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Premature Witch Hunt? The *Amerasia* Case in Context

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Abstract

The *Amerasia* case concerned the theft of classified U.S. federal government documents by government officials and left-wing critics of U.S. foreign policy. The case did not result in serious criminal penalties and the failure of the prosecution has never been adequately explained. There is some superficial validity to the contention that the case was legally weak to begin with, but it is important to situate the *Amerasia* case in the context of the debate over the direction of U.S. foreign policy in the transition from World War II to the Cold War. Although conclusions on the subject at this point must remain tentative, there is persuasive evidence that the Truman administration ensured that the U.S. Justice Department did not prosecute the case vigorously because a committed prosecution of the *Amerasia* case had the potential to compromise or undermine U.S. foreign policy in the early months of the Truman presidency.

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1 Introduction

> Don't try to keep this case in the bag because it has scratched everybody that has touched it, you see, and anybody that tries to bag it is going to get scratched by it too.[1]

This *obiter* on the *Amerasia* case, attributed to an unnamed journalist, is as relevant today as it was when Democratic Senator Brien McMahon uttered it in the charged atmosphere of Joseph McCarthy's Washington. If 'bagging' the *Amerasia* case means presenting an explanation of it that becomes the accepted standard against which others are judged, then it has not been bagged successfully at any time in its fifty-nine year history and those who have attempted to bag it have indeed been scratched.

Perhaps the main difficulty with 'bagging' the *Amerasia* case is that the facts of the case are difficult to extricate from the ideological considerations in which they have been embedded by the first commentators on the case. Studying *Amerasia* inevitably requires untangling a complex set of issues while maintaining a distance from the heated ideological commentaries. To put it bluntly, anyone who is uncomfortable with historical issues that are inherently ideologically charged has no business studying the *Amerasia* case.

* * * * *

From its inception, the *Amerasia* case was something mysterious, not lending itself to easy explanation. The story broke on June 6, 1945, when the FBI arrested six people for violating the federal Espionage Act for unauthorized possession of documents relating to national defense. The six included two State Department officials, a Navy lieutenant in the Office of Naval

Intelligence (ONI), a freelance journalist and the publisher and the assistant editor of a magazine on Asian Affairs, *Amerasia*. With the exception of but one of the two State Department employees, the individuals charged were ideologically left-of-center. They favored concrete U.S. support for the Chinese Communist Party (CCP) and they were all advocates of a 'hard peace' for Japan.

The documents the six had obtained were recovered by agents of the Office of Strategic Services (OSS) and the FBI over the course of a three-month investigation leading up to the arrests. The over 1,700 documents ranged in content from gossip about the 'intimate secrets' of Generalissimo Chiang Kai-shek and other members of the ruling Chinese Kuomintang (KMT) party to information possibly pertaining to the atomic bomb.[2] During 1946 Congressional hearings on the case, senior officials of the Justice Department and the FBI acknowledged that if the six had been able to get their hands on the documents that the OSS and FBI had seized, they could have had access to 'almost anything.'[3]

Despite the apparent seriousness of this violation of government security and the fact that there was no question that the six had actually traded in classified documents, the case did not result in serious legal consequences. Justice Department officials later explained that they encountered significant evidentiary and legal obstacles to a successful prosecution. They reduced the charges to conspiracy to embezzle, steal and purloin government property. On the basis of the admissible evidence, a Grand Jury indicted three of the six and cleared the others. The Justice Department eventually dropped the charges against the indicted Navy lieutenant, while the other two who were indicted pled guilty and no contest respectively. Both received small fines.[4]

For many, particularly those on the ideological right, the legal results of the case bore no relationship to the seriousness of the offence. Senator McCarthy and others felt that *Amerasia* represented a case study in Soviet-sponsored left-wing subversion of government that went unpunished. Even Democratic Senator Millard Tydings, a staunch opponent of McCarthy, stated during 1950 Senate hearings on the case that the embezzlement and theft of the documents was 'a dastardly, terrible thing.'[5] When the story broke, conservatives in the media who had always been uneasy with or hostile to the U.S. alliance with the Soviet Union believed that the arrests of the six confirmed their suspicions that sinister leftist forces were at work in the U.S. Radio commentator Upton Close stated in his June 10, 1945, broadcast:

> With so many Communists in government agencies and holding commission in Army and Navy it's a natural assumption that the files of the M.K.V.D. [sic]-- that's the Russian Secret Police -- are full of United States secrets. These six are the only ones to get caught ....[6]

On the other side, liberal media voices opined vociferously that freedom of the press was imperilled, that the arrests were part of a reactionary State Department plot to silence liberal dissenters and that the content of the documents was laughably benign. In this view, the 'offence' was hardly an offence at all, never mind a dastardly and terrible one. These sentiments were encapsulated in an editorial cartoon in the June 11, 1945, edition of the newspaper *PM*, which portrayed Undersecretary of State Joseph C. Grew towering over an anonymous member of the press. While the latter quakes with fear, a stern Grew confronts him about unlawful possession of an item marked 'Highly Confidential'—a telephone directory. Pictured on a shelf behind Grew are other 'classified' materials, including the U.S. Constitution and Julius Caesar's *De Bello Gallico*.[7]

The ideological divide is reflected in discussion of the case up to the present. The

conservative journalist and author Ralph de Toledano argued caustically that the Justice Department 'stood by or pooh-poohed the gravity of the situation. ... It was ill-bred to make even the mildest charges against Communists ....'[8] Liberal commentators have seized on the conservatives' frequent use of McCarthyite rhetoric and argued that while the six suspects may have been 'indiscreet,' they did not deserve to be treated as criminals or slandered as communists.[9] This lively, often heated, debate, particularly as it relates to the merits of U.S. policy toward the KMT and the CCP in the 1940s, is reflected in the scholarly exchanges on the H-Diplo online discussion group as recently as 2003.[10]

Two historians who have written with sympathy for one of the arrested State Department officials savagely attacked the conservative authors of the only scholarly book-length study of the case. Describing the book as a smear job, the reviewers seized on the authors' argument that the whole episode can be described as a communist espionage case because of the arrested *Amerasia* publisher's close ties with senior members of the U.S. Communist Party and the Soviet espionage apparatus in the U.S. The reviewers argued that the authors discredited themselves by inferring too much from the evidence, pursuing false leads and ignoring genuine cases of espionage.[11] The authors angrily responded, accusing the reviewers of—among other infelicities—misrepresentation, fabrication, *chutzpah* and outright lying.[12]

Although the reviewers were perhaps justified in criticizing the authors for describing the episode as a 'spy case,' they were unfair in ignoring the book's merits. Relying primarily on transcripts of FBI surveillance, but also drawing on a range of other sources, Harvey Klehr and Ronald Radosh argue persuasively that the six knew that what they were doing had the potential to land them in serious trouble since many of the documents were highly sensitive, but they put

their scruples aside and did it anyway.

Klehr and Radosh also argue that the Justice Department, far from prosecuting the case as resolutely as possible, perpetrated a whitewash. There were too many questionable actions on the part of the prosecutor, Robert Hitchcock, the head of the Criminal Division, James McInerney, Assistant Attorney General James McGranery and the Attorney General designate Tom Clark to allow a critical analyst to conclude that the department had done its best in prosecuting the case. FBI transcripts reveal evidence that an influential Washington 'operator,' Thomas Corcoran, interceded with Clark on behalf of the more prominent of the two implicated State Department officials, John Service. Klehr and Radosh argue that Clark—fearing that a committed prosecution might make it difficult for him to win the support of conservative Senators in his upcoming confirmation hearings—decided to undermine the prosecution through a series of subtle maneuvers. Some of these he executed himself, others were carried out by his subordinates. The department's performance elicited frustration from FBI officials, including Director J. Edgar Hoover.[13]

Without taking a position here on their conclusions, this author wishes to acknowledge at the outset his gratitude for the diligent work Harvey Klehr and Ronald Radosh undertook in researching the FBI's *Amerasia* files.[14] I also agree with their contention, as stated in the book's title, that one of the main reasons for studying the *Amerasia* case is that it represents a 'Prelude to McCarthyism.' Studying the *Amerasia* case allows us to see how the seeds of McCarthyism were planted even before the end of World War II. Nonetheless, Klehr and Radosh did not discuss *Amerasia* in as broad a context as this author believes is imperative. While I do not really disagree with their reading of the evidence, nor with their argument that issues other than

purely legal ones had a crucial bearing on the outcome, I am puzzled by the inability of Klehr and Radosh to attribute the failure of the prosecution to anything other than fairly routine Washington political maneuvering.

In order to arrive at an understanding of the *Amerasia* case, we must place it in the context of the ideological struggle over the conduct of U.S. foreign policy in 1945-46, particularly as it concerned the Far East and the Soviet Union. One historian has recently commented on the importance for diplomatic historians of analyzing their subject contextually:

> The historian willing to explore the possibilities of circumstantial evidence ... never errs ... when he looks to the most dominant features of the decision-making environment for clues of inference and interaction since the probability that the macro environment influences subsidiary issues is very high, indeed is as virtually certain as it is that the moon is affected by the sun.[15]

From the earliest phase of the investigation to the decision to drop charges against the last of the six suspects, the *Amerasia* case spanned a period of twelve months—February 1945 to February 1946. This period was a critical time of transition from World War II to the uncertain and somewhat mistrustful postwar world. It was a period in which the U.S. had to reevaluate its foreign policy in light of the collapse of Germany and Japan, the reality of Soviet influence in Europe and the Far East and the likely resumption of the Chinese civil war. U.S. government officials and their allies in the media had strongly held opposing views on how the U.S. should address these problems. Those on the right favored a direct challenge to Soviet influence and opposed concessions to the CCP. Their opponents on the left wished to acknowledge and accept Soviet power and to secure the creation of a coalition government in China involving both the KMT and the CCP. The *Amerasia* case was a manifestation of this ideological discord and a contextual study of the case helps to reveal the depths of the divisions in the Roosevelt

administration—a matter which, surprisingly, has largely been ignored by historians of the Roosevelt presidency.

This period was also an important time of transition in U.S. politics. Franklin D. Roosevelt's death in April 1945 meant that postwar challenges would be faced by a President with practically no experience in foreign affairs. Much of the large historiography on the Truman presidency contends that Truman was a decisive 'straight-shooter' who met challenges head-on and that his actions showed he was a man who knew his own mind.[16] A somewhat smaller part of the historiography asserts that Truman, at least in the first couple of years of his administration, was anything but decisive. He was undisciplined, impulsive, sometimes unprincipled and he often vacillated and put off important decisions.[17] This thesis adds more evidence to this portion of the historiography.

Roosevelt had permitted the heated ideological divisions in his administration to smoulder. Truman, had he been President during the war, might have done something similar, but the end of hostilities and the ensuing postwar peace process forced him to take a stand. He had to decide, at least in the short term, whether a confrontation with Russia would happen sooner or later. A contextual analysis of the *Amerasia* case helps us understand the choice Truman made.

It must be stressed that the President's foreign policy decisions in this period were never made without consultation with the Secretary of State from July 1945 to January 1947, James F. Byrnes. Any discussion of U.S. foreign policy in this period must try, of necessity, to reach some understanding of the thinking of this shrewd, calculating public servant. Byrnes' impressive résumé included important wartime cabinet posts, a judgeship on the U.S. Supreme Court and a long spell as an influential member of the U.S. Senate. Byrnes was Secretary of State during the

prosecution phase of the *Amerasia* case, but, as far as we can tell, he played no traceable role in the case. Yet, his thinking on foreign policy, which strongly influenced Truman's own, may well have influenced the outcome.

Two other important figures should be mentioned by way of introduction. The first is the Undersecretary of State from November 1944 to August 1945, Joseph C. Grew. This long serving diplomat had occupied the challenging position of Ambassador to Japan during the 1930s and, upon his return from internment there, he became the leader of the conservative officials who advocated a tough stand against the Soviets and their allies. He was also a strong supporter of the *Amerasia* investigation. The second is prominent lawyer and close Byrnes advisor, Benjamin Cohen, who also had a direct role in the *Amerasia* case, as revealed in conversations with his friend, Tom Corcoran, that were recorded surreptitiously by the FBI.

Studying the words and actions of these and other actors in this drama may help us to answer this question: why did the Justice Department's case against the six result in just two convictions and insignificant penalties for the two who were convicted? There are two potential answers. First, it may be that Justice Department officials were telling the truth when they maintained that the case failed on legal grounds because the admissible evidence was fairly weak. Second, practical diplomatic and political concerns may have influenced the Department's handling of the case. Justice officials later vehemently denied that they themselves had undermined the case, or that they had experienced pressure from anyone else in the government to do so. There is no reliable, direct evidence suggesting that the case was sabotaged in any such fashion, but this is why the broader context ought to be considered.

Some might argue that the lack of direct evidence and a reliance on circumstantial

evidence renders the conclusions problematic. This author, however, agrees with the philosopher of history, R. G. Collingwood, who wrote: 'Anything is evidence which enables you [the historian] to answer your question ....'[18] As such, this author takes a deliberately broad view of the evidence.

* * * * *

Before proceeding with a discussion of the ideological divisions in the Roosevelt administration on foreign policy matters, a note on usage: the term '*Amerasia*' will refer specifically to the *Amerasia* case, unless it is obvious that the reference is to '*Amerasia* magazine.' '*Amerasia* magazine' will refer to just that.

2 Prelude to *Amerasia*, Part I: *Bürokratischer Kampf* and U.S. Foreign Policy

Most historians who have studied the Roosevelt presidency have tended to ignore, or to gloss over, the serious ideological divisions in the administration on foreign policy matters. The particulars of these divisions are the subject of this chapter, but, for the purposes of this introduction, it will suffice to say that, on one side, the President, his closest advisors and a number of the junior officials in the State Department, projected an ideologically left-of-center, pro-Soviet outlook on foreign policy, while the veteran foreign service officers who occupied the upper echelon of State had an unabashedly anti-communist, anti-Soviet outlook.

The seriousness of this difference of opinion should not be downplayed. As is often the case in ideological disputes, both sides felt that the future was imperilled if the other side emerged victorious. Those on the left believed that positive, constructive relations between the U.S. and the Soviet Union were essential for long-term international peace and stability. Those on the right felt that communism represented a grave threat, not merely to world peace, but to western civilization itself. They firmly believed that the U.S. should oppose the Soviet Union and its allies by any means necessary, whereas Roosevelt and his supporters believed that fascism and far-right reactionary politics represented the most serious threat to world peace. This fundamental difference of opinion outlived Roosevelt. It laid the groundwork for McCarthyism and it colored the often tentative foreign policy of Harry Truman.

The purpose of this chapter is to show that *Amerasia* was a product of this ideological fault line. We begin with an outline of the background and foreign policy outlook of those on each

side of the divide, with a particular focus on the State Department's Far Eastern specialists. The ideological conflict was more pronounced on Far Eastern matters than European issues, in part because of Roosevelt's indecisiveness on the question of the composition of the postwar governments of China and Japan. Generally speaking, those on the right advocated unequivocal U.S. support for Chiang Kai-shek's right-wing KMT government and a strong, anti-militarist, but pro-American, Japanese government. Those on the left wanted a weak, demilitarized Japan and a coalition Chinese government, including moderate KMT elements and 'agrarian' communists. These largely irreconcilable differences led directly to the *Amerasia* case—the leaked documents of which were concerned almost exclusively with Far Eastern matters.

* * * * *

During World War II, the upper echelon of the U.S. State Department was occupied by career diplomats, most of whom had entered the foreign service before its professionalization with the Rogers Act of 1924. Before this legislation, entry into the American diplomatic and consular services was effectively limited to an independently wealthy elite, the members of which had almost identical educational backgrounds. Eighty-five per cent of the diplomatic secretaries serving in Europe between 1898 and 1914 had experienced some form of elite education, including private schools such as Groton and Lawrenceville and Ivy League colleges or foreign universities.[1]

The foreign service elites shared a deep admiration for conservative institutions and an equally deep suspicion of the liberal and populist upheavals of the early twentieth century. The likes of Joseph Grew, Hugh Gibson and James Dunn, as well as some of those who joined the service after the Rogers Act, such as George Kennan, often became enamored of the traditional

high culture and elite society of the relatively exotic places to which they were posted. Kennan, for example, became obsessed with an idealized vision of czarist Russia while serving at the legation in Riga, a city reminiscent of the old St. Petersburg.[2]

The career diplomats who were posted in European capitals were known collectively as the 'Europeanists.' A number of these men abhorred that which they felt constituted a repudiation of conservative conceptions of class, culture and decorum, such as trade unions, jazz and, above all, communism. They were irritated by the Soviet entrance into European diplomacy at Genoa and Rapallo in 1922 and they were alarmed by Roosevelt's initiative in 1933 to grant formal U.S. recognition to the Soviet Union. Roosevelt's consistent efforts over the course of his presidency to maintain friendly relations with the Soviets reflected his apparently deeply held belief that fascism was a more serious threat to international peace and security than communism.[3]

State's conservatives disagreed strongly with Roosevelt. Grew asserted that the U.S. should not 'palliate by recognition the things Soviet Russia has done and the things it stands for.' Even during the rise of Hitler's regime in the late 1930s, conservative diplomats like Hugh Wilson felt that western civilization had more to fear from the Soviets than the Nazis. Hitler's anti-communism was actually a point in his favor. From their viewpoint, the problem with appeasement was not that it had been tried at all, but that the British had failed miserably in applying it.[4]

The twin crises of Roosevelt's recognition of the Soviet Union and the failure of appeasement left the Europeanists reeling. The long-time conservative Secretary of State, Cordell Hull, felt that State's image needed a boost in the wake of these perturbations, so he decided to hire some of Roosevelt's own New Dealers whose world view generally agreed with

Roosevelt's. Hull initially settled on just one such appointee—the prominent Washington lawyer, Dean Acheson, whom he appointed Assistant Secretary of State for economic affairs in February 1941.[5] Although Acheson had an educational background identical to that of the Europeanists, he rejected their elitist conformism.[6]

Acheson became a leading member of the so-called 'Frankfurter Circle'—a group of ambitious public servants approaching middle age and united in their discipleship of Felix Frankfurter, their beloved teacher at Harvard Law School. Roosevelt appointed Frankfurter to the Supreme Court in 1939—a move that did nothing to buttress the ancient principle of judicial independence, since Frankfurter was one of Roosevelt's closest confidantes. Another member of this group was the future State Department legal counsel, Ben Cohen.[7]

The members of the Frankfurter Circle favored friendly Soviet-U.S. relations, at least for the duration of the war. This attitude perhaps stemmed from their collective Anglophilia. The Oxonian philosopher, Isaiah Berlin, described Frankfurter as an 'Anglo-maniac,' with a 'childlike passion for England, English institutions, Englishmen.'[8] Acheson was, in the words of biographer James Chace, 'steeped in British thinking and history,' having inherited from his father a library of biographies and treatises of the likes of Melbourne, Palmerston and Disraeli.[9] By 1939 at the latest, it had become clear to the Frankfurter Circle that Germany, not Russia, represented the most serious threat to Britain. This necessitated generous U.S. support for the Soviets, as well as the British.[10] As we shall see, the Europeanists were fiercely opposed to the pro-Soviet outlook of Roosevelt and the Frankfurter Circle.

Allied with the senior Europeanists in their conservative, anti-communist stance were the State Department's Japanese experts, who were similar to their colleagues in background and

temperament. The Japanese experts included several men who had entered the service before the Rogers Act reform, such as their leader, Joseph Grew. A member of the foreign service since 1904, Grew had served in such far-flung posts as Copenhagen, Berlin, Istanbul and Cairo and he had served as Undersecretary of State under Calvin Coolidge in the mid-1920s. The longest posting of his career, however, was in Tokyo, where he served as ambassador from 1932 to 1941. Although he never learned the language, this decorous and courteous diplomat won the respect of the traditional Japanese elites, as well as the loyalty of his subordinates in the embassy. Several of the latter served under him in the State Department's Office of Far Eastern Affairs (FE) after their brief internment in Japan following the attack on Pearl Harbor. The key members of this group were Eugene Dooman, Joseph Ballantine and Earle Dickover.[11]

Like the Europeanists, the Japanese experts in FE saw communism as a greater threat than fascism. They supported a policy of conciliation—arguably outright appeasement—of Japan until 1940. Only then, with Japan's axis partner having launched its war in Europe and with Japan itself drifting further in that direction, did they decide it was time to take a firmer stand. They believed, however, that Japan's military alone was responsible for the country's descent into an unwinnable war. Grew argued that his friends among the traditional Japanese elites had been powerless to stem the tide of military fanaticism. He maintained, however, that some of these friends were waiting in the wings to help establish a moderate Japan after the 'cancer of militarism,' as he called it, had been excised.[12]

Key to the successful establishment of a peaceful Japan was the retention of the institution of the Emperor. In 1944, Grew argued that 'any attempts to scrap or by-pass the institution of the Throne' would result in 'chaos.' So unswervingly devoted were the Japanese to their Emperor,

Grew argued, that, just as the Japanese military had used him to mobilize the people for war, so the Allies could use him to mobilize the Japanese people to create a peace-loving nation.[13]

Grew also believed in a policy of retaining the Emperor for the practical reason that it would help keep the Soviet Union out of postwar Japanese affairs. In the lead-up to the Hiroshima and Nagasaki catastrophes, Grew urged that the stated U.S. policy of unconditional surrender should be modified so as to make clear to the Japanese that they would be permitted to retain the institution of the Emperor following their surrender. An early surrender that might keep Russia from declaring war on Japan and enjoying the postwar Far Eastern spoils was uppermost in Grew's thinking. He outlined his views in a May 1945 memorandum which he claimed to have shared only with two other State officials—the Europeanists, Charles Bohlen and Averell Harriman—both of whom were also mistrustful of the Soviets:

> Once Russia is in the war against Japan, then Mongolia, Manchuria, and Korea will gradually slip into Russia's orbit, to be followed in due course by China and eventually Japan ....
>
> A future war with Soviet Russia is as certain as anything in this world can be certain. It may come within a very few years. We shall therefore do well to keep up our fighting strength and to do everything in our power to strengthen our relations with the free world.[14]

Not all the occupants of the desks in FE shared Grew's pessimistic, hostile attitude to the Soviet Union. Sitting uncomfortably alongside the Japanese experts were the young Chinese experts, often referred to collectively as the 'China Hands.' The China Hands were generally much younger than the Japanese experts and the Europeanists and they did not share the elite background of those groups. Whereas the Japanese experts identified chiefly with the Japanese landed elite and the imperial court, many of the young China Hands—a number of whom, such as John Paton Davies, John Service, Raymond Ludden and John Carter Vincent, had grown up in

China to missionary parents—were concerned with the hardships of the Chinese peasants. They felt that while Sun Yat-sen's Nationalist Revolution of 1911 had benefitted the merchant class and the military elements, it had done nothing to assuage the overwhelming poverty of the great masses of peasants.[15]

In this respect, the China Hands differed from State's older and increasingly less numerous Chinese experts, sometimes called the 'old' China Hands, as represented by the abrasive Dr. Stanley Hornbeck, who had dominated FE for most of the 1930s. Whereas Hornbeck idolized Chiang Kai-shek as the great unifier of China who was doing his best to oppose the aggression of the Japanese, the young China Hands were mostly unimpressed with the Generalissimo, or 'the Gimo,' as several of them derisively called him. While Hornbeck praised Chiang's leadership from the confines of Washington, the China Hands preferred the perspective of journalists who had made extensive travels in China, such as Edgar Snow—the first foreign journalist to interview Mao Tse-tung—Anna Louise Strong, Graham Peck and Agnes Smedley. These journalists were able to freely express what the China Hands, given the nature of their position in government, could not. They argued that the lamentable condition of the Chinese peasants was such that the U.S. ought to make concerted efforts to address the problem.[16]

After Pearl Harbor, the China Hands became appalled by Chiang's newfound status in the U.S. as a great leader who had been fighting valiantly to save China from Japanese conquest for several years, with virtually no outside help. A number of influential Americans began clamoring for large financial and military contributions for Chiang's KMT party. With jittery U.S. officials believing that the U.S. had to take drastic steps to keep China in the war, Chiang's audacious request in late 1942 that the U.S. supply his government with a $500 million loan was

speedily accepted by Congress.[17]

The China Hands and their allies in the journalistic corps were unimpressed by this and other examples of American largesse. Snow was furious that financial contributions, from both private and government sources, were going to military purposes, rather than desperately needed famine relief. The China Hands argued that Chiang had no intention of using any American money or supplies for the purpose of fighting Japan. Instead, he would use whatever the U.S. gave him to build up his arsenal for the conflict with Mao Tse-tung's communist forces that, while temporarily in abeyance, was sure to resume at some point after the U.S. had beaten Japan.[18]

The China Hands' uniformly pessimistic attitude to Chiang Kai-shek contrasted with their positive outlook on Mao Tse-tung and the CCP. The China Hands were impressed by the reports of journalists who had traveled to Mao's northwestern stronghold in Yenan, the final destination of the famous Long March in the mid-1930s. Journalist John W. Powell noted that fellow journalists who had been there reported that although the rural communist-controlled areas were spartan, they 'were an oasis of purity in comparison to Chiang's Kuomintang sinkhole.'[19] As Snow himself observed after interviewing Mao at length in the late 1930s, the future head of the Peoples' Republic had, at that time, a genuine love for the peasants that stemmed in part from his hatred of his father, who had been a rich peasant.[20]

Whereas Snow maintained a degree of detachment from Mao and the Chinese communists, others, like Smedley and Strong, actively and openly supported the CCP. Strong stayed in China after the establishment of the Peoples' Republic and was, in the words of historian Kenneth Shewmaker, one of 'the few foreigners to survive the Cultural Revolution unmolested.'[21]

The personally disagreeable Strong had little interest in cultivating the China Hands, but this was not true of Smedley, who acquainted herself with several of them, including Davies and Clubb.[22] A lifelong radical, Smedley had gone to China in 1928 and became associated with a group of communists in Shanghai. She became the only western journalist to receive information directly from CCP sources before 1936. This made her a person of interest to westerners who wanted to learn about the Chinese communists first hand. She became an effective go-between for the CCP, arranging several meetings between westerners and CCP leaders.[23]

In her role as an intermediary, Smedley unabashedly promoted the communist cause, waxing poetic to western journalists, academics, diplomats and soldiers about the purity of the CCP's principles and the greatness of their disciplined, peasant-friendly soldiers. Smedley wrote a biography of Chu Teh, the popular leader of the Chinese Red Army and the man to whom she left her meager estate on her untimely death in 1950.[24]

One of the westerners who was impressed with Smedley's tales of Chu's derring-do was General Joseph Stilwell, under whom Davies, and then Service, worked as political aides during Stilwell's wartime tenure as commander of the China-Burma-India Theater.[25] Increasingly frustrated with KMT intransigence and corruption as the war progressed, Stilwell, his subordinates and a number of journalists were impressed with stories about the efforts that the communists were making against the Japanese. Allied with the peasant population, communist guerillas were spread throughout the Japanese-occupied areas and were reported to be constantly harassing Japanese outposts and communication lines. This would have been impossible for Chiang's Nationalist troops who, as Snow noted, treated the peasants cruelly.[26] Recalling with fondness what Smedley had told him, Stilwell wrote to a friend: 'It makes me itch to throw down

my shovel and get over there and shoulder a rifle with Chu Teh.'[27]

Impressed by what they had heard about the communists in Yenan from Smedley, Snow, and others, Davies and Service repeatedly urged their superiors in the U.S. embassy in Chungking to arrange for foreign service officers to be sent there, over KMT opposition. Such a mission finally materialized in July 1944 when a U.S. Army Observer Group, with Service in tow, left for Yenan in what came to be known as the 'Dixie Mission.' Like earlier visitors to the communist safe-haven, Service was deeply impressed by what he found at Yenan. While staying there over the next several months, Service sent the U.S. embassy a series of despatches in which he described the Chinese communists in wholly positive terms. In a September 1944 report, Service audaciously urged that the U.S. should, in his own words, 'take a more or less active part in influencing China's internal affairs' by supplying the communists with direct military aid. This recommendation was all the more remarkable because Service knew, as everyone else did by that time, that Japan would be defeated not by arming the communists, but by 'island-hopping' in the Pacific. He urged military support for the communists specifically in order to discourage Chiang from resuming the civil war after Japan's defeat.[28]

* * * * *

We turn next to a presentation of some of the concrete manifestations of the conflicting attitudes of State Department officials. It is fair to say that those on each side of the ideological divide were, to say the least, intolerant of the other side's outlook. This intolerance is reflected in the hostile, battle-like conflicts between members of the two groups. Highlighting the nastiness of these conflicts is important because it was at least partly the feeling of contempt for the other side that led those on the left to leak sensitive information to try to undercut those on the right and

which also led those on the right to view the *Amerasia* case as an opportunity to punish their left-wing opponents.

