

Venona and Alger Hiss

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Alger Hiss, the American diplomat tried in a US federal district court in New York and convicted in 1950 of perjury, remains a disputed icon of the Cold War, representing either infiltration of the Roosevelt and Truman administrations by Communist spies or an historic miscarriage of justice. This article shows that a 'Venona' document released by the US and the UK in 1996 tentatively identifying Hiss as an espionage agent is erroneous and irreconcilable with the evidence presented by the US at Hiss's trials; that KGB documents have been misconstrued as supporting the identification; and that another Venona document tends to exonerate rather than to implicate Hiss. Venona errors regarding Hiss raise questions about the accuracy and reliability of the entire Venona process and its products.

The other curious thing about the Hiss case is the psychology of believing that Hiss was a spy, which requires abandoning much of what we know about rational thought.

– Molly Ivins, columnist (1996)¹

The Hiss case blazed into public life in 1948 and promptly became an icon of the Cold War in America. It catapulted Richard Nixon all the way to the presidency, two decades later. It sundered the nation along fault lines of ideology, politics, and class.² The power and reach of its political consequences have outlived the Cold War: half a century after it erupted before a congressional committee, the case contributed to sinking one of President Clinton's major appointments when a key senator declared, 'I would find it very difficult to support a nominee for Director of the CIA who did not believe that Alger Hiss was a spy.'³

The case is still hotly disputed in America and England, where the release in 1996 of 'Venona' messages – Soviet cablegrams covertly monitored by the US Army during World War II – have added fuel to the fire. A widely-circulated but erroneous view is that Venona confirms Hiss's guilt because a 1945 Soviet cablegram describes an espionage agent covernamed 'Ales' whom the Federal Bureau of Investigation (FBI) tentatively identified as Alger Hiss.

For all the spate of recent publications on Hiss and Venona, few readers have been able to go behind conclusory statements in the secondary literature to assess the Venona documents directly. This article will do that, after an introduction to the Hiss case and the Venona project. By comparing the cablegram description of Ales with undisputed facts about Hiss and the US government's case against him, this article will demonstrate that the FBI was mistaken and that Ales cannot have been Hiss. Likewise, KGB documents recently claimed to confirm the Venona identification of Ales as Hiss are shown not to do so.

That Ales was not Hiss does not necessarily answer the question of whether Hiss was a spy. Many books have addressed that question, still more are in process, and a short article cannot do it full justice. Nevertheless, it is significant that Venona does not support the case against Hiss. On the contrary, a 1943 Venona cablegram appears to be exculpatory rather than incriminating, because it refers openly to Hiss when Soviet practice was to mention spies only by their covernames.

Hiss is not the only person whom Venona has been said to incriminate. But the Venona team's manifest errors regarding Hiss, and US intelligence agencies' selective use of Venona material for public relations, contribute to doubts about the accuracy and reliability of at least some Venona products that putatively implicate other people.

THE HISS CASE

In August 1948, *Time* magazine editor and ex-Communist Whittaker Chambers testified before the House Un-American Activities Committee that Alger Hiss, president of the Carnegie Endowment for International Peace and former State Department official, had been a fellow-Communist in the 1930s but that they had not engaged in espionage.⁴

Hiss denied that he had ever been a Communist or known anyone by the name of Whittaker Chambers. He recognized Chambers, however, as the freelance journalist George Crosley (one of Chambers's aliases), whom Hiss had helped out in Washington in the mid-1930s Depression years and eventually dismissed as a deadbeat.⁵

Chambers's accusation did not fit the Alger Hiss known to his many friends and colleagues as personally straight-arrow and politically conventional. When Hiss was convicted, in effect, of having been an espionage agent for the Soviet Union, a Washington journalist reported that everyone he talked with who had worked with Hiss in the government believed him innocent: 'The general impression is that Hiss was never much of a radical.... I know no one who ever thought him a militant liberal, much less a Red.'⁶

Hiss was certainly an unreconstructed New-Deal liberal, but he had never hesitated to recommend policies at odds with the Soviet Union. In the State Department after the Nazi-Soviet non-aggression pact (August 1939), Hiss argued that giving aid to the Allies would not violate international law, and he urged revision of the Neutrality Act to remove its barriers to such aid.⁷ At the Yalta conference, which he attended as a member of the US delegation, Hiss opposed the Soviet demand for three votes in the United Nations-to-be (but was overruled by President Roosevelt).⁸ As a private citizen after he left the State Department, Hiss was a prime mover of the Marshall Plan of aid to war-ravaged Europe, the centrepiece of the Truman Doctrine and its strategy of ‘containment’ of the Soviet Union.⁹

Soviet leaders denounced the Marshall Plan as creating a hostile encirclement of the Soviet Union, and the political Left in the United States denounced it as a war-breeding, anti-Soviet ‘Martial Plan’. But Hiss organized a committee of bankers, lawyers, and business executives to support enabling legislation for the plan, and he wrote an article for *The New York Times Magazine* warning of the consequences if the plan were not adopted:

Strategically, our abandonment of Europe would expose 270 million people and the world’s second greatest industrial complex to absorption in the vast area already dominated by Communist ideology and by Soviet interests.¹⁰

Four months later (March 1948), Congress adopted the Marshall Plan.¹¹ Five months after that, Chambers publicly charged that ‘Alger Hiss was a Communist and may be now.’¹²

Hiss sued Chambers for libel, whereupon Chambers repudiated his many denials of espionage and produced excerpts and copies of State Department documents, dated in 1938, which he said Hiss’s wife, Priscilla, had copied on the family typewriter from original documents brought home overnight by Hiss. Chambers said he picked up the retyped copies at the Hisses’ home every week or ten days and took them to Baltimore to be photographed for delivery to a Soviet agent.¹³

‘If Chambers actually used such a procedure to relay documents from their source to the collector,’ observed a writer on espionage practices, ‘he not only employed the most primitive and precarious method, but he also violated a very important rule in the Soviet spy book’ requiring transfers of documents to take place outdoors or in a public venue and not more often than once a month from the same source.¹⁴ No doubt there were Soviet agents who did not always follow the rules, but if Chambers was one of them, the carelessness he also attributed to Hiss did not square with the latter’s reputation as a man of prudence and discipline, punctilious about

rules of procedure. A former British secret service officer remarked:

Chambers's story is wildly improbable – a defiance of strict basic safety rules imposed by the Soviet Secret Service on its agents....

If Hiss were guilty ... it is impossible to understand why a man of such high intelligence, and in a position where a hint of treachery could –and, in fact, did–hit the headlines overnight, omitted the most elementary precautions to protect himself. Why, if he knew that Chambers was a Soviet agent, did he let him call so regularly at his home, possibly watched by nosy neighbours from behind their window-curtains? Why did he let Priscilla copy borrowed secret documents on her own identifiable typewriter? Why, after Chambers said he had photographed the typescripts, did Hiss not demand them back so that he could be sure of their destruction by burning them himself? Why, after Chambers defected and the possibility of betrayal arose, was the identifiable Hiss machine casually given away to a traceable witness instead of being irrecoverably dumped in the Potomac river? Hiss was not, after all, a novice in elementary security precautions.¹⁵

Nor was the content of the papers sensational or sensitive: most of the retyped pages were copied from a report on economic conditions in Manchuria, and all them were soon displayed with the original documents in open court.¹⁶ Chambers's story reads more like a crude frame-up than real espionage, but, in those credulous days of the Cold War, it carried the day.

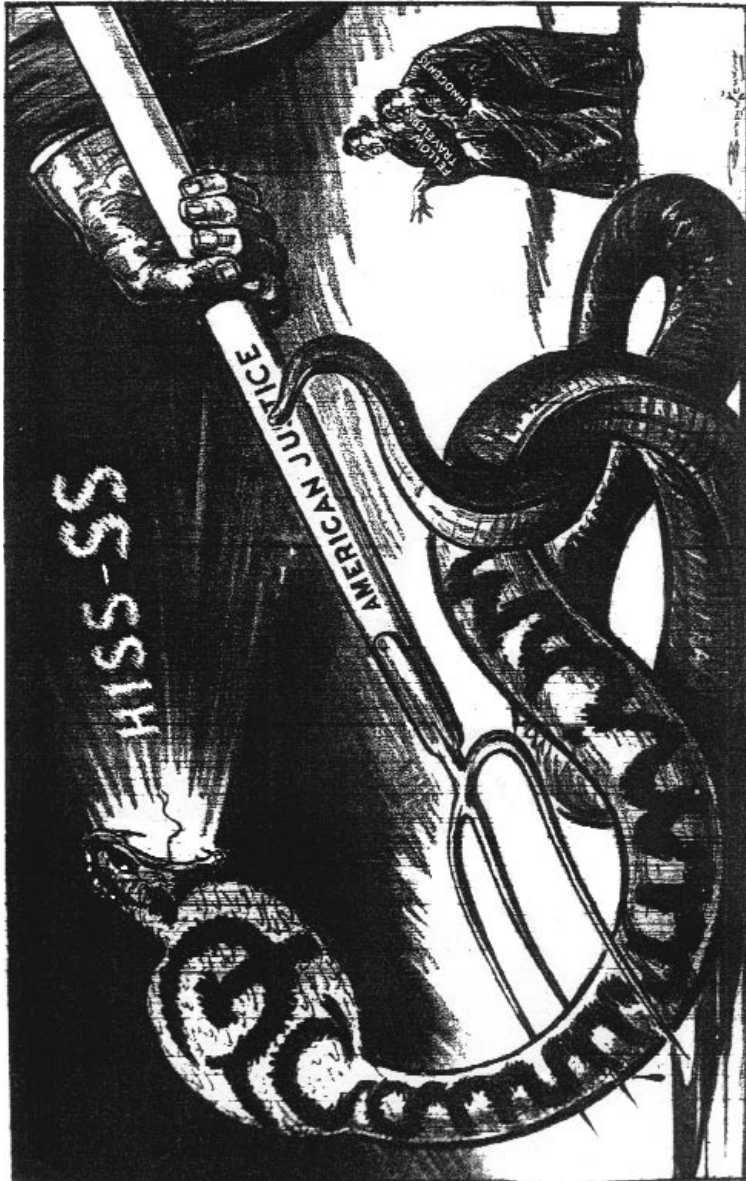
Chambers also led House committee investigators to a pumpkin patch on his Maryland farm, where they pulled three rolls and two strips of 35-millimeter film from a hollowed-out pumpkin in which he had put them a few hours earlier. The film contained photographs of miscellaneous government documents, which Chambers also said Hiss had given him for espionage.¹⁷

Representative Nixon testified secretly that the 'Pumpkin Papers' were worthless, were not classified even as confidential, and had been widely distributed; but he nonetheless found them useful in persuading a grand jury to indict Hiss instead of Chambers.¹⁸ For the press and newsreel cameras, Nixon announced: 'I am holding in my hand a microfilm of the most confidential, highly secret State Department documents' conclusively establishing 'one of the most serious, if not the most serious series of treasonable activities which has been launched against the Government in the history of America.'¹⁹ The next day, with Nixon's charge on the front pages of major newspapers, the grand jury indicted Hiss. 'I played it in the press like a master', Nixon boasted 25 years later; 'we won the Hiss case in the papers.... I leaked out the [Pumpkin] papers.... I had Hiss convicted before he ever got to the grand jury.'²⁰

NEW YORK, 1950

'TRIAL BY JURY'

THE HISS CASE



Source: Burris Jenkins Jr, in *New York Journal-American*, 1 Feb. 1950, p.26, reprinted with special permission of King Features Syndicate.



Source: V. Lenepveu, *Musée des Horreurs*, Paris, 1900, reproduced by permission of The Jewish Museum, New York. Alfred Dreyfus is represented as the mythological monster Hydra, symbolizing an evil that regenerates.

Hiss was indicted for perjury for testifying to the grand jury on 15 December 1948 that he had not given copies of State Department documents to Chambers in 1938, or ever. The statute of limitations barred a prosecution for espionage allegedly committed more than three years previously, so Hiss was accused of lying in asserting his innocence of the ancient crime.

