

From: *Deadly Farce: Harvey Matusow and the Informer System in the McCarthy Era*
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Introduction: The Informers' Era

“There were floodlights, banks of cameras, a battalion of newsmen, radio equipment and some 200 eager spectators lined up outside the hearing room,” the *New York Times* reported. The time was Monday afternoon, February 21, 1955, and the place was the same vast, ornate Senate hearing room where the Army-McCarthy hearings had played out the preceding year.¹

The new event was the opening day of public hearings in the Senate Internal Security Subcommittee’s investigation of Harvey Matusow’s recantation. Matusow, a glib twenty-eight-year-old ex-Communist and former undercover FBI informant, had in the preceding four years built a considerable reputation as an informer-witness. He made frequent appearances as a government witness in various “Communist” cases, and as a “friendly” witness he had named names before the House Committee on Un-American Activities (HUAC), the Senate Permanent Subcommittee on Investigations (better known as Joe McCarthy’s subcommittee), and, not least, SISS, the subcommittee now conducting the hearings.

But a few weeks earlier, to great fanfare, Matusow had announced that much of his testimony, including that in two major criminal prosecutions, had been false and that he had written a book telling all, soon to be published by a tiny publishing house whose principals were reputedly Communists. Defendants in the two criminal cases, including Communist Party officials, had already moved for new trials, seeking to overturn their prison sentences. Apart from the subcommittee’s inquiry, the Department of Justice had instituted multiple federal grand jury investigations. The government, of course, suspected a Communist plot.²

The sense of theater was heightened by the subcommittee’s selection of

Matusow himself as its first witness. Seated before the microphones and cameras, waiting for the hearings to begin, the stocky witness, “[l]ooking dark-eyed and sallow,” the *Times* said, chatted easily with photographers. He knew some of them from prior committee appearances. When one called out, “Tell us a lie,” Matusow grinned.³

The subcommittee’s demeanor, however, was grim, and its questions hostile. “Haven’t you called yourself ‘leader of the Kremlin’s Youth Movement in this country?’” its counsel asked. “I lied,” Matusow responded. “Is one of your book publishers a Communist?” “I have accused him of being so, but I told a falsehood.” “Were you ‘lying for money’ when you were paid for a 1952 election speech accusing a Democratic congressman of Communist ties?” “Yes sir; I was.”⁴

He had in the past been “a perpetual and habitual liar,” Matusow conceded. But no longer, he assured Republican senator William E. Jenner:

Senator JENNER: You are telling the truth now?

Mr. MATUSOW: Yes, sir.

Senator JENNER: You are not a habitual liar?

Mr. MATUSOW: No, sir.

Senator JENNER: You are not a perpetual liar?

Mr. MATUSOW: I am not a perpetual liar now.⁵

Matusow attributed his transformation to religion. “Sir, I believe in God, very strongly. . . . I believe in God and Christian charity, and I understand the meaning of it, sir.” A Bronx native, the son of Russian-Jewish immigrants, he had been baptized in the Mormon faith the preceding fall.⁶

Matusow would spend five more days on the subcommittee’s witness stand. The subcommittee in its report would attribute his recantation to a Communist plan to discredit government witnesses.⁷

Murray Kempton, writing in the *New York Post*, expressed the view of many Americans. “What is undisputed fact,” he wrote, “is that [Matusow] was either a liar then or is a liar now.” But, Kempton added, “[y]ou and I didn’t offer him as a trustworthy man; the United States government did.”⁸

Informers and Informers

While only a handful of McCarthy-era informers recanted their testimony, the class of ex-Communist informers was substantial in size. In the 1952–54 period, the Department of Justice had on its payroll, under contract and paid on a per diem basis, at least eighty-three ex-Communists of whom, it said, thirty were “regularly used as witnesses” and fifty-three were “occasionally

used.” Hired as “expert consultants” under a statute intended to enable the government to retain eminent scientists and educators on a part-time basis, their prevailing rate of compensation was thirty-four dollars per day (twenty-five dollars plus nine dollars “in lieu of expenses”), a not insignificant sum at the time. The Department of Justice list—it was leaked—almost certainly was not exhaustive, because congressional committees and state and local agencies separately retained ex-Communist informers.⁹

