doesn't spell it out, this is presumably a reference to the "Venona" documents – several thousand decrypted and recently released Soviet cables sent during World War II. One of these documents has been said by some scholars to implicate Alger Hiss, because the code-named spy it describes at first glance bears some superficial resemblance to the

espionage activities Chambers began describing in November 1948. A recent careful examination of this document, however, comes to the opposite conclusion, and asserts that Venona actually exonerates Hiss. For more on this, see www.algerhiss.com/lowsoviet.html

Coulter does not point out that opinion remains divided. As best-selling journalist Eric Alterman (author of “What Liberal Media? The Truth About Bias and the News”), who follows the Hiss case, pointed out on H-DIPLO, a scholarly e-mail discussion list devoted to diplomatic and international history (on July 24, 2003): “I do think all should be aware that the case is not yet closed and probably won’t be, absent stronger evidence from the Soviet archives.” Alterman added a cautionary note about Venona interpretation: “I think I’ve looked at a considerable portion of the English language sources, and I do not find Dr. Haynes’ [John Earl Haynes, a historian at the Library of Congress] *et al.* interpretation of the single alleged Venona reference to Hiss to be compelling. I don’t think that particular document proves anything.”

Error No. 26: Coulter, still on page 20, writes that for all but the “willfully stupid” the so-called Pumpkin Papers proved that Hiss had been an agent. The Pumpkin Papers were films of government documents that Chambers had temporarily hidden in a hollowed-out pumpkin on his Maryland farm. One roll of film was completely fogged. Two other rolls of film consisted of unclassified Navy Department information sheets (about, for instance, the proper color to paint fire extinguishers) that were available for the taking as public handouts from the Bureau of Standards. Two strips of film did display State Department documents, although, since they had circulated throughout the department, it was never demonstrated that Chambers must have received them from Hiss (and Chambers later acknowledged that at least some of them had been handed to him by another State Department employee, Julian Wadleigh).

One historian has recently noted that even the genuine State Department documents in the Pumpkin Papers were not spy-worthy documents: Writing on H-DIPLO on July 22, 2003, Dr. Robert Whealey, who teaches diplomatic history at Ohio University, commented that “The many books hostile to Hiss never discuss what was in the Pumpkin Papers. They were probably low grade intelligence hardly harmful to the State Department or Roosevelt.”

Error No. 27: Coulter, again on page 20, writes that Hiss’s request at one HUAC hearing to call the Harvard Club and deliver a message that he would be late indicates that his defense was essentially that “he was a Harvard man.” This is an attempt to turn politeness into a character flaw. Hiss had appeared before HUAC in an executive session on August 16. The next day, a HUAC member invited to come to the Commodore Hotel at 5:30 that evening. Hiss agreed without being told the purpose of the meeting. When Hiss arrived, he found that instead of a short, informal conversation, several HUAC members had arranged a surprise executive session and a confrontation with Chambers (a Columbia man). Instead of walking out on this trickery, Hiss stayed and answered all the questions put to him. Before the session began, however, he asked the Congressmen to inform the friend he was supposed to meet at six that he would be late.

Error No. 28: Coulter, again on page 20, writes that the press vilified Chambers after his appearance before HUAC. A check of *The New York Times* in 1948 reveals it was straightforward, fair, and balanced in its coverage of the controversy. Newspapers with more conservative outlooks favored Chambers. One New York reporter assigned to the story – Bert Andrews of *The New York Herald Tribune* – was a personal friend of Chambers. Another

journalist, Eugene Lyons of *Reader's Digest*, later served as a private conduit between Richard Nixon and Thomas J. Murphy, the Hiss case prosecutor, during the trials.

Error No. 29: Coulter, still on page 20, writes that “the press” referred to HUAC’s members as the least intelligent in Congress. She does not point out that her source for this critique is not a media historian, but Chambers himself. That being said, the HUAC membership was not a distinguished assortment. For example, Chairman J. Parnell Thomas (R.-NJ) the next year was sent to a federal penitentiary after being convicted of embezzlement. Rep. John E. Rankin, a Democrat from Tupelo, Mississippi was openly a white supremacist and an anti-Semite. Karl E. Mundt (R.-SD) would co-sponsor the Internal Security Act of 1950, which set up concentration camps for those perceived as pro-Communist.

Error No. 30: Coulter, on page 21, writes that to prove to the committee that he knew Hiss, Chambers offered many intimate details about Hiss and his personal life. He did – but much of what he said was wrong (for instance, claiming that Hiss was deaf in one ear), indicating that he did not know Hiss nearly as well as he claimed to.

Error No. 31: Coulter, again on page 21, writes that Chambers’ testimony recalling that Hiss was an avid bird watcher who had seen a rare prothonotary warbler convinced the Committee that Chambers knew Hiss. While accurate as far as it goes, this fails to separate out the threads of the two stories. Both men agreed that they had known each other, but Chambers (at this point) said, in effect, “We knew each other, and were also both part of a Communist group.” Hiss countered, “We knew each other socially – and nothing more.” Knowing each other did not in itself constitute a conspiracy. As the Earl Jowitt, former Lord Chancellor of Great Britain, commented in his 1953 book, “The Strange Case of Alger Hiss,” “I was amazed to observe that the fact that Chambers had this knowledge [of Hiss’s life] and was able to recall it was in some way regarded as a proof of his story [of a clandestine conspiracy].”