There were two trials, the first ending in a hung jury, the second in conviction. Hiss was sentenced to five years' imprisonment, the maximum term for perjury. Two weeks later, Senator Joseph McCarthy launched his eponymous era with a speech invoking Alger Hiss as representative of a State Department still 'thoroughly infested with Communists.'²¹ Republicans adopted 'Twenty Years of Treason' as their campaign slogan.²² 'The problem of communism', warned the historian Arthur Schlesinger Jr, 'bears down fast upon us, black and menacing, threatening to blot our sun and whirl down our civilization.... How did Alger Hiss get that way?'²³

The case wrecked Alger Hiss's public career – he earned his living eventually as a stationery salesman in New York City – but not his private life, which remained, as he put it, 'rich in love and friendships'. (I declare my interest as one of his friends.) His public life prior to the case was also, he wrote, 'deeply rewarding. In the New Deal, in the wartime State Department, for the nascent United Nations, I did what I could toward the common goal of a better world.... I have no cause for bitterness or regret, nor have I ever felt any.'²⁴

After his release from prison, Hiss gave university lectures in the US and England on the New Deal; the Yalta conference; the United Nations, which he had helped to plan; Supreme Court Justice Oliver Wendell Holmes, for whom he had clerked; the McCarthy era; and the American press. His audiences often asked about his case, and he always answered their questions.²⁵ He died in 1996, aged 92.

THE VENONA PROJECT

Venona was the final codename for a project begun in 1943 by US Army intelligence analysts, joined by the British in 1948, to decrypt, decode, translate, and interpret cable traffic between Soviet diplomatic installations and Moscow, which the Army covertly monitored during World War II. The war was over and the monitoring called off before any of the Soviet messages could be deciphered (the first breakthrough came in 1946), but they turned out to include espionage as well as diplomatic and personal matters, so the deciphering efforts continued into the Cold War. By 1980, everyone mentioned in the cablegrams was either dead or presumably

retired, so the Venona project was terminated. Only a tiny fraction of all the monitored messages had been deciphered.²⁶

Covernames used in the messages were sometimes found listed with the real names they represented, as in Venona document No. 1579 (Figure 2). In other cases, the identity of the person referred to by a covername was obvious from the context: 'Captain' was President Roosevelt, 'Boar' was Winston Churchill. Often, however, the Army found itself unable to identify the person behind a covername, so in 1948 it turned to the FBI for help. For the next seven years, all the Venona covername-identification work was done by FBI Special Agent Robert J. Lamphere.²⁷

Also in 1948, the Soviets learned that Venona had begun to crack their wartime codes, and from then on, the Soviets were able to monitor the FBI's efforts to unravel the Soviet spy nets.²⁸ The FBI and the Army, however, still had a reason to keep the Venona project secret: they were determined not to share their Venona information with other US intelligence agencies competing with them for turf, even though the other agencies were admittedly entitled to the information.²⁹ The Army and the FBI each separately told the Central Intelligence Agency (CIA) that only the other could release Venona information, a classic runaround personally endorsed by FBI Director J. Edgar Hoover, who was known to order his agents to burn their files rather than turn them over to the CIA.³⁰ But the CIA believed itself to be the one department of government uniquely designed to fight the Cold War, so it persisted until, by 1952, it managed to convert the Army-FBI Venona marriage into a *ménage à trois*.³¹ The Navy, Air Force, and State Department intelligence services, however, were still shut out.

In the mid-1990s, 15 years after Venona was terminated, US intelligence agencies found themselves out of favor and at loose ends. The CIA had failed to foresee the demise of the Soviet Union (1991), and other lapses, such as harboring the mole Aldrich Ames in its midst, further damaged its reputation.³² The National Security Agency (NSA), which had succeeded to the Army's portion of the Venona project, was also robbed by history of its favorite foreign enemy; but NSA was so secretive that it had almost no public image of any kind, just when it needed a good one to help fend off congressional budget-cutters. So Venona was officially disinterred for public relations duty.

In 1995 and 1996, NSA released to the press and the public some 2,900 Venona documents containing what NSA described as its translations of decrypted and decoded Soviet wartime messages, or fragments of them, accompanied by explanatory footnotes written by unidentified Venona personnel.³³ NSA issued a press release featuring a Venona document with a footnote naming Alger Hiss as 'probably' a spy; NSA mounted a special exhibit on that document and Hiss at the National Cryptologic Museum; and

NSA and the CIA joined with Hiss's long-time detractor Allen Weinstein, as founder and president of The Center for Democracy, to sponsor a Venona conference at the National War College for the press and for selected others by invitation only.³⁴ Why the FBI was not a co-sponsor of the conference was not explained, but former FBI agent Robert Lamphere participated as a panelist. The closing address was delivered by another Hiss detractor, Senator Daniel Patrick Moynihan, chairman of the Commission on Protecting and Reducing Government Secrecy and a former member of the Senate Select Committee on Intelligence.³⁵

The two Venona documents to be examined in this article are No. 1822, naming Alger Hiss in a footnote, and No. 1579, in which the name 'Hiss' appears in a Soviet message itself.

VENONA NO. 1822 (FIGURE 1)

The Soviet cablegram in Venona No. 1822 describes the functioning of an espionage agent covernamed 'Ales'. Three preliminary matters arise about the document before Ales is mentioned in the cablegram.

(1) According to NSA, the Soviet message was dated 30 March 1945 and was sent from Washington to Moscow by an official of the intelligence agency MGB, the ministry for state security. The MGB, however, did not exist in 1945, having been first created in March 1946, a year after the date of the message. The MGB was one of several forerunner agencies of the KGB (committee for state security), but the forerunner agency in existence on the date of the message, and throughout the year 1945, was the NKGB.³⁶

A CIA official at the Venona conference told me that the MGB-anachronism in No. 1822 was probably an error by the Venona team in its first draft version of No. 1822 carelessly carried over to all later versions.³⁷ I asked NSA for all the versions and got three. The earliest (1949) does not contain the MGB-error or any identification at all of the sending agency. The next version (1954) does contain the MGB-error. The last version (1969) is the same one released by NSA to the press and public in 1996.

Similar MGB-errors appear in other Venona documents and in FBI documents. If those errors do not compromise the authenticity of the documents, they do sound a cautionary note as to the accuracy and reliability of the documents.

(2) The second preliminary matter about Venona No. 1822 concerns the reference at the beginning of the cablegram to the sender's telegram No. 283. That telegram could well be instructive, but it is 'Not available', according to NSA's footnote [a].

(3) The third preliminary matter concerns the enigmatic phrase in the first line of the Soviet message, '[D% of A.'s]'. 'A.' was the person whose

FIGURE 1
VENONA NO. 1822

~~TOP SECRET~~ [REDACTED] VENONA

MGB

From: WASHINGTON
To: MOSCOW
No: 1822

30 March 1945

Further to our telegram No. 283[a]. As a result of "[D% A.'s]"[i] chat with "ALES"[ii] the following has been ascertained:

1. ALES has been working with the NEIGHBORS[SOSEDI][iii] continuously since 1935.
2. For some years past he has been the leader of a small group of the NEIGHBORS' probationers[STAZHERY], for the most part consisting of his relations.
3. The group and ALES himself work on obtaining military information only. Materials on the "BANK"[iv] allegedly interest the NEIGHBORS very little and he does not produce them regularly.
4. All the last few years ALES has been working with "POL"[v] who also meets other members of the group occasionally.
5. Recently ALES and his whole group were awarded Soviet decorations.
6. After the Yalta Conference, when he had gone on to MOSCOW, a Soviet personage in a very responsible position (ALES gave to understand that it was Comrade VYSHINSKIJ) allegedly got in touch with ALES and at the behest of the Military NEIGHBORS passed on to him their gratitude and so on.

No. 431

VADIM[vi]

Notes: [a] Not available.

Comments:

- [i] A.: "A." seems the most likely garble here although "A." has not been confirmed elsewhere in the WASHINGTON traffic.
- [ii] ALES: Probably Alger HISS.
- [iii] SOSEDI: Members of another Soviet Intelligence organization, here probably the GRU.
- [iv] BANK: The U.S. State Department.
- [v] POL': i.e. "PAUL," unidentified cover-name.
- [vi] VADIM: Anatolij Borisovich GROMOV, MGB resident in WASHINGTON.

8 August 1969

~~TOP SECRET~~ [REDACTED] VENONA

chat with Ales provided the content of the six numbered paragraphs of the message. 'A.' was not identified by the FBI or NSA, and the Venona cryptanalysts were not even confident that 'A.' was a correct decryption: the term 'D%' is their warning that the decryption is most dubious, being at the low end of their declining-confidence scale A through D.³⁸

Now we come to Ales and Hiss. According to footnote [ii], Ales was 'Probably' Alger Hiss. The source of that tentative identification was FBI Special Agent Robert Lamphere. In a memorandum dated 15 May 1950 (while Hiss's appeal from his conviction was in process), written by Lamphere for his superior, Special Agent Belmont, to send to Assistant FBI Director Ladd, Lamphere paraphrased the Soviet message about Ales and then explained:

It would appear likely that this individual is Alger Hiss in view of the fact that he was in the State Department and the information from Chambers indicated that his wife, Priscilla, was active in Soviet espionage and he also had a brother, Donald, in the State Department, [*sic*] It also is to be noted that Hiss did attend the Yalta conference as a special adviser to President Roosevelt, and he would, of course, have conferred with high officials of other nations attending the conference. An attempt is being made by analysis of the available information to verify this identification.³⁹

The identification never was verified, nor could it have been, because the espionage agent Ales of the Soviet message could not have been Hiss, even if we assume, for the sake of discussion, that Hiss was the spy he was in effect convicted of having been. Ales conducted espionage throughout the 11 years 1935–45 (message paragraph 1), whereas Hiss was accused, and in effect convicted, of having conducted espionage only in the mid-1930s and not later than 1938. Ales was the leader of a small group of espionage agents (par. 2); Hiss was accused of having acted alone, except for his wife as typist and Chambers as courier. Ales was a GRU (military intelligence) agent who obtained only military information and did not regularly produce State Department materials (pars. 1 and 3), whereas Hiss was charged with having obtained only non-military information, and the papers used to convict him were non-military State Department materials that he allegedly produced on a regular basis.

Even if Hiss was the spy that he was in effect convicted of having been, he could not have continued being a spy after 1938, as Ales did, because in that year Hiss would have become too great a risk for any Soviet intelligence agency to use. It was in 1938 that Whittaker Chambers, according to his final version of his story, said to a friend who was urging him to break with the Communist Party, 'You know that the day I walk out

of the Communist Party, I walk into a police station.' Also in 1938, Chambers continued, he obtained the incriminating papers from Hiss and then immediately broke with the Communist Party, meant to wreck it, went into hiding from his Soviet spymasters, told his Communist Party colleagues he would denounce them if they did not break, and begged Hiss in vain to break from the Party with him.⁴⁰

Whatever the mix of fact and fancy in Chambers's story (one of the 'longest works of fiction of the year', according to one of Nixon's Watergate defense lawyers, who believed Hiss to be innocent), it is a fact that Chambers did denounce Hiss to the US government in 1939, and he continued to do so over the next dozen years.⁴¹ Thus the GRU, and Hiss himself, would have been reckless beyond belief to continue for seven years after 1938 the alleged espionage activities that the penitent Chambers could be expected to expose.⁴²

Nor is it believable that Soviet officials would have agreed in 1945, as they did agree, to the appointment of Hiss as secretary-general of the United Nations organizing conference in San Francisco if he was then one of their spies, given the diplomatic costs to the Soviet Union if he were to have been unmasked. Nevertheless, ever since FBI agent Lamphere's May 1950 memorandum linking Hiss to Ales, the FBI and other commentators claiming that Hiss was Ales have added those seven years 1939-45 to the earlier period for which Hiss was accused (and in effect convicted) of having conducted espionage.