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The conservative officials who worked in U.S. legations in Europe and in the State Department's Office of European Affairs did their best during the Roosevelt administration to thwart the President's efforts to maintain amicable relations with the Soviets. When Roosevelt appointed a long-time Democrat loyalist, Joseph Davies, as ambassador to Moscow with the intention of preparing the way for a formal alliance with the Soviets, the Europeanists, including the Moscow embassy Counselor, George Kennan, bristled. Davies overlooked the famous Soviet purges of the time and sent a stream of encouraging reports back to the U.S. As Martin Weil puts it, despatches became 'schizophrenic,' with 'paragraphs of Kennanesque gloom punctuated by a cheerful note of buoyant optimism added by Davies.'[29]

During the war, with the Grand Alliance between the U.S., Britain and Russia established, Roosevelt experienced constant Russian pressure for concrete support, ostensibly to assuage Russian displeasure over the delayed Second Front. The steady stream of lend-lease supplies was one such concrete measure, but this was not enough to keep the Russians happy. The Soviet Ambassador, Maksim Litvinov, complained loudly and often about the delay of the Second Front and he also complained about the blatant anti-Soviet hostility of the Europeanists. In conversations with Roosevelt's factotum, Harry Hopkins, he specifically cited Ray Atherton and Loy Henderson as two State officials who were poisoning Soviet-American relations. The reasons for singling out these two were clear. Henderson, for example, was angered by a 1942 Litvinov memo which requested that U.S. regulations be amended to permit the Soviets to obtain

on behalf of relatives in Russia a share of the estate of Russians who died in the U.S. Henderson supplied a written comment in which he asserted that Soviet agents would keep a list of Americans with Russian names who had died and that the Soviets would then 'discover' some relatives in Russia and claim part of the estate. Henderson's comment helped kill Litvinov's idea. One of Henderson's liberal opponents in the foreign service, John Melby, wrote of him years later: 'There is something demonic about Loy. His ideological fire was so deep he really did not give a damn whom he offended or why.'[30]

By March 1943, Roosevelt and Hopkins decided to take action against the more assertive of the Europeanists, so they had their chief ally in the department, Undersecretary of State Sumner Welles, remove several of them from the Office of European Affairs. Among them, Henderson was sent to Iraq and Ray Atherton to Canada. Conservatives responded viciously to Roosevelt's minor purge by spreading scurrilous rumors on Capitol Hill about Welles' private life. Hull, who had always resented Roosevelt's favoritism of the Undersecretary, went to the President and told him that the rumors had ruined Welles' credibility with Congress and that he would resign if Roosevelt did not fire Welles. Since Hull was the vital insurer of congressional support for his foreign policy, Roosevelt felt he had no choice but to comply with Hull's ultimatum. This illustrates the fact that State's anti-Soviet conservatives depended on Congress for support. A Congress less suspicious of the Soviets would likely have made it easier for Roosevelt and Hopkins to mold the State Department as they wished.[31]

Roosevelt appointed Ed Stettinius to replace Welles as Undersecretary and this proved to be an unexpected boon to State's conservatives. The former chair of U.S. Steel and head of public relations at General Motors, Stettinius had earned Roosevelt's trust while serving in

difficult posts in the National Recovery Administration and, later, the Office of Production Management. Stettinius' 'aye, sir, aye' loyalty won him the job of lend-lease administrator in August 1941, in which role he unquestioningly carried out the wishes of Roosevelt and Hopkins.[32]

Since Stettinius had no prior foreign policy experience, the conservatives felt they could use their expertise and their seniority as leverage to manipulate him and neutralize his loyalty to Roosevelt. This strategy largely succeeded. As Weil puts it, Stettinius had no ideas of his own about U.S. foreign policy. His 'sole objective was to please as many people as often as possible and to give the illusion of efficiency in the process.' His job was not to mull over policy but to direct others to work. He did not even have a desk in his office, only a table with a telephone on it. He was happy to be unaware of the substance of what his underlings were doing, so long as they were taking action of some kind. It also helped the conservatives that Cordell Hull had assigned State's Political Relations Advisor and arch-conservative, James Dunn, to act as Stettinius' personal guide to the department. Stettinius, likely on Hull's advice, soon decided to give Dunn responsibility for overseeing the work of all the Department's geographic offices, including European Affairs, FE and all the economic offices.[33]

This restructuring also resulted in the conservative China expert, Stanley Hornbeck, being 'kicked upstairs' in early 1944 to the post of Political Advisor to the Secretary of State. This occurred because Hornbeck was not the kind of 'team player' the business-minded Stettinius wanted. He was disagreeable and was uniformly disliked by both the liberal China Hands and the conservative Japanese experts. Both groups found him personally irritating, but they also rejected his policy outlook, for predictably different reasons. The China Hands disliked him in

part because of their view, as expressed by John Carter Vincent, that he had 'sold his soul to Chiang Kai-shek.' The Japanese experts recognized him as hostile to their country of interest. Grew even charged that Hornbeck's intransigence was at least partly responsible for the failure of his diplomacy as prewar Ambassador to Japan.[34]

Although Hornbeck was gone, the China Hands were displeased when Stettinius—or, perhaps more accurately, Dunn—appointed Grew as Hornbeck's replacement as Director of FE. Grew then placed his deputy, Joseph Ballantine, in charge of managing the section.[35]

When Cordell Hull resigned due to ill-health in November 1944, Roosevelt used the occasion to try once more to weaken the conservatives' control of the State Department. As in the previous year's reorganization, Roosevelt was only partially successful. He appointed the loyal Stettinius to the Secretaryship, but was unable to persuade his former ambassador in Moscow, Joseph Davies, to risk his poor health by becoming Undersecretary. He also yielded to Hull's influence by appointing Dunn Assistant Secretary for political affairs, a position that effectively made him political czar of the Department—something Roosevelt had long wished to avoid. Dunn's appointment meant that Roosevelt was unable to fulfill his plan to make one of Frankfurter's devotees, Ben Cohen, an Assistant Secretary.[36]

Roosevelt did succeed in appointing Archibald MacLeish, a New Dealer and member of the Frankfurter Circle, although he would be occupying the ineffectual position of Assistant Secretary for public relations. Dean Acheson was also effectively demoted, likely through Dunn's influence, when he was moved from Assistant Secretary for economic affairs to Assistant Secretary for congressional relations. Worst of all for the left wing was the appointment of Grew as Undersecretary and the consequent elevation of Ballantine to Chief of FE. Grew was probably

appointed in large part because Stettinius felt he needed someone with Grew's vast experience to help guide him.[37]

Following this reorganization which benefitted State's conservatives, Grew and Dunn effectively marginalized the department's two liberal assistant secretaries, Acheson and MacLeish. In the weeks after the Yalta Declaration, for example, these two Frankfurterites repeatedly urged the Europeanists to advise the President to recognize the new Eastern European governments. Acheson said he had read 'favorable reports' on the Albanian government, while MacLeish told them he was concerned that the U.S. embassy in Rumania was biased against the Soviets. On all such occasions, the Europeanists rebuffed the two men with curt answers to the effect that there was no anti-Soviet bias in any matter pertaining to the new governments.[38] In several letters to his daughter at this time, Acheson expressed his increasing impatience with Grew and Stettinius and his desire to leave government altogether.[39] So frustrated was Acheson with Grew's inaccessibility that he complained about it directly to the Undersecretary in April 1945, to which the latter provided a written reply stating that he wished to make his diary available to Acheson, 'so that you may keep in touch with my principal activities from day to day.'[40]

Acheson was irritated not just by Grew's inaccessibility, or by the disdain of the Europeanists, but by the Japanese experts' policy on the postwar Far East. Acheson and the department's liberals wanted postwar Japan politically and economically weak and the institution of the Emperor eliminated. The head of FE, Joseph Ballantine, recalled:

> Turning Germany and Japan into goat pastures was uppermost in the minds of the so-called liberals in the State Department who had been brought in; people who had no experience in Japan and the Far East and knew nothing about the country.[41]

It seemed odd that Acheson was concerned with Far Eastern policy since, by all accounts, he had a Eurocentric world view and was generally uninterested in the Far East. As John Melby put it, Acheson 'knew nothing about China, did not want to know, thought it only marginal and a bore. His interests were exclusively European, ...'[42] Elsewhere, however, Melby indicated that this disinterest on Acheson's part tended to make him somewhat belligerent in his views: 'To Acheson, China was just a nuisance and he wished it would go away, but when it did not he made up his own mind as to what our policy should be ....'[43] This attitude applied equally well to Japan. In the recollection of Japanese expert, Eugene Dooman, Acheson, after listening to Dooman present a report on the Japanese political system during a committee meeting in early 1945, commented bluntly:

> I have discovered that far eastern [sic] experts are a penny a dozen. And you can find some expert which will support any point of view that you care to have. And I, myself, do not go along with what we have just heard. I prefer to be guided by experts who think more along my point of view.[44]

Seemingly cut off from Grew and the policy-making process, it appears as though Acheson felt he had little better to do than to attend many such meetings and provide his opinions, regardless of whether or not they were welcome or informed.[45] With such unsolicited interventionism, it is not surprising that word got back to William Castle, Undersecretary of State for Herbert Hoover and a keen follower of the goings-on at State after his retirement, that Acheson was 'disliked by everybody.' The ambitious Acheson's blatant contempt for Dooman became a routine subtext of the committees on which the two men served. Castle, who was close friends with Grew and Dooman, noted in his diary in the summer of 1945 that Acheson and Dooman 'have been at sword's points for a long time as Dean has been very unfair to him and knows that Gene sees through him.' Curiously, the insightful Castle also noted that no

explanation was needed for Acheson's behavior 'other than the interest of Frankfurter.'[46]

The Far Eastern experts Acheson referred to who thought 'more along [Acheson's] point of view' were the liberal China Hands and their supporters in the journalistic and academic world. Jimmy Larsen, the second of the two State Department officials who were suspects in the *Amerasia* case, mentioned in testimony before U.S. Senators that Acheson was virtually the only 'highstanding [sic] person' at State who was 'willing to accept' the reports of the China Hands. He noted that while other similarly placed officials treated such reports 'with a little bit of contempt or partiality,' Acheson 'was a man to whom Mr. John Carter Vincent's policy made sense.' In committee meetings, Acheson and his supporters thus had, in Larsen's words, 'a strong tendency to pooh-pooh' plans for close collaboration with, or support for, the KMT. Larsen said that some of the Japanese experts would sometimes tell him with reference to proposals that he had drafted: 'It is a good proposal, but you haven't got a chance to put it through. Mr. John Carter Vincent would never forward it to Acheson, and Mr. Acheson would never approve it.'[47]

On occasion, Larsen would have some success in committees, much to the irritation of State's liberals. Larsen mentioned in his Senate testimony that during a committee meeting, one of Vincent's assistants, Bob Feary, presented a report, which Larsen believed was written by Vincent, recommending that if 'there are no other local groups in Manchuria to take over after the war, we should hand Manchuria to the Communists.' Larsen moved that this recommendation be eliminated from the final draft of the report in accordance with resolutions carried at the Cairo Conference which stated that Manchuria should be returned to the 'legally recognized Government of China.' Larsen testified that several Japanese experts were present at

the meeting and voted *en bloc* to carry his motion, prompting Feary to dramatically tear up his copy of the report.[48]

The Feary incident highlights the sour relations between the two sides of the ideological divide and the fact that occasions for direct conflict between the two groups frequently arose in the context of State's innumerable committee meetings. Since Roosevelt was the effective Secretary of State up to his death and Hopkins the effective Undersecretary, the departmental meetings did not count for much in policy-making terms. As historian Gaddis Smith notes: 'There were endless meetings but few decisions.'[49] Given his desire to please and to strive for consensus, Stettinius had expanded the committee system considerably, against the advice of Dunn, who called the committees 'gabfests.' Far from promoting consensus-building, they served mainly as vehicles for often rancorous debate. As Loy Henderson, who had returned from Iraq, put it:

> Over twenty-two directors of offices in the department were supposed to have a discussion once a week ... to comment on each other's problems. They had secretaries to pass decisions up to the assistant secretaries.
>
> I engaged in all kinds of fights ... geographic people lining up against other people. Inexperienced men wanted to give their views on problems of the geographic bureaus. They had no idea what was going on. It was a mockery.[50]

Shortly before Roosevelt's death, Henderson became chairman of State's Committee of Directors and effectively torpedoed Stettinius' committee system by appointing to the committees chairmen who had no interest in holding regular meetings. This took away one of the few means Acheson and MacLeish had for voicing their frustrations with the conservatives.[51]

Despite the difficulties of his Frankfurter allies, Roosevelt had succeeded in his late 1944 reorganization in getting rid of two anti-Soviet Assistant Secretaries, Breckinridge Long and

Adolf Berle. The latter was sent to Brazil for reasons similar to those that led to Hornbeck's removal from FE in the previous year's reorganization.[52]

The dismissal of Berle and Hornbeck highlights the fact that in order to survive in the State Department in this period, one needed to be loyal to either the left or the right wing. Hornbeck was allied with neither group because he offended the conservatives with his anti-Japanese views and the liberals with his pro-Chiang views. Berle offended the liberals with his anti-Soviet views and the conservatives with his anti-British views, as well as his officious style and New Deal credentials.[53] Emblematic of the incipient sniping and backbiting are the comments by members of both groups on Berle, which include nasty references to his diminutive stature. On the right, William Bullitt called him 'a shifty, smart little person. Clever little Adolf!' On the left, MacLeish, noting that his friend Acheson 'had contempt for Berle,' described Berle as 'a pipsqueak, a little squirt, vindictive, played politics under the rug.'[54] Such was the depth and bitterness of the fissures in the Roosevelt administration.

The situation of Jimmy Larsen—a low-ranking Chinese-speaking official in FE—was similar to that of Berle and Hornbeck. Larsen was not a pro-Mao China Hand. His thinking was more along the lines of Hornbeck, for he was fascinated with China and Chinese personalities and was generally anti-Japanese. He refused to believe, as Service did, that the U.S. should pressure Chiang Kai-shek into adopting reforms along Maoist lines. While Service's involvement in *Amerasia* stemmed from his wish to promote progressive change in the Far East, Larsen had traded information with *Amerasia* publisher Philip Jaffe mainly so that he could build up his massive biographical file on Chinese personalities.[55] Once they knew Larsen was not on their side, the China Hands wanted nothing to do with him. In his Senate testimony, Larsen described

an occasion in April 1945 in which he met Service and John Carter Vincent for lunch:

> Mr. Vincent started to discuss ways and means of getting rid of [Patrick] Hurley as Ambassador to China. He said he had made an ass of himself and he was not the man, and the up and coming political group in China was the Communist Party, ... Vincent asked me, "What do you think about this" and I answered something to this effect: "Well, I am small fry in the State Department. ... I feel that I shall start to hire and fire ambassadors when I am made full Secretary of State.
>
> Then there was a general chill around the table and they didn't like it very much, and I hardly remember that we discussed anything after that. ... I went my way to the Walker-Johnson Building and Service and John Carter Vincent went back to the main State Building, and I never had anything to do with them after that.[56]

The Ambassador to China who, in Larsen's account, the China Hands wanted to get rid of, became something of a lightning rod in the ideological conflict in the State Department. The conservative Patrick Hurley was appointed to China in August 1944. While Roosevelt was clearly pro-Soviet, he was ambivalent on the subject of China and he provided Hurley with a vague mandate to effect some sort of peaceful unification of the KMT and CCP. Hurley interpreted this to mean that his chief responsibility was to do everything possible to sustain Chiang as the undisputed leader of China and, if necessary, to strong-arm the communists into accepting such an arrangement. Hurley thus opposed all U.S. efforts aimed at pressuring Chiang into accepting a coalition government with the communists. With this in mind, he urged Roosevelt to recall Stilwell because of the general's poor relations with the Generalissimo. Roosevelt grudgingly complied and sent the more diplomatic General Albert Wedemeyer in his place.[57]

Since the China Hands in Chungking and Washington supported Service's recommendation to force Chiang to accept a coalition with the communists, they came into direct and bitter conflict with the outspoken and often seemingly unstable Hurley.[58] In February 1945,

for example, Service and Raymond Ludden co-wrote a memorandum for Wedemeyer in anticipation of the general's trip with Hurley a few days later to discuss the Chinese situation with top officials in Washington. Not mincing words, Service and Ludden argued that the U.S. should pressure Chiang into abandoning what they described as his 'dog-in-the-manger attitude' by providing tangible support for 'the so-called Communists,' with their 'program' of 'agrarian reform, civil rights, [and] the establishment of democratic institutions.' George Atcheson, Counselor at the Chungking Embassy, decided, with Service's cooperation, to forward a copy of the memo to the State Department while Hurley and Wedemeyer were there. Although the despatch transmitting the memo went out over Atcheson's name, Hurley knew who was responsible: 'I know who drafted that telegram: Service. I'll get that S.O.B. if it's the last thing I do.'[59]

Hurley made it clear to official Washington the nature of his feelings about Service and this led directly to Service's transfer out of China to FE in mid-April 1945. Despite Service's absence from China, Hurley continued to harp on his past acts of subversion. Just over a month before Service's arrest, the Ambassador asserted in a heated memo to Stettinius:

> My own directive was to prevent the collapse of the Nationalist Government, whereas Mr. Service was apparently attempting to bring about the downfall of that Government. Consequently, I could not fulfill my mission, and at the same time support the position taken by Mr. Service. My directive did not say in effect "prevent the collapse of the Nationalist Government if you find the Kuomintang to be pure"; that would have given me an opportunity to agree with Mr. Service.[60]

Increasingly frustrated with what he perceived to be insufficient support from senior officials, Hurley resigned in protest in November 1945.[61] One of the pleased State Department liberals commented afterwards that the U.S. was better off with no ambassador in China than

with Hurley.[62]

* * * * *

We focus in the next section on liberal and left-wing journalists and authors who supported the liberal faction of the State Department in their work. These authors were often just as stinging in their criticism and dislike of the department's conservatives as were their allies in the department itself.

The purpose here is to highlight the close relationship between liberal journalists and their counterparts in government. Each of the four *Amerasia* suspects who were not State Department employees were authors who advocated the same foreign policy as the State Department's liberals. The mutually beneficial relationship these authors had with their allies in the State Department had a concrete manifestation in the form of leaks of classified information and which led directly to the *Amerasia* indictments. It is also important to highlight the fact that the leader of the conservative Japanese experts, Undersecretary Joseph C. Grew, appears to have been deeply irritated and concerned by liberal criticism of the department's conservatives. It is therefore likely that Grew saw the *Amerasia* investigation as an opportunity to punish the left-wing pundits outside government, as well as the liberal critics within government.

* * * * *

In his Senate testimony in which he discussed the committee meeting concerning the Japanese political system, Japanese expert Eugene Dooman noted that Assistant Secretary Dean Acheson, after stating his preference for 'experts who think more along my point of view,' proceeded to read from Owen Lattimore's *Solution in Asia*, published in early 1945. Acheson's reference to this work underlines his undisguised contempt for Dooman and the Japanese experts, particularly

since its author, in often tempestuous language, denounced their policies and Joseph Grew personally.

Lattimore argued that U.S. policy in the 1930s was more concerned with maintaining the Open Door trade policy in the Far East than taking steps to curb Japanese aggression. He wrote that Grew's despatches from Japan while he served as ambassador showed that U.S. policy was concerned mainly with ensuring 'that no agreements extorted from China by Japan should diminish existing American privileges or exclude America from future opportunities.' Not content merely to criticize the soundness of the Japanese experts' policies, Lattimore implied that the Japanese Emperor would be vulnerable to removal were it not for the unstinting support of those experts, whose elitism Lattimore mocked:

> ... old conventions continue to govern our habitual thinking about Japan. They are the sacred cows of our cheaper Japan-expert Brahmins. Without the cows, the Brahmins would not be revered, and without the Brahmins the cows would not be sacred. We shall never be able to treat the cows as cows if we continue to admit the authority of the Brahmins, and we shall never shake the authority of the Brahmins unless we stick to the point that a cow is a cow and the hell with sanctity.
>
> Sacred Cow Number One, and in fact the cow to end all the cows, is the Japanese Emperor.[63]

Although his main area of expertise was China's central Asian frontier, Lattimore often ventured into the more contentious area of Sino-Japanese affairs and, whenever he did so, he habitually used the often strident language that characterizes *Solution in Asia.* As the editor of *Pacific Affairs* magazine, the influential organ of the Institute of Pacific Relations (IPR), his writings were devoured by government officials concerned with Far Eastern matters.[64]

Although Lattimore later claimed disingenuously that he was 'the least consulted man of all' Far Eastern experts in the U.S., his influence was such that Roosevelt appointed him political

advisor to Chiang Kai-shek in the summer of 1941 and he later served as Henry Wallace's translator and adviser during the Vice-President's June 1944 visit to China. He also worked for the Office of War Information (OWI) and maintained close ties to several of the top China Hands, including Service and Vincent, as well as the covert communist advisor to H. H. Kung, Chi-Ch'ao-ting. With his high profile and his uninhibited excoriations of those he disagreed with, Lattimore was an inspiration both to State's left wing and to lesser critics of American policy in the Far East.[65]

Among the latter was the long-time editor and publisher of *Amerasia* magazine, Philip Jaffe, who was, along with Jack Service, the most prominent of the six *Amerasia* suspects. Although he was a self-made millionaire in the greeting card business, Jaffe's consuming passion was left-wing analysis of foreign relations. After founding *Amerasia* magazine in 1936, Jaffe scored a small coup the following year by securing the appointment of *Pacific Affairs* editor Lattimore to *Amerasia*'s editorial board. Although Lattimore distanced himself from *Amerasia* during 1950 Senate testimony and argued that he had consented to the appointment only to show that *Pacific Affairs* 'welcomed other periodicals in the same field,' Lattimore was, for a time, close to Jaffe. The two men visited China together in 1937 and met Mao Tse-tung at Yenan through the intercession of Edgar Snow.[66]

While Lattimore studiously avoided expressions of support for communism, Jaffe was more openly sympathetic. Although he never joined the U.S. Communist Party (CPUSA), Jaffe was, in the words of historian Bertram Wolfe, 'a sort of super fellow-traveler.' He was a lifelong friend of Earl Browder, the Stalin-era CPUSA leader and had worked with Chi Ch'ao-ting at the overtly pro-communist *China Today* before launching *Amerasia* magazine. Chi would go on to

supply articles for *Amerasia* as well, along with other communists, such as Agnes Smedley, Anna Louise Strong and T. A. Bisson, who had accompanied Jaffe and Lattimore to Yenan.[67]

In his useful survey of *Amerasia* magazine, Zbigniew Kwiecin asserts that anti-Japanese diatribes and pro-Soviet commentary were *Amerasia*'s stock-in-trade for much of its ten-year run. Most of Jaffe's contributors viewed the Soviet Union as a potential long-term ally of both the U.S. and China and a guardian of the postwar peace in Asia. They routinely described Russia as a non-expansive power with a long-term commitment to social democracy. In Kwiecin's words, 'the picture of the U.S.S.R. in *Amerasia* was always a positive one.' Before Pearl Harbor, the magazine urged the U.S. to adopt a tough stand against Japan and strongly supported all forms of aid for China against the Japanese fascists, whose alliance with Germany was underlined frequently. In a noteworthy October 1941 article, Bisson argued that the U.S. should cooperate with Russia in the creation of a political, economic and military barrier around Japan.[68]

After Pearl Harbor, *Amerasia* emphasized not just support for China and Russia, but also the need to ensure that postwar Asia be freed from colonialism. This position meant that the U.S. should take steps to isolate Britain, France and Holland, unless those countries demonstrated a commitment to swift decolonization. This line prompted *Amerasia*'s more moderate contributors, such as Benjamin Kizer and Kenneth Colegrove, to dissociate themselves from the magazine. In 1944, *Amerasia*'s contributors began advocating a hard peace against Japan and started to criticize the Japanese experts for their 'softness,' particularly on the issue of the Emperor.[69]

The editorial content of *Amerasia* magazine is reflected in Jaffe's 1945 book, *New Frontiers in Asia*, which he described as an examination of 'the economic and political problems

affecting the development of India and China.' In his discussion of the latter, Jaffe condemned the KMT as a party dominated by an 'extreme right wing' bureaucratic clique. Jaffe argued that Chiang Kai-shek increasingly deferred to this clique while indulging in 'abstract political and economic theorizing of a dangerously reactionary character.' By contrast, the communist 'guerilla forces,' as Jaffe described them, had introduced 'the beginnings of a democratic political and economic system' in the areas under their control and their resistance represented 'a potent force for progress in the postwar world.' Jaffe was harsh in his criticism of the State Department's Japanese experts, arguing that they wanted a politically 'reliable' postwar Japan, rather than a democratic one. Jaffe also argued implausibly that 'the temporary weakness and reactionary character of the Chinese Government' had enabled the Japanese experts to take over the key positions in FE.[70]

Another writer influenced by Lattimore was Jaffe's faithful assistant editor at *Amerasia* and, later, his fellow defendant, Kate Mitchell. Jaffe, who often admitted that his own writing was unspectacular, described Mitchell as 'a genius at writing.' Sadly, she never published as much as might have been expected of a good writer from a privileged background.[71] Her 1942 book, *Industrialization of the Western Pacific*, might stand as her *magnum opus*. Part of an IPR series on the economics of the Pacific zone, the book dutifully maintains a narrow economic focus. Mitchell includes almost no criticism of U.S. policy, although, in her section on China, she contends that what she describes as 'the system of co-operative industrial units' in the CCP-controlled areas represented 'one of the few examples of genuine democracy existing in China.'[72]

The young and ambitious Andrew Roth, the *Amerasia* suspect who was a Navy Lieutenant at ONI, had already been well-served by publishers before embarking on his 1945 book,

Dilemma in Japan. Roth received support for this project from both Jaffe and Lattimore, the latter testifying before Senators that he and Service had worked with Roth on proofs of the latter's book during a cookout at Lattimore's Maryland home just over a week before the arrests.[73]

With his focus on Japanese politics and diplomacy, Roth devoted much space in *Dilemma* to criticism of the Japanese experts and of Grew and Dooman personally. Describing Grew's prewar diplomacy as one 'of dubious effectiveness,' Roth subtly mocked Grew's elitism, describing him as 'the distinguished elderly gentleman who could be seen almost any noon walking along Seventeenth Street from the State Department to the ornate Metropolitan Club.' He noted that Dooman was a man of long experience in Japan, but with no contacts with the Japanese people outside 'the "pro-American" wing of the Court circle.' It was therefore natural, Roth argued, that Dooman and company should favor 'the retention of Japan's Old Gang after defeat.'[74] Such was the controversial content of Roth's manuscript that on the very day that Roth discussed the proofs with Lattimore, a Navy review panel denied him permission to publish it so long as he remained on active duty. At the time of his arrest, a cocksure Roth quipped: 'I knew the Navy didn't like my book but I never guessed they were going to throw it at me.'[75]

In *Journey From the East*, the last of the *Amerasia* suspects, freelance journalist and future longtime columnist for the *Toronto Star*, Mark Gayn, made no criticisms of U.S. policy. This was perhaps due in part to its autobiographical format. The book is dominated by accounts of Gayn's formative experiences in Harbin, Vladivostok and Shanghai, during which he acquired a uniformly negative impression of the Japanese. He routinely described them as barbarous and cruel and ventured into racist territory by emphasizing the unsightly physical characteristics of

Japanese war profiteers and 'shysters.' As with Lattimore and other writers of his persuasion, Gayn highlighted the need for agrarian reform in China. Unlike Service and others, Gayn did not argue that Chiang Kai-shek was incapable of instituting such reforms himself, but he warned that Chiang would have to repudiate the KMT's 'forces of reaction' in order to effect such changes.[76]

The attitudes of Lattimore and the *Amerasia* suspects—with the exception of Larsen—were shared by the mass of liberal media outlets which argued that a hard peace should be imposed on Japan and that the U.S. should pressure Chiang into making concessions in order to cement a political alliance with the CCP. A number of editorialists opined that some of the aging conservatives in the State Department ought to be removed in order for the U.S. to pursue such a policy.[77]

Although, as Undersecretary, the leader of the Japan Hands did not have to attend policy meetings and subject himself to such criticism directly, Grew was as keenly aware of the Acheson-Lattimore-liberal press line as was his subordinate, Dooman. Indeed, China Hand John Carter Vincent recalled that when he recommended that Lattimore be appointed as a consultant for FE, Grew 'nearly hit the ceiling.'[78] Grew was fully aware of the positive view of the CCP generated by the China Hands and other American visitors to Yenan.[79]

Grew was also aware of *Amerasia* magazine's editorial line long before the arrests. Word reached Jaffe in August 1944 that Grew was unhappy about an *Amerasia* article published in the June 9 issue, entitled 'A New Far Eastern Policy?' The article portrayed Grew as a reactionary who was bitterly resisting moves to force a hard peace on Japan. Jaffe wrote later that he was alarmed when 'a friend' at State told him that Grew's nephew had said in reaction to the article: 'We'll get this guy Jaffe, no matter how long it takes.'[80] In a letter to the Undersecretary, Jaffe

expressed regret that the article had caused 'a certain amount of irritation in the State Department,' but he maintained that the article's laudable purpose was to highlight 'the serious danger of placing our faith in the so-called "moderate" elements in Japan's present ruling class.' He also requested a meeting with Grew and sent him a copy of the August issue of *Amerasia*.[81]

In his August 25 reply to Jaffe, the Undersecretary invited the *Amerasia* publisher to meet with him and mentioned that he felt the article was 'ill-balanced' and that Jaffe had taken several of his statements out of context with a view to showing incorrectly that he and his colleagues favored a 'soft peace.' As he was wont to do, however, Grew indicated that, contrary to the implication in Jaffe's letter, the June 9 issue had not caused him any irritation personally and that he had simply passed the issue on to his associates 'with a smile.' In their meeting, which took place on September 14 and the precise details of which are unknown, Grew apparently complained at length that Jaffe's magazine had misrepresented his policy on postwar Japan and that Jaffe should have consulted him before publication.[82]

Grew often told friends that he was not bothered by the censure of left-wing, anti-Japanese critics. He told journalist Randall Gould: 'Drew Pearson, *PM* and other so-called liberal forces have worried me not at all. Their attacks are part and parcel of our free democracy and while such attacks may be silly they are politically healthy.' Yet, in the same letter, Grew indicated that he paid close attention to such criticism. He expressed dismay that the indefatigable gossip columnist Pearson had not attacked him in one of his recent radio broadcasts, thus leaving Grew with a 'not quite one hundred percent' batting average.[83] In another letter, he admitted, this time only half-jokingly, that listening to Pearson represented a descent to a low intellectual level, but he did it anyway.[84]

There seems to be little doubt that Grew 'lowered' himself in this way because he was actually highly sensitive to criticism. Besides his complaints about Jaffe and Pearson, there are many other examples of Grew's resentment over what he perceived to be misrepresentations of his policies. In January 1945, he wrote a lengthy letter to James Packman of the *Milwaukee Sentinel*, complaining that the paper had wilfully misrepresented his views on prewar Japan.[85] Following his resignation from government in August 1945, Grew wrote to General Douglas MacArthur, commander of allied occupation forces in Japan, to recommend the appointment of Dooman as counselor. Grew commented bitterly on the criticism to which the Japanese experts had been subjected:

> Some of [Dooman's] views, which coincide closely with my own and probably yours too, have however made for him the same enemies that I have made for myself - most of them armchair statesmen who have never lived in Japan and know little of Japanese life and psychology.[86]

After meeting with his old friend and former colleague in early March 1945, the insightful William Castle remarked in his diary:

> Joe [Grew] said that his point of view about the Emperor was getting him much unfavorable comment - and I am afraid that he greatly dislikes unfavorable comment .... I was disappointed in Joe. His old sweetness is all there but he seemed to me terribly self-centered, as though he felt the Government would fall without him. And that makes him, of course, a smaller man.[87]

Can the *Amerasia* investigation, which began just over a week after Castle's meeting with Grew, be thought of as a means for a small, self-centered man to lash out at his critics? As we shall see in the next chapter, the issue of leaks of classified information was an important reason for the investigation of the case and it allowed Grew to deny charges that it was all a personal vendetta. Not everyone believed him.