Error No. 32: Coulter, still on page 21, writes that the “entire Social Register of the liberal establishment” backed Hiss, “the patrician, Harvard-educated Soviet spy.” Instead, the Hiss case sharply divided liberals (and conservatives, too, for that matter, although to a lesser extent). Prominent younger liberals, such as Arthur Schlesinger, Jr., John Kenneth Galbraith, and Daniel Patrick Moynihan, disavowed Hiss. The “patrician” Hiss, by the way, sprang from a solidly middle-class Baltimore family. His most important mentor was an old-line conservative Republican, Supreme Court Justice Oliver Wendell Holmes, Jr., for whom Hiss clerked after graduating from law school. (For an account of the Holmes’s lasting influence on Hiss’s life, see a private memoir by Hiss posted at www.algerhiss.com/liberalism.html)

Error No. 33: Coulter, again on page 22, lambastes the Justice Department for inquiring into whether Chambers should be indicted on perjury charges after he changed his story and said he and Hiss had both been agents of the Soviet Union. The inquiry was inevitable – by changing his story, Chambers was insisting that his previous sworn testimony had been perjured. (And, of course, if his new testimony was false, then he had just become a perjurer.)

Error No. 34: Coulter, again on page 22, writes that after Chambers turned over the Pumpkin Papers, HUAC’s hearings could no longer be held behind closed doors. But HUAC had

already held open hearings on the Hiss-Chambers matter: Its first sessions, on August 3 and August 5, had both welcomed the press. Its August 25 hearing, in which Chambers and Hiss confronted each other publicly for the first time, was not only a public session, it was, many historians have asserted, the first televised Congressional hearing.

Error No. 35: Coulter, still on page 22, quotes Chambers as saying that he faced a “savage verbal assault and battery ... without pause and with little restraint or decency” when he appeared on the radio program, “Meet the Press,” to repeat his early charges against Hiss. Although Coulter frequently cites Allen Weinstein’s pro-Chambers book, “Perjury” (the footnote immediately following this passage, for instance – see *Error No. 36* – draws from “Perjury”), she fails to include Weinstein’s description of Chambers’ radio appearance, perhaps because Weinstein’s mild words undercut Chambers’ perfervid account: “His questioners,” Weinstein wrote, “displayed considerable skepticism about Chambers’ accusations” (“Perjury,” updated 1997 edition, page 51).

Error No. 36: Coulter, on page 23, writes that “money of mysterious origin” was available to Hiss, and, in a footnote, cites as her source a remark from Allen Weinstein’s “Perjury.” The cited page (page 158, 1997 updated edition) says that a bill submitted by Hiss investigators was covered by Donald Hiss’s lawyer, Hugh Cox, adding, “Cox did not indicate who had picked up the tab.” But 10 pages earlier (pages 147-148, 1997 updated edition), Weinstein had already explained that Cox’s firm, Cleary, Gottlieb, Friendly and Cox, had “paid for a good portion of Hiss’s investigative expenses.”

Errors No. 37 and 38: Coulter, again on page 23, says that Hiss waited “an interminable three months” before suing Chambers for slander – “to the bewilderment of his supporters,” who finally “shamed” him into it. In the first place, Hiss waited one month to file suit, not three; he had been advised that he needed to file in Maryland, and therefore had to wait until his Maryland attorney, William Marbury, returned from a trip to Europe. Believing that Chambers’ charges were wholly without merit, many of Hiss’s supporters had urged him to ignore Chambers altogether. In the second place, it was Hiss himself who insisted on pursuing Chambers in court, telling friends that the American legal system had been set up to correct errors and protect the innocent.

Error No. 39: Coulter, again on page 23, says Hiss’s attorneys launched “sadistic attacks” on Chambers, claiming he was “mentally unstable and a homosexual.” At both Hiss perjury trials, the prosecution ridiculed the idea that Chambers was or had been homosexual, as did Chambers and his friends and associates outside the courtroom. It wasn’t known publicly until the FBI files on the case were released in the 1970s, but Chambers before the trials began had in February 1949 acknowledged his homosexuality to the FBI. Although the defense never directly questioned Chambers at trial about his sexuality, it had looked into the idea that Chambers might have been homosexual, seeking a possible motive to explain why Chambers had brought charges against Hiss. (It was learned in the 1960s that one pattern in Chambers’ behavior was to befriend men and then later try to ruin them.)

At the same time, Chambers and the prosecution tried to use homosexuality (not yet a tolerated and respected lifestyle) against the defense: Chambers once testified that Hiss had a “mincing” walk, and the FBI made it clear that if Hiss’s stepson, who could have refuted the idea

that the Chambers and Hiss families had been close friends, testified to that in open court, the prosecution would make public the fact the young man had been discharged from the U.S. Navy for a homosexual incident.

Ultimately, the only importance of Chambers' gayness was that he wanted it kept secret. Since homosexuality was in the late 1940s still widely considered something shameful and discreditable than had to be kept hidden, once the FBI knew about Chambers' past (and withheld the information from the defense), Chambers had clearly become a more pliable and a less independent witness.

That Chambers might have spent time in a mental hospital was examined after the defense received several tips – inaccurate, as it turned out – to that effect. The FBI was intensely interested both in Chambers' mental state and in his interpersonal relationships, and, according to FBI files, spent considerably more time looking into them than the defense team did.