In reality, the FBI began investigating Hiss in 1941 and kept at it for half a century, with years of wiretaps, mail interception, and physical surveillance of both his official life and his private life. FBI agents generated literally thousands of pages of surveillance logs without ever finding what they were looking for: anything connecting Hiss or his family to Soviet espionage or Communist activities. All they ever obtained against Hiss were variable stories from the self-confessed multiple perjurer Whittaker Chambers and his followers.⁴³

FBI agent Lamphere in his May 1950 memorandum specified two supposed parallels to account for his tentative identification of Ales as Hiss. First, noting in his paraphrase that Ales's 'little group' of GRU agents 'was composed mainly of Ales' relatives', Lamphere implied that Hiss's wife and brother Donald were those relatives because, Lamphere wrote, 'Chambers indicated' that Priscilla was active in Soviet espionage and Alger had a brother, Donald, in the State Department. Priscilla, however, was not accused of espionage by anyone except Chambers. As for Donald, who was indeed in the State Department, Chambers himself had told the FBI, twice in the preceding two years, that Donald never committed espionage, as far as he knew.⁴⁴ Nevertheless, Lamphere's contrary suggestion has found

recent favour: ever since NSA's release in 1996 of Venona No. 1822, writers who claim that Hiss was Ales have averred, as one of their reasons, that Priscilla and Donald were members of Alger's spy group.⁴⁵

Lamphere's second parallel derived from his reading of the Soviet cablegram as having Ales at the Yalta conference, which Hiss had attended. A more sensible reading of the cablegram, however, is that it says nothing about Ales being at Yalta, but it does say that about Comrade Vyshinski. Precisely, the person referred to in paragraph 6 as having been at Yalta and gone on to Moscow is not Ales but 'a Soviet personage in a very responsible position', Comrade Vyshinski, the deputy foreign minister. Vyshinski in fact was at Yalta and did go on to Moscow.⁴⁶ (So did Alger Hiss, for a day with Secretary of State Stettinius.) There is no independent evidence that Ales even attended the Yalta conference. Moreover, the whole point of paragraph 6, that the GRU asked Vyshinski to get in touch with Ales to convey the GRU's gratitude to Ales, would have been mooted if Ales had been in Moscow, because the GRU could then have contacted Ales in Moscow on its own, without needing Vyshinski as an intermediary. But with Ales in the US rather than in Moscow, the GRU would have had good reason to ask the itinerant Vyshinski to get in touch with him to deliver its gratitude.

NSA's translation of paragraph 6 is not without syntactical ambiguity. To clear it up, I asked NSA for the Russian-language versions from which the translation had been made. NSA replied: 'Normally there were no written out Russian texts. Translations were produced from looking directly at worksheets or, if the Russian text was ever written out it was written out in "scratch" form and destroyed long ago.'⁴⁷ Finding that barely credible, I appealed and thereby learned that there are at least 'partial Russian texts' still in existence; but NSA would not let me see them, because, said NSA, they are part of the cryptanalytic methodology that NSA would not release – although the Venona project had been terminated 20 years previously, and its cryptanalytic methodology had already been widely published.⁴⁸

The Venona team might have learned something about translation and secrecy from America's experience with its 'Magic' intercepts of Japanese diplomatic messages leading up to Pearl Harbor. Magic translations, often sloppy and sometimes the opposite of the Japanese texts, evidently were 'slanted in one direction because that was what the translators and their readers expected the Japanese to say'; the mistakes in Magic translations led to significant misunderstandings; and the mistakes were covered up for many years.⁴⁹ Paragraph 6 of Venona No. 1822 may well have been sloppily translated and then (mis)construed by NSA and the FBI as having Ales at Yalta and going on to Moscow because that misconception suited the agencies' prescription that Ales was Hiss.

Best of all for verifying a translation, of course, would be to have the

original foreign-language plain-text message (which would have the added advantage of filling in gaps in the decryption). In fact, US intelligence agencies do have Russian-language plain-texts of some Venona messages, which the FBI procured in a 'black-bag' burglary job on Soviet operations in New York in 1944 and which Special Agent Lamphere supplied to NSA's cryptanalyst Meredith Knox Gardner.⁵⁰ But those Russian-language plain-texts have not been released.

Inasmuch as the espionage activities of Ales were patently different from the espionage activities 'proved' against Hiss by his conviction, why would the FBI have promulgated such a far-fetched identification, even tentatively, in May 1950? A possible answer is that the FBI had an urgent need at that time for new evidence against Hiss. His pending appeal charged the government with misconduct in its prosecution of the case, and the appellate proceedings carried the possibility of uncovering even more serious, but still hidden, transgressions by the FBI in obtaining Hiss's conviction. The FBI had already shot itself in the foot in the case of Judith Coplon, whose conviction on espionage charges, obtained while Hiss's first trial was in session, was thrown out on appeal because of illegal conduct by the FBI. A similar debacle for the government lurked in the Hiss case, because the FBI was concealing evidence that would in all probability have cost the government its victory.

In preparing the government's case against Hiss, before the first trial began, the FBI had acquired evidence that the typewriter supposedly used by Priscilla Hiss to type the incriminating copies at home was in fact not the Hisses' typewriter. As it happened, Hiss's appeal did not uncover that evidence; Hiss was not to see it until 26 years later, as a result of a lawsuit he brought under the newly-strengthened Freedom of Information Act to compel the FBI to produce its files on the case. When I showed the FBI's typewriter evidence to Gussie Feinstein, a juror from the second trial, she said, 'Here's a man that might have been proven innocent and not guilty, if the jury had known that the typewriter that was presented to us in the courtroom actually wasn't the Hisses' typewriter.... The jurors were hoodwinked.' During the presidential Watergate crisis, Nixon reportedly said to an aide: 'The typewriters are always the key. We built one in the Hiss case.' Ten years after the FBI produced its long-concealed typewriter evidence, the FBI issued a public statement about the typewriter proclaiming (inaccurately): 'The F.B.I. has nothing to hide in the Hiss matter.'⁵¹ The FBI is still, as of this writing, withholding material in its files on the Hiss case.

Also during Hiss's appeal in 1950, the FBI was concealing pre-trial 'confessions' by Whittaker Chambers of his numerous homosexual activities in Washington in the mid-1930s. The FBI agent who transcribed

them recommended to FBI Director Hoover that they 'be treated in a strictly confidential manner.' When I showed them to Vincent Shaw, one of the eight jurors who had voted to convict Hiss at the first trial 29 years earlier, Shaw said, 'I believe if that would have come out at the time of the trial there would have been no trial.... I don't think they'd ever get a jury to believe someone like that on the stand.... maybe if those four for acquittal would'a' argued their point we probably would have went to their side.'⁵²

If the FBI's concealed evidence were to have come to light during Hiss's appeal, the FBI might nevertheless have been able to contain the damage and salvage the government's case if it could display some new piece of evidence sufficiently dramatic to overshadow the bureau's misconduct in suppressing the exculpatory evidence. A Soviet spy-message construed as incriminating Hiss might do, especially in the fearful climate of rampant McCarthyism. And so, as Hiss's appeal wended its way through the courts, Special Agent Lamphere and Assistant Director Ladd assured Director Hoover that the Soviet message about Ales '*is being considered in connection with our continued interest in Alger Hiss.*'⁵³ One can imagine the FBI's institutional sigh of relief 12 days later when the Supreme Court declined to hear Hiss's appeal. Ten days after that, Hiss went to prison.

It is noteworthy that the FBI, in dealing with Venona covernames other than Ales, managed to change its tentative identifications. A striking instance was 'Antenna', a covername for which Lamphere tentatively identified one Joseph Weichbrod but then switched to 'probably' Julius Rosenberg.⁵⁴ Lamphere's 'probably' was converted to an institutional 'definitely', according to an FBI memorandum dated the year after Lamphere left the bureau:

We made a tentative identification of 'Antenna' as Joseph Weichbrod since the background of Weichbrod corresponded with the information known about 'Antenna.' Weichbrod was about the right age, had a Communist background, lived in NYC, attended Cooper Union in 1939, worked at the Signal Corps, Ft. Monmouth, and his wife's name was Ethel. He was a good suspect for 'Antenna' until sometime later when we definitely established through investigation that 'Antenna' was Julius Rosenberg.

Further along in the same memorandum, canvassing the disadvantages of using Venona information for criminal prosecutions, the FBI observed:

*The fragmentary nature of the messages themselves, the assumptions made by the cryptographers in breaking the messages, and the questionable interpretations and translations involved, plus the extensive use of cover names for persons and places, make the problem of positive identification extremely difficult.*⁵⁵

Another instance of the FBI's changing an identification was for the covername 'Jurist'. Lamphere tentatively identified a suspect to be Judge Samuel I. Rosenman, President Roosevelt's speechwriter and coiner of the term 'New Deal', but Lamphere attached a caveat to his own suggestion:

However, it might be noted that Rosenman is mentioned by the MGB, according to [obliterated] by his real name on one occasion and it has been noted that the MGB, once it designates a man by a cover name, thereafter uses the cover name to the exclusion of the individual's real name at all times.⁵⁶

Five months later, based on new information, Lamphere concluded that Jurist was the deceased Treasury Department official Harry Dexter White.⁵⁷

When it came to the covername 'Ales', however, the FBI reported no new information either to change or to verify Lamphere's tentative identification of Ales as Hiss. Nevertheless, Lamphere's less-than-positive phraseology ('It would appear likely', 'may be identical', 'tentative identification') was omitted from subsequent FBI reports on Hiss, while the errors on which Lamphere had based his tentative identification were carried forward and embellished.⁵⁸

In 1952, the FBI produced a Top Secret 'SUMMARY ON PERSONS INVOLVED IN SOVIET ESPIONAGE FOR MGB IN 1944-1945', which included Hiss as one of those persons.⁵⁹ For the FBI to posit the MGB as up and running two years before it came into existence was a trivial error compared to the FBI's incoherent and self-contradictory Summary entry on Hiss. The heading of the entry identifies Hiss unqualifiedly as Ales: 'ALGER HISS / SOVIET COVER NAME: "ALES"', with no recognition by the FBI of the anomaly of including a GRU agent, Ales, in its Summary of MGB agents.⁶⁰ (The MGB and the GRU were rival and competing intelligence agencies.) The FBI then cites two grounds for cataloguing Hiss as an MGB agent in 1944-1945: first, Whittaker Chambers's testimony that '*Hiss had been a member of a group working in Washington for the Soviet Military Intelligence*' – the GRU, which again precludes the MGB; second, Hiss's conviction of perjury for denying '*that he had furnished State Department documents to Whittaker Chambers in 1938*' – which says nothing about espionage in the Summary's years 1944-1945.⁶¹

'Top Secret' classifications notwithstanding, garbled versions of Venona No. 1822 and Hiss-as-Ales began to appear in popular books as early as 1980.⁶² Thus by the time of its official release in 1996, Venona No. 1822 was mutton dressed as lamb. Even so, it inspired secondary literature of a different kind: books that present the reader with 'quoted' versions of the Soviet cablegram but with Ales's name deleted and replaced with Hiss's. Those versions do not show the Venona document's footnote marks or the

footnotes themselves, or even alert the reader to their existence, nor do the books mention any of the actual discrepancies between Ales and Hiss. In their glossaries, the books list Hiss as Ales, and Ales as Hiss, as unqualified facts, citing Venona No. 1822 as the source but without mentioning its qualifying word 'Probably', a word also omitted from most of the narrative discussions of Hiss as Ales.⁶³

Private-sector writers cope no better than the FBI with the two Soviet intelligence agencies, calling Hiss variously a KGB agent, a GRU agent, sometimes both at once, or a KGB agent on one page and a GRU agent on another, and confounding the two intelligence agencies by misusing the word 'Neighbor', which each agency used in referring to the other.⁶⁴ (The term 'KGB' is used here for convenience to include KGB-forerunner agencies.)

Private-sector writers claim to make covername identifications that the FBI did not venture. Thus Ales's colleague 'Pol', mentioned in paragraph 4 of the Soviet cablegram as working with Ales the last few years, is said to be a KGB (!) agent in Washington named Nathan Gregory Silvermaster whose covername was 'Pal' – an identification that contradicts the writers' own claim that Ales was Hiss, since Hiss did not know Silvermaster.⁶⁵ Some writers also claim to identify 'A.' (mentioned in the first line of the Venona message as having had a chat with Ales) as a KGB agent named Akhmerov, who, the writers assert, was the wartime handler for two KGB agents of such great importance that they were run individually instead of in a group: Alger Hiss and President Roosevelt's confidant Harry Hopkins.⁶⁶ In identifying 'A.' as Akhmerov, those writers are doubly contradicting their own claim that Ales was Hiss, since it is virtually impossible for the same person to have been both a KGB agent under Akhmerov and the GRU agent Ales, nor could Hiss have been run individually by Akhmerov and at the same time been the group-leader Ales.