There seems, however, to be some truth in what Castle says. His comment that Grew felt as though 'the Government would fall without him' is particularly significant. Grew's position as Undersecretary of State was a powerful one, especially with an indifferent Secretary of State and a President who was terminally ill. Amidst the intense disagreements within the department and the flurry of criticism from outside, it is not hard to imagine that Grew came to see himself as something of a crusader, perhaps even the savior of a conservative Far Eastern policy. He and his supporters among the Europeanists and the Japanese experts were determined not to allow people they perceived as left-wing philistines to decide the fate of the postwar world.

3 Prelude to *Amerasia*, Part II: Washington's Culture of Leaks

Perhaps the most significant concrete symptom of the ideological struggle among those seeking to influence the direction of U.S. foreign policy in the closing stages of World War II was the leak by government officials to sympathetic journalists. So common was this practice in FDR's Washington that the city could be said to have had a culture of leaks.

It is important to address this subject in a separate chapter of its own because *Amerasia* itself was, after all, a manifestation of the larger problem of leakage. We begin by highlighting the pervasiveness of the culture of leaks.

* * * * *

The left-wing critics of the State Department chose the leak as the main weapon in their struggle against their enemies in the department. Years later, the conservative Japanese expert, Joseph Ballantine, described the actions of China Hands Jack Service and John Paton Davies:

> When they came back to Washington, and when they found that they were overruled in their ideas, instead of saying either, 'Aye, aye Sir, at your orders' or resigning, they started to build a fire under their superior officers by going outside. ... I think that was insubordination.[1]

Insubordinate or otherwise, it was certainly not uncommon. As Martin Weil puts it, the leak 'was an accepted part of governmental politics in Washington.' For those on the left, Drew Pearson was a particularly valuable media ally. He had long been a New Deal advocate and an opponent of what he called the foreign service 'career clique.' Fellow New Dealers such as Tom Corcoran, Harry Hopkins, Mrs. Roosevelt, Vice-President Wallace, Interior Secretary Harold Ickes, Treasury Secretary Henry Morgenthau and even President Roosevelt himself all fed

Pearson a diet of anti-foreign service gossip.[2]

Leaking to journalists was by no means restricted to liberals. Even Joseph Grew, staunch defender of the *Amerasia* investigation, may have been involved. Just five days after the *Amerasia* arrests, the Undersecretary spoke with Walker Stone, an editor with the conservative Scripps-Howard newspapers, who commented that the left-wing press had reacted with uniform hostility to the arrests. Stone told Grew that he 'would like to be helpful in this matter' and that he would be grateful for some 'ammunition.' Grew responded by providing some general background on the case and mentioning that more detailed information could be acquired from Assistant Secretary Julius Holmes. Grew then arranged a time for Stone to meet with Holmes and closed the conversation by thanking him and telling him 'that we would do everything in our power to be helpful ....'[3]

Journalists were most likely to find 'helpful' officials in departments or agencies with lax security procedures. Appearing before U.S. Senators in 1950, Owen Lattimore testified that it was possible that he had read classified material while working at OWI. He suggested vaguely that it 'may be' that he had been 'a person to whom classified documents could be shown.' The implication of this indeterminacy was that it simply did not matter to Lattimore's superiors if he was authorized to read classified material or not.[4] It was much the same at OSS. In one of several conversations with Service recorded secretly by the FBI, Jaffe, who had gotten his hands on a considerable amount of classified OSS material, called the intelligence agency 'the Office of Superfluous Secrets.' ONI, the organization through which, besides the State Department, apparently most of the *Amerasia* documents were routed, was also known for lax security.[5]

Of the major federal departments in Washington, the State Department arguably had the

worst reputation for poor security. Larsen testified before Senators that pretty well everyone at State took documents home with them, so long as the people in question carried the precious 'gold badge,' indicating they were not merely clerical staff.[6] Years later, Jaffe recalled that on his last visit to Washington before the arrests, he met with Larsen, who told him that his superior had indicated that one of his desk drawers contained a pile of documents Larsen could either take home or throw out. Most of these documents concerned Chiang Kai-shek's famous kidnaping in the 1936 Sian Incident. Jaffe gratefully accepted the package, which he estimated to be at least a foot-and-a-half in height and 'threw' it into his office without opening it.[7]

Jaffe also commented on the often arbitrary manner in which documents were given classified status. Far Eastern radio broadcasts were stamped 'classified,' even as they were being freely distributed to media outlets. He indicated that material he himself had received from non-governmental sources and which he then forwarded to government officials, were subsequently stamped classified by some of those officials, even after Jaffe had published their contents in *Amerasia* magazine![8]

Testifying before a U.S. House committee investigating *Amerasia*, the Justice Department's James McInerney indicated that he accepted what Larsen had told investigators about State's liberal attitude to sharing classified information:

> [Larsen] made the promise that the practice was rife in the State Department, that all of these experts, they had their experts on the outside, they would exchange information, and he used the expression in his statement that Jaffe was one of his particular "honey pots." He was one of his consultants on the outside. In this specialized field, it was a trade practice to exchange information of that character.

McInerney seems to have been implying that the pervasiveness of the practice was a mitigating factor in the case against Larsen.[9] At a later congressional hearing, the conservative Republican

Senator Henry Cabot Lodge commented during Service's testimony that he knew the practice at State was widespread and that it was even 'a legitimate thing to do.'[10]

State's well-earned reputation was such that smart public officials knew that the department and its foreign service officers abroad could not be trusted with sensitive information. It was not misanthropy, for example, that led the cautious General Marshall to keep the Chungking embassy staff in the dark during his ill-fated mission to forge a political union of the KMT and CCP in the winter of 1945-46.[11] He also refused to send messages to the Secretary of State through the State Department. Instead, messages would go through the War Department and would be delivered by an Army officer directly into the hands of the Secretary and the President. Marshall indicated specifically that he was following this procedure in order to avoid the 'possibility of a disastrous leak ....'[12]

* * * * *

We now turn to a discussion of the interrelated issues of the leakers' justification for their actions, the absence of boundaries and the nexus between leaks and Soviet espionage in the United States. This is thorny territory and has given rise to heated debate in recent years following the release of reams of classified documents by the National Security Agency (NSA). This author does not intend to take a dogmatic position in this debate, except to say there can be little doubt that a substantial network of Soviet spies operated in the U.S. during the late stages of World War II. Some of those on the left of the ideological divide felt so strongly about the justice of their cause and about the essential goodness of the Soviet Union that they were willing to give classified information to Russian agents.

There is admittedly no evidence that any of the *Amerasia* suspects provided documents to

the Soviets, but there is evidence that one of the six was eager to provide information directly to Russian spies. Two of the other suspects also had close ties to influential communists who may have been Russian agents. The question of Soviet espionage needs to be discussed briefly because it highlights the seriousness of *Amerasia*. A successful prosecution of the case could have had significant ramifications for U.S.-Soviet relations because it may well have had a chilling effect on the activities of Soviet agents in the U.S. and this in turn may have had a chilling effect on U.S.-Soviet diplomatic relations. It is also possible that the nexus between *Amerasia* and Soviet espionage heightened the sense of urgency of the right-wing officials who felt that the *Amerasia* case represented an opportunity to punish those who sought friendly relations between the U.S. and the Soviet Union.

* * * * *

In characterizing what they had done, the leakers habitually minimized the importance of the material involved by describing it as 'background information.' Testifying before Senators, the tautology-prone Service had this to say about the material he had given Jaffe: 'It is an acknowledged custom [at State] to allow members of the press or writers or research people to see from time to time certain types of background information for their background use.'[13] Julian Friedman, an official working directly under John Carter Vincent in FE, testified that material he had shared with Andrew Roth comprised nothing more than a set of background 'notes' to help Roth in the writing of *Dilemma in Japan*. Friedman said that Roth merely wished to check 'the accuracy of his own material against the notes which I had.'[14]

In his Senate testimony, Service also highlighted the fact that lesser officials like himself were often assigned the job of leaking material on behalf of their superiors. In an interview in

the 1980s, Service described himself as 'Lauchlin Currie's designated leaker.'[15] Under questioning from Senator Lodge in 1950, Service indicated that Currie had asked him on one occasion 'to talk to Drew Pearson' for the purpose of giving him some 'background information.'[16] Friedman's relationship with Vincent was similar to Service's with Currie.

The plea of 'background information' notwithstanding, the leakers could not deny that there were no limits to what they were doing. After belittling the seriousness of the *Amerasia* papers during a congressional hearing, the Justice Department's James McGranery was forced to acknowledge that the six defendants could get their hands on any kind of document, no matter how important.[17] During his Senate testimony, Service conceded that 'background information' was whatever the leaker—and no one else—decided.[18]

Although it was true that much of the *Amerasia* material was, in the words of Justice's James McInerney, only 'a little above the level of teacup gossip,' some of it was more significant. Some of the documents seized by the FBI were top secret intelligence reports and others concerned military matters. The documents retrieved by a team of OSS agents in the initial March 11 break-in at *Amerasia* magazine's offices appear to have contained a greater proportion of such material. The OSS investigator who led the break-in, Frank Bielaski, testified that one of these documents even referred to an 'A-bomb.'[19]

Unfortunately, we will likely never know because the whereabouts of the documents recovered by Bielaski's team are unknown. The last time we hear about them is when OSS Director William Donovan discussed the case with Holmes and Stettinius the day after the March break-in. McInerney speculated blandly that OSS held on to the documents 'probably because of their sensitiveness, or for some other reason.' Acknowledging that some of this material was

serious, McInerney noted that Republican Congressman George Dondero, whose public attacks on the Justice Department spurred the first congressional hearings on the case in mid-1946, had stated publicly that one of the documents was a lengthy report showing the disposition of units of the KMT army. McInerney testified that Justice never saw this document.[20]

During his own testimony before Senators, Bielaski did not indicate whether he knew the OSS material had been withheld from Justice. He simply stated that, given the seriousness of the documents his team had recovered, his investigators 'felt completely outraged when they saw the disposition of the [case].' Bielaski believed that the illegality of the search was irrelevant given the seriousness of the material and the wartime circumstances of its loss.[21]

Although the outcome of the case was repugnant to Bielaski and his team, it would have been received favorably by some of his own OSS colleagues, some of whom may have had a hand in concealing or destroying the material Bielaski had seized. This highlights a problem with the leakers' dismissive argument that all they were doing was providing harmless 'background material' to journalists and writers.

By releasing in 1995-97 the 'Venona' decrypts of cables sent to Moscow by agents in the U.S., the NSA provided historians with persuasive evidence that there was a sizeable network of Soviet spies in the country during the war. The identification of a number of American government employees as Soviet agents who knew that they were sending secrets to Russia remains a matter of contentious debate because of the ambiguities inherent in these vague decrypts.[22] It is also true that there is no evidence that any of the *Amerasia* suspects was a Soviet agent.

It must be noted, however, that the FBI's *Amerasia* investigation revealed that several of

the *Amerasia* suspects had close ties to individuals cited in the Venona decrypts as possible Soviet agents. Philip Jaffe, for example, sought to establish whether former *Amerasia* magazine staffer, Joseph Bernstein, was a credible Soviet agent. Jaffe hoped Bernstein might be the vehicle through which he could provide information directly to Moscow, such as the ONI record of White Russians living in the U.S. Venona suggests that Bernstein may have been an agent reporting to the Soviet military intelligence (GRU) office in New York.[23]

The FBI's investigation also revealed that Jaffe, Andrew Roth and Jack Service had links with such communists as T. A. Bisson, Chi Cha'o-ting and Agnes Smedley. Before the release of the Venona decrypts, there was no evidence that Bisson, who was on friendly terms with both Jaffe and Service, had been a Soviet agent. Venona revealed that he may have given information to Bernstein with the knowledge that it would be forwarded to Moscow.[24]

Venona also appears to confirm the veracity of Joseph McCarthy's 1950 allegation that Drew Pearson's chief aide and former OWI employee, David Karr, was a Soviet agent.[25] Karr, who died under mysterious circumstances in 1979, was a source for the well-connected Andrew Roth. When considered in light of the fact that Pearson was such a popular associate of left-wing leakers, Karr's activities underline the fact that the line between leaking to sympathetic journalists and supplying information to Soviet agents was finer than might at first be supposed.[26]

Another of Roth's sources, the Assistant Secretary of the Treasury and, later, Director of the International Monetary Fund, Harry Dexter White, was named by spy-cum-informer Elizabeth Bentley in her sensational 1948 testimony before the House Un-American Activities Committee as a member of a wartime Soviet spy ring led by an official with the Board of Economic Warfare, Gregory Silvermaster. The Venona decrypts help corroborate Bentley's

accusation.[27]

Another individual cited by Bentley as a member of the Silvermaster ring was White House economist Lauchlin Currie, a man for whom Service worked, by Service's own admission, as Currie's 'designated leaker.' Venona provides evidence suggesting Currie may have knowingly supplied information directly to the Soviets.[28]

Another acquaintance of Service who was cited by Bentley as a Soviet agent was OSS officer Duncan Lee. Prior to becoming an aide to OSS Director William Donovan, the Oxford-trained Lee had served in China where he presumably came in contact with Service. Venona also provides evidence, though still contested, that Lee was a genuine KGB agent.[29]

Regardless of whether particular individuals were Soviet agents, there is no doubt that a significant network existed in the U.S. and that agents were successful in sending large quantities of documents to Russia. Major George Jordan, who served as lend-lease liaison officer at the large air base in Great Falls, Montana, in 1942-44, asserted that, in addition to lend-lease supplies, the Soviets carried U.S. government documents to Russia by the planeload full in black suitcases. When Jordan repeatedly asked the Soviet officers about the content of this cargo, they told him, 'with one eternal refrain,' that it was material of 'highest diplomatic character.' On one occasion, Jordan undertook a surprise inspection of the suitcases, over the protests of the Russian soldiers on duty. One of the items he examined was a report with the name 'Harry Hopkins' printed on it. The report contained several words and phrases Jordan did not then understand, such as 'Uranium 92,' 'cyclotron' and 'energy produced by fission.'[30]

Jordan also recalled that Russian cargo planes arriving in the U.S. often carried unidentified people who would quickly leave for unknown destinations once they had arrived in

Great Falls:

> ... the entry of Soviet personnel into the United States was completely uncontrolled. Planes were arriving regularly from Moscow with unidentified Russians aboard. I would see them jump off planes, hop over fences, and run for taxicabs. They seemed to know in advance exactly where they were headed, and how to get there.[31]

A number of these unidentified people were undoubtedly responsible for recruiting agents who worked in the U.S. government and for sending Moscow the cables that would form the raw material for the Venona project. Once established in the U.S., Soviet controllers often recruited American operatives at the same government agencies where leaks were common because of lax security procedures, such as the Treasury Department, OSS and ONI.

The attitude of OSS Director Donovan was typical of several senior U.S. officials who believed that cooperation with the Soviets in winning the war overrode concerns about espionage. FBI Director, J. Edgar Hoover, who later described OSS as 'a breeding ground for Commies,' warned Donovan that several OSS men were suspected Soviet agents. While dismissing such suggestions out of hand, Donovan secretly made efforts to protect known communists. Elizabeth Bentley told the FBI that Donovan had told OSS officer Maurice Halperin that he knew he was a Soviet agent, but he did not pass this knowledge to the FBI. The Bureau claimed that Donovan also concealed his knowledge of Harry Dexter White's espionage activities because White was one of the main contacts at Treasury for the funding of OSS operations. According to author Mark Riebling, Venona revealed there had been 'at least fourteen Soviet penetrations in or close to OSS.'[32]

A similar attitude obtained at ONI. Testifying before Congressmen, ONI official, Captain J. W. Whitfield, acknowledged that a background check on Roth had raised the possibility that he

was a fellow traveler. The Navy commissioned him anyway because, as Whitfield put it, 'the fact that an officer was a Communist was not a bar to admission.'[33]

* * * * *

The facts of Soviet espionage were suspected by the State Department's powerful conservatives and they reacted strongly to the culture of leaks. The evidence indicates that Undersecretary Grew and his allies were already taking measures to try to curb the problem of leaks just before the *Amerasia* investigation began.

* * * * *

Joseph Grew and State's conservatives understandably lamented the fact that communists and fellow travelers were working in various parts of the government and that information from State was almost certainly finding its way into Soviet hands through leaks of 'background information.' For most of Roosevelt's tenure, however, the conservatives felt powerless to do much about it.

Roosevelt had tried repeatedly to minimize the protests of Russian diplomats over the delay of the Second Front by removing State's more disagreeable anti-Soviet officials from Washington. J. Edgar Hoover's most faithful ally at the State Department, Adolf Berle, was one of these. Berle had told Hoover in 1942 that, in his capacity as a member of an interdepartmental committee supervising the OSS, he would do his best to keep Donovan's organization from trespassing on FBI jurisdiction. For Roosevelt, who generally backed OSS in its conflicts with the Bureau, this was just one of many irritating activities Berle engaged in and which appear to have led ultimately to his posting as Ambassador to Brazil. Berle's dismissal and other indicia of Roosevelt's pro-Soviet attitude convinced Hoover that it was best to tread carefully in matters

concerning Soviet espionage. This is probably the main explanation for Hoover's wartime reluctance to pursue tips about a large Soviet spy ring in the federal government.[34]

Hoover and Grew were also aware of the permissive attitude of Roosevelt, Hopkins and the administrators of lend-lease aid toward the suspicious activities of Russians connected with the lend-lease program. When Major Jordan went to the State Department to confront State's lend-lease liaison officer, John Hazard, about the situation in Great Falls, a young assistant met him and told him menacingly that 'officers who get too officious are likely to find themselves on an island somewhere in the South Seas.' After the persistent Jordan outlined the abuses occurring at Great Falls, the haughty assistant replied:

> But, my dear Major, ... we know all about that. The Russians can't do anything, or send anything out of this country, without our knowledge and consent. They have to apply to the State Department for everything. I assure you the Department knows exactly what it is doing ....[35]

For Grew, Soviet espionage was by no means the only problem with leaks. For practical reasons, leaks often annoyingly complicated the business of government and diplomacy. On more than one occasion while serving as Director of FE, Grew had to speak with Liu Chieh, Counselor at the Chinese Embassy in Washington, about leaks that were embarrassing to the KMT. One involved a leak to Drew Pearson, probably by a delegate in Vice-President Wallace's mission to China, containing unflattering remarks on the Generalissimo and Madame Chiang. Grew apologized and expressed his regret 'that it was impossible for the Government to restrain Mr. Pearson or to cause him to make amends.'[36]

Another leak, this one to the *New York Times*, concerned Chinese proposals for the United Nations organization. Although Grew did not accept American responsibility for the leak, Liu's previous experience legitimized his belief that it may have come from a U.S. official.[37]

Over a month after the *Amerasia* arrests, Grew spoke with the British Ambassador, Lord Halifax, about another leak to Pearson. Although the Ambassador seemed to indicate that the leak may have come from a non-American source, Grew knew from experience that there was a strong possibility it came from State. He candidly told Halifax 'that if there was any question of a leak from the State Department we would, of course, do everything in our power to trace it down.'[38]

Grew was not content, however, to deal with leaks in a piecemeal fashion. As he explained in a verbose press release the day after the six were arrested, the *Amerasia* investigation was 'one result of a comprehensive security program which is to be continued unrelentingly in order to stop completely the illegal and disloyal conveyance of confidential information to unauthorized persons.' [39]

Grew had initiated this security program less than three weeks after the Senate confirmed his appointment as Undersecretary in mid-December 1944. In a 'secret' conference on January 5, with Hoover, Stettinius and Attorney General Francis Biddle, Grew discussed means of attacking the culture of leaks. He suggested that an FBI man ought to be 'transferred to the Department's payroll so that he could be responsible for the over-all security in the State Department.' Although he demurred on that idea, Hoover suggested that an FBI officer should survey State's 'entire organization and system' to determine 'what sort of weaknesses needed to be rectified' before any new measures were implemented.[40] A week later, Grew discussed specific arrangements for this survey with Deputy FBI Director Edward Tamm.[41] With Hoover's approval, State eventually hired the FBI's Fred Lyon to oversee changes to State's security apparatus.[42] It is fair to say that the *Amerasia* investigation represented the apotheosis of this

spirit of cooperation between State and the FBI.

Lyon's immediate superior at State was Julius Holmes, who was released by the War Department so that he could join State in late 1944.[43] Grew thought highly of him. The day after the Republican Holmes was sworn in on January 29 as Assistant Secretary responsible for personnel and administration, Grew wrote to tell the traveling Stettinius the good news and remarked that Holmes' niche was 'important' and that it was 'of course, a tremendous satisfaction to have him on the job.'[44]

Circumstantial evidence suggests that the man most responsible for the appointment of Holmes was Assistant Secretary James Dunn, who had effectively become the Department's political czar in late 1944 through Cordell Hull's influence on Roosevelt.[45] Like Grew, it seems likely that the conservative Dunn believed Holmes had the potential to rein in State's left wing through the introduction of ostensibly impartial security measures. Testifying before Senators in 1950, Holmes said one of his main duties was to 'tighten up the security of the State Department, which I found was not very good.' He also intimated that he felt the *Amerasia* case should serve as 'a lesson' to employees who were violating departmental security through leaks.[46]

4 The *Amerasia* Investigation

The timing of the *Amerasia* case could hardly have been more propitious for the State Department leadership and the FBI, beginning as it did just after the two sectors of government had agreed to work together to combat the culture of leaks. The first section of this chapter briefly outlines the facts of the case from the beginning of the OSS investigation in February 1945 to the FBI's consideration of the timing of the arrests.

Certain aspects of this thumbnail sketch are worth highlighting at the outset. In the first place, most of the classified materials that OSS agents found in *Amerasia* magazine's offices seem to have been routed through the State Department and ONI. Second, the State Department's security chief, Julius Holmes, was anxious that the FBI should give the investigation top priority. Third, there is FBI evidence of the suspects' connections with individuals with communist ties—namely, Chi Ch'ao-ting, Harry Dexter White, Joseph Bernstein and Earl Browder. This synopsis also highlights the fact that the *Amerasia* suspects were well aware that their trade in documents was potentially dangerous.

* * * * *

The investigation that led to the arrests of the six suspects began in February 1945 when an OSS agent read an article in the January 26 issue of *Amerasia* magazine which had been plagiarized from a classified report he had written. Part of the report concerned the sensitive issue of the anti-Japanese resistance movement in Thailand. The agent took the matter to his superiors, who directed OSS detective Frank Bielaski to investigate. After spying on the offices of *Amerasia*

magazine for several nights, Bielaski's team undertook a 'black-bag job'—a surreptitious entry—on March 11.[1]

Upon entering the *Amerasia* offices, Bielaski's team encountered hundreds, possibly thousands, of documents from almost every government agency, except the FBI. Bielaski found the original copy of the report that had led to the investigation, as well as five other original classified OSS documents that apparently no one had reported missing. Before leaving, Bielaski took with him a few dozen of what he considered the more important items. He later estimated his team had examined 300 or 400 documents, many of which were of no great import, but some of which contained sensitive information. One document, marked 'Top Secret,' had been routed directly from OSS to the chief of ONI. Another outlined the disposition of Japanese naval units and came from a confidential weekly armed forces intelligence bulletin. Another contained gossip on the marital relations of Generalissimo and Madame Chiang Kai-shek.[2]

Upon seeing the material, the OSS legal counsel, according to Bielaski, 'nearly fainted—so much so that he couldn't talk.'[3] OSS Director Donovan noted that many of the papers seemed to have been routed through the State Department, so he decided to turn the matter over to Secretary of State Edward Stettinius and the Assistant Secretary Julius Holmes. Holmes took charge of the matter and consulted the Secretary of the Navy, James Forrestal, on March 13. Holmes told him that although most of the documents seemed to have been routed through State, many had been routed through ONI. The two men decided to go to the FBI.[4]

Holmes and Navy Major Matthias Correa went immediately to FBI headquarters to ask Hoover to give the investigation top priority. Hoover assigned the case 'special' status and appointed one of his top assistants, Myron Gurnea, to lead the investigation. Gurnea ordered that

Amerasia magazine's owner and publisher, Philip Jaffe, be placed under twenty-four hour surveillance. He also ordered wiretaps on *Amerasia*'s phones and the home phones of Jaffe, the assistant editor of *Amerasia*, Kate Mitchell and another person whose name is blacked out in the FBI files. The taps were in place by the evening of March 15.[5]

On March 20, agents learned that one of Jaffe's sources was the State Department's Emmanuel 'Jimmy' Larsen. Agents tapping Jaffe's phone heard the two men discussing documents. Agents assigned to conduct another search of the *Amerasia* offices on the same evening collected a batch of documents, a number of which bore Larsen's name or initials. Also that evening, agents in Washington conducted an inventory of the desks of officials in State's Office of Far Eastern Affairs. Gurnea reported to Hoover on March 27 that the FBI found three documents 'that can positively be identified as having been in Phil Jaffe's office last week when the examination was made there.'[6]

Over the course of their investigation, the FBI found that some of the material Larsen was providing Jaffe was highly sensitive. In one of their recorded conversations, Jaffe described a document Larsen had given him as 'the most sensational thing you've ever given me.' It was apparently a report containing secret information on Chiang Kai-shek's personal life. Larsen knew what he was doing carried risks. On one occasion, after Larsen provided him with a draft of an agreement between the U.S. embassy in China and the CCP, Jaffe had to reassure his source that he would not name him if the leak was discovered.[7]

The Bureau also found that Jaffe and Larsen were in contact with Andrew Roth, an ONI official. Agents began tapping Roth's phone and placed him under twenty-four hour surveillance. On March 21, agents in Washington watched as the three men met to exchange

documents. That evening, agents observed Jaffe and Roth going to a dinner meeting with Mark Gayn, a syndicated journalist on Far Eastern matters whose articles appeared in such publications as *Collier's* and *Time*.[8]

The FBI soon discovered that Roth was especially well-connected. It turned out it was Roth who had first introduced Larsen to Jaffe. Roth seemed to know which people in Washington were willing to share sensitive information. He told Jaffe that one such individual acquired 'a lot of stuff on Far Eastern things that the other guys don't get' because he frequently met with the Assistant Secretary of the Treasury and chief American delegate at the Bretton Woods United Nations Monetary and Financial Conference, Harry Dexter White. White, he said, 'will tell you a lot of stuff.'[9]

On April 5, in one of his many lunch meetings with government officials, Roth met with Julian Friedman, an assistant to the Chief of the China Affairs Division of the State Department, John Carter Vincent. Agents spying on Roth watched him leave Friedman with a file of papers. The FBI knew Vincent was one of the officials to whom classified OSS documents on Asian affairs were routinely routed. On April 9, Roth met with Chi Ch'ao-ting, secretary to the Chinese Minister of Finance, H. H. Kung. The FBI also knew Chi was secretly a communist and that he was Jaffe's cousin by marriage.[10]

While Roth did not seem to have trouble getting his hands on government documents, he occasionally warned Jaffe that some of the material was highly sensitive. On one occasion, he told Jaffe to 'use a considerable amount of discretion on that .... I was very slightly disturbed. I hope I don't sound needlessly cautious, but you know there's a reason for it.' Another time, he said: 'I had some job getting that thing copied off there—[I] want to get it back you know.'[11]