Error No. 40: Coulter, again on page 23, ridicules the defense for what she says was an attempt to find deeper meaning in a book translated by Chambers. In the book, "Class Reunion," the lead character destroys the life of a classmate named Adler by making false charges against him. Coulter correctly points out that Chambers didn't write the book but merely translated it. This was not the end of the story, however. A 1960s researcher pointed out that Chambers didn't "merely" translate it – he distorted its meaning in key passages so that it more closely resembled both the relationship he had once had with his brother and the relationship he would later have with Hiss. (For more on this, see "Friendship & Fratricide: An Analysis of Whittaker Chambers and Alger Hiss," by Meyer A. Zeligs, Viking Press, New York, 1967, pages 110-115 and page 233.)

Error No. 41: Coulter, again on page 23, writes that Hiss's attorney in the libel suit, William Marbury, "maliciously" referred to Chambers' deceased brother Richard "only as 'Dickie.'" She is again relying on Chambers' memory of his interrogation rather than on the pre-trial record itself, where Marbury never once used the word "Dickie," referring instead to Richard Chambers as "your brother." Page 49 of the transcript from the November 4, 1948 deposition in that case – to take one example – indicates that Marbury spoke about Chambers' brother with tact: "Marbury: I don't know that it is necessary, but what you have said about the circumstances [of Richard Chambers' suicide] make me inquire what was the trouble with your brother? If it is embarrassing, I don't want to press it."

Error No. 42: Coulter, still on page 23, writes that Chambers didn't understand the William Marbury's "obsessive focus on his brother." A re-reading of the depositions in the Hiss-Chambers libel suit shows no such obsession: less than two pages of the hundreds of pages of testimony Chambers gave cover the subject of his brother. But Coulter again relies on Chambers' memory rather than on the record for her story.

Error No. 43: Coulter, again on page 23, cites Allen Weinstein's writings on the Hiss case, this time to assert that "Allen Weinstein in his book, 'Perjury,' reports that the Hiss defense team was ready to launch the theory that Chambers had a homosexual relationship with his own brother." But Weinstein doesn't report this – he says that a private "memo" in the defense files written by Harold Rosenwald, a Hiss attorney, noted that a New York psychiatrist has theorized that "Chambers had a close and probably homosexual relationship with his brother."

Weinstein does not suggest that the defense ever made use of this theory, either as trial evidence or to generate negative publicity about Chambers (it did not). Instead, he reports that William Marbury, a second Hiss attorney, had around the same time interviewed a second psychiatrist who “gave little reason to hope that our problem could be solved with the aid of psychiatric advice” (“Perjury,” 1997 updated edition, pages 160-161). Chambers did acknowledge that he had once formed a suicide pact with his brother, and wrote in “Witness” that he himself attempted suicide in December 1948 during the middle of the Hiss case.

Error No. 44: Coulter, again on page 23, claims that Hiss’s defense was unable to prove that Chambers was a “nutcase,” “despite sympathetic mental health professionals anxious to take up the case,” and supports this contention by quoting a letter from Alger to Donald Hiss about a psychiatrist who “feels so strongly about my case that he would not have allowed considerations of professional ethics to play any part in his actions.” The quote, taken from Allen Weinstein’s “Perjury,” turns out, when checked, to refer more prosaically to a doctor who was *not* volunteering his services, because, as he told defense investigators when they contacted him – they had found him, rather than the other way around – he had never treated Whittaker Chambers (“Perjury,” 1997 updated edition, page 145).

Error No. 45: Coulter, on page 24, says that Secretary of State Dean Acheson, who stood by Hiss, “was very likely giving confidential State Department information” to the Hiss defense. Although Coulter once again cites Allen Weinstein’s “Perjury” as a source, this is a charge that, in her telling, escalates from one sentence to the next, moving far beyond any assertions by the source. She begins by saying that “there is evidence” Acheson was “furtively passing government secrets” to Hiss’s lawyers. This evidence turns out to be an accusation, reported by Weinstein (“Perjury,” 1997 updated edition, page 170), whose value he says he is unable to assess: “Some State Department officials” (unnamed) in 1949 lodged a complaint that Acheson was improperly assisting Hiss’s lawyers.

Was this complaint valid? Weinstein (on the same page) says only that its truthfulness “has never been determined.” But the lack of proof seems, for Coulter, to clinch the argument against Acheson and Hiss, “since,” as she says, “the case against O. J. Simpson was never ‘proved.’” She then repeats the allegation – which by this time has emerged in its final form as “very likely.”

Errors No. 46 through 50: Coulter, still on page 24, writes that “until the Democratic defamation team sprang to action, Chambers had tried to limit the damage to Hiss, his former friend.” The errors in this passage are closely intertwined. “Limit the damage” is her erroneous way of characterizing Chambers’ nine year history of repeatedly calling Hiss a Communist – in interviews with the FBI and with State Department security officials; in open and closed hearings before HUAC in 1948; on a nationwide radio broadcast. (This is *Error No. 46*.)

Coulter then enumerates actions taken by “the Democratic defamation team.” No such team, of course, ever existed; conjuring it up is her erroneous way of characterizing Hiss’s personal and individual response to Chambers’ charges. (This is *Error No. 47*.) And what activities does she erroneously attribute to the “team”? First, “Hiss had sued” – that is, on his own initiative (and against the advice of friends, both Democratic and Republican) he had defended himself. (This is *Error No. 48*.) Second, “His lawyers had attacked Chambers’s wife and made her cry.” This is *Error No. 49*, another instance of Coulter preferring Chambers’

memory to the record of the Hiss-Chambers libel trial, which shows no efforts to upset Mrs. Chambers or any sign of discomposure on her part. *Error No. 50*, Coulter's charge that the defense "smeared Chambers as a psychotic and homosexual" is a repetition of *Error No. 39*.