Some of those writers have also used Venona to traduce the New-Deal economist Lauchlin Currie, for which they have been taken to task in words that apply as well to their handling of the Hiss case: 'the disinterested historian has an obligation to weigh the evidence from the perspective of the defence as well as the prosecution, to get the facts right, and to present all relevant facts. This some writers have signally failed to do in evaluating Currie's case.'⁶⁷

Putting into perspective, indeed marginalizing, the confusion of the FBI and private-sector commentators as to whether Hiss was a KGB agent or a GRU agent, the archives of those two agencies show that he was neither. Nixon in 1991 and Hiss in 1992 wrote to General Dmitri Antonovich Volkogonov, who was President Yeltsin's military adviser and overseer of all the Soviet intelligence archives, requesting Soviet files on the Hiss

case.⁶⁸ Volkogonov ‘enjoyed unrestricted access to Russia’s archives’; he examined not only the KGB and Presidential archives but also the GRU archives and reported that ‘there too, no traces of Alger Hiss have been found.’ (Volkogonov meant no *incriminating* traces, since he did find records of Hiss’s normal diplomatic contacts with Soviet officials.)⁶⁹

Other Russian archivists and officials, private Russian researchers, and even American researchers who maintain that Hiss was a Communist spy searched the Soviet archives of the Foreign Intelligence Service, Ministry of Security, Ministry of Foreign Affairs, Ministry of Defense, Soviet Army, Central Party, and Comintern (Communist International) including its records of the Communist Party USA and found no evidence that Hiss was ever a Communist or an agent for the KGB, the GRU, or any other intelligence agency of the Soviet Union.⁷⁰

‘Positively, if he was spy’, said Volkogonov, ‘I would have found a reflection in various files.’⁷¹ Volkogonov and Yevgeni Primakov, then director of the Foreign Intelligence Service and subsequently foreign minister and prime minister, reached the firm conclusion that Hiss was never an agent of the intelligence services of the Soviet Union.⁷² Their conclusion outraged diehard Cold Warriors in the United States, who attacked the Russian messenger and re-demonized their favorite domestic target, caricaturing the 89-year-old Alger Hiss on the cover of *National Review* as Dracula, replete with fangs, cape, and coffin.⁷³

THE KGB FILES

The historian Allen Weinstein and the journalist Alexander Vassiliev claim in *The Haunted Wood* (note 63) that files in the KGB archives at the Foreign Intelligence Service in Moscow confirm Venona’s tentative identification of Ales as Hiss.⁷⁴ Those are the same KGB archives searched and analyzed in 1992 by Dmitri Volkogonov, by staff archivists of the Foreign Intelligence Service, and by three FIS officials – Yevgeni Primakov, the director; Yuri Kobaladze, head of the press bureau; and Boris Labusov, press officer – whom Weinstein and Vassiliev would later thank ‘for cooperating in this unprecedented opening of materials in the KGB archives for this book’.⁷⁵ Presumably the Russians saw the same KGB materials that Weinstein and Vassiliev saw but, unlike the co-authors, did not regard them as incriminating Hiss.

What the co-authors do in their book is ‘quote’ – it is not always clear from what documents – a discredited tale from Hiss’s second trial and a bizarre story, premised on the same proposition it is supposed to be confirming (Ales-as-Hiss), about State Department documents being whisked to New York for nefarious purposes on Secretary of State Edward

Stettinius's watch. To involve Hiss in those scenarios, the co-authors omit relevant facts and quote in a very curious way.⁷⁶ Moreover, when they refer to excerpts of KGB documents from which they have selectively replaced covernames with their own notion of the real names, the reader can not even tell what covernames have been deleted, because the co-authors ascribe two or three different covernames to the same person, for example, two for Hiss, 'Lawyer' and 'Ales', and three for US Treasury official Harry Dexter White, 'Lawyer', 'Richard', and 'Reed'.⁷⁷ The co-authors cite no authority or source for their assertion that 'Lawyer' was a covername for Hiss.

The co-authors' references and their own narrative statements cannot be checked or verified by anyone else, because they derive from excerpts 'quoted' out of context from KGB files closed to other researchers. The co-authors' publisher, Random House, paid undisclosed sums (reportedly more than a million dollars) to an association of retired KGB agents for 'exclusive' access to KGB files for Weinstein and Vassiliev.⁷⁸

Press officer Boris Labusov was still with the Foreign Intelligence Service when *The Haunted Wood* was published (1999), and I asked him what he thought of it. He said, 'if you want to be correct, don't rely much on *The Haunted Wood*.... When they put this or that name in Venona documents in square brackets, it's the mere guess of the co-authors. Whether they are right or not, we do not comment. And it concerns all the cases of square brackets in this book.'

I was expecting Labusov's 'we do not comment', in view of recent legislation in Russia tightening the restrictions on discussion of such matters by government officials; but I asked him anyway about Hiss's name appearing in brackets. 'As far as Hiss is concerned,' Labusov replied, 'our position has not changed since 1992.' The co-authors, said Labusov, 'were wrong when they put the name of Alger Hiss in the places where they tell about somebody who cooperated with Soviet special services, yes? So we are quite right in saying that we, the Russian intelligence service, have no documents ... proving that Alger Hiss cooperated with our service somewhere or anywhere.' 'Mr Vassiliev, while writing or completing his work on this book together with Mr Weinstein, had no official copies of documents. He had only passages from them, citations.' 'Mr Vassiliev worked in our press service just here in Moscow, but, if he's honest, he will surely tell you that he never met the name of Alger Hiss in the context of some cooperation with some special services of the Soviet Union.'⁷⁹

To date, no evidence has been adduced that any Soviet intelligence agency ever assigned a covername to Alger Hiss.⁸⁰ He got the covername 'Ales' from the FBI and NSA; but the actual Soviet message in Venona No. 1822,

when read side-by-side with undisputed facts about Hiss and with the government's case against him, demonstrates that Ales could not have been Hiss. He got the covername 'Lawyer' from Weinstein and Vassiliev, but the KGB materials they publish offer no credible support for the proposition that Hiss was 'Lawyer' or 'Ales' or any other espionage agent.

VENONA NO. 1579 (FIGURE 2)

Venona No. 1579 contains fragments of a 1943 cablegram from the GRU chief in New York to the GRU 'direktor' in Moscow.⁸¹ One fragment refers to 'Hiss' in such a way as to suggest that the GRU had never heard of him before.

Venona cablegrams mention scores of Americans, ranging from presidents and secretaries of state and their aides to scientists, journalists, armed forces employees, and defense industry workers. One of those Americans was 'Hiss'. A fragment of the GRU message in Venona No. 1579 reads as follows, according to NSA:

2. The NEIGHBOR [SOSED] [iii] has reported that [1 group unrecovered] from the State Department by the name of HISS [iv] ([121 groups unrecoverable]

The term 'Neighbor' ('Sosed' in Russian), when used by the GRU as in this message, means the other intelligence agency, the KGB. The phrase '[1 group unrecovered]' means that one code group of digits had not been deciphered by Venona cryptanalysts, although further efforts might yet succeed. The phrase '[121 groups unrecoverable]' means that 121 code groups can never be read, because the prerequisite underlying data are irretrievably missing, perhaps not having been monitored in the first place.⁸² The resulting fragment is too truncated to convey a coherent idea of the whole sentence or paragraph of which it is a part, but it nevertheless yields information about Hiss.

First of all, the name 'Hiss' was not translated by the Venona cryptanalysts, because it appeared just that way in the original: 'Spelled out in the Latin alphabet', according to footnote [iv]. The obvious reason for the GRU to switch from the Russian Cyrillic to the Latin alphabet, just for a name, is for the sake of accuracy in rendering an unfamiliar name in a non-Russian, Latin-alphabet language.

Next, 'Hiss' is named in the fragment without a first name, so there is no way to tell whether the reference is to Alger Hiss or to Donald Hiss, both of whom were in the State Department in 1943. (No other Hiss is known to have been in the State Department at that time.) The fact that footnote [iv] mentions only Alger Hiss may reflect nothing more than the FBI's greater

FIGURE 2
VENONA NO. 1579

~~TOP SECRET~~ VENONA

GRW

From: NEW YORK
To: MOSCOW
No: 1579

28 September 1943

To DIREKTOR.

1. Reference your No. 12527[a].

- (a) MATVEJ[1] is requesting a loan to pay off debts which he has incurred as a result of the assistance which he has been giving to his sick father for a long time.

[33 groups unrecoverable]

to TOM[11], who was also [1 group unrecovered] in good time.

- (c) The names MATVEJ, FRANK, GUSTAV, SANDI and RICHARD are respectively[b] Milton SHWARTZ, Arthur MOOSEN, George GORCROFF, Stephan RICH, Robinson[c] BOBROW.

2. The NEIGHBOR[SOSED][111] has reported that [1 group unrecovered] from the State Department by the name of HISS[iv] (

[121 groups unrecoverable]

No. 243

MOL'ER[v]

Notes: [a] Not available.
[b] From here to the end of the sentence the names were spelled out in the Latin alphabet.
[c] Sent as "Robinson".

Comments:

- [1] MATVEJ: Identified as Milton SHWARTZ in paragraph 1(c).
[11] TOM: Probably Colonel Aleksei Ivanovich SORVIN of the Tank Department of the Soviet Government Purchasing Commission.
[111] NEIGHBOR: Member of another Soviet intelligence organization.
[iv] HISS: Spelled out in the Latin alphabet. At this time Alger HISS was Assistant Political Adviser for the Far East, Department of State.
[v] MOL'ER: i.e. "MOLIERE"; Pavel P. MIRAJLOV, Soviet Vice-Consul in NEW YORK.

preoccupation with Alger or that the FBI agent who provided the footnoted information (it was not Lamphere, who had left the FBI six years before any part of the GRU message was deciphered) may not have thought of Donald or not have remembered that Donald, too, was in the State Department.⁸³

For the GRU thus to name Hiss openly and directly, not by a covername, strongly suggests that, whichever Hiss it was, he was not a spy. Venona's top cryptanalyst observed in 1947 that Soviet intelligence agencies 'are accustomed, for reasons of security, to refer to persons that are furthering these [conspiratorial] activities by covernames, and in particular that this is done in encrypted messages sent between diplomatic installations and Moscow.'⁸⁴ Moreover, as FBI agent Lamphere noted in qualifying his own tentative identification of 'Jurist' as Judge Rosenman (see text to note 56), once a covername was assigned, it was used to the exclusion of the real name. Thus if Hiss had been an espionage agent, he would have had a covername, and the GRU message would have referred to him by his covername, not by his real name.

Paragraph 1(c) of the GRU cablegram mentions five covernames and their respective real names, either for the purpose of assigning the covernames or to identify them for the 'direktor'. If security mattered to the GRU concerning those names, coding and encryption of the message would have provided some measure of it. But security may not have been a major concern for those names. Covernames, usually shorter and easier than real names to encode, encrypt, transmit, decrypt, and decode, were often assigned as a matter of convenience to people other than spies.

In any case, 'Hiss' is the only one of the six real names in the GRU message that appears without a first name and without a covername. It would seem to be a first-time reference to someone unknown to the GRU and not a spy.⁸⁵

For nearly half a century, Alger Hiss sought evidence in his case from every source that he could tap. He made his complete records and every piece of evidence within his command available to anyone who wanted to see them. He would have been pleased but not surprised to learn that Venona documents, released in the year of his death but too late for his comprehension, provide further confirmation of his innocence.

CONCLUSIONS

If the Soviet messages as presented by Venona are to be believed, their only reference to Hiss is by his real name, which virtually rules him out as a spy. The Venona team nevertheless employed false premises and flawed comparative logic to reach the desired conclusion that Alger Hiss was the

spy Ales, a conclusion psychologically motivated and politically correct but factually wrong.

The Venona analysts' errors and methodological incompetence in this case are reminiscent of those in Magic and prefigure those in the Cuban missile crisis.⁸⁶ The fact that Venona's obvious mistakes about Hiss have gone unrecognized and uncorrected, and the misidentification of Ales as Hiss has been endorsed, by the FBI, CIA, and NSA for half a century is a testament to the power of myth over empirical reality. It is also a warning to view other Venona product with caution and scepticism.