Despite the interesting information they were receiving, FBI officials met with Holmes and Correa on April 18 and told them the wiretapping operation should cease because it was not providing legally useful evidence. Holmes and Correa insisted it should continue, if only because the information gained from it would be, according to an FBI memo on the conversation, 'of tremendous value in any diplomatic dealings between the U.S. and Russia.'[12]

The day after this discussion, FBI agents heard Roth speaking with another official in State's China Affairs Division, John Service, who had just returned from China. Service soon met with Roth and Jaffe and told them he shared their interest in circulating classified documents. Service mentioned he was surprised to see that one of Gayn's recent articles was based largely on a high-level briefing document he himself had written. Jaffe admitted the report had not only been used by Gayn, but was circulated at a conference of the Institute of Pacific Relations (IPR), albeit without Service's name on it. Service did not seem to mind. Indeed, he offered to let Jaffe borrow a translation he had made of some material 'that was circulated among very high officials' in China, but was so sensitive it could not be quoted in *Amerasia* magazine.[13]

Service met with Jaffe the following day to give him some documents. He explained that one of the items was a paper by Chi Ch'ao-ting. Service cautioned Jaffe: 'I'll have to ask you that you don't let anybody know you've seen this ...[since Chi] would get his neck pretty badly wrung.' A pleased Jaffe declared: 'anytime you fellows ... want anything in the magazine issue, let me know .... You can say anything you like in it.' This was not the last time Service warned Jaffe of the sensitive nature of the material he was providing, as some of it even concerned future military plans. Despite Service's admonitions, the FBI found that Roth and Jaffe did not need to cultivate their new source, since Service was eager to drop documents in their laps.[14]

On April 22, agents watched as Jaffe held a meeting at his home with one of the CCP's representatives at the San Francisco Conference to establish the United Nations, along with Jaffe's friend, the leader of the U.S. Communist Party, Earl Browder. The agents could not find out what transpired at the meeting, but they recognized it as a potential opportunity for Jaffe to pass classified information to Chinese communists. Shortly after this, in a phone conversation with Gayn, Jaffe said the material Service had been providing both of them 'is just as complete ... as we can get.' Jaffe then enumerated specific items Service had given them, including five reports from the CCP base in Yenan and 'some chit chat' about the Chinese delegation at the San Francisco Conference. Jaffe and Gayn agreed that they would share responsibility for copying the material Service gave them.[15]

On April 30, agents listened as Jaffe took a call from Joseph Bernstein, a former employee of *Amerasia* magazine. The two met several times over the next few days. On May 7, Jaffe and Roth, in one of their bugged conversations, began discussing the former's meetings with Bernstein. Jaffe said Bernstein had told him that he had been working for several years as a Soviet agent and that he wanted Jaffe to give him 'the dope you get on Chungking out of the Far Eastern Division of the State Department.' Jaffe responded that he would have to check Bernstein's credentials.[16]

Jaffe went to Browder, who told him Jaffe should insist on meeting Bernstein's Soviet contact and that the contact must give proof that he was a genuine KGB agent. Jaffe explained to a concerned Roth that he was anxious to give the Soviets material they may not have seen before. As an example, he said that Larsen had given him 'a big dossier, thick, a hundred pages, the ONI record of all the White Russians in this country, their history, their addresses, everything.'[17]

On May 15, an agent tailing Jaffe sat in a Chinese restaurant where his subject was eating with an unidentified Asian man. Although he was unable to hear most of their conversation, the agent heard Jaffe say: 'Jack Service is in solid.' He also saw Jaffe give the man a thick manila envelope.[18]

Jaffe also continued his liaison with Bernstein. On one occasion, the two met at Mark Gayn's house. During a phone conversation on May 22, Bernstein told Jaffe he had 'a package of Helmars'—a codeword for documents—for him. Jaffe told him he was interested and Bernstein said he would call in a few days to arrange a meeting. Bernstein then mentioned a man whose name is blacked out in the FBI transcript of the conversation. Jaffe said Kate Mitchell had met this unidentified person and that she had described him as 'no good.' Could this have been another potential source, or someone who might vouch for Bernstein's *bona fides*? By May 28, Roth told Jaffe that he had come around to the view that it would be fine for Jaffe to work with Bernstein, so long as he was careful.[19]

Agents had entered the *Amerasia* magazine offices six times between March 20 and May 14. They had bugged Jaffe's Washington hotel room and the residences of each of the individuals shortly to be arrested, with the unexplained exception of Service. By late May, the FBI had begun to consider the possibility of making immediate arrests.[20]

* * * * *

The next two sections may seem like an abrupt departure from the preceding factual outline, but it is a necessary excursion if we are to appreciate the *Amerasia* case as part of the broader context of the struggle over the direction of postwar foreign policy. A major criminal investigation that could result in discrediting those on the left in the foreign policy debate could not succeed

without the support of the ultimate arbiter of U.S. foreign policy. Therefore, before arresting the six suspects, officials at the FBI, the State Department and the Navy deemed it necessary to ask the President for his personal authorization.

It is worth noting that the fact that State's conservatives did not have the support of President Roosevelt raises the possibility that the *Amerasia* investigation may have ceased at some point before the arrests on June 6. The meeting mentioned in the preceding section, involving Julius Holmes, Matthias Correa and the FBI officials on April 18, is particularly significant in this regard. The meeting occurred six days after Roosevelt's death. Given what we know about Roosevelt's attitude to the ideological bickering over U.S. foreign policy, it seems unlikely that the State Department would have urged that the wiretapping should continue over the FBI's objections if Roosevelt had still been President.

It is also significant that, at this meeting, Holmes and Correa argued the wiretaps should be maintained because the information derived therefrom would be valuable in diplomatic relations with Russia, irrespective of the taps' legal utility. It seems the conservatives in the State and Navy Departments may have hoped that evidence of leaks by and to left-leaning officials and journalists would have a chilling effect on U.S.-Soviet relations. During the nearly three-month investigation leading to the arrests, the Undersecretary of State Joseph Grew and his allies in the State Department made a concerted effort to persuade President Truman that Russian interests were inimical to American interests. There is a strong possibility that State's conservatives saw the *Amerasia* case as a useful tool in that effort. Besides helping to discredit the American left, a case involving theft of classified documents by people sympathetic to the Soviet Union would reinforce the impression that the Russians could not be trusted.

We turn now to a consideration of evidence which suggested to the State Department's conservative wing that the new President supported their confrontational vision of postwar relations with the Soviet Union.

* * * * *

It is a commonplace of American political and diplomatic history that Harry Truman was inexperienced in foreign policy when he became President on April 12, 1945. The magnitude of the issues Truman had to confront upon becoming President were unquestionably daunting. One historian has suggested, though with perhaps some exaggeration, that Truman 'for a long time was clearly in over his head.'[21]

To the conservatives in the State Department, the new President's inexperience represented an opportunity to influence foreign policy to an extent impossible under Roosevelt, who had been *de facto* Secretary of State since 1933. Historian Gar Alperovitz has noted that Roosevelt's ambassador in Moscow, Averell Harriman, literally 'rushed home to press his argument for a tougher line' with the Soviets when he learned of the President's death.[22]

With an inexperienced President and a Secretary of State—in the form of Ed Stettinius—with no interest in policy, it is no wonder that Undersecretary Grew felt the weight of responsibility on his shoulders, as his friend William Castle had observed.[23] Historian Waldo Heinrichs has noted that the sexagenarian Grew began working harder than at any time in his forty-year career, working regular eleven-hour days and weekends.[24] Grew, Assistant Secretary James Dunn and their like-minded colleagues did what they could to influence Truman in an effort to persuade him that a foreign policy favoring an indefinite prolongation of the alliance with the Soviet Union was wrong-headed. They were undoubtedly delighted when they found

there was much in what Truman thought, did and said to indicate that he shared this view.

For one thing, there was Truman's desire to establish an efficient administration. He indicated in his memoirs that administrative dysfunction was the one major problem he had with Roosevelt and that fixing it was the first significant change he needed to make after taking office:

> I always fully supported the Roosevelt program—both international and domestic—but I knew that certain major administrative weaknesses existed. President Roosevelt often said he was no administrator. He was a man of vision and ideas, and he preferred to delegate administration to others—sometimes to others who were not ideally suited to carry out what he had in mind. I was well aware of this, and even on that first day I knew that I would eventually have to make changes, both in the Cabinet and in administrative policy.[25]

Truman would have agreed with Dean Acheson's comment that Roosevelt was 'tone deaf to the subtler nuances of civil governmental administration.'[26] He wanted to bury Roosevelt's amorphous executive procedures, shady back-channel dealings and reliance on 'operators' with malleable job descriptions. When Budget Director Harold Smith asked Truman about some work that was being handled by one of Roosevelt's free-lancers, the new President said that 'if the Departments of the Government cannot do this kind of work we ought to get Departments that will be able to do it.'[27]

Truman's desire to strengthen the official bureaucracy, combined with his inexperience in foreign affairs, played nicely into the hands of Grew and Dunn. Roosevelt's death followed closely on the heels of a series of successful maneuvers by State's conservatives in their effort to influence U.S.-Soviet relations. Taking advantage of Roosevelt's flagging energies, Dunn had begun in late 1944 to replace moderate diplomats at embassies within the Russian sphere of influence with confirmed anti-communists. This was a prelude to the masterstroke, the drafting by Dunn and fellow Europeanist Freeman Matthews of the Yalta Declaration on Liberated

Europe in early February 1945. The Declaration famously affirmed the Big Three's desire to establish democracy in the areas under German occupation.[28]

Less famously and contrary to the wishes of liberals in the Roosevelt administration, the Yalta Declaration also provided that the Big Three would each maintain independent positions on the future of the liberated areas. This meant that the anti-communist diplomats Dunn had sent to Eastern Europe and the Near East would not be obliged to act as disinterested mediators seeking to facilitate a consensus between Britain and Russia. Instead, the Declaration effectively gave the diplomats license to protest Soviet land-grabbing efforts.[29]

Grew followed up Dunn's success by drafting a memo for Roosevelt's signature assigning responsibility for 'effective implementation' of the Yalta agreements to the State Department. After Stettinius accepted it, Russia expert Charles Bohlen, then acting as State's liaison with the White House, was able to get FDR's consent. This gave State a Presidential mandate to interpret the Yalta agreements for the U.S. government. With Dunn maintaining control over the department's cable traffic, the mandate really began to have its desired effect when Roosevelt died two months after Yalta. The anti-Soviet diplomats Dunn had appointed sent myriad messages to Washington and to the embassy in Moscow indicating that the Russians were reneging on their Yalta pledge to ensure free elections in Eastern Europe. The diplomats urged resolute Anglo-American support for democratic elements in countries like Poland, Romania and Bulgaria as a response to Russian efforts to install satellite governments. Harriman was swamped by these representations and they surely heightened his sense of urgency as he sought to persuade the new President to take a harder line.[30]

In his first meeting with Truman on April 20, at which Grew was also present, Harriman

argued that the Soviets were pursuing a policy of supposed cooperation with the U.S. and Britain while simultaneously extending their control over Eastern Europe. Arguing that a new 'barbarian invasion of Europe' was under way, Harriman asserted that the U.S. could afford to challenge the Russians because of their need for American reconstruction aid. Truman agreed and commented that 'the Russians need us more than we need them.'[31]

Truman did not have to rely exclusively on meetings with senior officials to be informed that the Russians were engaged in double-dealing. Given his concern with his own inexperience and his inclination to rely on the official bureaucracy, the President spent much of his first several weeks in office reading innumerable briefs and memos on foreign affairs, prepared by the State Department under the ultimate supervision of Grew and Dunn. Truman later wrote of his gratefulness for this material:

> These written reports ... were immensely helpful in filling gaps in my information. In fact, they were indispensable as aids in dealing with many issues, and from the first I studied them with the greatest care. Night after night I went over them in detail and never went to bed until I had thoroughly digested the information they contained.[32]

The barrage of anti-Soviet counsel Truman was reading and hearing formed the background for his famous confrontation with the Soviet Foreign Minister, V. M. Molotov, on April 23, just five days after State Department officials had advised the FBI that the *Amerasia* wiretaps should be maintained if only for their value in relation to U.S.-Soviet diplomacy. Molotov, who had stopped by the White House before going on to the San Francisco Conference, did not enjoy his first meeting with the plain-spoken new President. Truman put it to him bluntly that the Russians were not keeping their Yalta bargain on Europe and he brusquely called the meeting to a close when a rattled Molotov tried to steer the conversation to Far Eastern matters.

Recalling the occasion with satisfaction years later, Bohlen, who acted as interpreter at the meeting, commented that Truman's remarks 'were probably the first sharp words uttered during the war by an American President to a high Soviet official.' Truman's performance was evidence to State's conservatives that their campaign of presidential tutorship was working.[33]

Truman provided more evidence the following month. On May 11, Grew and the head of the Foreign Economic Administration (FEA), Leo Crowley, presented the President with the draft of an order restricting lend-lease aid to materials needed either to complete industrial plants, or for Far Eastern operations. Truman supported restrictions on lend-lease partly because he wished to placate Congressmen who were calling for such measures. In signing the order, however, Truman missed a wordy clause which provided for an immediate halt to all other lend-lease supplies. Zealous FEA officials began unloading supply ships in port and called back vessels already headed for Russia. Even Harriman realized this was going too far and he and others urged Truman to countermand the order, which he did within a day, but not before the Soviets had lodged an official protest.[34] Truman wrote later that he had 'unwittingly given Stalin a point of contention which he would undoubtedly bring up at every chance he had.'[35]

Despite this blunder, Truman did not reprimand Grew or Crowley. In the days following this minor fiasco, he met with Roosevelt's daughter, Anna Boettiger and with the Rooseveltian factotum, Donald T. Nelson, both of whom suggested he should abandon the hard line on the Soviets. Following a Cabinet meeting on May 18, however, the liberal Commerce Secretary and former Vice-President, Henry Wallace, commented in his diary that Truman continued to complain about the Soviets' disregard for Yalta and their treatment of leading noncommunist Poles. Wallace, who had spoken with Nelson and Boettiger following their talks with Truman,

lamented that the President's meetings with these two fellow liberals seemed to have had no effect on Truman's outlook.[36]

Nevertheless, even Harriman and Bohlen recognized after the lend-lease incident that the U.S. had little to gain by irritating the Soviets. They therefore asked Truman to send Hopkins to Moscow to smooth things over with Stalin in anticipation of the major Big Three meeting, the details of which had yet to be decided. The President agreed and sent a request to Stalin on May 19 that Hopkins be permitted to meet with him. The Soviet leader accepted.[37]

Truman's decision to send Hopkins did not mean he wished to reinterpret Yalta. The President told his emissary to tell Stalin that the U.S. always honored its agreements 'to the letter' and that he expected Russia to do the same. He told Hopkins he could make this point diplomatically or, if need be, with a 'baseball bat.' Hopkins had no wish and did not need to use a baseball bat in his meetings with Stalin during the last week of May and the first week of June. He found the Soviet leader pliable and willing to come to terms on basic issues. The mission was a resounding success. Hopkins and Stalin reached agreement on a number of things, including entry of Soviet forces into the Far Eastern war and affirmation of Chiang Kai-shek's leadership of a united China with sovereignty over Manchuria. They even reached a tentative understanding on the thorny issue of the composition of the Polish government.[38]

Although Truman was delighted by the success of the mission, Grew had reason to believe the President was still on his side. Two days before the *Amerasia* arrests, the two met together with the U.S. ambassador to Poland, Arthur Bliss Lane. In Grew's recollection, Truman 'left Mr. Lane in no doubt as to his intention to insist on the eventual removal of the Soviet blackout' in Eastern Europe. Grew seems to have had the impression that Truman was preparing for a

possible showdown with Russia at the upcoming Big Three meeting.[39]

Grew tried his best to ensure such a showdown by continuing to press for a tough stand against the Soviets in the weeks leading up to that meeting—the Potsdam Conference. As an example, on June 27, Grew sent Truman a lengthy memorandum outlining Soviet efforts to use the U.S. Communist Party and other American pro-communist organizations to encourage the U.S. government to adopt pro-Soviet policies. Grew specifically suggested on the cover page of the memo that Truman ought to read it before the Big Three meeting. The memo argued that a law enforcement crackdown on American communists and fellow-travelers would be a show of strength that Russia would understand. It also warned that communist groups would seek to take over all of Germany and urged that the U.S. should firmly oppose such a move. It seems unlikely Grew would have sent Truman such an inflammatory memo if he did not believe there was a reasonable possibility that Truman would agree with its recommendations.[40]

A specific concern of Grew's and one on which he lobbied hard for the President's support, was that the Soviets should be kept out of the Far Eastern war. This would necessitate a modification of the proposed unconditional surrender formula in order to allow the Japanese to retain the institution of the Emperor. Grew first discussed this issue with Truman on May 28. In his own recollection of the meeting, Grew provided the President with a detailed outline of the importance of the Emperor in Japanese culture and he said the institution of the Throne could be used as 'a cornerstone for building a peaceful future for the country ....' Truman said he was 'interested' in what Grew had to say 'because his own thoughts had been following the same line.'[41]

Although Truman decided, ostensibly on the advice of senior military officials, to put off

making a public statement on the surrender terms, Grew had been encouraged by Truman's receptiveness to the idea of keeping Russia out of the Far East and securing Japan as a U.S.-friendly, anti-communist bulwark in the region.[42] He thus continued to press for an announcement of a modification of the surrender terms and he met with Truman three times in mid-June to make his case. Truman consistently did not dismiss Grew's overtures, but he told the Undersecretary that the matter would ultimately have to be decided at the Big Three meeting itself.[43]

* * * * *

In addition to the evidence indicating that Truman, in his early weeks in office, agreed or may have agreed with State's conservatives on how to handle relations with the Soviets, there was also other evidence indicating that the President supported the *Amerasia* prosecution. We focus on the interrelated issues of Truman's attitude to the left wing of Roosevelt's administration and the widespread practice of leaks of official information, as well as Truman's specific response when confronted with the State Department's request that he personally authorize the arrests of the *Amerasia* suspects.

* * * * *

Undersecretary Grew had a sound basis for believing Truman would be sympathetic to the goals of conservative officials because of the President's temperament. Despite Truman's stated support for 'the Roosevelt program,' as he described it, he actually loathed the New Deal liberals. As Martin Weil puts it, Senator Truman was infuriated in the 1930s 'by the arrogant and cavalier attitude of the Corcoran crowd.' As President, the very mention of the likes of Corcoran, Drew Pearson and Henry Morgenthau 'sent him headlong into invective.' Truman had this advice for a

new Assistant Postmaster-General in 1945: 'There are just two things I want you to do. Never talk to Drew Pearson and stay away from Tom Corcoran.' According to Truman staffer and future presidential historian, Richard Neustadt, Truman reversed a contract decision by his Interior Secretary simply because Corcoran had represented the winning side.[44]

Like Grew, Truman loathed Pearson and closely followed what he said and wrote, even when the President was abroad. Writing to his wife from Potsdam in late July, Truman mentioned he had learned that Pearson was 'taking an interest' in Vietta Garr, the Trumans' longtime cook. Implying that Pearson was trying to use her to get information on his family life, Truman wrote: 'If that so-and-so ever says anything to your or Margaret's [the Trumans' daughter] detriment I shall give him a little Western direct action that he'll long remember.'[45]

Given Truman's desire to establish an efficient administrative bureaucracy, his apparent coldness towards the Soviets and his great personal dislike of the liberal advocates of friendly relations between the U.S. and Russia, it seems likely that Grew expected that Truman would be keen to support the *Amerasia* prosecution. The President did not disappoint when Julius Holmes met with Truman on May 31 to secure his personal authorization for the arrests. After listening carefully to the Assistant Secretary's outline of the case, Truman told Holmes, with characteristic decisiveness, that he wanted the case prosecuted vigorously so that it might deter other would-be leakers.[46]

Grew's belief that he had Truman's support was fortified by the President's second and last known decision concerning *Amerasia*. This arose when, after Truman's authorization, nothing happened over the next couple of days. A concerned Julius Holmes contacted the FBI and was told that the White House had ordered Attorney General designate Tom Clark to take no

action on the case until after the San Francisco Conference, which was scheduled to end in mid-June.[47] Holmes told Grew, who then arranged to meet with Truman immediately. Grew noted shortly afterward that the President 'was obviously annoyed and said that the order to countermand action had not come from him.'[48]

In the recollection of Julius Holmes, Truman, after the situation was explained to him, calmly asked him to dial the phone number of the FBI's Myron Gurnea. Truman spoke to Gurnea personally, telling him: 'I don't care who told you to stop this. You are not to do it. ... if anybody suggests that you postpone, or anything else, you are not to do it without first personal approval from me.' After hanging up, the President turned to Grew and Holmes and said with a grin: 'Does that suit you?'[49]

Less than a week after the arrests, Truman provided Grew with more evidence that he supported the *Amerasia* prosecution when the two men met to discuss a leak to their mutual nemesis, Drew Pearson. Truman complained that a recent Pearson column showed that its author was, in Grew's words, possessed 'of intimate information concerning Harry Hopkins' talks with Stalin.' Grew wrote that this was the first time he had seen Truman 'really angry.' He told the Undersecretary he was 'fed up with these leaks' and that 'he did not see how he could continue to do business' with State if the leaks could be traced to that department. After arguing that the leak, or leaks, in this case, could not have come from State, Grew boldly asserted that Pearson likely got his facts from Soviet sources. Truman, according to Grew, 'listened with interest and agreed that this was a likely hypothesis.'[50]

5 The *Amerasia* Prosecution

With Truman's support, the *Amerasia* prosecution could begin. This chapter begins with an outline of the facts and circumstances of the arrests of the six *Amerasia* suspects, the FBI's searches incidental to the arrests, the Bureau's interviews of the suspects and the Justice Department's efforts to organize a prosecution in the days before and just after the arrests. This outline highlights the fact that the FBI and the Justice Department were having some difficulties building their case even before powerful people in Washington intervened in an effort to influence the outcome.

* * * * *

On May 29, after consulting with State's Julius Holmes and Navy's Matthias Correa, the FBI's Myron Gurnea briefed the head of the Justice Department's Criminal Division, James McInerney, who decided to authorize the arrests of Jaffe, Roth, Larsen, Service, Gayn, Mitchell and Jaffe's typist, Annette Blumenthal. McInerney argued that arresting the seven simultaneously would maximize the chances of seizing incriminating documents incidental to the arrests. The following day, McInerney decided that the suspects would be charged under section 88 of the Espionage Act, which made it a crime to conspire 'to defraud the U.S. in any manner or for any purpose.' This section provided that the government would not have to prove that information had been passed to agents of a foreign power. The maximum penalty for conviction under this section was two years' imprisonment, or a $10,000 fine, as opposed to life imprisonment or death for the more serious offence.[1]

McInerney mentioned to Gurnea that his superiors, Attorney General designate Tom Clark and Assistant Attorney General James McGranery, believed the case ought be built on documents clearly related to national security and he was thus having doubts about the case against Gayn. Gurnea assured McInerney that Gayn was sufficiently implicated, since an agent had watched him reading a classified State Department document on a city bus and both Jaffe and Service had mentioned in recorded conversations that they were sharing information with him. Gurnea also persuaded McInerney not to have Blumenthal arrested, particularly since the Bureau felt she might be used as a government witness.[2]

After a delay of several days that was apparently caused by a countermand of Truman's May 31 order by a White House official, the FBI arranged to have the six suspects arrested simultaneously in New York, where *Amerasia* magazine was located, and Washington on the afternoon of June 6.[3]

When agents arrested Jaffe and Mitchell at the *Amerasia* offices, they proceeded to search the place. Examining Jaffe's briefcase, they found several documents, five of which were marked 'Secret,' two 'Confidential' and one 'Strictly Confidential.' In the desk of drawers, agents found a State Department despatch from Chungking entitled 'Conditions in Communist Controlled Areas of Northern China' and an OSS document marked 'Secret.' Agents directed Jaffe to unlock a file cabinet that was full of copies of papers from State, OSS, OWI, Navy, the War Department and other agencies. Agents also found a document marked 'Restricted' in one of the drawers of Mitchell's desk.[4]

Some of the more interesting of the over 500 documents agents recovered from the *Amerasia* offices included a 1942 booklet on the Japanese Army's Order of Battle, with Larsen's

name on it. There were a number of papers that appeared to come from the office of the U.S. Ambassador to China, General Patrick Hurley, including a letter addressed to Hurley on Japanese espionage. Other reports, the origin of which agents could not determine, dealt with disclosure of military information to the Chinese.[5]

Unbeknownst to the FBI, Service was that very day keeping an appointment with OSS agent Duncan Lee, an assistant to Donovan who was seeking to recruit Service into the OSS. Agents found almost nothing of importance in Service's office and apartment, nor in Roth's home.[6]

When Larsen was arrested at his home, he led agents to a tall pile of government documents he was storing in his bedroom closet. Among the papers the FBI took into custody were files on Tibet, Mongolia and Far Eastern political figures. While in custody, Larsen told agents he had been trading information with Jaffe since March 1944.[7]

The interviews of the suspects did not go well for the FBI. Gayn admitted to his captors that he had broken the law and might have welcomed the chance to dissociate himself from Jaffe, yet agents unaccountably did not attempt to persuade him to testify against Jaffe. When the wealthy Jaffe decided to act as Gayn's bondsman and began planning a joint legal strategy for Mitchell, Gayn and himself, it clearly was too late to turn Gayn. Although Larsen had told agents quite a bit, they did not manage to get much information of evidentiary value out of him. He also had no intention of helping the Justice Department in its case against Jaffe.[8]

After being released on bail, Larsen told some of his State colleagues that he planned to launch a vigorous defense with the help of a $10,000 contribution from a friend. He also revealed that he had found out that his apartment had been searched and that he had managed to

get his building's superintendent to admit that he had allowed the FBI to tap Larsen's phone. The Justice Department worried that Larsen's attorney might use this information to persuade a judge to exclude the evidence seized at his apartment, but the superintendent had so far refused to sign a statement confirming the FBI's presence there. The Justice Department proceeded with its plans to present the case to a grand jury.[9]

A week after the arrests, Clark arranged for the appointment of a young assistant U.S. attorney in Buffalo, Robert Hitchcock, to act as prosecutor. Klehr and Radosh note that it is curious that this prosecutor with no experience in Washington was appointed to handle a high-profile case that would inevitably involve testimony about federal government procedures for handling classified documents.[10]

Awaiting Hitchcock in the basement of FBI headquarters was a pile of over 1,700 documents. Investigators had found that hundreds of the misappropriated documents were unclassified, or seemed to be of so little importance that their classification was purely technical. Others were more serious. In a June 11 report for Hoover, investigators stated that one of the documents recovered from Jaffe's office was a report classified as 'Top Secret.' Seven others from the same location were OSS documents with warnings printed on their cover pages stating that they contained information concerning national defense and that transmitting or revealing their contents was 'prohibited by law.'[11]

Investigators estimated that seventeen percent of the documents recovered from Jaffe's office concerned military matters. These included intelligence reports on such varied subjects as the Chinese order of battle in 1942 and 1943, air and sea anchorages in Thailand and supply routes to China and the Chinese air force staff, a confidential Navy memo on ONI's

counterintelligence activities, a secret War Department memo on the disposition of the Japanese air force, a despatch from General Claire Chennault, commander of the U.S. Fourteenth Air Force in China, requesting replacements for lost planes and a June 1942 listing of airfields in China, Formosa and Korea, including descriptions of their facilities. Investigators also estimated that twenty-eight percent of the over 200 documents seized at Larsen's apartment concerned military matters.[12]

Despite possessing this prodigious pile of documents, the FBI was having difficulty following the paper trail from government agencies to Jaffe's office. On June 18, three days before Hitchcock was to present the case to the grand jury, the FBI was working on an expanded list of sixty-two leads. Some of these could not be pursued. Chi Ch'ao-ting, for example, had returned to China. The Bernstein lead was also in abeyance. Even though investigators could link several documents to Jaffe, Mitchell, Larsen and Gayn, outlining the paper trail to the grand jury would be complicated and likely confusing.[13]

Investigators were having a particularly hard time building a case against Roth. They found that the only classified material they could definitely trace to him were some 1944 letters by then U.S. Ambassador to India, William Phillips, that were critical of British policy in that country and some notes on the Japanese labor movement Roth had received from State's Julian Friedman. The latter told investigators he gave Roth the notes in exchange for a memo on a conference involving Hurley and Wedemeyer that came from 'a source close to the White House.'[14]

* * * * *

With the FBI having arrested the suspects and having acquired the documents on which the case

would be tried, the Justice Department launched its prosecution. The next section concerns the Justice Department's talks with the defense attorneys, the presentation to the grand jury charged with deciding whether the suspects would be indicted and the disposition of the cases against the three who were indicted by the grand jury.

Two aspects of this discussion are particularly significant. In the first place, there is the evidence that prominent Washington 'operators'—Lauchlin Currie, Benjamin Cohen and, most conspicuously, Thomas Corcoran—sought to influence the outcome of the case by applying pressure to senior Justice Department officials. Secondly, there are J. Edgar Hoover's written comments on FBI memoranda concerning the case. These comments demonstrate Hoover's frustration with the Justice Department's handling of the case and lend support for the proposition that Corcoran and the 'operators' played a significant role in the failure of the prosecution.