The government’s practice of maintaining a stable of political informer-witnesses on its payroll was peculiar to the McCarthy era. “It is a novel arrangement,” Richard Rovere wrote in 1955, “this hiring of people to take a solemn oath and testify favorably to the government. American history offers no precedent for it.” The informers’ “usefulness,” he said, “derives from their ability and readiness to identify people as Communists, to describe Communist activities for the enlightenment of judges, juries, and security panels.”¹⁰

The impact of the informers’ voices, their accusations and warnings of domestic subversion by American Communists, repeated on countless occasions, was indisputably significant. A *New York Times* editor’s insight was by no means unique when he wrote in 1951, apropos of informer Elizabeth Bentley, that “what many of the ex-Communists have been saying these past few years has succeeded in genuinely frightening large numbers of Americans, in influencing legislation and in profoundly altering many lives. They form an inescapable part of the social and political history of this generation.”¹¹

The August 1948 testimony before HUAC of the two most renowned ex-Communist informers, Whittaker Chambers and Elizabeth Bentley, as much as any single event, triggered “the McCarthy era.” Their revelations that American Communists employed in federal departments and agencies had cooperated in Soviet espionage—the individuals they named included Alger Hiss, a former State Department official who accompanied President Franklin Roosevelt to Yalta, and Harry Dexter White, a former assistant secretary of the treasury—amplified by antiadministration politicians and media, right-wing clergy, veterans’ and patriotic groups, among others, shaped the American political scene for the succeeding decade.¹²

Neither Chambers’s nor Bentley’s 1948 disclosures were news to the authorities. The essence of Chambers’s testimony had been revealed in September 1939 to Assistant Secretary of State A. A. Berle. Bentley defected from the Soviets in 1945, and her disclosures to the FBI, which resulted in almost immediate reports to the Truman White House, were made in November of that year.¹³

In the summer of 1948, however, FBI director J. Edgar Hoover, angered by what he considered the Truman administration’s failure to take more deci-

sive action against Communists and left-wingers in government, and motivated by an intense personal dislike of Truman, decided to go public with Bentley's and Chambers's revelations. He handed the two to HUAC and to a counterpart Senate committee, which rushed them to the witness stand. Hoover's timing was influenced not by security considerations but by the fact that 1948 was a presidential election year and Truman a candidate.¹⁴

The Bentley-Chambers disclosures created a sensation. Bentley's accusations related to 1941–44, wartime years during which the Soviet Union and the United States were allies in the crusade against Nazi Germany. While Chambers had split with the Communists much earlier, in the late 1930s, the confrontation between the ruffled and psychologically troubled Chambers, who claimed a close personal relationship with Hiss, and the elegant and accomplished Hiss, who initially denied even knowing Chambers, was pure drama.¹⁵

The Bentley-Chambers testimony, which was immediately challenged and for decades sharply controverted, has in recent years received strong confirmation. KGB archives in the former Soviet Union, which were opened (albeit selectively) in the early 1990s, and VENONA project messages (nearly three thousand wholly or partially decrypted cables dispatched by Soviet agents in the United States during World War II and intercepted by U.S. Army intelligence), declassified starting in 1995, indicate that a number of the individuals named by Bentley and Chambers did assist Soviet espionage. Bentley's defection in November 1945, these sources show, resulted in the virtual destruction of the KGB's spy networks in the United States for years to come.¹⁶

* * *

But espionage by its nature is a covert activity, known only to a limited number of trusted individuals. The testimony of most ex-Communist informers in the McCarthy era, unlike that of Bentley, Chambers, and a very few others, had little or nothing to do with spying. The Department of Justice's stable of eighty-plus informers—Harvey Matusow among them—rarely testified about espionage. What they did inform about were political affiliations and activities.