The lessons are not new. (1) The professional involvement of intelligence agencies in deception and disinformation, character assassination and murder, lies, forgeries, and burglaries pervades their institutional culture and dictates their policies of secrecy. (2) US intelligence agencies are no better than most bureaucracies at recognizing their own mistakes, let alone learning from them. (3) Given the nature of intelligence agencies, their mission in life, and their histories, it is not reasonable to expect them to change their ways.

NOTES

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1. Molly Ivins, 'Alger Hiss Case Tied Justice in a Knot', *The Salt Lake Tribune* and Creators Syndicate, 22 Nov. 1996, p.1.

2. The late summer of that election year [1948], already filled with invective and recrimination, also saw the first act of a drama of unique substantial and symbolic importance: the case of Alger Hiss....

The question of Hiss's actual guilt or innocence became obscured by mythologies which soon grew up about the affair.... Alger Hiss seemed so perfectly to represent the 1930s and the generation of bright, sophisticated, socially conscious young men and women who manned the New Deal bureaucracy. By this token, he was also the perfect target, the very image of that dangerous slippage to the left and even over the edge into treason which, conservatives insisted, had permeated the New Deal. Hiss became an ikon in the hagiography and demonology of the time. The impact of the Hiss case on the movement of anti-communism to the center of the political stage can scarcely be exaggerated. So many threads seemed to be woven together in this *cause célèbre*. Communism and treason were now linked and both tied to the New Deal to the immense gratification of conservatives. Liberals were stunned and many, perhaps feeling that 'there but for the grace of God go I,' went to great lengths to demonstrate their anti-communism, to compensate for the shame of gullibility. 'Confess, Alger Hiss,' implored cold war liberal Leslie Fiedler while another remarked that 'Alger Hiss went to jail for our sins.'

James V. Compton, 'Anti-Communism in American Life Since the Second World War', *Forums in History* (St Charles, MO: Forum Press 1973) pp.8-9 (endnote omitted).

3. Senator Jon Kyl (Rep., AZ), hearing before the Select Committee on Intelligence, US Senate, 105th Congress, 1st Session, on nomination of Anthony Lake to be Director of Central Intelligence (Washington DC: US GPO 1998) 12 March 1997, p.221.
4. Hearings before the Committee on Un-American Activities, US House of Representatives, 80th Congress, 2nd Session (Washington: US GPO 1948) [hereinafter 'HUAC'], 3 Aug. 1948, pp.565, 569, 572, 577, 7 Aug. 1948, pp.662–4, 668–9, 25 Aug. 1948, p.1180; *The Trials of Alger Hiss*, documentary film produced and directed by John Lowenthal (1980) (16mm print and transcript on deposit with Library of Congress, Washington) (UK distribution by British Universities Film & Video Council, London; US distribution by Direct Cinema Ltd., Santa Monica, CA; all television and other distribution by the producer), transcript (approx. one page per minute of film) pp.35, 38, 62, 64, 71.
5. HUAC, 5 Aug. 1948, pp.643, 646–8, 16 Aug. 1948, pp.948–9, 955–7, 988, 25 Aug. 1948, p.1078; *Trials* (note 4) pp.44, 45, 54, 64, 70.
Chambers testified that Hiss had known him only by his Communist Party name of Carl and that he never wrote under the name of Crosley. In fact, Chambers had submitted erotica under the name 'George Crosley' to the publisher Samuel Roth, who saw media coverage of the HUAC hearings, 'realized that Chambers was lying,' and told both the FBI and Hiss's lawyers that he was prepared so to testify. But Hiss's trial lawyers decided not to call Roth as a defense witness, because he had been convicted of selling James Joyce's *Ulysses* and other 'obscene' literature. HUAC, 7 Aug. 1948, p.662, 25 Aug. 1948, pp.1194, 1195; affidavit of Samuel Roth 3 Sept. 1948; letter from Roth to Meyer A. Zeligs (copy to Hiss) 2 Oct. 1963; *The New York Times* [hereinafter 'NYT'], 4 July 1973, p.22 (Roth obituary); *Trials* (note 4) p.59.
6. I.F. Stone, *The Daily Compass* (NY), 23 Jan. 1950, p.3 (at 21). Venona has been used to calumniate Stone (1907–89) posthumously, as recounted in Eric Alterman, 'Redbaiting Stone', *The Nation*, 20 July 1998, p.7, and Walter Schneir and Miriam Schneir, 'Stone Miscast', *The Nation*, 4 Nov. 1996, p.6.
7. 2nd Trial [USA vs. Alger Hiss, transcript of record on appeal from the District Court of the US for the Southern District of NY to the US Court of Appeals for the 2nd Circuit, 1950] pp.1834–7.
8. Alger Hiss, 'Arguments Against the Inclusion of Any of the Soviet Republics Among the Initial Members [of the UN]', US State Dept. memo, 8 Feb. 1945; Charles E. Bohlen, *Witness to History 1929–1969* (NY: Norton 1973) p.194; Edward R. Stettinius Jr, *Roosevelt and the Russians: The Yalta Conference* (Garden City, NY: Doubleday 1949) pp.196–7, 283; HUAC, 5 Aug. 1948, p.656.
9. John Lewis Gaddis, *We Now Know: Rethinking Cold War History* (NY: Oxford UP 1997) p.38.
10. Alger Hiss, 'Basic Questions in the Great Debate. Here are the five most often asked about the Marshall Plan – and an attempt to answer them', *NYT Magazine*, 16 Nov. 1947, p.7 (at 70), quoted at 2nd Trial p.2958; Clark M. Eichelberger, 2nd Trial pp.2954–8. 'Soviet leaders': Scott D. Parrish, *The Turn Toward Confrontation: The Soviet Reaction to the Marshall Plan, 1947* (Washington DC: Cold War International History Project, Woodrow Wilson International Center for Scholars, Working Paper No. 9, March 1994) pp.15, 16, 30, 32; see also Larry I. Bland, 'George C. Marshall: The Truman Doctrine and the Marshall Plan' in Eugene T. Rossides (ed.) *The Truman Doctrine of Aid to Greece: A Fifty-Year Retrospective* (NY: The Academy of Political Science; Washington DC: American Hellenic Inst. Fdn 1998) pp.47, 50–3. "'Martial Plan'": Eric F. Goldman, *The Crucial Decade – And After* (NY: Vintage/Knopf 1960) p.77. On the Marshall Plan in its Cold War context, see Richard M. Freeland, *The Truman Doctrine and the Origins of McCarthyism* (NY: Knopf 1972) pp.5, 9–12, and Ch. VI esp. p.249.
11. Bernard A. Weisberger, *Cold Peace* (NY: American Heritage 1985, distrib. by Houghton Mifflin, Boston) pp.81, 87.
12. Whittaker Chambers, *Meet the Press* (radio program) 27 Aug. 1948, quoted in Alger Hiss, *In the Court of Public Opinion* (NY: Knopf 1957) p.154.
13. 2nd Trial p.259; Whittaker Chambers, *Witness* (NY: Random House 1952) pp.428–9.
14. Ladislav Farago, *War of Wits: The Anatomy of Espionage and Intelligence* (NY: Funk & Wagnalls 1954) pp.210–11, 212.

15. Vernon Hinchley, *Spies Who Never Were* (London: Harrap 1965) pp. 200, 210. See also Christopher Felix, *The Spy and His Masters: A Short Course in the Secret War* (London: Secker 1963) pp.115–6 [North American ed. entitled *A Short Course in the Secret War* (NY: Dutton; Toronto and Vancouver: Clarke, Irwin) pp.126–8].
16. Reproduced in 2nd Trial Vol.7.
17. 2nd Trial pp.584–8, 594, 660–4; Chambers (note 13) p.754.
18. Richard M. Nixon, NY federal grand jury, 13 Dec. 1948, pp.4161, 4208–11; H.R. Haldeman, *The Haldeman Diaries: Inside the Nixon White House* (NY: Putnam 1994) p.303 (the Hiss-case papers were ‘unimportant’); Benjamin Weiser, ‘Nixon Lobbied Grand Jury to Indict Hiss in Espionage Case, Transcripts Reveal’, *NYT*, 12 Oct. 1999, p.A25.
19. *Trials* (note 4) p.95; Associated Press 14 Dec. 1948, quoted in William A. Reuben, *The Honorable Mr. Nixon* (NY: Action Books 1958) p.88.
20. Watergate tapes quoted in Stanley I. Kutler (ed.) *Abuse of Power: The New Nixon Tapes* (NY: The Free Press/Simon & Schuster 1997) pp.7, 9 (with the word ‘master’ replacing ‘mask’, an apparent transcription error).
21. McCarthy speech, Wheeling, WV, 9 Feb. 1950. See David Abrahamsen, *Nixon vs. Nixon: An Emotional Tragedy* (NY: Farrar, Straus and Giroux 1976) p.156; Goldman (note 10) pp.141–2; Weinstein, *Perjury: The Hiss-Chambers Case* (NY: Knopf 1978) p.507 [updated ed. (NY: Random House 1997) p.451].
22. David Cauter, *The Great Fear* (NY: Simon & Schuster 1978) p.45; Richard Nixon, *The Memoirs of Richard Nixon* (NY: Touchstone/Simon & Schuster 1990) p.149.
23. Arthur Schlesinger Jr, ‘what made them turn RED’, *Look* magazine, 1 Aug. 1950, p.62.
24. Alger Hiss, *Recollections of a Life* (NY: Seaver Books/Henry Holt 1988, paperback by Arcade/Little, Brown) p.226.
25. *Ibid.* pp.198–9. On Hiss’s personality and post-prison life, see Meyer A. Zeligs, *Friendship and Fratricide: An Analysis of Whittaker Chambers and Alger Hiss* (NY: Viking Press 1967); Brock Brower, *Other Loyalties: A Politics of Personality* (NY: Atheneum 1968) pp.ix, 3–30 (reprinting ‘Hiss Without the Case’, *Esquire* magazine, Dec. 1960).
26. Robert Louis Benson, *Introductory History of VENONA and Guide to the Translations*, pp.1, 2, 3, 6, 8, and *VENONA Historical Monograph # 5* (Fort George G. Meade, MD: Center for Cryptologic History, National Security Administration [hereinafter ‘NSA’] n.d., distrib. at the 1996 Venona conference) p.15; William P. Crowell, Deputy Director, NSA, ‘Remembrances of Venona’, 25 March 1996, p.2; John Earl Haynes and Harvey Klehr, *Venona: Decoding Soviet Espionage in America* (New Haven, CT and London: Yale UP 1999) p.35; Michael Dobbs, ‘Venona Project / Cryptologist Who Cracked Soviet Code / American Counterspy Ends the Silence’, *Washington Post Service, International Herald Tribune* [hereinafter ‘IHT’], 22 Oct. 1996, p.2. See also John H. Hedley, ‘The Intelligence Community: Is It Broken? How To Fix It?’, *Studies in Intelligence* 39/5 (1996) (Central Intelligence Agency [hereinafter ‘CIA’] Annual Unclassified Edition) pp.11, 12–13.
27. Robert Louis Benson, *VENONA Historical Monograph # 4* (NSA n.d.) pp.10–11; Robert J. Lamphere and Tom Shachtman, *The FBI-KGB War: A Special Agent’s Story* (NY and Toronto: Random House 1986; London: W.H. Allen 1987 and 1988; Macon, GA: Mercer UP 1995) esp. pp.31, 78–86, 127, 136.
28. David C. Martin, *Wilderness of Mirrors* (NY: Harper 1980) pp.43–4; Christopher Andrew and Oleg Gordievsky, *KGB: The Inside Story of its Foreign Operations from Lenin to Gorbachev* (London: Hodder 1990) p.308 [NY: HarperCollins pp.373–4]; Robert Louis Benson [NSA] and Michael Warner [CIA] (eds.) *VENONA – Soviet Espionage and the American Response, 1939–1957* (Washington DC: NSA and CIA 1996; Internet <http://www.odci.gov/csi>) pp.xv, xxvii, xxviii. The Soviets learned about Venona not in 1948 but in 1947, according to Christopher Andrew and Vasily Mitrokhin, *The Mitrokhin Archive* (London: Allen Lane/Penguin 1999) p.189 [US ed. entitled *The Sword and the Shield: The Mitrokhin Archive and the Secret History of the KGB* (NY: Harper/Basic Books) p.144].
29. FBI memo Belmont to Boardman, 1 Feb. 1956, attached summary p.3 (Internet <http://www.fbi.gov/foiapa/venona/venona/pdf> [hereinafter ‘pdf’] p.65); Benson and Warner (note 28) p.xxx n.66. On US intelligence inter-agency jealousies, rivalries, and turf wars, see *ibid.* pp.xvi–xviii, xxiii.