Coulter this time embellishes on that charge, alleging that "In Hiss's written response to HUAC's report, Hiss called Chambers a 'queer' four times." This statement seems to be an instance of scholarly "telephone." Coulter's footnoted reference is to an assertion by Allen Weinstein, who in "Perjury" (page 145, 1997 updated edition) says that Hiss's "statement to [HUAC Chairman] J. Parnell Thomas ... applied the word 'queer' (a pejorative colloquialism for a homosexual then as today) no less than four times in describing Chambers." The only written document Hiss submitted to HUAC was a September 24, 1948 letter he wrote to Thomas defending his own record (HUAC did not create a written report about the Hiss-Chambers dispute until December 1948), a letter that does not use the word "queer" even once – as noun or adjective – to characterize either Chambers or anyone else. (Hiss read portions of the letter into the Committee's record on September 25, 1948; see pages 1162 to 1167 of the hearing transcript. The full text of the letter was printed in the *Washington Post*, September 15, 1948, page 2.)

Error No. 51: Coulter, on page 25, writes that after witnessing the defense's tactics, "Chambers would no longer conceal the details of Hiss's espionage." This seems to be her way of acknowledging – without ever quite mentioning – that Chambers had suddenly and dramatically altered the story he had been telling for nine years; he had previously always denied that any espionage had taken place, and he now not only insisted on it but offered "proof" of it. By characterizing this sensational turnaround as "details," Coulter skates over the fact that she has already inaccurately stated that Chambers had told Berle about espionage in 1939 (*Error No. 6*), and that he had testified to HUAC about espionage earlier in 1948 (*Error No. 20*).

Error No. 52: Coulter, again on page 25, writes that Chambers had given his nephew an envelope containing "confidential government documents," and that "among the documents were copies and summaries of State Department papers written in Hiss's own handwriting." This is misleading: the envelope contained 65 pages of typed copies and summaries of State Department reports, plus four small notes in Hiss's handwriting – jottings that referred to other State Department papers and used personal abbreviations that only he could understand. Like the Pumpkin Papers from the State Department, the originals of the typed papers in the envelope (which came to be called the "Baltimore Documents") had circulated widely within the State Department, and it was never possible to trace them directly to Hiss.

Like the Pumpkin Papers, again, the Baltimore Documents did not contain "espionage-grade" information. The author of one of them, Charles Dollard, seeing his old report printed in the newspaper, told his wife, "You know, if I'd taken that thing to the *Washington Post* ten years ago and offered them a thousand dollars to print it, they'd have laughed in my face" ("Laughing Last: Alger Hiss by Tony Hiss, Houghton Mifflin, Boston, 1977, page 131). As for the handwritten notes, Hiss said he had made these notes for briefing his boss, and had then discarded them; the scraps of paper they had been written on were creased, and certainly gave the appearance of having been fished out of the trash.

Error No. 53: Coulter, again on page 25, accepts without questioning it Chambers' assertion that the Baltimore Documents had been hidden in a dumbwaiter shaft for years. The defense in its 1952 Motion for a New Trial, however, presented the findings of Dr. Daniel

Norman, director of chemical research at the New England Spectrochemical Laboratories, casting doubt on this claim: “It would have been impossible for all the typed Baltimore Documents to have been stored together over the 10 year period from 1938 to 1948. From this it follows that they cannot have been all stored together in the envelope in which they are alleged to have been stored.” (Norman’s affidavit is posted on the Web at www.algerhiss.com/norman2.html)

Error No. 54: Coulter, again on page 25, states when Chambers produced this evidence, the defense, realizing the “jig was up,” brought the Baltimore Documents to the attention of the Justice Department. This is inaccurate: Hiss’s lawyers insisted on handing the new evidence to the Justice Department so that the government could use its vast resources to investigate how Chambers had received these documents, and who had been the spy who had seen and then removed the original papers from the State Department.

Error No. 55: Coulter, still on page 25, again criticizes the Justice Department for taking up the question of whether or not to pursue Chambers on perjury charges. This is misleading, since Hiss and Chambers were joint targets of the Justice Department’s investigation. Also (see *Error No. 33*), the Justice Department was compelled to consider seeking a perjury indictment against Chambers since he had now become a perjurer *whether or not* you believed his new espionage accusations: he was either now a liar (and there had never been any spying); or he had been a liar (in his nine years of denying any participation in spying).

Error No. 56: Coulter, again on page 25, says the Truman administration “decided to indict Chambers and throw a party for the traitor.” The Truman administration made no such decision and threw no such party.

Error No. 57: Coulter, again on page 25, writes that “perhaps” out of fear that the government would protect Hiss, Chambers withheld his “most damning material from Hiss’s lawyers.” This is a reference to the Pumpkin Papers films, and it ignores Chambers’ own assertion that he initially held onto the rolls of film because they hadn’t yet been developed and he didn’t know what was on them.

Error No. 58: Coulter, again on page 25, writes that “Truman’s Department of Justice prepared to indict Chambers working hand in glove with Hiss’s lawyers.” Coulter’s footnoted reference to Allen Weinstein’s “Perjury” (page 182) does not sustain this reconstruction of events: “While the FBI prepared perjury-indictment data on Chambers, Hiss’s lawyers continued their own vigorous investigation.” In other words, the two projects proceeded simultaneously and independently, and were not either coordinated or sharing information.