The Communist Party of the U.S.A. (CPUSA), despite the existence of a party underground in which a tiny percentage of American Communists assisted Soviet intelligence, was primarily a political organization, which took positions on public issues and entered candidates in elections for public office. The grist for the informers' mills was testimony about membership or, more likely, past membership in the "open" party or in one of dozens of "front" organizations. In most cases, the individuals about whom the inform-

ers were queried and whom they named never had access to sensitive information; most had never worked for the government.¹⁷

The use of informers in a wide variety of situations having no connection to spying reflected the sweep of the measures that federal, state, and local governments and some private businesses took in the name of responding to the Soviet espionage threat. It is these measures that characterize or define “the McCarthy era.”

The Scope of “Antisubversive” Measures

The federal “loyalty” program, instituted by the Truman administration under a 1947 executive order and reorganized and termed a “security” program by the Eisenhower administration when it took office in 1953, was applied to almost all federal employees and to every applicant for a federal job.¹⁸

Determinations in loyalty-security cases usually turned on the employee’s present or past membership in a proscribed political organization. To this end, in 1947 Attorney General Tom C. Clark compiled a list of “subversive” organizations, by 1950 numbering 197, some existing but in many cases long defunct. The list, of course, included the CPUSA. But most of the listed groups were “fronts,” that is, organizations set up and often controlled by the Communist Party but intended to attract non-Communists as members (e.g., groups whose stated goal was opposing fascism or supporting the civil rights of black Americans). Informers often supplied evidence of an employee’s membership in a listed organization.¹⁹

The federal government’s program to deport resident aliens who were or had once been Communist Party members did not involve government personnel. But a 1940 federal statute made even past membership in an organization advocating the violent overthrow of the government an automatic ground for deportation. In 1950, in order to save the Immigration and Naturalization Service (INS) the task of trying to prove it in every case, Congress enacted a statute specifically identifying the CPUSA as an organization advocating the violent overthrow of the government. To establish deportability after 1950, nothing more needed to be shown than a person’s alien status and membership in the party at some time after entering the United States.²⁰

The Justice Department customarily drew from its stable of informers to prove past membership in the Communist Party. Matusow’s testimony in 1953, for example, contributed to the deportation of Goldie Davidoff, a Canadian alien married to an American and employed by the party’s newspaper, the *Daily Worker*.²¹

The government also sought to prevent American citizens from going

abroad. The State Department, until restrained by the Supreme Court in the late 1950s, routinely denied passports to hundreds of persons believed to be Communists or members of proscribed groups. The impact of this practice fell most heavily on left-wing entertainers, blacklisted at home but employable abroad (singer-actor Paul Robeson, for example), and scientists invited to teach or lecture abroad (such as Linus Pauling, a Nobel Prize-winning chemist). Informers often supplied the information on which the government based passport refusals.²²

Ex-Communist informers played an essential role in criminal prosecutions of Communist Party officials under the Smith Act for conspiring to teach or advocate the forcible overthrow of the government. In these cases, the informers were not used to prove party membership on the part of the defendants, who openly identified themselves as party officials, but rather to tie each defendant to advocacy of forcible overthrow. This frequently took the form of testimony that a defendant had endorsed an inflammatory passage in a Marxist text. Some of the testimony Matusow later recanted, given in a 1952 Smith Act trial in New York City, was of this character, intended to tie Alexander Trachtenberg, a party warhorse, to a passage in a book by Andrei Vishinsky, a Soviet official.²³

The idea of forcing Communists to register with the government was one of the panaceas of the period, and in 1950 Congress enacted legislation creating an administrative agency, the Subversive Activities Control Board, which was empowered to force Communist organizations to register, and in the case of the CPUSA, to identify all of its members. Informer testimony became a staple in proceedings before the SACB.²⁴

In succeeding years, the SACB held protracted hearings directed not only at the CPUSA but also at a large number of alleged front organizations. Shortly before he recanted, Matusow appeared as a government witness at SACB hearings to compel registration by Veterans of the Abraham Lincoln Brigade and the National Council for American-Soviet Friendship, both on the attorney general's list.²⁵

Hearings of congressional investigating committees provided the most visible and desirable forum for informers. Before the committees, notably HUAC, SISS and, in 1953–54, the McCarthy subcommittee, informers were invited guests, treated with respect and not subjected to cross-examination, as they were in criminal trials and at deportation or SACB hearings. Often their testimony at committee hearings received favorable attention in the press.