30. FBI memo Belmont to Ladd, 23 May 1952, pdf 49-51, with Lamphere's initials, RJL, as author on the first page; Martin (note 28) p.37. On the other hand, the CIA has probably also withheld files and other information from the FBI. James Risen and Ronald J. Ostrow, 'A Secret Cold War: Did CIA Keep Files From FBI?', *IHT*, 26 Oct. 1995, p.10.
31. Michael Thompson, 'The Need for Integrity', *Studies in Intelligence* (note 26) p.25 (at 26); FBI memo Belmont to Boardman (note 29) pp.2, 3, pdf 64, 65; Benson and Warner (note 28) p.xxx, n.66.
32. On recent shortcomings of US intelligence agencies, see, e.g., Seymour M. Hersh, 'The Intelligence Gap', *The New Yorker*, 6 Dec. 1999, p.58, esp. 58 and 62; James Risen, 'Don't Read This / If You Do, They May Have to Kill You', *NYT*, 5 Dec. 1999, p.WK [Review of the Week] 5; -, 'Spy Agencies Are Fumbling Their Jobs, Report Charges', *IHT*, 19 May 2000, p.3; -, 'FBI Work in Lee Spy Case Was Slow and Sloppy, Report Finds', *IHT*, 20-21 May 2000, p.4; -, 'C.I.A. Counters Critics of Its Cold War Work', *NYT*, 25 Nov. 1999, p.A16; Philip Taubman, 'Mr. Angleton and Mr. Ames: The Mole Hunter and the Mole', *NYT*, 17 Dec. 1995, Sec.4, p.12.
33. The released Venona documents may be seen at the Public Record Office (Kew, Surrey); at many US repositories; and on the Internet at <http://www.nsa.gov:8080/>.
34. NSA press release, 5 March 1996; Robert Louis Benson, *VENONA Historical Monograph # 3* (NSA n.d.) pp.8-9. Colour photographs of the museum exhibit on Hiss and Venona No. 1822 are available to the public on request to NSA.
The Center for Democracy is 'a non-profit organization promoting democratic movements', according to the organization by telephone to the author, 29 Dec. 1999; 'by invitation only': registration form for Venona conference, 3-4 Oct. 1996, National War College, Fort McNair, Washington.
35. Senator Moynihan also attended the ceremony celebrating the first Venona-document releases, where his presence was said by CIA Director John Deutch to be 'testimony to the Intelligence Community's commitment to making as much information as possible available to the public'. NSA press release, 11 July 1995. However, in view of the timing, promotion, and tendentiously selective nature of the Venona releases by NSA and the CIA, just as has been said with respect to releases by UK intelligence agencies, 'it would be wise to conclude that this exercise also has more to do with public relations than with accountability.' Peter Gill, 'Reasserting Control: Recent Changes in the Oversight of the UK Intelligence Community', *Intelligence and National Security* 11/2 (April 1996) p.327.
36. NKGB (Narodny Kommissariat Gosudarstvennoye Bezopasnosti, People's Commissariat for State Security): 1941, 1943-46; MGB (Ministersvo Gosudarstvennoye Bezopasnosti, Ministry for State Security): 1946-47, 1952-53; KGB (Komitet Gosudarstvennoye Bezopasnosti, Committee for State Security): 1954-91. Benson and Warner (note 28) pp.ix n.6, xxxv; Andrew and Gordievsky (note 28) p.xii [ix]; Pavel Sudoplatov and Anatoli Sudoplatov with Jerrold L. and Leona P. Schechter, *Special Tasks: The Memoirs of an Unwanted Witness - A Soviet Spymaster* (London, Boston, NY: Little, Brown 1994) p.xxiii.
37. Michael Warner, deputy chief, CIA history staff, conf. with the author at the Venona conference, 4 Oct. 1996.
38. Tel. conf. the author with Venona cryptanalyst Meredith Knox Gardner, 24 Aug. 1999. Further reservations by the Venona cryptanalysts about the correctness of 'A'. are expressed in Venona No. 1822 footnote [i].
39. FBI memo Belmont to Ladd, 15 May 1950, p.8, pdf 12, with Lamphere's initials as author on p.1, pdf 4.
40. Chambers (note 13) pp.26, 65, 67, 69, 70, 72.
41. Charles Alan Wright, 'A Long Work of Fiction' [essay-review of Chambers's *Witness*], *Saturday Review of Literature*, 24 May 1952, p.11.

Senator Richard Nixon, as Republican nominee for vice president, said in a televised campaign speech featuring the Hiss case: 'In 1939, '41, '43, '45 and '47 Chambers told the story again to agencies of this government.' CBS broadcast 13 Oct. 1952; *Trials* (note 4) pp.78, 88. The story that Chambers told the government in those years 1939-47 was that Hiss was a Communist but not a spy. In 1948, when Hiss sued Chambers for libel and Chambers produced copies of State Department documents dated in the first four months of 1938,

- Chambers for the first time changed his story to espionage and pinpointed his date of quitting the Communist Party to April 1938. Statements in the secondary literature that Chambers prior to 1948 alleged espionage by Hiss and others are incorrect, e.g., Benson, *Introductory History of VENONA* (note 26) p.3; Andrew and Mitrokhin (note 28) pp.141, 187 [107, 142].
42. Hiss-as-spy would have been 'at particular risk after Chambers's defection in 1938', explained Christopher Andrew, considered by *The Times* (London) to be 'Britain's leading unofficial historian of intelligence.' Andrew and Gordievsky (note 28) p.231 [285]; *The Times* as quoted on the dust jackets. Soviet intelligence agencies were highly risk-averse. Ales and his whole group of spies were awarded Soviet decorations (Venona No.1822, par. 5); the FBI, still pursuing Hiss, interviewed former US ambassadors to Moscow Averell Harriman and George F. Kennan, who said the security-minded Russians would never have taken such a chance of exposing Hiss by giving him the slightest indication of appreciation. FBI reports by Howard Fletcher Jr, 20 April 1953, and Edgar C. Forest, 25 May 1953.
 43. FBI Director J. Edgar Hoover's intense dislike of Hiss may have originated in the mid-1930s with Hiss's recommendation to President Roosevelt that he fire Hoover for subverting New Deal programs in aid of destitute sharecroppers. Hiss, *Recollections* (note 24) pp.204–6.

In preparing the perjury case against Hiss, '263 agents at one time or another worked on the investigation in forty-five of the FBI's fifty-two field divisions.' Don Whitehead, *The FBI Story* (NY: Random House 1956) p.284. On Chambers's followers, Hede Massing and Nathaniel Weyl, see note 76 and the text to it; Hiss, *Public Opinion* (note 12) pp.307–11 and n.6; Fred J. Cook, *The Unfinished Story of Alger Hiss* (NY: Morrow 1958) pp.69–73, 75–81, 174.

44. Whittaker Chambers interviews by FBI, 3 Dec. 1948 and 11 May 1949, No. 3220, pp.76, 77.
45. Haynes and Klehr (note 26) p.171 ('Hiss's closest associates in his espionage work were his wife ... and his brother Donald'); Weinstein (note 21) p.[511], Sam Tanenhaus, *Whittaker Chambers* (NY: Random House 1997) p.520, and Andrew and Mitrokhin (note 28) n.81 on pp.792–3 [n.81 on 599] by innuendo or implication.
46. Arkady Vaksberg, *Stalin's Prosecutor: The Life of Andrei Vyshinsky* (London: Weidenfeld 1990; NY: Grove Weidenfeld 1991) p.245.
47. Letter from Joann H. Grube, NSA Deputy Director of Policy, to the author 30 Nov. 1998, Serial No. J9755-96, p.1.
48. Letter from Barbara A. McNamara, NSA Appeals Authority, to the author 23 March 1999, Serial No. J9755C-96, p.2. For Venona's cryptanalytic methodology, see, e.g., Benson and Warner (note 28) p.xv; Lamphere and Shachtman (note 27) pp.80–1; Haynes and Klehr (note 26) pp.25–35; Martin (note 28) pp.39–40; Nigel West, *VENONA: The Greatest Secret of the Cold War* (London: HarperCollins 1999) pp.12–22.
49. Keiichiro Komatsu, *Origins of the Pacific War and the Importance of Magic* (Richmond, Surrey: Japan Library/Curzon Press; NY: St Martin's Press 1999) pp.xix (Introduction by Ben-Ami Shillony), ix, xii.

The US Army did not share its Magic intercepts with either the FBI or the Office of Strategic Services, just as it did not share its Venona information with other US intelligence agencies. Benson and Warner (note 28) p.xvi; text to notes 29 and 30. American officials learned soon after the end of the Pacific War of mistakes in Magic decoding and translations, but they concealed their knowledge for many years, and the prosecutor at the Tokyo Trial of Japanese war leaders substituted his own translations for Magic's mistranslations without telling the court that he had done so. Komatsu, *supra*, pp.253, 254, 260, 344, 405–7. The damage to the historical record and to justice from such delays and cover-ups is incalculable, but NSA, the FBI, and the CIA seem bent on the same course by their tardy, selective, and restrictive release practices concerning Venona.

50. Venona No. 1043, reproduced in Benson and Warner (note 28) pp.303–4; Lamphere and Shachtman (note 27) p.85; Harvey Klehr, John Earl Haynes, and Fridrikh Igorevich Firsov, *The Secret World of American Communism* (New Haven, CT and London: Yale UP 1995) p.237; John Costello, *Mask of Treachery* (NY: Morrow 1988) p.522; West (note 48) pp.23–5.

The FBI also burgled the Japanese consulate in New York for Magic in 1921 for the Japanese Navy codes. Komatsu (note 49) p.249.