Error No. 59: Coulter, still on page 25, writes that prior to December 2, 1948, the day that Chambers’ turned the Pumpkin Papers films over to HUAC’s investigators, “puzzling leaks about the investigation began appearing in the press.” A single leak had been printed – damaging to Hiss, its probable source was Truman’s Department of Justice, contrary to Coulter’s assertion (*Error No. 58*) that the Justice Department was protecting and assisting Hiss.

Error No. 60: Coulter, again on page 25, says that “members of HUAC” asked

Chambers if he had any more evidence the government had not seen. It was Robert E. Stripling, an attorney who served as HUAC's counsel, who asked this question.

Error No. 61: Coulter, on page 26, says that Chambers gave HUAC's investigators microfilm. Although "microfilm" is a word that almost everyone automatically associates with espionage, the film Chambers turned over was actually standard 35mm film.

Error No. 62: Coulter, again on page 26, describes the contents of the Pumpkin Papers film as "highly confidential documents from the Navy and State Department." As explained in *Error No. 26*, the Navy Department documents were publicly available handouts (with specifications for World War I-era life rafts, among other items); the State Department material consisted of long Trade Agreement documents which Prof. Whealey of Ohio University has characterized as "hardly harmful to the State Department or Roosevelt."

Error No. 63: Coulter, again on page 26, says that at least three of the documents "had come from Alger Hiss's office." Three documents did have Hiss's initials; this, as the defense pointed out, was more likely to be an indication of Hiss's innocence than of his guilt, since elementary "tradecraft," the name given to the procedures followed by professional spies, would steer even the clumsiest agent away from actions that could so easily be traced back to the thief himself.

Errors No. 64 and 65: Coulter says that Allen Weinstein, in "Perjury," called the Pumpkin Papers "definite proof of one of the most extensive espionage rings" in United States history. Checking her footnoted reference (page 194) shows that she is again (as in *Error No. 58*) distorting her source: Coulter's footnote says Weinstein was "quoting the 'accurate' remarks of Representative Robert E. Stripling." But Weinstein does not exactly endorse Stripling (who, by the way – and this is *Error No. 65*, served as HUAC's counsel and was not a Congressman).

Weinstein, referring to a press release Stripling put together about the Pumpkin Papers that includes the "definite proof" claim, is only willing to say that it "more accurately" represents the known facts than "an incorrect statement" in the same press release "declaring grandiloquently" that U.S. government agents had been searching for the Pumpkin Papers films for 10 years. The U.S. government had not known of the existence of the films until the moment Chambers produced them. Coulter has carved a definitive, stand-alone adjective "accurate" from a carefully constructed, comparative, noncommittal adverbial phrase, "more accurately."

Error No. 66: Coulter, again on page 26, says that Hiss lied when he said the Pumpkin Papers did not come from his typewriter. She is apparently confusing the State Department material that appeared on the Pumpkin Papers films with the Baltimore Documents, typed copies of State Department papers that Chambers produced during depositions several weeks earlier. The pages on the Pumpkin films were photographs of actual State Department documents that had, of course, been typed in government offices on government typewriters.

Error No. 67: Coulter, again on page 26, says that Hiss, as part of "a series of evasions and outright lies" in response to Chambers' new charges, couldn't produce his old family typewriter and couldn't even remember what make it had been. Hiss couldn't produce the typewriter because he had given it away years before, and although he initially couldn't

remember the type of typewriter he had once owned, he immediately began to search for it, and in court produced an old machine – Woodstock #230,099 – that he thought had once been his.

Error No. 68: Coulter, again on page 26, says the evidence against Hiss was “overwhelming,” and cites as an example an FBI report that it had matched the typeface of letters typed on Hiss’s typewriter with the typeface on the copies of State Department documents produced by Chambers. She fails to mention that the FBI declined to make any judgment about who had typed the copies. The defense claimed that the Hiss family typewriter had been given away long before the documents were copied. Hiss’s 1952 Motion for a New Trial showed that there were errors in the grand jury and trial testimony of the FBI’s typewriter expert, Ramos Feehan; demonstrated that a typewriter, far from being “unique,” like a fingerprint, could be altered to match the typeface of another typewriter; and presented expert evidence that, contrary to Chambers’ assertion, Alger Hiss’s wife, Priscilla, had not typed the copies in Chambers’ possession.

Error No. 69: Coulter, again on page 26, writes that the grand jury laughed at Hiss when he said he didn’t know how Chambers was able to type the documents. This claim, like so many that Coulter relies on, derives solely on an assertion by Chambers. For many years there was no way of disproving it, since the grand jury minutes of the Hiss case remained sealed. In 1999, however, after a federal court order, more than 4,000 pages of grand jury transcripts were made public. Careful reading of these released records shows no indication that any of the jurors ever laughed at Hiss.

Error No. 70: Coulter, again on page 26, says *The New York Times* “wondered” how Chambers had been able to produce copies of government documents identical to letters typed on the Hiss family typewriter. This attempt to portray the *Times* as “pro-Hiss” (and therefore as liberal) is not substantiated by any citations. Since 1948 *The New York Times* has published many articles and reviews critical of, and even hostile to, Alger Hiss.