* * * * *

Jack Service was the most prominent of the six suspects and he began receiving offers of support from influential people immediately after the reporting of the arrests. His former boss, General Stilwell, told him he was willing to be called as a defense witness and several prominent civil rights lawyers had expressed an interest in defending him. Service ultimately settled on Godfrey Munter as his attorney. Munter was no civil rights lawyer and he advised Service that the best strategy would be to harp on technical matters rather than have a long, hard-fought trial in which sensitive information would come out. Munter told his client that the warrant with which he had been arrested did not specifically give the government the right to conduct a search and that the FBI had acted improperly in seizing personal papers from Service's desk at the State Department.

Munter also said Service could argue that the copies of his reports that he had given Jaffe were not the government's property, but Service's own.[15]

Also apparently eager to work in Service's corner was senior White House aide, Lauchlin Currie. Shortly after the arrests, Currie called his friend Ben Cohen, prominent Washington lawyer and friend of State's Dean Acheson and Archibald MacLeish, to discuss the situation. The two men agreed that it would help Service's case immensely if they brought in their mutual friend Tom Corcoran, another Washington lawyer, who was also a lobbyist and 'fixer,' who had been in private practice since 1940. Corcoran made a name for himself during the previous decade as a New Dealer who could persuade Congressmen to tow the Roosevelt line through charm or arm-twisting, as the circumstances required. A Roosevelt biographer has noted that 'Corcoran got the job done, but sometimes it was best not to ask how.'[16]

One of Corcoran's many enemies in Washington was Harry Truman, who, shortly after succeeding Roosevelt, ordered the FBI to tap Corcoran's office phones. Over the next five years, the wiretap revealed evidence of Corcoran's involvement in a number of illegal activities, none of which could be prosecuted because of the wiretap's illegality. It also revealed Corcoran's intervention in the *Amerasia* case.[17]

After speaking with Cohen, Corcoran called an unidentified acquaintance in an effort to find out whether Service had made a wise choice in hiring Munter as his lawyer. The contact told him that Munter was the president of the Bar Association of the District of Columbia and 'a high class man ... on the conservative side.' Thus reassured, Corcoran called Lauchlin Currie on June 11 to inform him that Munter was the sort of person they were looking for—someone who would work to get Service off quickly, but quietly. Corcoran said the civil rights lawyers who

were courting Service would end up turning the whole affair into 'a Dreyfus case.' He told Currie that he himself was going to 'work around the edges of this thing for a day or so and see if I can liquidate the whole damn thing.' Currie personally informed Service of Corcoran's intervention a few days later.[18]

Besides wishing to help his friends, it seems possible that Corcoran also had a personal interest in keeping the case quiet. He was serving as legal counsel for China Defense Supplies, a private company that channeled U.S. aid to Chiang Kai-shek's Nationalists. A well-publicized trial in which allegations would be made by Service and others that Chiang and the key members of his party were corrupt and unworthy of U.S. support would potentially damage Corcoran's financial stake in the company.[19]

Just a few hours after telling Currie he wished to 'work around the edges of this thing' in an effort to 'liquidate' it, Corcoran phoned Tom Clark and told him 'arrangements were being completed whereby his nomination [for Attorney General] would not be opposed' in the U.S. Senate. Corcoran called again the following day to tell Clark that two of his more prominent potential opponents in the nomination hearing, Senators Burton Wheeler and Kenneth Wherry, had been neutralized; Wheeler was to be in Europe for a while and Wherry was, in Corcoran's words, 'all for him.' In a memo on the transcripts of the FBI's Corcoran wiretap, Myron Gurnea told Hoover it was clear that by taking credit for guaranteeing Clark's successful nomination hearing, Corcoran expected Clark to supply a *quid pro quo* in the form of efforts to ensure a favorable resolution of the *Amerasia* case.[20]

On June 20, with the wiretap on Kate Mitchell's phone still in place, the FBI listened to her lawyer, Lowell Wadmond, speaking with Jaffe's lawyer, Arthur Scheinberg. The latter told

Wadmond of a meeting he had attended earlier that day with Clark, McInerney and Hitchcock. He said that Clark surprised everyone present by suggesting the charge of conspiracy to commit espionage might be dropped and that the defendants may be indicted for the lesser offence of embezzlement and illegal receipt of government property. Clark had not informed the FBI of this possible concession.[21]

The following day, Hitchcock began presenting evidence to a grand jury. During the June 21 session alone, grand jurors heard the testimony of Jaffe's typist, Annette Blumenthal, as well as a witness from the OWI, two from the State Department and fourteen from the FBI. When the session was over, Hitchcock told the FBI that while he expected the grand jury would indict all six defendants on the charge of embezzlement of government property, it would take the cooperation of at least one of the six to secure indictments on the more serious charge of conspiracy to commit espionage.[22]

Just five days later, however, Munter met with McInerney and told Service afterwards that the government had no case against him. Although Munter did not indicate that he had made a deal with the Justice Department, he hinted that McInerney did not wish to pursue an indictment against him. Munter told Service that the best approach would be to go before the grand jury and answer all their questions just to clear the air.[23]

The FBI became increasingly unhappy with the way the Justice Department was handling the case. After reading a memo on a June 27 meeting involving Clark, McInerney, influential Jaffe confidante Emmanuel Celler and some of the other attorneys, Hoover wrote: 'I don't like all this manipulation.' Two weeks later, after reading a memo stating that Hitchcock had agreed, with no offers of cooperation in return, to give the defense attorneys access to documents he

intended to present to the grand jury, Hoover wrote: 'it is hard to tell whether govt. is representing the govt. or the defendants.'[24]

On June 29, it seemed a break might be in the offing when Wadmond again called Clark to tell him he was prepared to write a letter requesting an opportunity to produce his client, Mitchell, before the grand jury. It was not to be. Clark turned the matter over to Hitchcock, who, rather than deciding to play hardball by threatening Mitchell with an indictment in order to make her talk, decided to take a soft approach. Showing remarkable gentleness for a prosecutor, he told Wadmond he would offer to give Mitchell a preview of the questions he would put to her under oath 'so that she would know just what I was going to ask her because I wouldn't want to take her to the grand jury cold. I don't think it would be fair to her.'[25]

Wadmond then called Mitchell to tell her the good news. Although Clark had indicated just two days earlier that the grand jury had not yet returned any indictments, Wadmond told Mitchell that 'the indictment which has been returned, but which has not yet been filed by this grand jury,' would be allowed to die as part of the deal he had just made with the Justice Department. Wadmond also suggested that, in spite of what he had discussed with Hitchcock, she might not have to testify at all: 'I'd like to be in a position where you could, more or less, tell me that you didn't want to go before the grand jury.' Wadmond's intriguing comment about the unfiled indictment raises the likelihood that the grand jury voted indictments which Clark, unaccountably, chose not to file. Klehr and Radosh note, however, that the records of the grand jury have never been released, so it is impossible to determine the veracity of what Wadmond said.[26]

Also on June 29, Service met privately with Corcoran and Currie to seek their advice on

whether he should agree to testify, as Munter had advised him. Corcoran decided to test Service by firing some pointed questions at him in mock cross-examination. Service was alarmed by this beginning to his first actual meeting with Corcoran, but the latter reassured him by stating that he sought no payment or obligation for his efforts. Corcoran said he was merely doing a favor for 'your good friend, Ben [Cohen]'—a man Service had never met![27]

Corcoran briefed Cohen on his efforts in a recorded phone conversation on July 4, in which he said 'your boy [Service] ... just happened to be a sucker that was in the line of fire.' Cohen responded by saying: 'Justice ought to be more careful.'[28]

During the last week of July, Corcoran lobbied Clark and Assistant Attorney General James McGranery to try to ensure that Service would not have to testify. In a taped conversation with McGranery, Corcoran mentioned that Service was 'an awfully close friend of Ben's.' He added that Cohen hoped that Service's case would be put on hold until after his return from a scheduled European trip and that, once Cohen returned, he was sure 'he would straighten this Service thing out.'[29]

In another taped conversation with Corcoran, McGranery acknowledged that there were some people who effectively wanted Service to ruin his career by testifying. Corcoran apologized for his own arm-twisting tactics, claiming: 'I have never done this before in my life.' McGranery responded by saying: 'Neither have I .... It's the lousiest thing.'[30]

While Corcoran continued lobbying the Justice Department, Hoover became increasingly dismayed by the department's handling of the case. On July 25, the FBI learned that Jaffe and his lawyer were examining grand jury exhibits in Hitchcock's office. The prosecutor told FBI officials that he was obliged to make such exhibits available to all the defendants, but the

Bureau's legal counsel demurred and sought advice from a federal judge. The latter opined that the government was under no obligation to make such revelations to the defense prior to the grand jury's deliberations. Hoover commented on a memo on the matter: 'I can't understand the *all out* policy dept. is following in allowing *all* defendants and their attorneys in Jaffe case to examine all of Govt's evidence.' [Emphasis in original].[31]

As for Service's case, Clark and McGranery believed he should not have to testify, either before the grand jury, or at trial. Hitchcock warned his superiors that although he would not ask the grand jurors to indict Service, they might decide to do so on their own initiative. The Justice Department had thus placed itself in the unusual situation of both trying to keep a grand jury from indicting a suspect and refusing to use the prospect of indictment to compel him to testify against his co-defendants.[32]

Although the circumstances are not entirely clear, it was ultimately decided that Service would go ahead and testify. On July 30, Hitchcock met with him and, acting almost as if he was Service's attorney, informed him that he had nothing to worry about from the grand jury. That same day, Hitchcock informed the FBI that none of the defendants would be government witnesses against any of the others and that Service could be expected to escape prosecution altogether. McInerney had told Corcoran that although Service would have to appear, the questions Hitchcock would ask would be perfunctory and that he would not be indicted.[33]

The Justice Department's handling of Service set a pattern for its conduct of the cases against the other five. Instead of pursuing the standard prosecutorial practice in cases involving multiple defendants of isolating them and pressuring each of them to testify against the others, Hitchcock and his superiors seem to have made it relatively easy for each of them to escape

punishment. FBI officials informed Hitchcock on more than one occasion that they would be happy to see all the charges against Gayn and Mitchell dropped in exchange for testimony. Gayn's lawyer even offered to have his client plead guilty to a reduced charge. Hitchcock was not interested. What seemed to be of greater importance to him was ensuring that nothing would happen that might provoke the grand jurors into indicting all of the defendants.[34]

On August 1, an FBI agent assigned to drive Gayn, Mitchell and their lawyers to court overheard them discussing an agreement with Gayn's lawyer that any documents Gayn was questioned about that day would not be used against him later. After learning of the incident, Hoover asked Hitchcock for an explanation. The latter explained that the only agreement he had made with Gayn's lawyer was that if certain documents were subsequently ruled inadmissible, Hitchcock would not mention Gayn's grand jury testimony about them at the trial. Hoover was skeptical, especially when Hitchcock's questioning of Gayn and Mitchell turned out to be so perfunctory that it was clear he had no intention of pursuing a case against either of them, or scaring them into testifying for the government.[35]

The following day, Corcoran called Service to assure him: 'This is double riveted from top to bottom.' He then said he was planning to speak with Justice officials on the day of Service's scheduled appearance, 'as I want this thing triple riveted.' Well aware of Corcoran's machinations, a disconcerted Hoover advised Clark on August 4 of rumors circulating in the papers: 'The newspaper rumors allege that prosecution of this case is to be 'fixed' through the efforts of influential persons having connections with the Department of Justice. I felt that you would be interested in knowing of these rumors.' Hoover's admonition had no practical effect. Service appeared before the grand jury two day later—the day the U.S. dropped the atomic bomb

on Hiroshima. As scripted, Hitchcock did not ask many hard questions. That same day, a frustrated Hoover commented on a memo: 'certain aspects of this matter 'smell.''[36]

The grand jury completed its work on August 10 when it voted on the indictments. Gayn and Mitchell were cleared by substantial margins and none of the twenty grand jurors voted to indict Service. Jaffe, Roth and Larsen were all indicted by narrow margins. Hitchcock informed the Bureau that Jaffe and Larsen had indicated their willingness to plead guilty if that meant avoiding jail. Hoover objected on the basis that such an arrangement would leave Roth off the hook. In a memo to Clark on August 29, the FBI Director argued that, based on the wiretap transcripts, the well-connected Roth was 'undoubtedly the brains behind Jaffe's operations in Washington' and he was also 'more closely connected with the Communist Party' than any of the other defendants, besides Jaffe. He also warned Clark that if Roth was not prosecuted, 'it would appear that justice would not be served and the Department might be laying itself open to considerable criticism.'[37]

Larsen, meanwhile, did the FBI no favors when he finally persuaded his building superintendent to give an affidavit detailing the Bureau's illegal entries in Larsen's rooms. Larsen's lawyer, Arthur Hilland, filed a motion to suppress the evidence arising from these searches. McInerney later claimed that this killed the case against the remaining defendants.[38] On the morning of September 28, McInerney learned that Hilland had released copies of his motion to the press. Clearly unwilling to let Jaffe off the hook entirely, McInerney and Hitchcock decided to act quickly before Jaffe found out. They immediately set up a meeting with Jaffe's new lawyer, Albert Arent. McInerney and Arent agreed that Jaffe would plead guilty in exchange for a government recommendation of a $5,000 fine.[39]

At Jaffe's sentencing hearing, Hitchcock again appeared to behave much like a defense lawyer. After Arent told Judge James Proctor that Jaffe had not used the documents he was given for any disloyal purpose and that his actions were a 'minor violation' resulting from 'an excess of journalistic zeal,' Hitchcock chimed that this was 'in substance, accurate.' Proctor then suggested that the applicable case law ought to be reviewed by a probation officer. Hitchcock objected, arguing that the case should be 'disposed of today' and that the documents Jaffe had used were, after all, 'largely background material.' Proctor was uncertain and wondered allowed whether Jaffe had not intended to 'embarrass' the armed services. Hitchcock assured the judge that Jaffe had no such intent. Proctor thus sentenced Jaffe to a fine of $2,500.[40]

After this, an elated Jaffe offered to pay any fine imposed on Larsen if Larsen pled guilty. Larsen was more interested in the possibility of vindication than the prospect of getting off with a fine. He ultimately chose reluctantly to plead no contest. At the sentencing hearing, Hitchcock appeared to minimize the seriousness of the offence: 'I have extreme doubt there were any corrupt motives on the part of Larsen.' Proctor sentenced Larsen to a fine of $500, which was paid by Jaffe. Hoover was unimpressed. He had expected that Hitchcock would at least compel Jaffe to agree to review the seized documents so that the government could determine which ones came from Larsen and which from other sources. This would now be impossible. Across the bottom of a memo on the disposition of Larsen's case, Hoover wrote: 'Of all the wishy washy vacillations this takes the prize.'[41]

In December, Jaffe and Larsen both gave sworn statements to the FBI in which they minimized Roth's involvement in the affair. Larsen stated falsely that Roth had never been present when they had exchanged classified documents. Jaffe admitted that Roth had been

present on six to ten occasions when Larsen was delivering materials, but that Roth may not have realized that classified documents had been passed between Jaffe and Larsen. On February 15, 1946, the Justice Department quietly dropped the charges against Roth.[42]

Although the *Amerasia* case is a mysterious and strange one, it is particularly puzzling that Roth—apparently the best connected of the six suspects—received no punishment whatsoever, apart from the sanction of having been indicted by the grand jury.

6 Why the Prosecution Failed: Two Hypotheses

Why did the *Amerasia* prosecution fail, despite the committed support of both the FBI and the influential conservative career men in the State Department? We suggested in the Introduction that there are two potential answers to this question. First, the case may have failed on legal grounds because of the weakness of the admissible evidence. For the purposes of our discussion in the next two chapters, we will call this the Legal Hypothesis. Second, it may be that practical diplomatic and political considerations influenced the Justice Department's handling of the case. We will call this the Diplomatic Hypothesis. We turn to a discussion of the evidence for each of these hypotheses, beginning with the Legal Hypothesis.

In the analysis that follows, the reader will note that the Diplomatic Hypothesis is treated at greater length than the Legal Hypothesis. In an attempt to assuage concerns that this disparity stems from the author's predisposition in favor of the former, let me suggest that the disparity is simply a reflection of the greater complexity of the Diplomatic Hypothesis, for it requires analysis of the broader context of American foreign policy. We have already discussed this context with reference to the ideological split in the Roosevelt administration in the months and years leading up to the *Amerasia* investigation and we have also discussed it with reference to President Truman's apparent support for the *Amerasia* prosecution in the days and weeks leading up to the arrests on June 6, 1945. It therefore behooves us to analyze the broader context once more, this time with reference to the failure of the prosecution to achieve significant results. By contrast, the Legal Hypothesis is much simpler because it suggests that the prosecution failed for

purely legal reasons that are unconnected to any broader diplomatic, political, or, indeed, any other context.

We begin with a discussion of the evidence favorable to the Legal Hypothesis, starting with a summary of the problems encountered by the FBI in building its case once the decision to make the arrests had been made. We then consider the explanations of Justice Department officials for the failure of the case.

* * * * *

The FBI experienced several problems and made a few errors as it attempted to build a case for the prosecution. First, even before the arrests, Justice Department officials were skeptical about the strength of the case against Mark Gayn. Second, the Bureau mishandled the post-arrest interviews of the suspects. Agents unaccountably failed to try to persuade Gayn to testify against Jaffe, even though Gayn admitted he had broken the law and may have welcomed the chance to dissociate himself from Jaffe. Larsen was talkative, but agents were unable either to get information from him of evidentiary value, or to persuade him to testify against Jaffe. Third, it became known to the prosecution that Larsen had found out his apartment had been searched prior to his arrest and had managed to get his building's superintendent to admit he had allowed the FBI to tap Larsen's phone. Finally, in dealing with the leaked documents agents had recovered, the Bureau had a hard time following the paper trial from government agencies to the suspects' premises. This task was particularly difficult where Roth was concerned. The Bureau and Justice also knew that explaining the paper trial to the grand jury would be complicated and likely confusing.[1]

For its part, the Justice Department explained during Congressional testimony in 1946 and

again in 1950 that the admissible evidence in the case was too weak either to secure convictions against all the suspects, or to achieve substantial sentences against those who were convicted. Justice did not have access to the material seized from *Amerasia* magazine's offices by agents involved in the initial OSS raid on March 11, 1945 and there is circumstantial evidence to suggest this material was more serious in nature than the material seized subsequently by the FBI. Justice officials suggested that this was irrelevant because the OSS break-in was illegal in any event. Therefore, none of the OSS material was admissible and, on this point at least, the FBI appeared to agree with Justice.[2]

Justice officials asserted that the FBI material, on the other hand, was admissible because it had been seized incidental to the arrests on June 6.[3] Yet, the content of this material, they argued, was simply not serious enough to secure convictions against all the suspects. The head of the Justice Department's Criminal Division James McInerney suggested in testimony before Senators that most of these papers 'were of innocuous, very innocuous character' and that it was 'nothing short of silly' that they had been classified in the first place. McInerney also stated that the prosecutor Robert Hitchcock was 'pretty well convinced' that Jack Service was 'innocent,' following Hitchcock's examination of Service prior to the latter's appearance before the grand jury.[4]

The Justice Department officials were also adamant that the evidence gleaned from the wiretap surveillance was, like the OSS material, inadmissible and that the FBI's surreptitious entries into the *Amerasia* magazine offices and the residences of the suspects in the weeks prior to the arrests, were illegal. This is why Justice officials said they were so concerned when they learned that Jimmy Larsen had discovered from his building superintendent that FBI agents had

entered and bugged his apartment. McInerney claimed that this revelation effectively killed the case against the three defendants who had not been indicted by the grand jury because the illegal entries and the wiretapping tainted the whole investigation. McInerney stated that Justice would have had no defense against a motion by Larsen's lawyer to suppress the evidence on the basis that it had been obtained illegally. Under these circumstances, McInerney felt fortunate that Justice was able to secure convictions against Larsen and Jaffe.[5]

The Democratic majority on the two U.S. Congressional committees that studied the *Amerasia* case in the mid-1940s and early 1950s both agreed with the Justice Department's reasons for the failure of the case.[6]

* * * * *

In our discussion of evidence unfavorable to the Legal Hypothesis, we will start with a summary of some of the material presented in chapter five concerning the questionable behind-the-scenes actions of Justice officials and Washington lobbyists. We will then briefly discuss the conflict the case generated between senior officials in the Justice Department and the FBI.

* * * * *

Just after the arrests, the White House economic advisor Lauchlin Currie immediately sprung into action to help his protégé, Jack Service. Currie enlisted the support of two influential New Dealers, Ben Cohen and Tom Corcoran. The extent of Cohen's intervention is unknown, but Corcoran's role is illuminated by the transcripts of the illegal FBI wiretaps on the latter's phones. These transcripts show that Corcoran lobbied Attorney General designate Tom Clark and Assistant Attorney General James McGranery in an effort to keep the case quiet and to keep Service from being punished. As he himself put it in a taped conversation with Currie five days

after the arrests, Corcoran wished to keep *Amerasia* from turning into a 'Dreyfus case' and he wanted to 'work around the edges of this thing for a day or so and see if I can liquidate the whole damn thing.' Although he was unable to 'liquidate' it completely, Corcoran lobbied Clark and McGranery for several weeks. This work seems to have paid off. By August 2, Corcoran was able to inform Service: 'This thing is double riveted from top to bottom.'[7]

There is admittedly no evidence of a causal link between Corcoran's machinations and the actions of Justice Department officials in their handling of the case. Still, it is significant that Corcoran's lobbying efforts paralleled a series of moves by Justice officials which indicate that Justice was unusually supportive of the *Amerasia* defendants. Among these maneuvers was Clark's suggestion, made on June 20 to the lawyers for Jaffe and Mitchell, that the charges of conspiracy to commit espionage might be dropped. A few days later, prosecutor Robert Hitchcock agreed to freely give the defense attorneys access to the documents he intended to present to the grand jury. This prompted Hoover to comment: 'it is hard to tell whether govt. is representing the govt. or the defendants.' Hitchcock was unusually gentle in his questioning of the defendants before the grand jury and he made no effort to pit any of the defendants against each other. For Hoover, the *coup de grâce* occurred during the short, ineffectual trials of Jaffe and Larsen, when Hitchcock failed even to question Jaffe on which documents came from Larsen and which came from other sources. The FBI Director commented: 'Of all the wishy washy vacillations this takes the prize.'[8]

Hoover's acerbic comments on internal Bureau memoranda cannot be lightly dismissed. Perpetually concerned with projecting a positive image for the Bureau and for himself, the FBI Director had not built his reputation by routinely going forward with high profile cases that the

Justice Department either could not win, or would not prosecute vigorously. The *Amerasia* prosecution produced a serious rift between Hoover and the FBI on one side and Clark, McGranery and Justice on the other. As early as August 4, 1945, Hoover wrote Clark to advise that some newspapers were reporting rumors 'that the prosecution of this case is to be 'fixed' through the efforts of influential persons having connections with the Department of Justice.' Later that month, Hoover warned Clark that the Justice Department 'might be laying itself open to considerable criticism' by failing to prosecute Andrew Roth.[9]

The rift continued for several years, as revealed by the attitudes of Justice and FBI officials to charges by Congressmen that there had been political malfeasance on the part of the prosecution. When Republican Representative George Dondero introduced a resolution calling for the case to be investigated by the House Judiciary Committee, McGranery persuaded influential Democratic Representative Eugene Cox to agree to stop the resolution. A month later, in April 1946, McGranery called Corcoran and, with the FBI wiretap still in place, told him that Cox had told him 'he'd have too much trouble' trying to defeat Dondero's resolution. McGranery then asked Corcoran to use his influence to try to limit the scope of the investigation.[10]

Hoover, on the other hand, was secretly supportive of Dondero's call for an investigation. Suspecting that the Congressman was receiving encouragement from the FBI, Clark sent Hoover a memo reminding him that talks between Congressmen and the FBI on legislation or resolutions were prohibited. Hoover then summoned the Congressman to a meeting, during which he spent an hour and a half explaining to Dondero why he could not speak with him! The two men had a similar meeting several days later.[11]

The tension between Justice and the FBI was exacerbated by the testimony of Justice officials during the two Congressional committees that investigated *Amerasia* in the mid-1940s and early 1950s—the Hobbs and Tydings committees, respectively. James McInerney and his colleagues testified that the prosecution was fatally compromised by the illegal searches conducted by the OSS and the FBI and that the wiretap evidence was inadmissible.

Hoover rejected these arguments. In a memo to Clark on December 6, 1945, the FBI Director maintained that the Bureau's actions in the case had been legal and he bemoaned the failure of Justice and the FBI to present a united front to Congress and the public. Hoover had a reasonable basis for believing that the wiretapping evidence was admissible. Before the war, the U.S. Supreme Court had authored a number of decisions stating that wiretapping was illegal. In May 1940, however, Roosevelt sent a secret memorandum to then Attorney General Robert Jackson in which he suggested that the Supreme Court had never meant its ban on electronic surveillance to apply 'to grave matters involving the defense of the nation.' Roosevelt therefore authorized the Justice Department to use wiretaps in investigations of 'persons suspected of subversive activities against the Government of the United States, including suspected spies.'[12]

In 1942, the Supreme Court itself stepped back from its hardline approach in earlier cases by deciding in the mail fraud case of *Goldstein v. U.S.* that information derived from wiretaps was admissible against third-party defendants because third parties were not parties to the communication that had been intercepted by the listening device. This meant, for example, that Jaffe's recorded conversations with Roth were inadmissible as evidence against both Jaffe and Roth, but Jaffe's statements to Roth about Larsen might well be admissible as evidence against Larsen. In this sense, *Amerasia* represented, from the FBI's perspective, a test case for a less

restrictive interpretation of wiretapping law. FBI officials were thus indignant when McInerney testified that the Justice Department could not oppose Larsen's motion to suppress the evidence on the basis that it had been obtained illegally. As the FBI's L. B. Nichols asked a Justice official at the time of the Tydings hearings, how was it that the department had authorized the arrests if they knew that the evidence was tainted by the Bureau's illegal methods?[13]

The Bureau was able to get back at Justice, to some extent, during the Senate Judiciary Committee's 1952 confirmation hearing on Truman's nomination of James McGranery for Attorney General. With the Tydings Committee still fresh in their minds, Senators inevitably asked the nominee about *Amerasia*. Apparently completely unaware of the FBI's tap on Corcoran's phones, McGranery maintained that he 'had no connection with the *Amerasia* case during the investigation, its preparation or its prosecution.' He added that a two-minute conversation with McInerney 'was my one and only act in relation to the *Amerasia* case.' Shortly afterward, Hoover sent McGranery a drily worded memorandum, stating: 'In order that you may be apprized of the complete facts of this matter, I am ... enclosing a memorandum reflecting verbatim conversations had by you with Mr. Thomas Corcoran concerning this case.' As Harvey Klehr and Ronald Radosh have noted, the old saw that Hoover had enough information in his files to blackmail all of Washington may or may not be accurate, but he did have the goods on the Attorney General of the United States![14]

* * * * *

The remainder of this chapter is devoted to the Diplomatic Hypothesis which proposes that American policy-makers at the highest levels in the early phase of the postwar era pursued a foreign policy that might be compromised by a successful prosecution of the *Amerasia* case.

In order to understand American foreign policy in this period, we need to acquaint ourselves with the two key players—President Truman and his Secretary of State from July 1945 to January 1947, James F. Byrnes. Most historians who have studied this period agree that Truman largely delegated foreign policy decision-making to Byrnes. We therefore need to come to some understanding of this man's thinking. We begin with an outline of Byrnes' background, his experience and his relationship with Truman. We then proceed with a short general summary of his term as Secretary of State before evaluating the historiography on Byrnes' secretaryship and Truman's attitude to Byrnes' work as Secretary.

* * * * *

Within days of Roosevelt's death, Truman had decided to replace Ed Stettinius as Secretary of State with Jimmy Byrnes. Truman and Byrnes discussed the matter *en route* to Roosevelt's burial and agreed to keep things quiet until the end of the San Francisco Conference on the creation of the United Nations. Stettinius resigned once the conference ended in late June 1945.[15]

Byrnes was, in many ways, a logical choice for the job. There was the practical consideration that Truman felt he owed Byrnes a debt stemming from the fact that at the Democratic Party Convention the previous July, almost everyone, including Truman and Byrnes, believed that Roosevelt's vice-presidential candidate would be either Byrnes or then Vice-President Henry Wallace. Having succeeded to the presidency as a result of FDR's surprise decision, Truman felt obliged to give Byrnes an important job. Indeed, the sense of obligation stretched further back in time. Truman was first elected to the U.S. Senate in 1934 with pecuniary support from financier Bernard Baruch, whose chief ally in the Senate was Baruch's fellow South Carolinian, Byrnes.[16]

The new President had a first-hand awareness of Byrnes' abilities. In the Senate, Truman saw him at work in the influential position of chairman of the Audit and Control Committee. The powers of this job were such that other committee chairs had to go to Byrnes to acquire funds for subcommittee investigations. As Byrnes himself put it years later, his position gave him a 'virtual dictatorship of Senate patronage.'[17]

Truman also knew Byrnes' skills had earned the appreciation of Roosevelt. After having appointed Byrnes to the U.S. Supreme Court in October 1941, Roosevelt decided in the following year that, with America at war, he needed to have Byrnes in a key administrative position. He appointed him first to the directorship of the Office of Economic Stabilization in October 1942 and then, in May 1943, to the more important post of director of the new Office of War Mobilization (OWM). From this position, Byrnes had authority over all civilian manpower related to war production, including the power to settle disputes over the distribution of war materials among the branches of the military, rent controls, regulation of rations and control of shipments of food aid to allied countries. As the *Washington Post* put it after the creation of the OWM, it seemed 'that Byrnes' authority was exceeded only by the president and equaled only by the joint chiefs of staff.' Notwithstanding Wallace's status as Vice-President until January 1945, Roosevelt told Byrnes that he, not Wallace, would be 'in charge' during the President's absences from the country and newspapers began referring to Byrnes as the 'assistant president.'[18]

Roosevelt brought Byrnes with him to the Yalta Conference to act as a political consultant and Congressional liaison instead of leaving him 'in charge' at home. It was Byrnes' job to comment publicly on the conference once he returned to the U.S. and to sell the accords to Congress. Even though he had not attended all the Yalta meetings, Byrnes fulfilled his public

relations function wonderfully, leading Truman to believe that Byrnes, not Stettinius, was the person he needed to speak with to find out what had happened at Yalta. This was perhaps the main reason why Truman wanted to consult Byrnes almost immediately after Roosevelt's death.[19]

Believing himself less competent to deal with foreign affairs than Byrnes, Truman allowed his Secretary of State to have his way in the all-important postwar negotiations with the Soviet Union. The arrangement prompted one Republican wag to quip: 'Truman fiddles while Byrnes roams.' In the early weeks of his tenure, Byrnes helped Truman prepare for the momentous Potsdam Conference and he guided American diplomacy in the lead-up to the use of the atomic bomb and the end of the war in the Pacific.