51. The FBI had discovered that the serial number of the Hiss family's Woodstock typewriter,

- purchased by Priscilla Hiss's father in 1927, was between 145000 and 204500. The Woodstock in the courtroom as the Hiss family machine was number 230099, manufactured in 1929. Suggestively, *Newsweek's* obituary of Chambers, written 'probably from stories' by Chambers's journalist friend Ralph de Toledano, reported the typewriter as 'an aged Woodstock, No. 200194.' *Trials* (note 4) pp.142–50 (Toledano and Feinstein); *Newsweek* magazine, 24 July 1961, p.20. See John Lowenthal, 'Woodstock No. 230099: What the FBI Knew But Hid from Hiss and the Court', *The Nation*, 26 June 1976, p.776. Government and defense materials concerning the typewriter are reproduced in Edith Tiger (ed.) *In Re Alger Hiss: Petition for a Writ of Error Coram Nobis* (NY: Hill and Wang/Farrar Straus Giroux; Toronto: McGraw-Hill Ryerson 1979) pp.289–388. Nixon "'We built one'": John Dean, *Blind Ambition* (NY: Simon and Schuster 1976) p.57. FBI "'nothing to hide'": letter to the editor from William M. Blake, FBI Office of Congressional and Public Affairs, *NYT*, 4 Feb. 1986, p.A22. On FBI improprieties and illegal actions in the Hiss case and other cases during the Cold War, see, e.g., Edward Pessen, *Losing Our Souls: The American Experience in the Cold War* (Chicago: Ivan R. Dee 1993) p.151.
52. FBI letter from Edward Scheidt, Special Agent in Charge, to Director, att. Assist. Dir. D.M. Ladd, 18 Feb. 1949, No. 2152 ('strictly confidential' at p.15); FBI letter to Director, att. Ladd, 16 Feb. 1949, No. 2237, enclosing Chambers's handwritten statement of homosexuality; FBI memo Fletcher to Ladd, 18 Feb. 1949, No. 2238, attaching photocopy and typed copy of Chambers's handwritten statement of homosexuality; FBI letter to Attorney General and Director 1 March 1949, No. 2152; *Trials* (note 4) pp.127–9 (Shaw). On Chambers's homosexuality, including his homoerotic writings, see Zeligs (note 25) pp.212–7; Sidney Blumenthal, 'The Cold War and the Closet: The true legacy of Whittaker Chambers' [essay-review of Tanenhaus (note 45)], *The New Yorker*, 17 March 1997, p.112.
53. FBI memo Ladd to Director, 28 Feb. 1951, p.17, pdf 36, Lamphere's initials on p.1, pdf 19.
54. FBI memo Lamphere to [Meredith Knox] Gardner, 27 June 1950, 'Study of Code Names in MGB Communications', p.1, reproduced in Benson and Warner (note 28) p.153.
- Pages 3 and 4 of the same FBI memorandum (pages not reproduced in Benson and Warner) carry an entry on Ales, where Lamphere again paraphrases the message in Venona No. 1822 and concludes:
- This closely approximates known information concerning Alger Hiss and it is believed that Ales may be identical with Hiss. If this tentative identification is correct the close relationship between the code name Ales and his true name Hiss, can readily be seen.
55. FBI memo Belmont to Boardman, 1 Feb. 1956, attached summary pp.5, 7, pdf 67, 70.
56. FBI memo Belmont to Ladd, 15 May 1950, p.7, pdf 11, Lamphere's initials on p.1, pdf 4; Katie Louchheim (ed.) *The Making of the New Deal* (Cambridge, MA, and London: Harvard UP 1983) pp.10–11, 347.
57. FBI memo Ladd to Director, 16 Oct. 1950, p.1, pdf 17, with Lamphere's initials. Further on Harry Dexter White, see Bruce Craig, 'A Matter of Espionage ...', *Intelligence and National Security* 15/2 (Summer 2000) p.211.
58. Lamphere's qualifying phraseology is from the quotations in the text to note 39 and in note 54. One such subsequent FBI report includes Hiss without any qualification among the 206 persons 'we have identified ... involved in Soviet espionage activities'. FBI memo Belmont to Boardman, 26 Nov. 1957, pdf 73–75.
59. FBI report, 7 May 1952.
60. Ibid. p.33. GRU: Glavnoye Razvedyvatelnoye Upravlenie, Chief Directorate for Intelligence, Red Army General Staff. Benson and Warner (note 28) pp.ix n.5, xxxv.
61. FBI report (note 59) p.34.
62. Such leaks of Venona information may have been attempts by the intelligence agencies to regain public favour after they were criticized by the so-called Church Committee in 1975. Hearings before the Select Committee to Study Governmental Operations with respect to Intelligence Activities, US Senate, 94th Congress, 1st Session (Washington: GPO 1976).
- Two historians '[w]ith unmatched knowledge of American communism and Soviet espionage in America' assert that Venona's product 'remained secret until 1995.' Haynes and Klehr (note 26) dust jacket (quoting Richard Gid Powers) and p.35. In 1980, however, Martin

(note 28) described the Venona program in considerable detail and referred, in the case of Hiss, to a Washington-to-Moscow intercept that 'revealed that a Soviet agent had actually been aboard Ambassador Averell Harriman's plane' returning to Moscow from the Yalta conference. But Martin found the evidence against Hiss 'short of convincing.... Hiss had been aboard that plane,' Martin misstated, 'but so had others, including, of course, Harriman.' Ibid. p.43. Peter Wright, *Spycatcher: The Candid Autobiography of a Senior Intelligence Officer* (NY: Viking 1987) p.182, promoted Hiss to 'the best suspect as the agent on Harriman's plane', although Wright had the wrong plane flying not from Yalta to Moscow but from Moscow to the USA. Wright's version is cited in Costello (note 50) p.502, which contains lengthy passages on Venona and Lamphere's Venona work.

Venona documents helped to convince the CIA's Venona headman, James Jesus Angleton, that Ambassador Harriman was a Soviet agent, and a Venona cable 'reported that Alger Hiss ("Ales"), on a World War II trip with Harriman, had secretly been given an award in Moscow', according to the garbled version by Thomas Powers, 'Spook of Spooks' [essay-review of Edward Jay Epstein, *Deception: The Invisible War Between the KGB and the CIA* (NY: Simon & Schuster 1989)], *New York Review of Books*, 17 Aug. 1989, p.40 (at 42 and n.4). Powers's uncited source was a counterintelligence agent who claimed to have seen Venona No. 1822 and told Powers its story. Eric Alterman, 'I Spy With One Little Eye ...', *The Nation*, 29 April 1996, p.20 (at 23). Powers, in turn, was cited by Andrew and Gordievsky (note 28) p.231 [285] and n.49 as their source for identifying Hiss as Ales. John Costello and Oleg Tsarev (described on the dust jacket as consultant to the Press Department of the Russian Intelligence Service), *Deadly Illusions* (NY: Crown 1993) pp.335, 336, 338, 359-60, refer to both Hiss and Venona but do not link them or mention Ales.

Strangely, Robert Lamphere's book (note 27) contains no mention of Ales or Venona No. 1822, although Lamphere describes his other Venona work at the FBI and refers to Hiss in non-Venona contexts. At the Venona conference, I asked Lamphere about the omission. He replied that the Soviet message about Ales in Venona No. 1822 had not been seen by the FBI when he was there working on Venona identifications, nor did he himself ever hear of Ales until after he had stopped working on Venona or left the FBI, in 1955. In view of Lamphere's three 1950/51 FBI memoranda on Ales as Hiss (notes 39, 53, 54), the FBI's 1952 Summary inclusion of Hiss as Ales (notes 59-61), and the publications cited above in this note, I find Lamphere's reply as puzzling as the omission itself.

63. Haynes and Klehr (note 26) p.352; West (note 48) p.353; Tanenhaus (note 45) pp.519-20; Daniel Patrick Moynihan, *Secrecy* (New Haven, CT and London: Yale UP 1998) pp.146-7; Allen Weinstein and Alexander Vassiliev, *The Haunted Wood* (NY: Random House 1999) pp.xxiii, 5-10, 268-9 (which does, however, also reproduce Venona No. 1822 in a centrefold photograph); Benson and Warner (note 28) pp.xxiv, xxvi. When I asked Benson why he had dropped the qualifying 'Probably' from his references to Hiss and Ales, he replied, 'No reason, no reason at all', adding that it was obvious anyway from the Soviet message that Ales was Hiss. Conf. Benson with the author at the Venona conference, 4 Oct. 1996.
64. Andrew and Gordievsky (note 28) p.231 [285]; Andrew and Mitrokhin (note 28) p.177 and n.82 at p.793 [134 and n.82 at 599]; West (note 48) pp.xiv, 235; Weinstein (note 21) pp.[326, 512]. "'Neighbor'": Benson and Warner (note 28) p.192.
65. Weinstein (note 21) pp.[325†, 326-7, 511]; Weinstein and Vassiliev (note 63) pp.xxiv, 90-1, 153-71, 267-9; Hiss at HUAC, 5 Aug. 1948, p.655; Hiss to FBI, 2 June 1947, cited in Weinstein (note 21) pp.12-13 [11].
66. Tanenhaus (note 45) pp.519-20 and n.12; Andrew and Gordievsky (note 28) pp.231-3 [285-7] and n.52; and see Benson [NSA], *Monograph # 3* (note 34) p.9. Andrew's source was Gordievsky, who said he had heard Akhmerov refer to Hiss and Hopkins in a lecture. Andrew's later version of Gordievsky's hearing Akhmerov's lecture mentions only Hiss, not Hopkins. Andrew and Mitrokhin (note 28) n.81 on pp.792-3 [n.81 on 599].

The Akhmerov story, including the notion of Hiss and Hopkins as espionage agents, is 'pure fabrication', according to General-Lieutenant Vitaliy Pavlov, an agent with the American section of the KGB's foreign intelligence department during the years 1938-47 who became its head in 1940 and worked closely with Akhmerov during the wartime years 1940 through 1945. Vitaliy Pavlov, *Operatsiya 'Sneg': Polveka vo vneshei razvedke KGB*

(*Operation 'Snow': Half a Century in KGB Foreign Intelligence*) (Moscow: TOO-Geya 1996) typescript translation pp.15, 18, 31–3, 50. Oleg Kalugin, a former KGB general, chief of the foreign intelligence department, and one of its 'two most brilliant and level-headed analysts of British and American policy,' is also on record stating that neither Hiss nor Hopkins was an agent. Andrew and Gordievsky (note 28) p.447 [535]; Los Angeles World Affairs Council television program, C-Span 2, 13 Jan. 1992. Kalugin is emphatic about covernames:

I do say again, all these pseudonyms or cryptonyms of names, that does not mean a thing. And some, not-too-honest KGB officers would gladly declare that 'Hiss is my agent.' In fact, he is not. He doesn't even know that he is considered an agent. Those things happened in my life and my lifetime.

- Interview of Kalugin by the author and Harvey Spear, 19 Jan. 1992.
67. Roger J. Sandilands, 'Guilt by Association? Lauchlin Currie's Alleged Involvement with Washington Economists in Soviet Espionage', *History of Political Economy* 32/3 (forthcoming, Fall 2000). The writers are Haynes and Klehr (note 26), Weinstein and Vassiliev (note 63), and West (note 48).
 68. Letters from Nixon and John H. Taylor, director of the Nixon presidential library, to Volkogonov in 1991, delivered personally to Volkogonov by Nixon's representative Dimitri K. Simes: tel. confs. Kai Bird with Simes, 25 March 1993, the author with Taylor, 14 April 1994; letter from Hiss to Volkogonov, 3 Aug. 1992 (note 72).
 69. Richard Pipes, *A Concise History of the Russian Revolution* (NY: Knopf 1995) p.338; interview of Volkogonov by the author, 11 Nov. 1992, quoted in *NYT*, 17 Dec. 1992, p.A17. Nonetheless, Weinstein asserts that 'Volkogonov had not even glanced' at the military intelligence files. Weinstein (note 21) p.[506].
 70. Letters and reports from Anatolii Stepanovich Prokopenko, deputy to the chairman of the Committee on Archive Matters to the Government of the Russian Federation (Roskomarchiv), 21 Dec. 1992; A.P. Byelozherov, department chief, Foreign Intelligence Service, 2 Nov. 1992; A.A. Zyubchenko, chief of the Central Archive, Ministry of Security of the Russian Federation, 22 Oct. 1992; Igor Vladimirovich Lebedev, director, History and Records Department, Ministry of Foreign Affairs of the Russian Federation, 2 Sept. 1992; Oleg V. Naumov, deputy director, Russian Center for the Preservation and Study of Documents of Modern History (former Central Party and Comintern archives), 9 Sept. 1992; Sergei Zharlev, military archivist (Ministry of Defense and Soviet army archives), as reported by Alan Cullison; Yuri G. Kobaladze, chief of the press bureau of the Foreign Intelligence Service of the Russian Federation, 30 Sept. 1992; Klehr, Haynes, and Firsov (note 50) p.321 ('indeed, his name never occurs'); Harvey Klehr, John Earl Haynes, and Kyrill M. Anderson, *The Soviet World of American Communism* (New Haven, CT, and London: Yale UP 1998) pp.xv-xvi (CPUSA records through 1944).
 71. Interview of Volkogonov (note 69), quoted in *NYT*, 17 Dec. 1992, p.A17.
 72. Dmitri A. Volkogonov, Report, 14 Oct. 1992, reproduced (in translation) with Hiss's letter to Volkogonov, 3 Aug. 1992, in *Bulletin*, Cold War International History Project, No. 2 (Fall 1992) p.33; interview of Volkogonov by the author, 15 Oct. 1992, shown at the end of *Trials* (note 4) as currently distributed.

Russian scholars writing before the demise of the Soviet Union treated the Hiss case as a parochial American episode of the Cold War:

Anti-communist hysteria swept the country. The case of Alger Hiss played a central role in promoting this hysteria.... The court [*sic*] proceedings began in August 1948 but initially flopped because it was an obvious fabrication. President Truman and Secretary of State Dean Acheson publicly ridiculed the promoters of the case. But when a mass campaign was launched to whip up fear of communism the case was taken up anew. In 1950 Hiss was sentenced to prison. The case, which lasted for a year and a half, caused a major sensation.

The anti-communist campaign was joined by all who could find no explanation for the ongoing events in the world about them.... Reactionary jingoist propaganda

repeated endlessly that if a typical representative of the East coast elite such as Alger Hiss had 'sold himself' to the Communists and had been a 'Russian spy' for many years then it was impossible to trust Dean Acheson, Harry Truman, Adlai Stevenson and all others who had covered up for him and were of the same mold. This caused panic among hundreds of thousands of citizens who now began to see 'communists' and 'Russian spies' around every corner.