Error No. 71: Coulter, again on page 26, says that *The Nation* is “still wondering” how Chambers was able to produce copies of government documents identical to letters typed on the Hiss family typewriter, a position she derides since, she says, even in 1948 “it could no longer be denied that the classified government documents had been typed on Hiss’s typewriter.” Ridicule can sometimes temporarily pull people’s attention away from complexity, but the complexity persists, since ridicule cannot erase or dissolve evidence. Ramos Feehan, the FBI typewriter expert, testified that Woodstock #230,099 had typed both the Hiss family papers and the Baltimore Documents. But according to defense expert Evelyn Ehrlich, whose affidavit was part of Hiss’s 1952 Motion for a New Trial, Woodstock #230,099 did not type either the Baltimore Documents or the Hiss family correspondence (the so-called “Hiss standards”).

According to FBI investigators, Woodstock #230,099 could not have been the old Hiss family machine (its serial number indicated it was it was too young a machine). Journalist Fred J. Cook investigated these matters (despite his firm conviction that Hiss was guilty), and published his findings in *The Nation* in 1957 and 1962. His conclusion: Hiss’s guilt was not established beyond a reasonable doubt by the facts presented in court by the prosecution. (Several of Cook’s articles as well as a recent interview with him are posted on the Web at www.algerhiss.com).

Error No. 72: Coulter, again on page 26, writes that the evidence against Hiss included “multiple independent witness identifications.” There were no multiple independent witness identifications, as Coulter herself acknowledges on the chapter’s next page (see *Error No. 84*), where she calls Chambers “the sole witness against Hiss.” The Hiss-Chambers case was always the word of one man (Hiss) against the word of another (Chambers) – or, more precisely, it was the word of one man (Hiss) against the changing words of another (Chambers).

Error No. 73: Coulter, again on page 26, claims there were “documents from Soviet defectors identifying Hiss as a Soviet spy.” There were no such documents.

Error No. 74: Coulter, again on page 26, says that Chambers agreed to take a lie detector test “without hesitation,” while Hiss refused. Hiss didn’t refuse, but did say he wanted to study the matter further. Chamber’s eagerness did not lead to any action on his part – he never did take a lie detector test. (Coulter then undercuts her own point by adding, parenthetically, that lie detector tests have since then been “largely discredited.” Presumably, if Chambers had passed a lie detector test and Hiss had failed one – or vice versa – nothing would have been learned or gained.)

Error No. 75: Coulter, still on page 26, says that Hiss even refused to be administered a truth serum privately. “Alger Hiss: The True Story,” a pro-Hiss book by John Chabot Smith (Holt, Rinehart and Winston, New York, 1976) revealed that Hiss, although steadfast in his denial of espionage charges, was protecting a couple of family secrets: years before his wife had had an abortion, and he was afraid that his stepson’s “undesirable” discharge from the Navy (see *Error No. 39*) might become public knowledge.

Ironically, of all the five eyewitnesses in the Hiss case – Hiss and his wife and stepson, and Chambers and his wife – Tim Hobson, Hiss’s stepson, was the only one who was ever actually examined while under a truth serum. Hiss’s lawyers questioned Hobson for two hours, and his story under the drug confirmed his previous story that Chambers had not been a frequent visitor to the Hiss household, either socially or to pick up and drop off secret State Department documents. This testimony was never offered in open court because Hiss had told his stepson that he would rather go to jail than have the young man’s Navy discharge become part of the trial record.

Error No. 76: Coulter, on page 27, says that for the remainder of his life, Hiss every few years “would claim to have unearthed some mythical ‘new evidence’” in his favor. Such evidence, tangible not mythical, continues to emerge, even after Hiss’s death in 1996, and often from the government’s own files: His grand jury transcripts were released in 1999 (see *Error No. 69*). And records of HUAC’s closed-door hearings were made public in 2001.

Error No. 77: Coulter, again on page 27, calls Hiss’s appeals of the guilty verdict against him “ludicrous.” As already noted (see *Error No. 68* and *Error No. 71*), Hiss’s 1952 Motion for a New Trial raised a number of substantive issues about the authenticity of the documents and the typewriter that typed them (and also uncovered evidence which undercut Chambers’ amended claim to have left the Communist Party in 1938). Although Hiss’s motion was denied, many of the doubts raised then by the defense were confirmed more than 20 years later with the release of Hiss’s FBI files in the 1970s. The files confirmed that the prosecution had again and

again concealed exculpatory evidence from the defense.

Error No. 78: Coulter, again on page 27, reasserts her erroneous claim (see *Error No. 25*) that the National Security Agency's Venona releases "proved indisputably" that Hiss was a spy. The FBI in more than 50 years has never been able to confirm a tentative conclusion reached in 1950 that one released Venona cable "probably" referred to Hiss, and scholarly debate about the subject (in print and on the Web) has not yet subsided.

Errors No. 79 and 80: Coulter, again on page 27, reasserts two intertwined and equally erroneous claims: that despite repeated warnings, Roosevelt continued to promote Hiss. Roosevelt did not personally promote Hiss to any position (see *Error No. 14*). Nor was he warned repeatedly about Hiss (see *Errors No. 11 and 15*).

Error No. 81: Coulter, again on page 27, writes that Roosevelt "notoriously handed over Poland to Stalin" at the Yalta Conference in February 1945. Poland, as Yalta historians agree, was not Roosevelt's (or Churchill's) to hand over – the Russians had effectively handed it to themselves by driving out the Nazi occupiers. Prominent conservatives, such as former President Herbert Hoover and Senator Arthur Vandenberg (R.-MI), who later served as Chairman of the Senate Foreign Relations Committee, enthusiastically supported the Yalta agreements, one of whose principal pro-American accomplishments was to enlist Russia in the war against Japan. (The atomic bomb was not yet known to work, and the Pentagon had already estimated that an invasion of the Japanese home islands would cost a million lives.)