The 'Big Three' decided at Potsdam to defer virtually all matters pertaining to occupied Europe to discussion and resolution by the three foreign ministers at subsequent meetings, styled as the Council of Foreign Ministers (CFM). Pursuant to this agreement, meetings involving Byrnes, Soviet Foreign Minister V. M. Molotov and British Foreign Minister Ernest Bevin took place in London, Moscow, Paris and New York between September 1945 and December 1946. The Paris round was not, strictly speaking, a conference of the CFM, but a full peace conference, at which eighteen other allied countries participated.

The main task of the foreign ministers was to handle the drafting and approval of the peace treaties with Bulgaria, Finland, Hungary, Italy and Romania. Byrnes referred to this as the minor 'spade work' to be done before the difficult task of negotiating the treaties with Germany and Japan. The spade work took much longer than Byrnes had anticipated, largely because of Molotov's obduracy. Indeed, this labor occupied Byrnes' entire secretaryship, leaving Germany and Japan unresolved and leading to many compromise agreements in the minor treaties. While

these negotiations occupied most of his time, Byrnes also had to deal with the Iranian crisis in the first half of 1946, in which Soviet occupation forces made threatening movements in that country. Byrnes helped force the Soviets to back down by threatening retribution for continued violations of Iranian sovereignty.

Although it has not been a subject of rancorous debate, there is little agreement among historians on the basic facts of Byrnes' diplomacy, let alone how his diplomacy ought best be characterized. A few have argued that Byrnes followed a hard line against the Soviets because he practiced 'atomic diplomacy' in order to make the Russians more pliable.[20] Some have argued that Byrnes would have liked to pursue a softer line, but that by late 1945 he was facing pressure from Truman himself to take a tougher approach.[21]

More widespread is the belief that Byrnes initially pursued a soft line and compromised with the Soviets because he saw himself as the idealistic champion of Roosevelt's foreign policy. This view posits that Byrnes believed he could maintain the Grand Alliance and guarantee peace with Russia for the foreseeable future. Historians who take this view concede that Byrnes underestimated Molotov's stubbornness in the beginning, but maintain that he persisted doggedly to reach agreement on the minor treaties and that he ultimately succeeded in carrying out Roosevelt's wishes.[22] A number of those who hold this view argue that Byrnes shifted position after the Moscow round of the CFM in December 1945 because Truman reprimanded him for compromising too much and for making decisions without consulting him. Byrnes' conduct during the Iranian crisis, a tough speech in Stuttgart and the concomitant dismissal from Cabinet of the pro-Soviet former Vice-President Henry Wallace are offered as evidence that Byrnes had shifted to a Cold War mentality.[23]

These lines of argument deserve a thorough evaluation in a separate essay, but, for our purposes, it must suffice to deal with them briefly. To suggest that Byrnes practiced atomic diplomacy is to misrepresent what he did. He believed in working with the Soviets to control the international development of atomic weaponry and he never threatened Russia with the bomb.

Byrnes also was never an idealistic follower of Roosevelt. There is actually much evidence to suggest Byrnes disliked FDR. The vice-presidential choice at the 1944 Democratic Party Convention has already been noted and another sore point was Roosevelt's 1938 attempt to purge the party of its Southern conservatives.[24] He also took a dim view of Roosevelt's secretive personal diplomacy. In July 1946, he sarcastically told the White House special counsel Clark Clifford that he could not be sure he was aware of 'every agreement' Roosevelt had made with Stalin. He said that some secret deals might be found in Hopkins' papers and others might be 'buried' in Roosevelt's files.[25]

Whether Byrnes 'turned' to a tougher line with the Soviets following a presidential rebuke after the Moscow Conference is a thornier issue. Most historians accept, without much criticism, the evidence that a reprimand took place. The main evidence for this is a strongly worded handwritten memorandum by Truman, dated January 5, 1946, which was addressed to Byrnes, but which was never sent. Truman reproduced it in his memoirs and stated that he had read it to Byrnes when the two met in the Oval Office that same day. The memo expresses Truman's anger at having been left 'completely in the dark on the whole conference' and goes on to enumerate specific matters on which the U.S. should stop compromising with Russia. The terse letter closes with the oft-quoted phrase: 'I'm tired of babying the Soviets.'[26]

In his own memoirs, published after Truman's, Byrnes wrote that the President never read

the letter to him and that he never saw it before its initial publication in a 1952 biography of Truman. Byrnes wrote that he was 'flabbergasted' when he read it and that he would have resigned if Truman had read it to him at the time.[27] There is no reason to doubt Byrnes on this point. As historian Robert Messer suggests, Byrnes was not the sort of person who would have 'taken such a schoolboy lecture from anyone.'[28] It is almost a certainty that Truman was annoyed by Byrnes' lack of communication with him and he may well have told the Secretary he was displeased by it. A stinging, detailed rebuke along the lines of the memorandum, however, likely did not occur.

Messer suggests the memo may have been a genuine contemporary document, written by Truman as a simple cathartic exercise. This seems to be the most reasonable explanation, but Messer and others are stretching things when they argue that the document shows that Truman had decided once and for all to play hardball with the Soviets. The available evidence indicates that the President was actually far more inconsistent.[29]

In the only study of American diplomacy in the early postwar period employing rigorous scientific methodology, Deborah Welch Larson has shown that there was no consistency in anything Truman said or wrote about the Soviets between April 1945 and the enunciation of the 'Truman Doctrine' in March 1947. Her findings revealed that, up until March 1947, Truman would occasionally make statements affirming that the Soviets actively sought to spread communism around the world, but would simultaneously make statements suggesting that it was possible to maintain peace with Russia. Larson mentions that, on October 5, 1945, the President told Budget Director Harold Smith that the Soviets understood 'only the language of military force.' The next day, Truman reassured Joseph Davies about the prospects for U.S.-Soviet

cooperation: 'I am not in the least alarmed about it. We will get it worked out before we get through ....'[30]

Larson's work shows that, at least during his first two years in office, Truman was not the decisive 'straight-shooter' that decades of myth-making about him have led people to believe. He often vacillated and had a tendency towards impulsive actions. Contemporaries may have interpreted such actions as evidence of decisiveness, but they cannot, in retrospect, be used as evidence that he had taken a firm position on major issues. Examples of this impulsive streak may include his scrawling of the cathartic memorandum after the Moscow Conference, his tough talk with Molotov in April 1945 and his phone conversation in June 1945 with FBI investigator Myron Gurnea that so impressed Grew and Holmes. Larson also notes that Truman had a disconcerting inclination to agree with whomever he happened to be speaking. It seems likely that Grew was among those who were beguiled and misled by this trait in the early days of the administration. It had become transparent to Henry Wallace by December 1945 when he lamented in his diary that Truman 'does *so* like to agree with whomever is with him at the moment.' [Emphasis in original.][31]

Following a lengthy conversation with Truman the following September, Wallace noted in his diary that Truman 'complained of how much the newspapers had criticized him.'[32] This points to Truman's seldom acknowledged concern with popularity. He was, like his former mentor in the Senate, Jimmy Byrnes, a pragmatist who wished to pursue policies that the majority of Americans supported. Unlike the foreign service officers in the State Department, there were no fundamental ideological convictions dictating the foreign policy outlook of either Truman or Byrnes.

* * * * *

We now turn to a discussion of perhaps the key consideration informing the pragmatic foreign policy of Truman and Byrnes in the early postwar period. A vast majority of Americans wanted to return to a peaceful existence after the war and this is reflected in the widespread demand for rapid demobilization and the lack of enthusiasm for a proposed postwar program of universal military training (UMT). The evidence indicates that Truman and Byrnes, despite their personal dislike of the Soviets and Truman's earlier indications that he wished to confront Russia, avoided doing anything in the area of foreign relations that might spoil Americans' desire for peace and calm.

* * * * *

For at least the first couple of years after the end of hostilities, Americans had no appetite for confronting the Soviet Union. Noting that this is often overlooked by historians with no personal memories of the war, historian Robert Ferrell commented thoughtfully on this widespread attitude:

> ... one has to sense the concerns of the era after the Second World War. ... it was a time of shortages and the memory of the war ... was ever present. Politically ... it was a confusing time, terribly confusing, for whatever the wartime awkwardness of dealing with the Russians there was an almost overwhelming feeling that there were not major reasons why we had to be enemies of the Russians. The exertions of the war had been so large, even for the Americans who had suffered the least, that we wanted the postwar world to be peaceful, a time when we could do personally as we wanted, when all the delayed expectations of the war years might have fulfillment.[33]

Americans' desire for a peaceful existence is reflected in the broad appeal of rapid demobilization at war's end. As early as the summer of 1942, the Postwar Manpower Conference, an offshoot of Roosevelt's National Resources Planning Board, began meeting

regularly to make recommendations on postwar matters. The speed of demobilization was as important an issue at these meetings as the means for reintegrating servicemen into the economy. Several of the planners recognized early on that it would be difficult, if not impossible, for the government to resist public pleas to 'bring the boys home.' This view prevailed over the concerns of those who felt a rapid demobilization would place too great a strain on the economy. The Conference's final report, submitted to Congress by Roosevelt in June 1943, advocated a speedy demobilization.[34]

The conferees were accurate in their assessment of public opinion. The end of the war brought enormous pressure on government and legislators to demobilize at once. In one of countless similar letters to federal lawmakers, a soldier's wife wrote to her Senator in mid-September 1945: 'I'm empty of patience—tolerance—patriotism—I'm emptied of everything but an awful bitterness.' Under this sort of admittedly 'unpatriotic' pressure, Congress strongly supported a rapid demobilization to which the government complied. Within just one year, the armed forces went from a wartime strength of over twelve million in 1945 to just over three million.[35]

Some officials believed the effects of rapid demobilization could be offset by the implementation of a system of universal military training. Undersecretary of State Joseph Grew was one of these. In his ardent promotion of the scheme, Grew even argued that Japan would not have attacked Pearl Harbor had the U.S. 'maintained UMT and other preparedness measures.' Truman was also a supporter and made the case for UMT in a speech in Congress in October 1945. Realistic military leaders realized, however, that they had to tread carefully in order to win the necessary political support. Marshall, for example, was furious when, in September 1945, a

committee of military postwar planners recommended a peacetime force of 1.6 million men. Marshall knew this figure was absurdly high under the circumstances and that the recommendation threatened to undermine efforts to persuade the peace-minded Congress to support UMT.[36]

Even as there was no prospect of agreement with the Soviets in the lead-up to the Moscow Conference in December 1945, Army and Air Force officials believed Congress would not likely support UMT and that energies should be devoted to safeguarding the professional force. UMT proposals were effectively killed off in November when the Navy, which had always been more supportive of UMT than the other services, came around to this view. The services did not bother sending a bill to Congress. General Dwight Eisenhower commented shortly thereafter that Americans have to be 'kicked into war' before they begin taking steps to prepare.[37]

Byrnes would have agreed with Eisenhower. Having served as the powerful Director of War Mobilization, Byrnes knew better than most senior officials the sacrifices millions had been forced to make. Testifying before the Senate Foreign Relations Committee in December 1945, he acknowledged the widespread public dismay over the large number of troops still stationed in China and explained that they had to be there in order to facilitate the surrender of large numbers of Japanese troops.[38]

Byrnes was also well aware that demobilization could be a key political issue that might hurt the Democrats in the 1946 mid-term elections. He thus discouraged conservative officials from pressing Truman and the Congress to slow the pace of demobilization. During an October 1945 meeting of the Secretaries of State, War and Navy, for example, Navy Secretary Forrestal suggested that the time had come for Truman 'to acquaint the people with the details of our

dealings with the Russians and with the attitude which the Russians have manifested' with a view to building public support for a demobilization slowdown. Byrnes demurred, although he did not specifically warn Forrestal that the public would not accept an easing of the pace of demobilization. Nevertheless, this seems to be implied in his suggestion that a slowdown would merely give the Russians 'an excuse for claiming that we had furnished provocation which justified their actions.' Byrnes believed a public relations campaign on Soviet nastiness would have no effect on public attitudes to demobilization and would only serve to complicate his already troublesome dealings with Molotov.[39]

Even during the Iranian crisis in the first half of 1946, when he obliquely threatened the Soviets with military force if they moved to establish a satellite state in that country, Byrnes knew that Americans would not support a military buildup. His tough talk during the Iranian crisis, although it apparently succeeded in pressuring Russia to back down in early May, was bluff. He knew that Americans would not support another use of the atomic bomb and Charles Bohlen and General Omar Bradley both warned him that U.S. forces lacked the conventional capability to respond to a large-scale Soviet thrust in central Asia.[40]

During an informal meeting with press correspondents in early March 1946, the Secretary expressed his frustration at the rapid pace of demobilization. Having thoroughly discussed the manpower situation with the Secretaries of War and Defense, Byrnes told the journalists that the reorganized peacetime Army would not be 'in operating shape' until early October and that the Army presently had around one armored division 'in what might be called fighting shape.' Complaining about the disappearance of Army specialists who were demobilized before the less skilled, he mentioned that the fleet of U.S. planes in Korea was inoperable because there were no

mechanics to service it.[41]

In a rare admission of misjudgement, Byrnes told the journalists that, while serving as Director of War Mobilization, he had favored a rapid demobilization because he believed that 'war weariness' would be manifest throughout the world and that 'every nation would be willing to follow the ways of peace.' He said he did not anticipate 'the tensions which have since arisen.' Noting that all this made his handling of the Iranian crisis more difficult, he lamented: 'In Teddy Roosevelt's day the motto used to be 'speak softly and carry a big stick' - now I am expected to shout loudly and carry a cap pistol.'[42]

Despite his frustrations during the Iranian crisis, Byrnes appears genuinely to have shared Americans' wish to demobilize as quickly as possible. In his case, however, this wish did not come from a selfish desire to bring the troops home for their own sake. Byrnes' desire for demobilization stemmed from what appears to have been a genuine loathing of military occupation. Testifying before the Senate Foreign Relations Committee in early 1947 in support of the ratification of the minor treaties which he had done much to create, Byrnes expressed himself bluntly:

> ... an occupation army is a bad army, I do not care what army it is. It is always a difficult army to discipline. It is an entirely different army from an army in wartime. ... I guess the Soviet Government has in Europe outside of Germany, 550,000 [troops]. I know that we have something over 200,000 and the British have about 250,00 [sic]. I do not know the exact figures, because they change from day to day. But we have got to get those occupation armies back into their homelands.[43]

Byrnes' distaste for military occupation grew out of his Southern heritage. In his early March 1946 talk with journalists, he said that he had told the Russians of the South's bitter experience after the Civil War. As a boy, he would listen to old women speaking 'with bitterness

and rancor' of the days of Northern occupation. He warned the Russians that their policy of establishing relations with 'friendly governments' in Eastern Europe would result in a long, painful occupation that would ultimately end in failure because, as the Southern experience had shown, friendly governments without popular support collapse once the occupation forces leave.[44]

Byrnes' persistent concern with demobilization is highlighted by the frequency with which he referred to it in his public comments on the negotiations of the minor treaties. Indeed, bringing the troops home as quickly as possible was arguably the single most important organizing principle in his diplomacy. He argued repeatedly that it would be impossible for Europe to 'return to normal conditions' if the Allied occupation armies remained in place because of the 'heavy economic burdens' and 'many other' forms of 'pressure' those forces placed on the occupied countries.[45]

In 1947 testimony before the Senate Foreign Relations Committee, Byrnes said that the main effect of a U.S. failure to ratify the minor treaties would be that the burden of maintaining 'the armies of occupation and of chaotic political and economic conditions in these countries' would be placed on American shoulders. He also argued that the most important result of the Hungarian treaty would be the withdrawal of most Soviet forces from that country and he asserted that the main effect of an Austrian settlement—something he had tried and failed to achieve—would be the withdrawal of Soviet troops guarding the lines of communication in Central Europe.[46]

Byrnes had made the same arguments in his negotiations with the Soviets. In his written account of the unfruitful London round of the CFM in the autumn of 1945, Byrnes wrote that, at

one point, Molotov made light of Ernest Bevin's concern over the number of Red Army troops in Eastern Europe. An unamused Byrnes responded earnestly by telling Molotov: 'It would be the greatest favor we could do these countries, all of which are poor, if we relieve them of the burden of armaments. ... Why ... do any of these countries need large armies?'[47]

Although Molotov showed little interest in what Byrnes had to say in London, the Secretary of State was determined to see the negotiations of the minor treaties through to a successful conclusion and thus to put off a serious confrontation with Russia. Despite many long hours of haggling with tireless Soviet officials, Byrnes never abandoned compromise. He did not, as some have argued, 'turn' to a hard line during or after the Iranian crisis. He effectively compartmentalized that crisis and the negotiation of the minor treaties into separate boxes.[48]

This also applied to Byrnes' views on occupied Germany. In a major speech in Stuttgart in September 1946, he told an enthusiastic German audience that the U.S. had no intention of allowing all of Germany to fall within the Soviet sphere of influence and that a U.S. occupation force would stay there for as long as Soviet forces remained. Although this speech provoked the ire of the pro-Soviet Henry Wallace, resulting in his dismissal from Cabinet, it did not accompany any planned changes to the minor treaties.[49]

In his Senate testimony, Byrnes acknowledged that the treaties were, in many ways, 'unsatisfactory,' but he asserted that they were the best that could have been achieved under the circumstances. The U.S. had to make difficult compromises on a number of major issues, including whether Trieste should be part of Italy or Yugoslavia, the amount of Hungarian and Italian reparations to be paid to the Soviets, international navigation rights on the Danube, the powers of the International Court of Justice and the grounds for recognition of the governments

of Bulgaria and Romania. Byrnes felt that compromise on these issues was justified because each of them, he said, could have made or broken a final agreement. Failure to make an agreement would mean continued occupation—something Byrnes detested more than unpleasant compromise.[50]

The last mentioned compromise, the recognition of the Bulgarian and Romanian governments, was perhaps the most controversial of all. Having failed to come to terms on this issue with Molotov in London, Byrnes went over his adversary's head in Moscow and spoke directly with Stalin. The agreement the two men reached provided for Anglo-American recognition of the Moscow-sponsored governments in return for token non-communist representation therein.[51] This compromise irritated many, not least Truman himself. In his undelivered January 5, 1946, memorandum, Truman described the governments of Romania and Bulgaria as 'police states' and indicated that they would have to be 'radically changed' in order for the U.S. to recognize them.[52]

Although this is one of many indications that Truman wanted to take a harder line with the Soviets after the Moscow Conference, no policy changes ensued.[53] Having been a student of Byrnes in the Senate, Truman shared the Secretary's political acuity and agreed with him that the domestic political costs of a demobilization slowdown were too great to contemplate seriously. He later acknowledged that the U.S. had demobilized 'too completely,' but that 'mamma and papa and every Congressman wanted every boy discharged at once after Japan folded up.' Truman was not prepared to fight this tide.[54]

Some have also suggested that Truman's regard for Byrnes began to cool in late 1946 under the growing influence of anti-Soviet advisors like George Kennan, Clark Clifford and

William Leahy.[55] Larson suggests that the circumstantial evidence for this assertion is usually accepted uncritically. She notes there is no indication that Truman even read Kennan's 'Long Telegram,' regarded as the urtext of containment. The President also locked up all the copies of the damning Clifford-Elsey Report, another containment manifesto, in order to avoid leaks that might complicate U.S. foreign policy. Containment would eventually be enshrined in Truman's foreign policy as the 'Truman Doctrine,' but from mid-1945 to about mid-1947, the President believed the time had not yet come for the U.S. to adopt an openly adversarial relationship with the Soviet Union.[56]

* * * * *

We now turn to a discussion of the impact of the Truman-Byrnes foreign policy on the State Department. The President and his Secretary of State could hardly be described as left-wing ideologues, but their pragmatic, non-confrontational policy toward the Soviet Union represented a clear repudiation of the firmly anti-Soviet position of Joseph Grew and the conservative wing of the State Department. In our consideration of the Diplomatic Hypothesis, this raises the possibility that the *Amerasia* prosecution—something that was strongly supported by State's conservatives and which was a product of their efforts to stop leaks of information by and to those on the left—may also have been repudiated by Truman and Byrnes for diplomatic reasons.

* * * * *

Truman's decision to defer to Byrnes on foreign policy came as a rude shock to the State Department's conservative career men. Their campaign of presidential tutorship and the positive signals and hints from Truman indicating that he agreed with them on how to deal with the Soviet Union appear to have counted for little. Byrnes was simply not interested in their views or

their expertise. After working hard to influence Truman's foreign policy during the first weeks of the new administration, the anti-Soviet Averell Harriman became exasperated by Byrnes' aloofness. He later recalled: 'Byrnes, the damn fool, never consulted anybody ....'[57] Gone were the days when the conservative career men had the run of the Department, with Stettinius serving as the efficient, disinterested manager. Grew undoubtedly spoke for many of his associates when he wrote that the 'old Department never had been, and probably never will be, so well organized as during the Stettinius regime.'[58] The conservatives' anti-Soviet allies in the Eastern European embassies were effectively made impotent by Byrnes' scorn.[59]

The repudiation of State's conservatives is well illustrated by the abrupt coda of Joseph Grew's long diplomatic career following the Potsdam Conference in late July 1945. Grew seems to have believed, and certainly hoped, that Truman would take a firm anti-Soviet stance during the conference. It was not to be. Although Truman was frequently abrupt to the point of rudeness in some of his exchanges with Stalin, he never evinced any intention of confronting the Soviets. The Big Three decided to refer most of the issues concerning occupied Europe to the Council of Foreign Ministers.

Truman and Byrnes also rejected the clause in the draft version of the Potsdam Proclamation which provided that Japan could retain a 'a constitutional monarchy under the present dynasty.' The draft had been written largely by Grew ally and Japanese expert, Eugene Dooman and Navy's Douglas Fairbanks, Jr. Grew and Dooman later claimed that two State Department liberals, Dean Acheson and Archibald MacLeish, both of whom staunchly opposed including the reference to a constitutional monarchy, had arranged for the influential associate of Jaffe and Service, Owen Lattimore, to meet with Truman to try to dissuade him from including

the clause in the final draft. The elimination of the clause from the Proclamation was the only significant change made to the Dooman-Fairbanks draft.[60] Russia declared war on Japan on August 8, two days after the atomic bomb drop on Hiroshima and four days before Japan's acceptance of the Potsdam Proclamation.

Grew resigned as Undersecretary one week later, followed shortly thereafter by his fellow conservative Japanese experts—Dooman, Ballantine, Dickover—as well as Assistant Secretary Julius Holmes. The pro-British, pro-Soviet member of the Frankfurter circle, Acheson, replaced Grew as Undersecretary and China Hand, and friend of Jack Service, John Carter Vincent, replaced Ballantine as head of the Office of Far Eastern Affairs.[61] Grew's friend and ally James Dunn stayed on as Assistant Secretary despite his anti-Soviet outlook. Unimpressed by this apparent display of pragmatic flexibility, the conservative former Undersecretary of State William Castle described Dunn as 'a perfect chameleon.'[62]

The reason for Grew's retirement is a matter of some small controversy. In a letter to the Tydings Committee in 1950, he specifically asserted that *Amerasia* had nothing to do with his retirement and that he 'was in ill health at the time and was facing the prospect of a major operation.' The content of the letter probably stemmed from Grew's persistent irritation with claims that his support of the *Amerasia* prosecution was part of a personal vendetta against the China Hands.[63] An examination of Grew's letters after his resignation on August 15, 1945, shows that, although he had reached retirement age, he was hardly a sick man. He repeatedly described himself as 'free at last' and like 'a boy out of school.' In cordially congratulating his nemesis, Acheson, on his appointment, Grew mentioned that he and the wife were taking off 'on a month's motor trip' on August 23.[64]

It seems more likely that Grew resigned mainly because of Truman's repudiation of his policies during the Potsdam Conference. Grew clearly was suspicious of Byrnes well before the final outcome of the Big Three meeting. On July 19, shortly after the conference began, Grew told fellow conservative William Phillips that if Byrnes 'should bring in men with whom I might find it difficult to work in the same intimacy that has characterized Ed Stettinius' "team", I am quite sure that I would not wish to remain.'[65] Shortly after his resignation, Grew reportedly told Dooman that he 'preferred to resign now rather than be fired two months from now.'[66]

It should be noted that Byrnes did not discriminate in his neglect of the State Department's experts and that this perhaps reflects Byrnes' non-ideological, pragmatic approach to diplomacy. Ideological opposites in the Office of Far Eastern Affairs, Eugene Dooman and John Carter Vincent both confirmed later that they were idle at Potsdam. Byrnes did not speak to either of them and did not ask them to do anything.[67] The shrewd and notoriously secretive Byrnes was aware of the legacy of rancor and bickering among State officials and was quite deliberate in keeping the department in the dark on his negotiations lest the various factions might be tempted to 'light fires' beneath him. He implied as much in a famous comment during the London round of the CFM: 'I might tell the President sometime what happened [at the conference], but I'm never going to tell those little bastards at the State Department ....'[68]

During his tenure as Secretary of State, Byrnes relied mainly on just three trusted advisors, none of whom had any diplomatic experience. Donald Russell had been one of his law partners many years earlier in Spartanburg, South Carolina, and had served under Byrnes at OWM. He appointed Russell to replace Julius Holmes as Assistant Secretary of State for administration and security. Walter Brown was another OWM alum with Spartanburg connections, having worked

as a broadcasting executive in the city. Byrnes gave him the title of Special Assistant to the Secretary. Benjamin Cohen was the black sheep of this trio. Raised in Indiana, he was a member of the Frankfurter Circle and a New Dealer who had served under Byrnes as OWM's legal counsel. He took the same job at State in September 1945 after serving briefly as another Special Assistant to Byrnes.[69]

Byrnes' reliance on these men to the exclusion of the State Department experts is illustrated by an episode on August 10, 1945, shortly after the Secretary's return from Potsdam. Byrnes and his three advisors were working on a draft reply to Japan's acceptance of the Potsdam Proclamation, but Grew, the former longtime Ambassador to Japan and his fellow Japanese experts, were not consulted by Byrnes and his advisors on this important matter. Nonetheless, Grew politely interrupted the meeting to suggest that the U.S. response should provide that the Japanese Emperor, as per imperial protocol, would not have to personally sign the surrender document. Byrnes' team rejected Grew's advice and telegraphed their draft response to the main allied governments. In Grew's recollection, the British, French and Chinese governments all immediately sent responses advising that the surrender document should allow a representative to sign on the Emperor's behalf.[70]

Jimmy Byrnes' championing of Ben Cohen highlights Byrnes' Machiavellian streak. A man's background and ideology were less important to Byrnes than his intelligence, loyalty and, above all, discretion. Cohen was, in some ways, a younger version of Byrnes—a smart Washington operator who was quick on his feet and who could get things done, yet without leaving fingerprints. His biographer notes that Cohen 'generally played his role in almost total darkness, leaving the public appearances to his friend and alter ego, Tommy Corcoran.'[71]

As a member of the Frankfurter Circle, Cohen, like Corcoran and Acheson, believed firmly in maintaining friendly relations with Russia, both during and after the war. Indeed, even though Byrnes assiduously shut himself off from State, the department's left wing was able to influence foreign policy indirectly through Cohen. State's conservatives had no one on their side who was similarly placed. Cohen's foreign policy outlook, combined with his discretion and his network of Washington contacts, seemed to make him the ideal person to help prevent domestic irritants from interfering with Byrnes' diplomacy.

* * * * *

The foregoing background has set the stage for a discussion of how the *Amerasia* prosecution might have been stifled in an effort to avoid complicating Byrnes' diplomacy with the Soviet Union. The speculative nature of this exercise is the weakness of the Diplomatic Hypothesis—there is no direct evidence suggesting that Byrnes, Truman, or anyone acting on their behalf, undermined the prosecution. Nonetheless, it is significant that Ben Cohen was one of Byrnes' closest advisors. Based on the FBI wiretap on the phone of his friend and ally, Tom Corcoran, we know that Cohen wanted to keep John Service from being indicted and to prevent a sensational trial that might publicize much of the State Department's dirty laundry. It appears that Cohen may have played a key role in stifling the *Amerasia* prosecution.