- N. Sivatchyov and E. Yazkov, *History of the USA since World War I* (Moscow: Progress Publishers 1976) pp.237–8; see also V.A. Nikonov, *The Republicans from Nixon to Reagan* (Moscow: University Publishing House 1988) p.26 ('fabricated accusations against him were proofless to say the least'); I.G. Usachev, *John Foster Dulles* (Moscow: Mysl 1990) pp.167–8 ('"The Hiss Case" was used as a pretext to unfold in the country the persecution campaign of progressive public men'). The last chief of the KGB never heard of Hiss until asked about him by an American journalist in 1996. David Remnick, *Resurrection: The Struggle for a New Russia* (NY: Random House 1997; London: Picador/Macmillan 1998) p.320.
73. *National Review*, 18 Jan. 1993. Several of Hiss's detractors assert or imply, incorrectly, that Volkogonov responded to his critics by retracting his report exonerating Hiss, e.g., Jacob Cohen, 'Innocent After All?', *ibid.* p.26; Amos Perlmutter, 'Soviet Historiography, Western Journalism', *ibid.* pp.30, 31; Weinstein (note 21) pp.[505–6]; Tanenhaus (note 45) p.518. Volkogonov 'made no retraction, as close as I could tell', according to the *NYT* reporter who interviewed Volkogonov about his report. James W. Hamilton, 'Second Takes on Hiss', *Lies Of Our Times*, Jan.–Feb. 1993, p.11 (at 12); see also Griffin Fariello, *Red Scare: Memories of the American Inquisition* (NY and London: Norton 1995) pp.151–2 n.13; *NYT*, 17 Dec. 1992, p.A17.
74. Weinstein and Vassiliev (note 63) caption to centrefold photograph of Venona No. 1822.
75. Weinstein and Vassiliev (note 63) p.xii.
76. *Ibid.* pp.5–8, 80, 267–9. For instance, in rehearsing the Hedda Gumperz (aka Hede Massing) tale about Hiss trying to recruit Noel Field as a spy (2nd Trial pp.1262–3), Weinstein and Vassiliev omit any reference to Field's statements before and after he was imprisoned and tortured in Hungary for five years (1949–54) as a US spy, e.g.:

Speaking of perjury, it was, of course, not until after I came out of jail that I learned of the part played in your second trial by false testimony of a perjured witness [Massing] with regard to a purported meeting and a conversation, neither of which ever took place, either within or without the confines of our Washington apartment. That my own imprisonment prevented me from nailing this outrageous lie is not the least part of the tragedy which befell me in 1949. My definite and absolute personal knowledge of the complete untruth of this particular bit of evidence is the clearest proof to me – aside from my experience of your personality and outlook – of the falsehood of the rest of the 'evidence' on which you were convicted.

Letter from Noel Field to Alger Hiss, 21 July 1957, p.2; and see letter from Field to Hiss 2 Nov. 1948 (both letters in the Harvard Law School Library Special Collections). See also Hiss, *Public Opinion* (note 12) pp.307–11; Tony Hiss, letter to the editor, *NYT*, 2 Nov. 1993, p.A22.

In their story concerning Secretary of State Stettinius, Weinstein and Vassiliev (pp.267–8) claim to quote a KGB file excerpt as stating that an FBI agent told Stettinius that State Department documents were being surreptitiously brought to New York for photographing, implicating 'Ales' in the 18-month operation (encompassing the period in 1945 when Hiss was abroad at Yalta and elsewhere), and then having Stettinius discuss the operation with '[Hiss]' (as Weinstein and Vassiliev represent the KGB excerpt as saying) and tell him "'I hope it is not you.'" In reality, Stettinius, who died between the first and second trials of Hiss, stated for the first trial:

In my association with Mr. Hiss from Dumbarton Oaks [1944] to the first General Assembly of the United Nations in London [1946], I had confidence in him as a loyal, patriotic American citizen with the welfare of his country uppermost in his mind....

At no time during my service in the Department [of State] was I advised, from inside or outside the Department, of any question relative to Mr. Hiss's loyalty.

- Statement of Edward R. Stettinius Jr, regarding Alger Hiss, 20 May 1949, defendant's Exh. Z, US District Court, Southern District of NY, 27 June 1949, pp.1, 2. See also Stettinius (note 8) p.31 ('Hiss acted honorably and patriotically').
77. Weinstein and Vassiliev (note 63) pp.xxiii, xxiv, 5–20, 267–9. 'Ales' is not a translation and has no meaning in Russian, but if it is a garble or corruption of 'alet', which means to flush or redden, it may account for a hearsay story about the red planet's name: 'Hiss's code name as a source of information was Mars, but he might not have known that.' Sudoplatov *et al.* (note 36) p.228.
78. The exclusive deal allowed only Vassiliev to see the KGB files; Weinstein, however, wrote the book. Weinstein and Vassiliev (note 63) pp.xi, xv, xvi; Christian Caryl, 'A spy in Congress', *U.S. News & World Report*, 18 Jan. 1999, p.36; Jacob Weisberg, 'Cold War Without End', *NYT Magazine*, 28 Nov. 1999, p.116 (at 120). On 'buying access' to KGB files, see Patricia Kennedy Grimsted, *Archives of Russia Seven Years After: 'Purveyors of Sensation' or 'Shadows Cast to the Past'?*, Cold War International History Project, Working Paper No. 20, Part I, Sept. 1998, pp.13–14.

On *The Haunted Wood's* shortcomings, see reviews by Christopher Lehmann-Haupt, *NYT*, 18 Jan. 1999, Sec.E p.9, and Anna Kasten Nelson, *Chronicle of Higher Education*, 25 June 1999 (essay-review), and letters to the editor from Michael Straight, Agnese N. Haury, William S. Weiss and William A. Reuben, *NYT Book Review*, 24 Jan. 1999, pp.4, 22, and John L. Lee, *ibid.* 14 Feb. 1999, p.4.

An admirer of *The Haunted Wood* asserts, incorrectly, that 'no serious scholar any longer dismisses' the claims of Whittaker Chambers against Alger Hiss. Thomas Powers, 'The Plot Thickens' [review-essay], *The New York Review of Books*, 11 May 2000, p.53 (at 54). Twelve serious scholars who currently do not believe Chambers's claims against Hiss are cited herein. Not long ago, George McGovern, PhD in history, a former US senator from South Dakota, and the 1972 Democratic Party presidential nominee, published these remarks:

I've always believed that Hiss was a victim of the 'red scare' and of Nixon's political rapacity. It is a national outrage that this essentially decent and patriotic American went to prison as a consequence of the demagoguery of Nixon and the ignominious House Committee on Un-American Activities.

George McGovern, 'Nixon and Historical Memory: Two Reviews' [of the motion picture by Oliver Stone], *Perspectives* 34/3 (March 1996) [Washington: American Historical Association] p.1 (at 4).

The historian Dmitri Volkogonov, in searching the Soviet archives on the Hiss case, found that Whittaker Chambers was a member of the American Communist Party but not, Volkogonov thought, a spy: Chambers 'had party contacts but not intelligence contacts ... and not any kind of secret or spy information.' Interview 15 Oct. 1992 (note 72). Indeed, none of the hundreds of US government documents that Chambers said he collected from Hiss and other people for espionage has turned up in any Soviet archive, nor has any evidence been adduced, other than Chambers's own word, that Chambers ever delivered any document to a Soviet agent.

There is, however, substantial evidence that Whittaker Chambers was a fantasist, a twentieth-century Titus Oates who invented his story of himself as an espionage agent or courier in order to satisfy his penchant for self-dramatization, his craving for self-importance, and his urge to destroy his victims, notably his erstwhile friends. Hiss was not Chambers's only victim, only the most prominent one; others included the State Department 'China hand' Oliver Edmund Clubb and UN publications director David Zablodowsky (a wrestling teammate of Chambers 30 years before), both of whom lost their jobs to Chambers's false witness. *Trials* (note 4) pp.28–30, 82–7; O. Edmund Clubb, *The Witness and I* (NY: Columbia UP 1974).

79. Tel. confs. the author with Boris Labusov, 21 July and 8 Dec. 1999.

The Haunted Wood (note 63) draws extensively on Weinstein's first book against Hiss,

Perjury (note 21), for which Weinstein's source materials are also out-of-bounds to other researchers. Ibid. p.[532]; Jon Wiener, 'Compromised Positions', *Lingua Franca*, Jan./Feb. 1993, p.41. The KGB file excerpts that Weinstein 'quotes' in his updated edition of *Perjury* are doubly barred to other researchers, first by Weinstein himself at p.[532] and again by the exclusive deal on *The Haunted Wood* (note 78). Weinstein has made his own research materials on the Hiss case available, as far as I can determine, only to Sam Tanenhaus and one other Chambers supporter, Terry Teachout. William F. Buckley Jr, *WindFall: The End of the Affair* (NY: Random House 1992) p.166; Whittaker Chambers (Terry Teachout ed.), *Ghosts on the Roof* (New Brunswick, NJ and London: Transaction 1996) p.xxiii.

Six of Weinstein's most important interviewees for *Perjury* protested that they had been misquoted or otherwise misrepresented in the book, and one of them sued for libel, demanding that Weinstein produce the interview tapes he claimed to have. Unwilling or unable to produce them, Weinstein paid a 'substantial five-figure sum' in damages and published a retraction and apology. 'Costly Error for Hiss Historian', *New York* magazine, 21 May 1979, p.61; 'Krieger Victorious over Hiss Author', *The Village Voice*, 28 May 1979, pp.31, 77; 'Allen Weinstein Statement', *The New Republic*, 7 and 14 June 1979, p.11.

Well-documented critiques of *Perjury* include Victor Navasky, 'Allen Weinstein's "Perjury": The Case Not Proved Against Alger Hiss', *The Nation*, 8 April 1978, p.393, finding Weinstein 'an embattled partisan, hopelessly mired in the perspective of one side, his narrative obfuscatory, his interpretations improbable, his omissions strategic, his vocabulary manipulative, his standards double, his "corroborations" circular and suspect.... The target of *Perjury* is Alger Hiss and his claim of innocence, but its temporary victim is historical truth' (at 394 and 401); essay-reviews by David Levin, *Virginia Quarterly Review* 54 (1978) p.725, reprinted in David Levin, *Forms of Uncertainty: Essays in Historical Criticism* (Charlottesville, VA, and London: UP of Virginia 1992) p.142, and Rhodri Jeffreys-Jones, *American Studies* 13/1 (1979) [Cambridge UP] p.115; Victor Navasky, 'Weinstein, Hiss, and the Transformation of Historical Ambiguity into Cold War Verity', in Athan G. Theoharis (ed.) *Beyond the Hiss Case: The FBI, Congress, and the Cold War* (Philadelphia: Temple UP 1982) p.215.

80. Unless the story about 'Mars' (note 77) be considered evidence.
81. Venona Nos. 927-8, reproduced in Benson and Warner (note 28) p.229 (at 230); Benson, *Monograph # 4* (note 27) p.6; West (note 48) p.365.
82. Tel. conf. the author with Meredith Knox Gardner, 24 Aug. 1999.
83. The earliest draft of Venona No. 1579 obtained by the author from NSA bears the issue date 20 Jan. 1961; Lamphere had left the FBI in 1955.
84. Meredith Knox Gardner, 'Covernames in Diplomatic Traffic [obliterated]', Army Security Agency report, 30 Aug. 1947, p.1, reproduced in Benson and Warner (note 28) p.93 (at 94). Gardner cites as his source a report dated 27 June 1946 of a Royal Commission in Canada.
85. The Venona team and US intelligence agencies have said nothing publicly about the reference to Hiss in No. 1579. I asked NSA's Louis Benson about it at the Venona conference (4 Oct. 1996), and he said that it was probably the GRU 'playing it straight', pretending not to know Hiss in order not to tip its hand to its rival KGB that Hiss was a GRU agent. But, Benson added, 'we'll take another look at it and try to recover more of the message.' Nothing more has yet been forthcoming.
86. Gil Merom, 'The 1962 Cuban Intelligence Estimate: A Methodological Perspective', *Intelligence and National Security* 14/3 (Autumn 1999) pp.52, 59, 60, 61, 71.