Error No. 82: Coulter, again on page 27, says the person who advised Roosevelt when he was handing over Poland to Stalin was Alger Hiss. Even if Roosevelt had been in a position to hand over Poland, which he wasn't (see *Error No. 81*); and even if Hiss had been sent to Yalta because Roosevelt wanted him there, which he hadn't (the Secretary of State had brought Hiss along as a last-minute replacement for another man – see *Error No. 14*); and even if Hiss had been a spy (which he denied, as did Whittaker Chambers for nine years between 1939 and 1948), Hiss at Yalta was a junior official who had no means or opportunity to wield Svengalian influence over either Roosevelt or the rest of the Allies, who notably included Churchill, who as Prime Minister of Great Britain personally endorsed the Yalta agreements.

Error No. 83: Coulter, again on page 27, writes that "the Soviet spy bequeathed us the United Nations" in his position as secretary general of the Dumbarton Oaks Conference, in Washington, D.C., in 1944, where the final agreements were made regarding the U.N., and a year later as secretary general of the United Nations Organizing Conference in San Francisco, where the U.N. Charter was drafted and adopted. Hiss is again being posthumously endowed with more power than he had attained. A conference secretary general is a manager, a note taker, and an implementer, not a policy-maker.

Many historians point out that the United Nations stems from a dream first outlined at an international peace conference convened in Holland in 1899, and was the product of global cooperation, not a scheme foisted on the world by Stalinist intelligence agencies. The chief drafter of the U.N. Charter was Leo Pasvolsky, a "White Russian," anti-Communist émigré and naturalized American who worked in the State Department. At San Francisco, representatives of 50 nations signed the Charter, becoming the organization's founding members; the U.S. Senate

ratified the Charter by a vote of 89-2. (For more on this, see the “United Nations Studies at Yale” Web site at www.yale.edu/unsy/Oralhist/krasno/intro.html)

Error No. 84: Coulter, still on page 27, repeats her erroneous assertion (see *Error No. 33*) that the Department of Justice “tried to indict not Hiss but Chambers.” This is also the passage where Coulter contradicts her own erroneous claim (see *Error No. 72*) that Chambers’ testimony was supported by “multiple independent witness identifications”: at this point Coulter maintains that had the Department of Justice indicted Chambers, “the Truman administration would have destroyed the sole witness against Hiss.”

Error No. 85: Coulter, on page 28, writes that in 1962 CBS broadcast a program called “The Political Obituary of Richard Nixon.” The program aired on ABC.

Error No. 86: Coulter, again on page 28, writes that Hiss was reinstated to the Massachusetts Bar in 1972. He was reinstated in 1975.

Error No. 87: Coulter, again on page 28, repeats her erroneous assertion (see *Error No. 32*) that “Liberals would never give up on a man who spied for Stalin against America.” Liberals have always been deeply divided about the question of Alger Hiss’s guilt.

Error No. 88: Coulter, on page 29, writes that Hiss was convicted of perjury in 1951. Hiss was convicted on January 21, 1950.

Error No. 89: Coulter, again on page 29, implies that the *Washington Post* is part of an unbreakable chain of liberal defenders of Alger Hiss’s innocence. “Liberals,” she says, “would never give up on a man who spied for Stalin against America.” As evidence that the *Post* is loyal to this cause, she mentions that the newspaper in 1992 “ran a news item stating three times that there was ‘no evidence’ that Hiss was a Soviet agent.” Careful reading of the cited article (“Stalin Biographer Offers Latest Twist in Hiss Case: No Evidence Diplomat ‘Collaborated’ with Soviets,” by Jeffrey A. Frank, *The Washington Post*, October 31, 1992, page a3) leaves a very different impression.

The article’s subject is not Hiss’s innocence but “assertions this week” – to use *Post* staff writer Jeffrey A. Frank’s own words – “by a Russian historian that Soviet intelligence archives show no evidence that Hiss spied for the Soviet Union.” The Russian, Gen. Dmitri Volkogonov, who was Boris Yeltsin’s military advisor, the overseer of all Soviet intelligence files, and the author of a debunking biography of Stalin, had announced the day before that “Not a single document, and a great amount of material has been studied, substantiates the allegation that Mr. A. Hiss collaborated with the intelligence services of the Soviet Union.” Volkogonov’s statement was making front-page news all over the country that week, but Frank, far from accepting the Russian’s “claims,” as he characterizes them, at face value, immediately seeks opposing views, and reports that “Volkogonov’s findings are being sharply disputed.”

Frank then interviews and quotes one Hiss defender, Victor Navasky, publisher of *The Nation*, and two Hiss opponents, historian Allen Weinstein and columnist William F. Buckley, Jr. Frank even gives Buckley the last word: “Now and then, you run into a book in which you see that Dreyfuss isn’t really innocent, or Socrates is really guilty.”

Error No. 90: Coulter, continuing her efforts to demonstrate that “Liberals would not give up” on Hiss, cites, again on page 29, a 1992 *New York Times* piece in which, she says, “the writer mused” that Soviet archives might solve the question of Hiss’s guilt. She then quotes from this same piece (“Was Oswald a Spy, and Other Cold War Mysteries,” by David Wise, *The New York Times*, November 13, 1992) in footnote number 51 – and the quote itself undercuts her notion that the piece displays a pro-Hiss bias: “The list of cold war mysteries that might – or might not – be answered ... is lengthy.... Was Alger Hiss a spy, Volkogonov’s assurances notwithstanding?”