* * * * *

In Spring 1950, Senator Joseph McCarthy recklessly asserted that Owen Lattimore was a Soviet agent who exerted a major influence on U.S. foreign policy during and after World War II. In response to McCarthy's charges, Senator Millard Tydings, in his capacity as chairman of a committee investigating disloyalty in the State Department, asked several prominent officials and

former officials if Lattimore had exercised any such influence. One of these former officials was private citizen, James F. Byrnes, who stated in his written response to Tydings that he was unaware of the existence of Lattimore or his writings.[72]

Of greater significance to an evaluation of the Diplomatic Hypothesis is Byrnes' unsolicited comments which he tacked on to his answer:

> It is extremely important at this time, in view of the tenseness of the situation in world affairs, that we do not give to either our friends or enemies abroad the false impression of a serious division among us in our policies as to the Soviet Government. Seldom in our history have our people been so united on any issue.
>
> I hope that, regardless of our differences on domestic issues, our political leaders can present a united front in our foreign relations.[73]

This plea for a 'united front' on U.S. foreign relations is unique because Byrnes was not given to making unsolicited comments on controversial issues. He clearly felt that the agitation of McCarthy and his supporters, which had sparked the Tydings investigation and its study of the *Amerasia* case, was an unnecessary distraction that could hurt U.S.-Soviet relations. Yet, he could have uttered the same sentences just as easily during his own Secretaryship because he wanted a united front then as much as he did in 1950. It appears Byrnes believed that dealing with the Soviets was complicated enough without the added pressure of unnecessary domestic complications that might throw a wrench in his diplomacy. The constant infighting that characterized life in the State Department was one such aggravation Byrnes felt he could do without, so he eliminated the problem by assiduously keeping State out of 'the loop.' He created the illusion of a 'united front' by throwing a wet blanket over the dissenting voices in his own department.

Although there is no direct evidence on point, Byrnes' plea also provides some indication

of his possible attitude to the *Amerasia* case. His biographer, David Robertson, suggests that Byrnes, the former Supreme Court Justice, was determined not to interfere with the judicial process in the case. He notes that Byrnes faced pressure during the month of July to publicly dissociate the Department from Jack Service, but that Byrnes steadfastly refused to comment.[74] That Byrnes would not repudiate Service makes sense, but can we be sure he did not interfere with the judicial process, directly or indirectly? He was surely aware that if the case were to be prosecuted and defended vigorously, much departmental infighting would almost certainly come to light. He would likely have shared Tom Corcoran's aversion to those who wanted to turn *Amerasia* into a 'Dreyfus case.' It would surely create the impression of domestic disunity that Byrnes believed would make it more difficult to deal with the Soviets.

Another clue to Byrnes' thinking lies in his response to accusations in July 1946 by Republican Congressman Bartel Jonkman that the State Department was home to several communists. Jonkman charged that most of these communists came from the Research and Analysis Branch of OSS, which had been transferred *in toto* to State at war's end. Among this group were known Marxists, such as Franz Neumann and Herbert Marcuse. Unbeknownst to anyone outside the department and the FBI, Byrnes, through his trusted ally Donald Russell, had already quietly removed a number of Marxists and fellow travelers by encouraging them to resign or by transferring them to the UN.[75]

The Secretary of State responded to Jonkman's charges when he was asked about them at a news conference. Robertson writes that Byrnes 'reacted unusually strongly' to the question by launching into a passionate defense of the presumption of innocence. Noting that charges of disloyalty 'can ruin a man's reputation in a few minutes,' Byrnes asserted that any investigations

of such matters must be 'discreetly and wisely done.'[76] Did Byrnes take steps to ensure the *Amerasia* case was handled 'discreetly and wisely?' The question cannot be answered definitively, but a reconsideration of some aspects of the Justice Department's handling of the case in light of Byrnes' concern with presenting a 'united front' and Ben Cohen's position as one of his key advisors, may help light on what happened.

The first suspicious move by the Attorney General designate Tom Clark was the appointment of Robert Hitchcock as prosecutor one week after the arrests. Hitchcock had links to lawyers close to Jaffe and Kate Mitchell. It is possible to read too much into this, but it may be that Clark hired this young, relatively inexperienced prosecutor in the belief that he would be more willing to accede to the wishes of his Justice Department superiors in this obviously sensitive case. Clark met with the FBI's Ladd and Gurnea to discuss the case on the morning of Saturday, June 9, 1945, and he met with Tom Corcoran that afternoon.[77]

Was Corcoran already advising Clark on how to handle the case in return for Corcoran's guarantee of a smooth ride in the Senate confirmation hearing? There is no evidence the two men were close or that they met regularly. Clark likewise does not appear to have been close to either Byrnes or Cohen. He was, however, a lifelong friend and ally of Harry Truman.[78] Given his well-known animus for Corcoran, it would be strange for Truman to have remained friends with Clark right up to Truman's death in 1972 if Clark was also friends with Tom Corcoran. The matter Clark and Corcoran discussed on June 9 must have been important. It is also worth noting there is no evidence that Clark had pro-Soviet inclinations. Indeed, after the enunciation of the Truman Doctrine and the initiation of the Loyalty Program, he became known as an anti-Soviet official.[79]

The Justice Department's interest in the case appears to have begun to disintegrate in the last ten days of June. The FBI's tap on Corcoran's phones had by this time revealed the involvement of Corcoran, Cohen and Lauchlin Currie. It is in this period that senior Justice officials—Clark, McInerney, McGranery—began meeting regularly with the defense lawyers and speaking on the phone with Corcoran. At the same time, Hoover started having suspicions about the Department's actions.

The change in Hitchcock's attitude at this point is instructive. On June 21, he told the FBI he expected that the grand jury would indict all six defendants on the lesser charge of embezzlement of government property and that it might be possible to indict one or more of them for conspiracy to commit espionage. The following week, he agreed, with no *quid pro quo*, to give the defense attorneys access to the documents he intended to present to the grand jury and he made no effort to pressure Mitchell to testify against the other defendants after her lawyer offered to have her appear before the grand jury. What sparked Hitchcock's apparent change in attitude? It may be that Corcoran's machinations were having an effect. Corcoran had told Currie on June 11 that he was going to 'work around the edges of this thing for a day or so and see if I can liquidate the whole damn thing.'[80]

It is also possible that the Justice Department had by this time come under direct influence from Cohen. It is difficult to gauge what Cohen was thinking at this time, in part because, like his friends Acheson and Byrnes, Cohen chose to leave only a few of his personal papers for posterity. We know that at this time Cohen's considerable energies were consumed by postwar issues. Unlike Byrnes, Cohen was a Rooseveltian and his reasons for believing that the U.S. should work to maintain friendly relations with Russia were more idealistic than pragmatic.

Cohen was technically unemployed between the time of his resignation from OWM in January 1945 and his appointment as Byrnes' Special Assistant in early July, but, after Roosevelt's death, Byrnes made it clear he wanted Cohen to be one of his senior advisors upon taking over the State Department at the end of the San Francisco Conference.[81]

Cohen was fully aware of Byrnes' concerns over the practical difficulties with mobilization and the corollary necessity of demobilizing as quickly as possible. He also knew Byrnes would not want to confront the Soviets. Although it is impossible to ascertain the extent of Cohen's influence from available records, it seems he may have been chiefly responsible for the idea of creating the Council of Foreign Ministers and establishing it as the entity that would negotiate most of the postwar issues. In a curious diary entry, Cohen's friend and fellow New Dealer Harold Ickes wrote that 'Ben will be a great restraint' in the State Department. By this, Ickes might well have meant a 'restraint' on provocative actions that might compromise efforts to preserve U.S.-Soviet amity.[82]

Given his understanding of Byrnes' thinking, it is possible—indeed likely—that if the Diplomatic Hypothesis is accurate and Cohen intervened in the *Amerasia* case to a greater extent than is revealed by the Corcoran wiretap, Cohen did not feel the need to discuss *Amerasia* with Byrnes and Byrnes did not get directly involved. Following this logic, Byrnes would have known that Cohen knew what had to be done to ensure that Justice would handle the case 'discreetly and wisely,' as Byrnes surely wished. It seems unlikely that Corcoran alone, given his reputation and the fact that he was an enemy of Truman, could have exerted sufficient influence on Truman's friend Tom Clark to persuade him to direct his subordinates to soft-pedal the prosecution.

Although we do not have the benefit of a wiretap on Cohen's phone, there are some

indications that his role involved more than simply agreeing with Currie that Corcoran should be brought in to help Jack Service. On July 4, the day after Byrnes was sworn in as Secretary of State, Cohen told Corcoran in a phone conversation that 'Justice ought to be more careful.' Four days later, Cohen left for Potsdam with Byrnes and Truman. In a phone conversation with McGranery during the last week of July, while the Potsdam Conference was a few days from wrapping up, Corcoran told McGranery that he was sure Cohen 'would straighten this Service thing out' upon his return from the conference.[83]

We do not know what Cohen may have done to influence the outcome of the case after this, but we know that Hitchcock's disinclination to secure convictions intensified, while Hoover's exasperation with the process intensified in kind. Cohen was still in Potsdam when the grand jury opted not to indict Gayn, Mitchell and Service. It is arguable, therefore, that Corcoran's pressure was sufficient to achieve this result. The cases against Jaffe, Larsen and Roth were stronger, but Hitchcock maintained his softball approach. It would therefore seem likely that Cohen spoke with Clark at some point between Cohen's return from Potsdam in early August and his trip to London for the inaugural round of the CFM in mid-September.[84]

Hitchcock's frankly rather bizarre behavior at Jaffe's sentencing hearing can perhaps best be explained in terms of advice Cohen may have given to Clark before or after the Potsdam Conference. All Cohen would have needed to do was to suggest that the Justice Department should take steps to keep things quiet, or to be 'careful,' at least while he and Byrnes were trying to work with the Soviets in Potsdam and then in London.

Yet, there is one insubstantial bit of evidence in the FBI files on *Amerasia* suggesting that the State Department did interfere directly in the Justice Department's handling of the case.

During the Hobbs committee hearings in May 1946, Democratic chairman Sam Hobbs received an affidavit from an unnamed State Department official asserting that the department itself had pressured Justice to drop the charges against Service. In a conflict of interest, Hobbs asked McGranery to look into the charges and this is the last we hear of this mysterious affidavit.[85] Since James Dunn was the last of the highly placed conservatives to remain in the State Department after the Potsdam Conference, is it possible that he, or someone in his office, knew what Cohen was up to and informed the Hobbs committee and the FBI? We may never know, but it is interesting to speculate.

As for the White House's involvement, there is no direct evidence that Truman himself showed any interest in the case after his decisive order on June 2 to proceed with the arrests. It is possible, however, that some of his advisors also may have tried to influence Clark. Truman's decision to go ahead was, after all, necessitated by a call to Tom Clark by someone in the White House, perhaps the President's Naval Aide James Vardaman, to delay the arrests.[86] It is noteworthy in this regard that Henry Wallace described Vardaman in his diary as 'a strong admirer of Jimmie [sic] Byrnes.'[87]

There is also a curious piece of evidence—albeit from a rather dubious source—suggesting that the White House played a direct role in the outcome of the case. The source was the notorious Hearst gossip columnist, Lee Mortimer.[88] In a conversation with the FBI's L. B. Nichols, Mortimer said that a certain Washington 'fixer' who was close to Justice's James McGranery had told him that 'anything Jim McGranery did in the *Amerasia* case was done on orders from Tom Clark and the President.' Nichols pointed out that this contradicted McGranery's testimony before Congress. Mortimer then checked with the 'fixer,' who insisted

that what he said was accurate. Mortimer considered publishing a story on *Amerasia*, but, for reasons which are unclear, decided against it. We do not know the identity of the 'fixer,' though Corcoran seems a plausible candidate. Why Corcoran might have spoken to someone like Lee Mortimer, however, is also unclear.[89]

It is also an open question whether the White House had any direct influence on the Democrat-controlled Tydings committee, as some Republicans and their supporters in the press argued. There is no evidence of direct interference, but it is curious that the committee's work was brought to an end without hearing testimony from key figures with ties to the Roosevelt and/or Truman White House—Clark, McGranery, Cohen, Corcoran, Lauchlin Currie. Conservative reporter Frederick Woltman reported that the Democratic majority on the committee had refused a Republican request to call some of these individuals to testify.[90]

With Clark and McGranery safely excluded from testifying, it was left to James McInerney and Robert Hitchcock—neither of whom seem to have had close ties to the Democratic party—to defend the Justice Department's actions. In this closing section of the Diplomatic Hypothesis, it is worth highlighting a remarkable answer given by McInerney when the committee's Republican Counsel Robert Morris asked why the Justice Department never informed the grand jury of Philip Jaffe's communist ties:

> On the day this case came to the Department of Justice on May 29, the Secretary of State, Mr. Stettinius, was making a speech before the UN in which he was saying that despite the defeat of Germany, Russia and the United States must continue as allies, and they must continue their teamwork.
>
> We had concluded giving Russia $11,000,000,000 in lend-lease materials, and *all sorts of technical know-how and classified information.* Before the indictment was returned, the President was at Potsdam with Stalin ....
>
> The Communists had been our gallant allies, in quotes, at that time,

> and at the time of this plea on September 29 we were starting our first four-power [sic] meeting of foreign ministers with them to continue our alliance with them, ...
>
> We were admitting Communists to the United States Army and the Navy, and apparently to our intelligence services. [Emphasis added.]

This speech is remarkable because McInerney had maintained that 'international events' played no role in the department's handling of the case. It seems he expected everyone to believe that even though he considered world affairs to be relevant in deciding whether to inform the grand jury of Jaffe's communist ties, he was somehow able to ignore those events in all other aspects of the case.[91]

7 Conclusion

We turn now to an assessment of which of our two hypotheses explaining the failure of the *Amerasia* prosecution is the more persuasive. Perhaps we can answer this question more readily by rephrasing it thus: What must we believe in order to accept either of the two hypotheses as the more persuasive?

* * * * *

In order to accept that the *Amerasia* prosecution failed because the case was legally weak, we must believe the central argument of the Justice Department officials in defense of their handling of the case during their Congressional testimony. They were certain that the evidence obtained by the OSS and FBI from electronic surveillance and break-ins was inadmissible and illegal and that, if discovered by the defendants, would result in the case being dismissed. This central argument was accepted by the Democratic majorities on the two Congressional committees that studied the case in the mid-1940s and early 1950s. Although not essential, supporters of the Legal Hypothesis might also believe the Justice officials' claims that the *Amerasia* papers were mostly innocuous and that the FBI's difficulties in building a case after the arrests had compromised the case significantly.

To accept this hypothesis, we also have to believe that the evidence suggesting the case is weak outweighs all the evidence suggesting the prosecution was deliberately undermined. Let us summarize briefly the key elements of this evidence: Justice officials were unusually generous and non-adversarial toward the defendants; Washington 'operators' became involved in the

case—one of whom was a close advisor to the Secretary of State; the Attorney General of the United States perjured himself when asked in sworn testimony about the extent of his involvement; the Democratic majority on the Tydings committee shut down the committee's hearings before Republicans could call key witnesses; the Justice Department peremptorily rejected the FBI's view that, based on wartime circumstances and precedents, electronic surveillance in its investigation was legal; and, finally, the Justice Department's handling of the case significantly strained relations between Justice and the FBI.

In trying to analyze *Amerasia* objectively, it is frankly difficult to comprehend how all this could have happened if the legal case was as weak as the Justice Department claimed. The Legal Hypothesis does not help us understand why Justice officials behaved as they did during the prosecution and opening themselves up to bitter criticism as a result; why they were apparently prepared to sour their important working relationship with the FBI; and why busy Washington 'operators' felt the need to get involved in the case in an effort to keep one of the defendants from facing trial. I do not see how a hypothetical 'reasonable' person—to borrow a term from the law of negligence—could objectively conclude that the evidence that the case was legally weak outweighs the evidence that the case was deliberately undermined.

I submit that the Diplomatic Hypothesis is more persuasive because it goes some way toward providing a plausible explanation for the otherwise inexplicable actions of the Justice Department and Washington 'operators' during the course of the prosecution.

In order to believe that the Diplomatic Hypothesis is the more persuasive of the two propositions, we have to accept that the prosecution was deliberately undermined because of diplomatic considerations. There is admittedly no reliable, direct evidence to suggest the case

was undermined for such reasons, but it is difficult to imagine why Justice Department officials behaved as they did and impaired their own professional credibility if not for important policy reasons. *Amerasia* was fundamentally a political case, the product of ideological differences concerning the direction of postwar U.S. foreign policy. It would not, therefore, be stretching things too much to suggest that the case failed for reasons of politics, rather than law.

Was it mere coincidence that the failure of the case occurred simultaneously with the decision of President Truman to avoid a confrontation with the Soviet Union? The Potsdam Conference ended on August 2, 1945, with Truman having decided not to confront the Soviets and allowing most of the important issues to be settled in subsequent conferences of the Council of Foreign Ministers. One week later, Mark Gayn, Kate Mitchell and John Service were cleared by the grand jury after the Justice Department had made a series of decisions indicating they were not keen on indicting those three. Philip Jaffe and Jimmy Larsen both received small fines in late September after Robert Hitchcock had minimized the seriousness of the offence at Jaffe's sentencing hearing. This occurred just days before the end of the difficult London round of the CFM. The more successful Moscow round finished in late December. Over a month later, the Justice Department quietly dropped its case against Andrew Roth after having failed to try to obtain evidence against him from the other defendants.

Amerasia thus appears to have been a case in which pragmatic political and diplomatic concerns determined the government's handling of the case. Given the high stakes involved in international relations in the heady days of 1945—described by Truman as the momentous 'Year of Decisions'—it should frankly come as no surprise that in handling a case involving issues of intelligence, national security, foreign policy and political ideology, the government leadership

was concerned with bigger issues than simply the administration of justice.

To put it more bluntly, it seems the case was undermined because a tenacious, successful prosecution would simply not have served the interests of Truman's foreign policy in 1945-46. Such a prosecution may have led to the discrediting of the Soviet Union's supporters in the U.S. and a disruption in the flow of information from the U.S. to Russia, which may, in turn, have complicated the already difficult job of negotiating amicably with Soviet officials. In other words, a determined prosecution was, from the perspective of Truman, Byrnes and Cohen, a hazardous road better not taken. Short-term damage to the Justice Department, they may have reasoned, was far preferable to a sooner than hoped for freeze in U.S.-Soviet relations.

On this issue of political expediency trumping the administration of justice, an interesting parallel can be found in an earlier wartime case involving leaks of classified information. This one occurred in 1940—a year in which the stakes in international relations were arguably even higher than in 1945. Tyler Kent, a code and cipher clerk working in the U.S. embassy in London, had access to correspondence between Roosevelt and Churchill. He was alarmed by the content of this correspondence because it indicated the U.S. government was determined to get involved in the war on the British side. Kent gave some messages in this top secret correspondence to Anna Wolkoff, an anti-communist Russian émigrée. A short time later, on May 20, Scotland Yard arrested Kent on the grounds that he had been passing information to Nazi Germany through Wolkoff.[1]

After being informed by Scotland Yard of what had happened, the Roosevelt administration, with a minimum of deliberation, waived Kent's diplomatic immunity, allowing him to be tried in a British court. As author John Toland suggests, it seems likely that the British

had yielded to American political pressure in allowing Kent to be tried in Britain because, three days after his arrest, the Home Office had issued an order to have Kent deported to the U.S. A trial in the U.S. would have been held in open court and would likely have revealed Roosevelt's secret correspondence, which in turn could have led to Roosevelt's defeat in that year's presidential election. In England, however, the trial would be held in secret, in accordance with the British Official Secrets Act, notwithstanding the fact that the official secrets in question were American, not British, property. Despite minimal evidence that Wolkoff was in fact a Nazi spy, Kent was found guilty of passing official secrets to a foreign state and was sentenced to seven years in a British gaol.[2]

In both the Kent case and later in *Amerasia*, the question of what the U.S. government should do with those arrested appears to have been answered mainly by reference to political and diplomatic concerns. In the former, the conventional course—arguably the more 'just' course in a case involving an American diplomat and misuse of American property—would have been to have Kent tried in the U.S. The British Home Office seems to have recognized this was the normal course, but it was not the course the U.S. administration chose to follow. This likely was because following the normal course might have imperilled Roosevelt's plans for U.S. foreign policy. In the same way, in *Amerasia*, it seems the Justice Department did not do what would normally be expected of prosecutors in an important case because doing so might have imperilled Truman's plans for U.S. foreign policy.

* * * * *

We now turn briefly to a consideration of the implications *Amerasia* might have for our understanding of President Truman.

* * * * *

In the introductory chapter of this thesis, this author asserted his agreement with those who argue that Truman was not always the decisive, principled straight-shooter many of his supporters have argued he was. Robert Griffith describes Truman as:

> a man who could leap to decisions quickly, and perhaps impulsively, but who could also be vacillating and indecisive; a man who always seemed to know his own mind, yet who appears in retrospect to have been highly dependent on those who advised him; a man who valued honesty and plain speaking, but who was also capable of contradiction and deception, including and perhaps especially, self-deception ....

Commenting on Truman's contradictions in his diary, Henry Wallace wrote: 'He feels completely sincere and earnest at all times and is not disturbed in the slightest by the different directions in which his mind can go almost simultaneously.' Richard Miller, one of the foremost authorities on Truman's early career, notes that Truman's outlook was forged by his early experiences in the Pendergast Democratic 'machine' in Kansas City: 'Truman was a practical man and used the machine to get what he wanted. His private memoranda of that era show a troubled conscience praying that the ends would justify the means.'[3]

A practical, contradictory man, praying that the ends would justify the means; this description arguably applies just as well to the first two years of Truman's presidency as it does to his formative stint in Boss Pendergast's Kansas City. His practical flexibility is reflected in his decision to allow his Secretary of State to negotiate with the Soviet Union and to ignore the wishes of others—even himself—to confront the Soviets about their plans for postwar hegemony. Conflicted, but determined to do what he thought necessary, Truman appears to have permitted the undermining of a case involving theft of government documents. Given the unwillingness of war-weary Americans to regard Russia as an enemy, it appears to have been a

case of the new President pragmatically allowing circumstances, rather than principle, to inform his choice. Although Truman's admirers may scoff at the suggestion, I think it is fair to say that Truman's pragmatic flexibility conformed to a Machiavellian ideal:

> You must realize this: that a prince, and especially a new prince, cannot observe all those things which give men a reputation for virtue, because in order to maintain his state he is often forced to act in defiance of good faith, of charity, of kindness, of religion. And so he should have a flexible disposition, varying as fortune and circumstances dictate.[4]

Notes

* Generally speaking, the author has placed notes after a sentence or series of sentences that are supported by one particular source. Generally, there is at least one note per paragraph. Notes that refer to more than one source generally do so only if the sources in question are used in support of the same point made in the text.

1 Introduction

1. Senator Brien McMahon, quoting an unnamed columnist's thoughts on the *Amerasia* case. *State Department Employee Loyalty Investigation: Hearings before a Subcommittee of the Committee on Foreign Relations, United States Senate, Eighty-First Congress, Second Session, Pursuant to S. Res. 231, A Resolution to Investigate Whether There are Employees in the State Department Disloyal to the United States*, five parts (Washington: United States Government Printing Office, 1950) [hereinafter Tydings] p. 1032.

2. *Congressional Record*, 81st Congress, 2nd Session, 1950, vol. 96, part 6, p. 7456 [hereinafter Hobbs]; Tydings, *supra* note 1 at pp. 983, 1040.

3. Hobbs, *ibid.*, pp. 7455-6.

4. Harvey Klehr and Ronald Radosh, *The Amerasia Spy Case: Prelude to McCarthyism* (Chapel Hill: University of North Carolina Press, 1996) [hereinafter *Prelude*] p. 129.

5. Tydings, *supra* note 1 at p. 1189.

6. Special Collections Department, Robert R. Woodruff Library, Emory University, Philip J. Jaffe Papers [hereinafter Jaffe Papers], Box 44, File 12, 'Some *Amerasia* Editors are Connected with Institute of Pacific Relations,' Upton Close, over WOR and the Mutual Network (N.Y.), Radio Repots, Inc., Manuscript Service.

7. Houghton Library [hereinafter Houghton], Joseph C. Grew Papers [hereinafter Grew Papers], bMS Am 1687.7, Clipping File, Box 12, File: June 1945, 'So...You Admit...?' *PM*, June 11, 1945.

8. Ralph de Toledano, *Spies, Dupes and Diplomats* (New Rochelle: Arlington House, 1967) p. 134.

9. Paul Gordon Lauren, ed., *The China Hands' Legacy, Ethics and Diplomacy* (Boulder: Westview Press, 1987) [hereinafter Lauren] p. 17.

10. Enter '*Amerasia*' as a keyword search term for a look at this debate. Online: H-Diplo <http://www.h-net.org/~diplo/> [hereinafter H-Diplo].

11. Michael E. Parrish and Joseph W. Esherick, 'Looking for Spies in All the Wrong Places,' review of *The Amerasia Spy Case: Prelude to McCarthyism*, by Harvey Klehr and Ronald Radosh, *Reviews in American History* 25 (1997): pp. 174-85.

12. Harvey Klehr and Ronald Radosh, Letter, *Reviews in American History* 25 (1997): pp. 528-30.

13. *Prelude*, *supra* note 4, pp. 115-21.

14. This author also unabashedly relies on the work of Klehr and Radosh in discussing the facts of the case in chapters four and five.

15. Brian L. Villa, 'Admiral of the Oceans Historical and the Problem of the Monroe Doctrine,' *Rethinking International Relations: Ernest R. May and the Study of World Affairs*, ed. Akira Iriye (Chicago: Imprint, 1998) p. 329.

16. See generally, for example, Alonzo Hamby, *Man of the People: A Life of Harry S. Truman* (New York: Oxford University Press, 1995) and David G. McCullough, *Truman* (New York: Simon & Schuster, 1992).

17. See generally, for example, Gar Alperovitz, *The Decision to Use the Atomic Bomb and the*

Architecture of an American Myth (New York: Knopf, 1995) and two contributions from Deborah Welch Larson, 'Problems of Content Analysis in Foreign-Policy Research: Notes from the Study of the Origins of the Cold War Belief Systems,' *International Studies Quarterly* 32 (1988): 241-55, and *Origins of Containment: A Psychological Explanation.* Princeton: Princeton University Press, 1985).

18. R. G. Collingwood, *The Idea of History* (New York: Oxford University Press, 1961) p. 281.

2 Prelude to *Amerasia*, Part I: *Bürokratischer Kampf* and U.S. Foreign Policy

1. Waldo H. Heinrichs, Jr., *American Ambassador: Joseph C. Grew and the Development of the United States Diplomatic Tradition* (Boston: Little, Brown, 1966) [hereinafter Heinrichs] pp. 5, 97.

2. Martin Weil, *A Pretty Good Club: The Founding Fathers of the U.S. Foreign Service* (New York: W. W. Norton, 1978) [hereinafter Weil] pp. 21, 50-2. As his future young colleague in the Moscow embassy, the left-leaning John Melby, suggested, it seemed as if Kennan lamented the fact that 'he had not known—or been—Tolstoy.' Harry S. Truman Library [hereinafter Truman Library], John F. Melby Papers [hereinafter Melby Papers], Box 37, File: Letters, 3 of 6, Melby to Robert Newman, July 19, 1982.

3. Weil, *ibid.*, p. 68.

4. *Ibid.*, pp. 22-3, 69-70, 96, 102.

5. *Ibid.*, p. 108-9. James Chace, *Acheson: The Secretary of State Who Created the American World* (New York: Simon & Schuster, 1998) [hereinafter Chace], p. 81.

6. Chace, *ibid.*, pp. 24-6, 73.

7. Weil, *supra* chapter 2, note 2, pp. 108-9.

8. Weil, *ibid.*, p. 109.

9. Chace, *supra*, chapter 2, note 5, p. 151.

10. Weil, *ibid.*, p. 109.

11. Heinrichs, *supra* chapter 2, note 1, pp. 191, 288, 369.

12. *Ibid.*, pp. 364-5.

13. Joseph C. Grew, *Turbulent Era: A Diplomatic Record of Forty Years, 1904-1945*, vol. 2 (Boston: Houghton, Mifflin, 1952) [hereinafter Grew] p. 1411.

14. *Ibid.*, p. 1446.

15. For a general discussion of the China Hands, see generally E. J. Kahn, Jr., *The China Hands: America's Foreign Service Officers and What Befell Them* (New York: Viking, 1975) [hereinafter Kahn].

16. See, for example, Edgar Snow, *Journey to the Beginning* (New York: Random House, 1958) [hereinafter Snow] pp. 7-10.

17. For discussion, see Herbert Feis, *The China Tangle: The American Effort in China from Pearl Harbor to the Marshall Mission* (Princeton: Princeton University Press, 1953) pp. 19-23.

18. Snow, *supra* chapter 2, note 16, p. 10.

19. John W. Powell, 'The China Hands and the Press: A Journalist's Perspective,' [hereinafter Powell] Lauren, *supra* chapter 1, note 9, pp. 142-3.