HUAC, the most prominent of the committees (until its abolition in 1975), conducted a nearly continuous series of hearings investigating Communist influences in government, labor, and industry—particularly the high-profile

motion picture industry, to which it returned without fail every few years. SISS, headed by the powerful Senator Pat McCarran of Nevada, was perhaps best known for its relentless pursuit of Owen Lattimore, a Johns Hopkins professor and China expert, whom informer Louis Budenz named as a Communist Party member (in the face of persuasive contrary evidence) and against whom Matusow also testified (testimony he later recanted).²⁶

America's states and cities, not content with the umbrella of protection against Communist "subversion" provided by the federal government, took independent action. State legislatures organized "little HUAC" commissions—Matusow was employed by the one in Ohio. State and local governments subjected 80 percent of the roughly one million American public-school teachers in the 1950s to some form of loyalty screening. Matusow was hired as a "consultant" by the New York City public school system to identify Communist teachers.²⁷

Informers played a central role in the blacklisting of alleged Communists in the motion picture and radio-TV industries. The radio-TV industry boycott utilized *Red Channels*, published in 1950, a list of industry names substantially distilled from "Appendix IX," a huge and indiscriminate listing of many thousands of alleged Communists and Communist sympathizers published by the Dies committee, HUAC's immediate predecessor, in 1945. *Counterattack*, a periodical for which Matusow worked in the early 1950s, promoted and added to the blacklist.²⁸

"Antisubversive" Politics

The enthusiasm of legislators and public officials for sweeping programs of this kind did not reflect a belief that such measures were a necessary means of uncovering or forestalling Soviet espionage. Rather, politicians correctly perceived strong popular support for "antisubversive" measures—the more sweeping, the better.

The public by the early 1950s had adopted a punitive and unforgiving attitude toward American Communists. A carefully executed 1954 public opinion poll of nearly five thousand persons in all parts of the country showed that 89 percent believed that an admitted Communist should be fired from a college teaching job; 68 percent that one should be fired from a clerk's job at a store; and 63 percent that one should be fired as a radio singer. When asked whether admitted Communists should be stripped of their American citizenship, 77 percent thought they should; 51 percent believed they should "be put in jail."²⁹

Republicans, after twenty years of the New Deal and the Fair Deal, cap-

tered the presidency and both houses of Congress in 1952, making effective use of the “Communist” issue. Their vice presidential candidate, Richard M. Nixon, as a HUAC member had built a national reputation on his role in the Hiss-Chambers case. Shortly before election day, Senator Joe McCarthy appeared on national television to attack the Democratic presidential candidate, Governor Adlai E. Stevenson of Illinois, attempting to tie him to the convicted Hiss—McCarthy’s famous “Alger—I mean Adlai” speech. Matusow, more versatile than most informers, campaigned for the election of McCarthy and other right-wing Republicans in Senate races, charging that Communists supported their Democratic opponents.³⁰

The era also brought to prominence a loose but politically powerful confederation of right-wing politicians, journalists, authors, informers, officials of veterans’ organizations, clergy, businesspeople, and World War II–style isolationists, whose nearly exclusive focus was on the exposure and punishment of left-wingers, on whom they were quick to pin a “Communist” label. Richard Gid Powers in 1995 termed this group “countersubversive anticommunists”; liberals at the time called them “professional anti-Communists” or “red-baiters.” McCarthy was their hero.³¹