Error No. 91: Coulter, again on page 29, reasserts for the second time (see *Error No. 25* and *Error No. 78*) her erroneous claim that the National Security Agency’s Venona releases have finally established Hiss’s guilt – although this time, instead of saying that the releases “proved indisputably” that Hiss had been a spy, she more sweepingly says that they “established that Hiss was a Soviet agent to everyone’s satisfaction except direct relatives of Alger Hiss.”

Error No. 92: Coulter, again on page 29, continues attacking *The New York Times* as a defender of Hiss’s innocence: “*The New York Times* instinctively trots out the theory that Hiss was innocent. It’s some psychological block liberals have. Their minds are fine, but the woman wells up in them.” Coulter presumably has not read a *New York Times* editorial, “Revisionist McCarthyism,” published October 23, 1998, in which the newspaper speaks negatively of Hiss.

Error No. 93: Coulter, still on page 29, again assails *The New York Times*, this time for “ritualistic proclamation that all Soviet spies were innocent.” On June 19, 2003, the 50th anniversary of the execution of the Rosenbergs – to take one example – the *Times* published a solemn, measured editorial, “Remembering the Rosenbergs,” which declares that “It now seems clear the Rosenbergs were neither as innocent as they proclaimed nor as guilty as the government alleged.” The editorial acknowledges that released Venona cables show “that Julius was an atomic spy,” adding that “the same cables strongly suggest that Ethel played little or no role.” The paper points out that “Their trial was flawed – Ethel’s brother later admitted he lied on the witness stand.” The Rosenberg case, the editorial concludes, “still haunts American history, reminding us of the injustice that can be done when a nation gets caught up in hysteria.”

Error No. 94: Coulter, again on page 29, writes that after the trials, Chambers was nearly unemployable. He was given, by his own account, such a large amount of money when he resigned from *Time*, that he didn’t need to look for work. He then wrote a best-selling book, “Witness,” which was syndicated in the *Saturday Evening Post*. Sales from the book took care of him for the rest of his life.

Error No. 95: Coulter, on page 30, writes that Democrats were “so upset” with Senator Joseph R. McCarthy (R.-WI) that “liberals had to invent the myth of ‘McCarthyism.’” On December 2, 1954, McCarthy was censured by a Republican controlled Senate by a vote of 67 to 22. The leader of the Senate proceedings against McCarthy was Sen. Ralph Flanders (R.-VT).

Error No. 96: Coulter, on page 31, writes that Sen. McCarthy said he was holding a list of 57 card-carrying Communists in the State Department during the Wheeling, West Virginia speech that inaugurated his anti-Communist campaign in 1950. According to the *Wheeling*

Intelligencer's report on the speech, McCarthy said he was holding a list of 207 names. Over the following week, in subsequent speeches, the number declined from 207 to 57 and then to four, and the allegation itself shrank from "card-carrying Communists" to "bad security risks" and then to "Communist sympathizers." No one ever saw the list.

Error No. 97: Coulter, still on page 31, again has trouble with the actual date of Hiss's perjury conviction (see *Error No. 88*), this time assigning it to January 25, 1950. Hiss was convicted on January 21, 1950.

Error No. 98: Coulter, still on page 31, writes that the public was "aghast" at Secretary of State Dean Acheson's support for Alger Hiss after his conviction, and reports that "the entire country was in a cauldron of rage." The country remained calm, even though, as Coulter correctly notes, Rep. Richard M. Nixon (R.-CA), Chambers himself, and a conservative Republican senator from Indiana denounced Acheson for his comments.

Error No. 99: Coulter, on page 32, asks whether Democrats, after Hiss's 1950 perjury conviction, would "ever give a damn about Soviet spies swarming through the government?" Curiously, she omits any mention of President Truman's massive and stringent Loyalty Program, which, as even the "World Almanac for Kids Online" Web site points out, "required all federal employees to submit to screening by loyalty boards." In foreign policy, the Truman Doctrine, later called "containment," "was aimed," as the same Web site points out, "at blocking Communist expansion anywhere in the world." (See www.worldalmanacforkids.com/explore/presidents/Truman_harrys.html)

Errors No. 100 and 101: Coulter, again on page 32, writes that "Chambers could only claim a few sparse victories," and that "Among them was the indictment of a Soviet spy at the Commerce Department, William Remington." In the first place (this is *Error No. 100*), Remington's accuser was Elizabeth Bentley, not Chambers.

In the second place (this is *Error No. 101*), there is considerable evidence that Remington, who was murdered in Lewisburg Penitentiary where Hiss, too, was incarcerated, was, like Hiss, innocent of the charges against him and ill-used by the justice system. According to Gary May, Remington's biographer ("Un-American Activities: The Trials of William Remington," Oxford University Press, New York, 1994) and a history professor at the University of Delaware, Remington, after being cleared by government loyalty boards, was indicted for perjury by a grand jury whose foreman was secretly helping Bentley prepare her memoirs.

With so many errors and misstatements, Ann Coulter's "Treason" cannot be taken as an accurate presentation or analysis of the Hiss case. For a more in-depth look at the Hiss case defense, readers are referred to the Web site that prepared this study – "The Alger Hiss Story: Search for the Truth," which can be found at www.algerhiss.com.

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