Leading “countersubversives” included Hearst columnists George Sokolsky and Westbrook Pegler as well as Alfred Kohlberg, leader of the pro-Chiang Kai-shek “China lobby” and a source of funding for numerous “countersubversive” causes. J. B. Matthews, the former top staffer and brains of the Dies committee, was a linchpin of the “countersubversives” by virtue of his massive files on left-wing groups and individuals. Matusow, when he gained prominence as an informer, sought out the “countersubversive” elite and became an acolyte in their circle.³²

While Joe McCarthy, the pugnacious and rough-hewn junior senator from Wisconsin, gave the era its name and tone, FBI director Hoover, more than anyone else, determined its politics. Hoover had a long-standing hatred of the “poison of foreign isms” and Communism in particular (“the most evil, monstrous conspiracy against man since time began”). At the absolute command of a large and well-financed federal police organization, and in possession of files detailing the political activities and personal behavior of tens of millions of Americans, not least virtually every politician in Washington, Hoover in the 1950s was an immensely powerful official, essentially immune from criticism.³³

Plainly, prudence counseled politicians and public officials, if they did not affirmatively support antisubversive measures, at least to go along or to remain silent.

The Role and Rewards of Informers

The types of issues in McCarthy-era “Communist” cases cried out for informers: the political character of long-defunct organizations, the extent of an individual’s knowledge of or participation in an organization, and, most important, whether he or she had ever been a *member* of the Communist Party or other “subversive” organization. Because witnesses on these kinds of issues were frequently unavailable, unwilling to testify, or hostile to the government’s position, government agencies sought evidence from “professional” informers.

The sheer volume of employee-loyalty cases, deportation proceedings, Smith Act prosecutions, SACB proceedings, and congressional and state investigative committee hearings created a large market for informers. While ad hoc witnesses could testify in a single proceeding, the most valuable and frequently used witnesses were those who could testify against a significant number of individuals. Prosecutors and investigators sought out informers who had been members of the Communist Party, often able to name hundreds of their former associates. The Justice Department’s stable of paid informer-witnesses consisted entirely of ex-Communists. “[A]n accident of history,” Richard Rovere wrote, “puts the ex-Communist, whether his faith was feigned or authentic, in possession of an extraordinarily negotiable thing—his past.”³⁴

Informers often acquired a facility as witnesses by dint of repetition and experience. When testifying at a well-publicized congressional committee hearing, in Joseph Alsop’s view, informers were required to become entertainers: “They must pose; they must attitudinize; they must be portentous; they are also strongly driven to embroider and elaborate and invent something new to say—all in order to give satisfaction to their audiences.”³⁵

Those who succeeded were in great demand. Matthew Cvetic, a former undercover FBI informant from Pittsburgh, testified sixty-three times in various types of “Communist” proceedings. Louis Budenz testified an estimated twenty-five times before six different congressional committees, seven times in court trials, at least four times in administrative proceedings, and in an undetermined number of deportation hearings. John Lautner, an expelled Communist Party official, became a key prosecution witness in Smith Act trials after 1950, and between 1952 and 1956 he was a witness in twenty-five proceedings.³⁶

Informers named prodigious numbers of alleged Communists, past and present. Barbara Hartle, a West Coast party official who turned informer

following her conviction in a Smith Act prosecution, accused over 400 (including her ex-husband and ex-common-law husband); Matusow named 216. Among those who joined the party to work undercover for the FBI, Cvetic gave 411 names to HUAC, and Mary Markward 318. Detective Mildred Blauvelt of the New York City police department's "Red Squad" named 450 names in only four days of testimony before HUAC in 1955.³⁷

Significant economic incentives encouraged these witnesses. Lautner, who after 1951 earned his living supplying information about the Communist Party, received a total of \$22,000 from the Department of Justice between 1952 and 1956; in 1958 he went on HUAC's payroll as a consultant. Cvetic received, apart from witness compensation, \$12,500 for the motion picture rights to his story (*I Was a Communist for the FBI*), \$6,500 for a ghost-written magazine series, and additional income from lectures. Cvetic's aggregate income from these activities during his glory years ranged from \$10,000 to \$15,000 annually—a substantial income in the 1950s.³⁸

Louis Budenz earned even more. *Collier's* paid him \$20,000 for a series of articles in 1948; royalties from his first book, *This Is My Story*, by 1952 reached \$9,000. In addition to witness fees and his salary as a professor at Fordham University, Budenz earned over \$60,000 from magazine articles, book royalties, and lecture fees between 1945 (when he defected from the Communist Party) and 1954. As an editor of the *Daily Worker*, he had earned about \$90 a week.³⁹

Leading informers also enjoyed the perquisites of fame. For example, when the film *I Was a Communist for the FBI*, recounting Cvetic's exploits, received its premiere in his hometown of Pittsburgh in April 1951, a parade was held marking "Matt Cvetic Day." In 1952 Cvetic received an Americanism award from the Pennsylvania Legionnaires' convention, presented to him by Governor John S. Fine of Pennsylvania and Bebe Shopp, the reigning Miss America.⁴⁰

Many achieved renown as authors. By 1952, Budenz had published *This Is My Story*, *Men without Faces: The Communist Conspiracy in the U.S.A.*, and *The Cry Is Peace*. Angela Calomiris, an FBI undercover informant who surfaced at the 1949 Foley Square Smith Act trial, wrote *Red Masquerade: Undercover for the FBI*, published in 1950. *Out of Bondage* by Elizabeth Bentley and *This Deception* by Hede Massing (like Bentley, a self-confessed ex-Communist spy) were published in 1951. By far the most important (and best written) of this genre was Whittaker Chambers's *Witness*, a Book-of-the-Month Club selection in 1952, serialized in the *Saturday Evening Post*. Herbert Philbrick's successful *I Led Three Lives: Citizen, "Communist," Counter-*

spy, also published in 1952, became (like the accounts of Cvetic's activities) both a motion picture and a successful TV series.⁴¹

The celebrity of ex-Communist informers in a nation that despises "stool pigeons," "rats," "canaries," and "squealers" is not easily explained. It was, in part, a consequence of the leading roles assigned them by congressional committee chairmen and prosecutors and of the extensive and often highly favorable press coverage their testimony received. The informers also gave a simple explanation for America's perplexing cold war problems, one that absolved it of responsibility. And their celebrity, of course, was greatest among those who agreed most ardently with their anti-Communist message.

Whatever the reason, "the political informer," Frank J. Donner observed in 1954, "is coming to be regarded as a social hero, as an exalted being endowed with special authority, insight, and reliability."⁴²

Professional informer-witnesses fell into two main categories: apostates and undercover police informants. Most of the former group had moved from one end to the other of the political spectrum. Whittaker Chambers, who made this journey, believed that "[i]n our time, informing is a duty."⁴³

The second category consisted of individuals who had joined the Communist Party not out of conviction but because they were recruited to do so by the FBI or a local police "Red squad." They came from various backgrounds. Herbert Philbrick worked as advertising manager for a group of movie theaters when he joined the party under the bureau's auspices. Matthew Cvetic, a low-level federal employee when the FBI hired him, had earlier tried unsuccessfully to join U.S. Army intelligence.⁴⁴

The Credibility Issue

A timing factor affected the credibility of informers. An FBI informant working undercover inside the Communist Party, whose allegations might well be tested against reports by others, had reason to be accurate. So also did the apostates in their initial and exhaustive debriefings by the FBI, unaware of what the bureau knew and with their futures still in doubt. But after an undercover FBI informant surfaced or an apostate had finished telling his or her story to the bureau and the person became a professional informer-witness, a new set of influences came into play.⁴⁵

Continuing appearances before HUAC and other congressional investigating committees required, if the committee were to receive new publicity, that new names be named. Similarly, there was pressure to meet the needs of prosecutors in criminal or deportation cases for testimony showing this or

that new individual to have been a Communist. Whatever the motive, informers in later testimony began to identify as important Communists individuals whom they had never mentioned in earlier, exhaustive FBI interviews. “On a nod from prosecutors,” David Cauter wrote, informers “sold hunches or guesses as inside knowledge, supporting their claims with bogus reports of conversations and encounters.”⁴⁶

There was little risk that informers would be prosecuted for perjury, because they provided an invaluable service for the Justice Department, the FBI, and congressional investigating committees. Moreover, after using an informer as a witness in judicial or administrative proceedings, the government had a vested interest in sustaining that person’s credibility, for otherwise the cases might have to be retried and the government’s past efforts wasted. If a head-on credibility conflict developed, the accused Communist, not the informer, was thus likely to be indicted for perjury. The Hiss-Chambers and Lattimore-Budenz cases and the case of William W. Remington, a young government official who denied Elizabeth Bentley’s accusations under oath and was convicted of perjury, are examples.⁴⁷

The FBI, upon learning that one of its informers had publicly named an individual not mentioned in earlier interview reports, was likely immediately to reinterview the informer and to update its files to include this new accusation, not to reevaluate the informer’s credibility. The bureau’s primary concern was that it might be criticized for being unaware of the informer’s new evidence.⁴⁸

There were, to be sure, instances in which the bureau concluded that an informer was unreliable or had committed perjury—Matusow and Cvetik are examples—and in such cases it advised the attorney general or the heads of the Justice Department’s Criminal or Internal Security divisions. But having thus insulated itself against future criticism, the FBI did not interfere with the department’s continued use of the informer as a witness in later cases.⁴⁹

The attorney general and his subordinates in the Justice Department bore the ultimate responsibility for the selection of government witnesses. Under the settled principles that should have guided their exercise of judgment, the government’s interest in a criminal case was “not that it shall win a case, but that justice shall be done”; a prosecutor’s knowing use of perjured testimony was not only unethical but a violation of due process of law. But in the McCarthy era, Justice Department lawyers repeatedly used witnesses whose credibility they had every reason to doubt, sometimes in the face of express warnings from the FBI.⁵⁰

Over time, an increasing number of instances of perjury by informers

became manifest. An early example, in 1948, involved a Washington state legislative committee that imported informer George Hewitt to testify in its investigation of alleged Communist activities at the University of Washington. When Hewitt's false accusations against Melvin Rader, an English professor at the university, gave rise to perjury charges against him, he fled to New York City, where (with the assistance of the Justice Department) he successfully resisted extradition to Washington state and continued to testify in deportation cases against alleged Communists.⁵¹

Paul Crouch, who became a professional witness after seventeen years as a Communist Party member, committed a series of egregious perjuries. He testified, for example, at one of the many trials of Harry Bridges, the militant West Coast waterfront union leader, that Bridges had been present at a party convention on June 28, 1936, in New York City. Bridges responded with witnesses, newspaper reports, and other documentary evidence proving his attendance at a union meeting in Stockton, California, at a time that made it impossible for him to have been in New York City on the day in question.⁵²

At the Bridges trial, Crouch also testified that he "had no knowledge of the existence" of a party official named David Davis. But several years later, at a 1954 Smith Act trial in which Davis was a defendant, Crouch testified to having had a long acquaintance with him, beginning in 1928 and including frequent attendance with him at party meetings.⁵³

Manning Johnson, a black ex-Communist who left the party in 1940 after ten years' membership and became an informer-witness, admitted in a 1950 sedition case against Steve Nelson, a party official, that he had falsely denied being an FBI informant in a 1948 deportation proceeding. Johnson stated that he would tell a lie "[i]f the interests of my Government are at stake," and that if it were necessary for "maintaining secrecy of the techniques and methods of operation of the FBI, who have the responsibility of the protection of our people, I say I will do it, and I will do it a thousand times." In 1957, the INS was still using Johnson as a witness in deportation cases.⁵⁴

Perjuries by Joseph Mazzei, a former FBI undercover informant, resulted in a 1956 Supreme Court reversal of the convictions of Communist Party officials in a Pittsburgh Smith Act prosecution. By the Justice Department's own admission, Mazzei testified falsely before the McCarthy subcommittee that a party "hit" man, one Louis Bortz, had been chosen "to do a job in the liquidation of" Senator McCarthy. He also perjured himself, the department disclosed, in a bastardy proceeding in a Pennsylvania court.⁵⁵

Although sometimes compelled to admit that its informers had at times given perjured testimony, the government consistently opposed efforts in the

courts to vacate criminal convictions or administrative determinations on that ground. Nor did it prosecute Crouch, Johnson, Mazzei, or other perjurious informers.

Recanting informers were another story. In these cases, there was the element of double cross and usually also a claim that government lawyers had suborned the informers' perjuries. The government brought perjury prosecutions against two informers who disavowed under oath their earlier testimony, Harvey Matusow and Marie Natvig—not for their earlier testimony but for their disavowals.

Natvig's recantation came in a Federal Communications Commission case that featured a near epidemic of recanting government witnesses. In this unusual proceeding, brought by the Republican-controlled FCC, whose chairman, John C. Doerfer, was a close McCarthy associate, the agency sought to deny renewal of valuable broadcast licenses held by Edward Lamb because of his alleged Communist ties. Lamb, a former left-wing union lawyer from Toledo, had become a wealthy businessman as well as a prominent Democrat. The witnesses presented against him included Natvig, who claimed to have been a Communist Party member for twelve years and to have known Lamb well; Lowell Watson, who had testified for the government in a series of deportation and denaturalization cases; and the ubiquitous Louis Budenz.⁵⁶

Due in no small part to the investigative effort that Lamb had the financial resources to mount, Natvig, Watson, and a third witness, Clark Wideman, all finally disavowed their testimony against him. Prosecuted for perjury, Natvig was convicted and sentenced to eight months in prison.⁵⁷

Matusow's recantation, by virtue of his flamboyance and prominence as an informer, created a louder public furor and had farther reaching consequences.

Matusow's Case

Until his recantation in early 1955, Matusow had been in many respects a typical informer, more versatile than most, active in every aspect of the informer's trade—undercover FBI informant; government witness in criminal, SACB, and deportation proceedings; namer of names before congressional and state committees; and participant in entertainment industry blacklisting and "clearing." He was a friend to Joe McCarthy and the "countersubversive" elite. When Matusow recanted, Murray Kempton termed him "the fifties' witness against the fifties."⁵⁸

Matusow's motives and the events surrounding his recantation, even now, are less than clear. He left his job with McCarthy but continued to testify for

the government; he admitted perjury to a Methodist bishop but denied to HUAC that he had done so. Although Matusow placed himself in the hands of a pro-Communist book publisher, ideology seemingly was not his motive; no other publisher would touch his book. Nor, contrary to the government's claim, could the modest publisher's advance he received adequately explain his drastic action.⁵⁹

Matusow's recantation triggered a wide-open national debate concerning the government's use of professional informers. For the first time, the issues posed by the government's maintenance on its payroll of a small army of ex-Communist informers, used to testify against political dissidents, received close public scrutiny. In response to the Matusow case, the Justice Department dismantled its stable of informers. Because, moreover, informers had been used in so wide a variety of cases, Matusow's recantation served to discredit the government's entire antisubversive program.⁶⁰

Novelist John Steinbeck, writing in the *Saturday Review*, commented: "I suspect that Government informers, even if they have told the truth, can't survive Matusow's testimony. He has said that it was a good racket. Well, Matusow has ruined the racket. It will never be so good again."⁶¹

An angered Justice Department prosecuted Matusow for perjury—for testifying falsely that prosecutor Roy Cohn induced him to commit perjury in the Smith Act trial. Upon his conviction, he served three and one-half years in a federal prison.⁶²

Still a young man at the time of his release from prison, Matusow in the ensuing years underwent something of a change in character. The last four decades of his life, during which he became a practicing Mormon, were characterized by accomplishment and not insignificant good works. He lived at various times in England, New England, and the American West—residing for years in a tiny Mormon community in Utah, active in public-access cable television. He died in Claremont, New Hampshire, in January 2002, at age seventy-five, following an automobile accident.⁶³