20. Snow, *supra* chapter 2, note 16, p. 164.

21. Kenneth E. Shewmaker, *Americans and Chinese Communists, 1927-1945: A Persuading Encounter* (Ithaca: Cornell University Press, 1971) [hereinafter Shewmaker] p. 278.

22. Anthony Kubek, *How the Far East was Lost: American Policy and the Creation of Communist China, 1941-1949* (Chicago: Henry Regnery, 1963) [hereinafter Kubek], p. 213; Kahn, *supra* chapter 2, note 15, pp. 197, 227, 242.

23. Shewmaker, *supra* chapter 2, note 21, pp. 37, 90.

24. Kubek, *supra* chapter 2, note 22, p. 213.

25. *Ibid.*, p. 213.

26. Powell, *supra* chapter 2, note 19, p. 143.

27. Kubek, *supra* chapter 2, note 22, p. 213.

28. John S. Service, *Lost Chance in China: The World War II Despatches of John S. Service*, ed. Joseph W. Esherick (New York: Random House, 1974) [hereinafter Service] p. 177-8, 317-21.

29. Weil, *supra* chapter 2, note 2, p. 92. See also Charles E. Bohlen, *Witness to History: 1929-1969* (New York: W. W. Norton, 1973) [hereinafter Bohlen] p. 44.

30. Melby Papers, *supra* chapter 2, note 2, Box 37, file: letters, 3 of 6, Melby to Robert Newman, July 19, 1982. Weil, *ibid.*, pp. 107, 133-5.

31. Weil, *ibid.*, pp. 135-41.

32. See the biographical sketch of Stettinius in the Introduction to Thomas M. Campbell and George C. Herring, eds., *The Diaries of Edward R. Stettinius, Jr., 1943-1946* (New York: New Viewpoints, 1975).

33. Weil, *supra* chapter 2, note 2, p. 142-7.

34. *Ibid.*, pp. 148, 214.

35. *Ibid.*, p. 148.

36. *Ibid.*, p. 179.

37. *Ibid.*, p. 179-81.

38. *Ibid.*, p. 212.

39. Chace, *supra* chapter 2, note 5, p. 106.

40. Grew Papers, *supra* chapter 1, note 7, bMS Am 1687, vol. 121, 1945, A-G, file: Acheson - Aldrich, 20s, Grew to Acheson, April 21, 1945.

41. Weil, *supra* chapter 2, note 2, p. 208.

42. Melby Papers, *supra* chapter 2, note 2, Box 37, Folder: Letters, 3 of 6, Melby to Robert Newman, May 14, 1980. It is worth noting that Melby was well-positioned to make such comments as he had a large role in compiling the infamous 1949 'China White Paper,' a project in which, due to political pressure, then Secretary Acheson took a personal role.

43. *Ibid.*, Melby to Warren I. Cohen, Oct. 15, 1981.

44. *Institute of Pacific Relations: Hearings before the Subcommittee to Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary, United States Senate.* Eighty-second Congress, First and Second Sessions, fourteen parts (Washington: Government Printing Office, 1951-2) [hereinafter McCarran], p. 723.

45. In Dooman's recollection, the meeting at which the Japanese paper was discussed had immediately followed a meeting on 'some European matter.' Acheson had attended the latter, but decided to stay on for the Japan meeting, even though, in Dooman's words 'he had nothing whatever to do with the problem that I was to discuss.' *Ibid.*, p. 723.

46. Houghton, *supra* chapter 1, note 7, William Castle Diaries, MS Am 2021 [hereinafter Castle], vol.50, pp. 249, 261.

47. Tydings, *supra* chapter 1, note 1, pp. 1132-3, 1157. Vincent shared Acheson's contempt for Dooman, describing him years later as 'psychologically diseased' and possessed of an 'FBI outlook on anybody who adopted an attitude not openly condemnatory of Russia.' Weil, *supra* chapter 2, note 2, p. 215.

48. Tydings, *supra* chapter 1, note 1, p. 1136.

49. Gaddis Smith, *Dean Acheson* (New York: Cooper Square, 1972) p. 19.

50. Weil, *supra* chapter 2, note 2, pp. 211-2.

51. *Ibid.*, p. 212.

52. *Ibid.*, p. 182.

53. Roosevelt himself had become irritated by Berle, his one-time New Deal ally. The well-connected political gossip columnist Drew Pearson told readers of an incident in May 1944 in which Berle supported a scheme proposed by Ambassador Patrick Hurley that would allow the U.S. to shut Britain and Russia out of postwar oil production in the Near East. After Acheson and his aide and fellow Frankfurter alum Eugene Rostow ridiculed the plan in a meeting with Hurley, the ambassador challenged Rostow to a fight. After learning of the incident, Roosevelt was said to have commented: 'Too much hurly-burly.' Truman Library, *supra* chapter 2, note 2, Dean Acheson Papers, Box 27, Assistant Secretary and Under Secretary of State Files, 1941-1948, File: State Department - Under Secretary - Correspondence, 1945-1947, Drew Pearson, 'Washington Merry Go-Round: Hurley's Near East Plan Stirs Row in High Places,' Philadelphia Record, May 20, 1944.

54. Weil, *supra* chapter 2, note 2, p. 182.

55. Another of the *Amerasia* suspects, Andrew Roth, was probably accurate in describing Larsen as 'a Kuomintang man through and through.' *Prelude*, *supra* chapter 1, note 4, pp. 46-8.

56. Tydings, *supra* chapter 1, note 1, p. 1102.

57. There is no question Chiang had friendlier relations with the gentlemanly Wedemeyer than with the acerbic and condescending Stilwell. See, for example: Keith E. Eiler, 'The Man Who Planned the Victory: An Interview with Gen. Albert C. Wedemeyer,' *American Heritage* 34(6) (1983): p. 44; Guanqiu Xu, 'The Issue of Air Support for China during the Second World War, 1942-45,' *Journal of Contemporary History* 36(3) (2001): pp. 480-1.

58. Some of the China Hands believed Hurley was not merely emotionally unstable, but mentally ill. Years later, John Melby recalled that a female employee in the Embassy told him that Hurley had chased her around a desk while under a misapprehension that she was his wife. Melby claimed this was one of several instances—some of which involved him personally—that led him to believe Hurley suffered from 'temporary periods of senility.' Melby, *supra* chapter 2, note 2, Box 27, Folder: Correspondence, 1970-74, Melby to John S. Service, June 17, 1971.

59. Service, *supra* chapter 2, note 28, pp. 355-8.

60. Truman Library, *supra* chapter 2, note 2, John D. Sumner Papers, Box 2, Folder: Communists, 1944- 45, Hurley to Stettinius, April 30, 1945 [hereinafter Hurley to Stettinius], p. 2.

61. For a discussion of the circumstances of Hurley's resignation and an assessment of his ambassadorship, see Tang Tsou, *America's Failure in China, 1941-50* (Chicago: University of Chicago Press, 1963) pp. 343-5.

62. Melby Papers, *supra* chapter 2, note 2, Box 36, Letters to L. Hellman, 4 of 9, Melby to Hellman, Nov. 23, 1945.

63. Owen Lattimore, *Solution in Asia* (Boston: Little, Brown, 1945) pp. 15, 29.

64. Tydings, *supra* chapter 1, note 1, p. 430.

65. *Ibid.*, pp. 422, 430-1, 440, 476-81.

66. *Ibid.*, p. 430; *Prelude*, *supra* chapter 1, note 4, pp. 39-40.

67. *Prelude*, *ibid.*, pp. 32, 35, 39-40.

68. Zbigniew Kwiecin, 'An Attempt of the American Left to Influence the U.S. Far Eastern Policy: The Case of *Amerasia*, 1937-1947,' *American Studies* 10 (1991): pp. 36, 39-40.

69. *Ibid.*, pp. 39-41, 43, 44.

70. Throughout his work, Jaffe uses the term 'democratic' in place of 'communist' noting, for example, that Stanley Hornbeck had failed to recognize 'the necessity of strengthening the democratic [i.e. communist] forces of China.' Philip Jaffe, *New Frontiers in Asia: A Challenge to the West* (New York: Knopf, 1945) pp. 6-8, 229, 240-5.

71. *Prelude*, *supra* chapter 1, note 4, pp. 60, 135.

72. Kate Mitchell, *Industrialization of the Western Pacific* (Institute of Pacific Relations, 1942; New

York: Russell & Russell, 1971) p. 149.

73. In his testimony before the same committee, Service said he had no recollection of helping Roth with his book. Tydings, *supra* chapter 1, note 1, pp. 430-1, 1322.

74. Andrew Roth, *Dilemma in Japan* (1945; London: Victor Gollancz, 1946) pp. 31, 53.

75. *Prelude*, *supra* chapter 1, note 4, p. 93.

76. Mark J. Gayn, *Journey From the East: An Autobiography* (New York: Knopf, 1944) pp. 391-426.

77. Grew's massive clipping file contains so much left-wing criticism of U.S. Far Eastern policy that even if he did not spend much time reading it, a brief perusal of its contents would have informed him that his policies were unpopular among many in academia and journalism. See generally, Grew Papers, *supra* chapter 1, note 7, bMS Am 1687.7, Clipping File, Boxes 10-12.

78. Weil, *supra* chapter 2, note 2, p. 215.

79. Just a week before OSS agents surreptitiously entered the *Amerasia* offices for the first time, Grew sent a letter to the publisher Henry Holt to thank him for sending him a copy of journalist Harrison Forman's account of his 1944 trip to Yenan, *Report from Red China.* Forman amplified the China Hands' saw that the Chinese communists were not communists at all but 'agrarian democrats.' Ibid., MS Am 1687, Letters, vol. 122, [1945, H - R], File: Hewes - Holt, 18s; Grew to Helen Taylor, March 3, 1945.

80. Philip J. Jaffe, *The Amerasia Case from 1945 to the Present* (New York: private, 1979) [hereinafter Jaffe] p. 19.

81. Jaffe Papers, *supra* chapter 1, note 6, Box 44, file 2, Jaffe to Grew, August 17, 1944.

82. In his August 25 letter, Grew, after thanking Jaffe for sending him a copy of the August issue, remarked drily that Jaffe might be 'just a little bit too optimistic' in stating in the issue that Grew's 'old friend,' Yukio Ozaki, one of the 'so-called moderates,' might occupy a powerful position in postwar Japan. Grew pointed out that Ozaki was an ailing eighty-five year-old. *Ibid.*, Box 44, file 2, Grew to Jaffe, August 25, 1944.

83. Grew Papers, *supra* chapter 1, note 7, MS Am 1687, Letters, vol. 121 [1945, A - G], File: Goodshall - The Grace Log, 20s; Grew to Gould, August 21, 1945.

84. *Ibid.*, MS Am 1687, Letters, vol. 121 [1945, A - G], File: Grew, E. C. - Grew, H. S., 18 Oct., 15s.; Grew to Henry S. Grew, June 25, 1945.

85. *Ibid.*, MS Am 1687, Letters, vol. 122 [1945, H - R], File: Metropolitan Club - Mitchell, Sylvia, 19s; Grew to Packman, January 2, 1945.

86. *Ibid.*, MS Am 1687, Letters, vol. 122 [1945, H - R], File: MacArthur - Maher, 19s; Grew to MacArthur, August 22, 1945.

87. Castle, *supra* chapter 2, note 46, vol. 49, p. 92.

3 Prelude to *Amerasia*, Part II: Washington's Culture of Leaks

1. Weil, *supra* chapter 2, note 2, p. 216.

2. *Ibid.*, pp. 94, 216.

3. Grew Papers, *supra* chapter 1, note 7, MS Am 1687.3, Memoranda of Conversations, Vol. 6, File: 9-11, June 1945, 18s; conversation with Walker Stone, June 11, 1945.

4. Tydings, *supra* chapter 1, note 1, pp. 865-6.

5. *Prelude*, *supra* chapter 1, note 4, p. 76.

6. Tydings, *supra* chapter 1, note 1, p. 1082.

7. Jaffe, *supra* chapter 2, note 80, p. 21.

8. *Ibid.*, pp. 22-3.

9. Hobbs, *supra* chapter 1, note 2, p. 7453.

10. Tydings, *supra* chapter 1, note 1, p. 1325.

11. Melby, *supra* chapter 2, note 2, Box 36, Folder: Letters to L. Hellman, 5 of 9; Melby to Hellman, January 7, 1946.

12. Truman Library, *supra* chapter 2, note 2, Harry S. Truman Papers [hereinafter Truman Papers], Naval Aide to the President File, Communications File, Box 8; File: Marshall to Truman, 1946; Marshall to Eisenhower, January 10, 1946.

13. Tydings, *supra* chapter 1, note 1, p. 1284.

14. McCarran, *supra* chapter 2, note 44, p. 4311.

15. *Prelude*, *supra* chapter 1, note 4, p. 62.

16. Tydings, *supra* chapter 1, note 1, p. 1424.

17. Hobbs, *supra* chapter 1, note 2, p. 7455.

18. Tydings, supra chapter 1, note 1, p. 1303.

19. McInerney, who had served as the Justice Department's liaison with Manhattan Project director, General Leslie Groves, testified that he never saw such a document and that it would have struck him 'between the eyes' if he had. The term 'A-bomb' does not seem to have been used much, if at all, in 1945 and it is therefore unlikely that the document Bielaski referred to concerned the atomic bomb. *Ibid.*, p. 1303; *Prelude*, *supra* chapter 1, note 4, pp. 175-6.

20. Tydings, *ibid.*, p. 984. The FBI's Mickey Ladd testified before Congressmen, however, that the FBI retained the OSS documents, but they did not form part of the prosecution's case because of the illegality of their acquisition. Hobbs, *supra* chapter 1, note 2, p. 7462.

21. Tydings, *ibid.*, p. 939.

22. For a small sample of this debate, see John Earl Haynes and Harvey Klehr, *Venona: Decoding Soviet Espionage in America* (New Haven: Yale University Press, 1999) [hereinafter *Venona*]; Nigel West, *Venona: The Greatest Secret of the Cold War* (London: Harper Collins, 1999); Roger J. Sandilands, 'Guilt by Association? Lauchlin Currie's Alleged Involvement with Washington Economists in Soviet Espionage,' *History of Political Economy* 32(3) (2000): 473-515 [hereinafter Sandilands]; Bernice Shrank, 'Reading the Rosenbergs After Venona,' *Labour* 49 (2002): 189-210.

23. *Venona*, *ibid.*, pp. 176-8, 343.

24. *Ibid.*, pp. 177, 343.

25. *Ibid.*, pp. 244-7, 353.

26. *Prelude*, *supra* chapter 1, note 4, pp. 100-2.

27. *Venona*, *supra* chapter 3, note 22, pp. 138-43, 369.

28. See discussion in *Prelude*, *supra* chapter 1, note 4, pp. 158-61, and *Venona*, *supra* chapter 3, note 22, pp. 145-50, 346. For a strong defense of Currie, see generally Sandilands, *supra* chapter 3, note 22.

29. *Venona*, *supra* chapter 4, note 20, pp. 104-8, 355. For a look at the recent debate on Lee's activities, enter his name as a search term on the H-Diplo website, *supra* chapter 1, note 10.

30. George Racey Jordan with Richard L. Stokes, *From Major Jordan's Diaries* (New York: Harcourt, Brace, 1952) [hereinafter Jordan] pp. 5, 6, 69, 81, 69.

31. *Ibid.*, p. 66.

32. Mark Riebling, *Wedge, From Pearl Harbor to 9/11: How the Secret War between the FBI and the CIA has endangered National Security* (New York: Simon & Schuster, 2002) [hereinafter Riebling] pp. 34-5, 88, 116, 129.

33. Hobbs, *supra* chapter 1, note 2, p. 7467.

34. Riebling, *supra* chapter 3, note 32, pp. 39, 122.

35. Jordan, *supra* chapter 3, note 30, pp. 193-4.

36. Grew Papers, *supra* chapter 1, note 7, MS Am 1687.3, Memoranda of Conversations, vol. 6, File:

July 1944, 8s; conversation with Liu Chieh, July 13, 1944.

37. *Ibid.*, MS Am 1687.3, Memoranda of Conversations, vol. 6, File: August 1944, 9s; conversation with Liu Chieh, August 29, 1944.

38. *Ibid.*, MS Am 1687.3, Memoranda of Conversations, vol. 7 File: 10-11 July 1945, 11s; conversation with Lord Halifax, July 10, 1945.

39. *Prelude*, *supra* chapter 1, note 4, p. 98.

40. Grew Papers, *supra* chapter 1, note 7, MS Am 1687.3, Memoranda of Conversations, vol. 6, 1944-45, File: 5-11 Jan. 1945, 14s.; conversation with Hoover, et al., Jan. 5, 1945.

41. *Ibid.*, MS Am 1687.3, Memoranda of Conversations, vol. 6, 1944-45, File: 13 Jan. 1945, 6s; conversation with Edward Tamm.

42. Tydings, *supra* chapter 1, note 1, p. 1175.

43. Graham H. Stuart, *The Department of State: A History of Its Organization, Procedure, and Personnel* (New York: Macmillan, 1949) [hereinafter Stuart] pp. 397-9.

44. Grew Papers, *supra* chapter 1, note 7, MS Am 1687, Letters, vol. 123, 1945 (s-z), file: Stettinius, 1 Jan. - 30 Mar., 20s., Grew to Stettinius, Jan. 30, 1945.

45. Castle, *supra* chapter 2, note 46, vol. 49, p. 41, vol. 50, p. 251.

46. Tydings, *supra* chapter 1, note 1, p. 1171.

4 The *Amerasia* Investigation

1. *Prelude*, *supra* chapter 1, note 4, pp. 3-5, 29.

2. *Ibid.*, pp. 30-1.

3. Tydings, *supra* chapter 1, note 1, p. 935.

4. *Prelude*, *supra* chapter 1, note 4, pp. 31-2.

5. *Ibid.*, p. 32.

6. *Ibid.*, pp. 49-52.

7. *Ibid.*, pp. 54, 65, 74-5.

8. *Ibid.*, p. 50.

9. *Ibid.*, p. 52.

10. *Ibid.*, pp. 53-4.

11. *Ibid.*, pp. 53-4, 58-9.

12. *Ibid.*, p. 54.

13. *Ibid.*, pp. 58-9.

14. *Ibid.*, pp. 59-60, 72-3.

15. *Ibid.*, pp. 63-5.

16. *Ibid.*, pp. 64-5.

17. *Ibid.*, pp. 66-7.

18. *Ibid.*, p. 75.

19. *Ibid.*, pp. 75-7.

20. *Ibid.*, p. 78.

21. Alperovitz, *supra* chapter 1, note 17, p. 12.

22. *Ibid.*, p. 105.

23. See discussion in chapter two.

24. Heinrichs, *supra* chapter 2, note 1, p. 372.

25. Harry S. Truman, *Memoirs, Volume One: Year of Decisions* (Garden City: Doubleday, 1955) [hereinafter Truman] pp. 12-3.

26. Dean Acheson, *Present at the Creation: My Years in the State Department* (New York: W. W.

Norton, 1969) p. 47.

27. Weil, *supra* chapter 2, note 2, p. 223.

28. *Ibid.*, pp. 194-7.

29. *Ibid.*, pp. 197-8.

30. *Ibid.*, pp. 198-200.

31. W. Averell Harriman and Elie Abel, *Special Envoy to Churchill and Stalin, 1941-1946* (New York: Random House, 1975) pp. 447-8.

32. Truman, *supra* chapter 4, note 25, p. 14.

33. Bohlen, *supra* chapter 2, note 29, p. 213.

34. Arnold A. Offner, *Another Such Victory: President Truman and the Cold War, 1945-1953* (Stanford: Stanford University Press, 2002) [hereinafter Offner] p. 45.

35. Truman, *supra* chapter 4, note 25, p. 228.

36. John Morton Blum, ed., *The Price of Vision: The Diary of Henry A. Wallace, 1942-1946* (Boston: Houghton Mifflin, 1973) [hereinafter Wallace] pp. 448-51.

37. Bohlen, *supra* chapter 2, note 29, p. 215.

38. Offner, *supra* chapter 4, note 34, pp. 49-53.

39. Grew, *supra* chapter 2, note 13, pp. 1464-5.

40. Truman Papers, *supra* chapter 3, note 12, Confidential File, Box 36, War Production Board to State Dept. Corr., File: State Dept. Corr., 1945, Memorandum for the President, June 27, 1945.

41. Grew, *supra* chapter 2, note 13, pp. 1428-31.

42. During their May 28 discussion, Truman told Grew to meet with senior military officials on the advisability of publicly modifying the surrender terms. This meeting, which involved Secretary of War Henry Stimson, Secretary Forrestal, General Marshall and a few non-military officials, occurred the following day. In Grew's recollection, Stimson, Forrestal and Marshall 'were all in accord with the principle [of publicly modifying the surrender terms along the lines desired by Grew], but for certain military reasons, not divulged, it was considered inadvisable for the President to make such a statement just now.' It seems likely that the 'military reasons, not divulged,' concerned the Manhattan Project. Although, according to Gar Alperovitz, the evidence on this thorny issue is scant, it appears that after Grew informed Truman of the military officials' concerns, the President decided to follow their advice and to put off a modification of the surrender terms. Grew, *ibid.*, pp. 1431-4; Alperovitz, *supra* chapter 1, note 17, pp. 48-53.

43. Heinrichs, *supra* chapter 2, note 1, p. 375.

44. Weil, *supra* chapter 2, note 2, p. 224.

45. Robert H. Ferrell, ed., *Dear Bess: The Letters from Harry to Bess Truman, 1910-1959* (New York: W. W. Norton, 1983) p. 521.

46. *Prelude*, *supra* chapter 1, note 4, p. 89.

47. FBI files indicate that Clark told Grew that the White House order to postpone the arrests had come from James Vardaman, the Naval Aide to the President. Vardaman later adamantly denied he had issued any such order. *Ibid.*, p. 89.

48. Grew Papers, *supra* chapter 1, note 7, MS Am 1687.3, Memoranda of Conversations, File: 2-4 June 1945, 8s, conversation with Truman, June 2, 1945.

49. Tydings, *supra* chapter 1, note 1, p. 1169.

50. Grew Papers, *supra* chapter 1, note 7, MS Am 1687, Memoranda of Conversations, vol. 7, File: 12 June 1945, 14s, conversation with Truman.

5 The *Amerasia* Prosecution

1. *Prelude*, *supra* chapter 1, note 4, pp. 85-7.
2. *Ibid.*, pp. 87-9.
3. *Ibid.*, pp. 89-90.
4. *Ibid.*, pp. 90-1.
5. *Ibid.*, p. 91.
6. *Ibid.*, pp. 95, 104.
7. *Ibid.*, p. 94.
8. *Ibid.*, p. 104.
9. *Ibid.*, pp. 104-5.
10. It is also curious that Hitchcock had links with others involved in the case. He had formerly been an assistant U.S. attorney in Brooklyn, which was also the constituency of lawyer and Congressman, Emmanuel Celler, who was a law partner of Jaffe's lawyer, Arthur Scheinberg. Celler took an active interest in Jaffe's case and discussed it with senior Justice officials. Hitchcock's post in Buffalo also happened to be a jurisdiction in which the law firm of James Mitchell, Kate Mitchell's wealthy uncle, represented many clients in federal court. *Ibid.*, pp. 105, 108-9.
11. *Ibid.*, p. 105.
12. *Ibid.*, pp. 105-6.
13. *Ibid.*, p. 107.
14. *Ibid.*, pp. 107-8.
15. *Ibid.*, p. 110.
16. *Ibid.*, p. 111.
17. *Ibid.*, p. 112.
18. *Ibid.*, pp. 113-4.
19. *Ibid.*, p. 114.
20. *Ibid.*, p. 115.
21. *Ibid.*, p. 115.
22. *Ibid.*, pp. 116-7.
23. *Ibid.*, p. 119.
24. *Ibid.*, p. 119.
25. *Ibid.*, pp. 117-8.
26. *Ibid.*, pp. 117-8.
27. *Ibid.*, p. 120.
28. *Ibid.*, pp. 120-1.
29. *Ibid.*, p. 121.
30. *Ibid.*, p. 121.
31. *Ibid.*, p. 128.
32. *Ibid.*, pp. 121-2.
33. *Ibid.*, p. 121-2.
34. *Ibid.*, p. 127.
35. *Ibid.*, p. 128.
36. *Ibid.*, pp. 122, 128.
37. *Ibid.*, pp. 129-30.
38. Hobbs, *supra* chapter 1, note 2 at pp. 7452-3.
39. *Prelude*, *supra* chapter 1, note 4, p. 130.
40. *Ibid.*, p. 131.
41. *Ibid.*, p. 132.
42. *Ibid.*, pp. 132-3.

6 Why the Prosecution Failed: Two Hypotheses

1. *Prelude*, *supra* chapter 1, note 4, pp. 87-91, 94-5, 104-8.

2. Hobbs, *supra* chapter 1, note 2, pp. 7452, 7454, 7462; Tydings, *supra* chapter 1, note 1, pp. 939, 983, 1031.

3. Hobbs, *ibid.*, pp. 7454, 7461.

4. Tydings, *supra* chapter 1, note 1, p. 991.

5. Hobbs, *supra* chapter 1, note 2, pp. 7452-3; Tydings, *ibid.*, p. 1038.

6. The first of these committees, the Hobbs committee, referred to in chapter 1, note 3, was a House committee which held closed hearings in the spring and summer of 1946. The hearings were not made public until they were printed in the Congressional Record during the second committee hearings on *Amerasia*, the hearings before the Tydings committee. The Tydings committee was a subcommittee of the Senate Foreign Relations Committee. Chaired by Millard Tydings, its investigation was sparked by Senator Joseph McCarthy's sensational and highly publicized charges that the State Department employed several communist agents. The committee held hearings in the spring and summer of 1950.

7. *Prelude*, *supra* chapter 1, note 4, pp. 111-5, 120-2.

8. *Ibid.*, pp. 115-22,131-2.

9. *Ibid.*, pp. 128-30.

10. Dondero's resolution ultimately resulted in the Hobbs committee investigation in mid-1946. *Ibid.*, p. 137.

11. There is evidence to suggest that Dondero received some of his information about the case directly from FBI sources. *Ibid.*, pp. 137, 141.

12. *Ibid.*, pp. 82-3, 141.

13. *Ibid.*, pp. 83-4, 178.

14. *Ibid.*, pp. 205-6, 218.

15. David Robertson, *Sly and Able: A Political Biography of James F. Byrnes* (New York: W. W. Norton, 1994) [hereinafter Robertson] p. 388.

16. *Ibid.*, p. 103.

17. *Ibid.*, pp. 149, 388.

18. *Ibid.*, pp. 5, 312-31.

19. *Ibid.*, pp. 385-9.

20. See generally Alperovitz, *supra* chapter 1, note 17, pp. 193-311, and Charles L. Mee, *Meeting at Potsdam* (New York: M. Evans, 1975).

21. See, for example, Offner, *supra* chapter 4, note 34, pp. 100-44.

22. See Robertson, *supra* chapter 6, note 16, pp. 446-79; Weil, *supra* chapter 2, note, pp. 228-50.

23. Weil, *ibid.*, pp. 251-66; Robert L. Messer, *The End of an Alliance: James F. Byrnes, Roosevelt, Truman, and the Origins of the Cold War* (Chapel Hill: University of North Carolina Press, 1982) [hereinafter Messer] pp. 156-80.

24. It has been suggested that Roosevelt's decision laid the groundwork for the Republicans' enormously successful 'Southern Strategy,' implemented under Richard Nixon with the help of Byrnes and his protégé, Senator Strom Thurmond. No longer welcome in the Democratic party, Southern conservatives would form a powerful Republican voting bloc. Robertson, *supra* chapter 6, note 15, pp. 267-79.

25. Clark Clifford with Richard Holbrooke, *Counsel to the President: A Memoir* (New York: Anchor, 1992) p. 112.

26. Truman, *supra* chapter 4, note 25, pp. 551-2.

27. James F. Byrnes, *All in One Lifetime* (New York: Harper, 1958) pp. 401-2.

28. Messer, *supra* chapter 6, note 23, p. 164.

29. *Ibid.*, pp. 158, 164.

30. Larson's study involved a team of researchers analyzing over a thousand documents containing 'belief statements' about Russia by Truman, Byrnes, Acheson and Harriman. Larson found that while the three lesser officials also made contradictory statements, Truman was the most inconsistent of all. Deborah Welch Larson, 'Problems of Content Analysis in Foreign-Policy Research: Notes from the Study of the Origins of Cold War Belief Systems,' *International Studies Quarterly* 32 (1988): 241-55 [hereinafter Larson]. See also Larson's full study, *Origins of Containment: A Psychological Explanation* (Princeton: Princeton University Press, 1985.

31. Larson, *ibid.*, pp. 249-53.

32. Wallace, *supra* chapter 4, note 36, p. 624.

33. Robert H. Ferrell, 'Comments on Messer's Paper,' *James F. Byrnes and the Origins of the Cold War*, ed. Kendrick A. Clements (Durham: Carolina Academic Press, 1982) p. 96.

34. Davis R. B. Ross, *Preparing for Ulysses: Politics and Veterans During World War II* (New York: Columbia University Press, 1969) pp. 55-9.

35. *Ibid.*, pp. 160, 185.

36. Michael S. Sherry, *Preparing for the Next War: American Plans for Postwar Defense, 1941-45* (New Haven: Yale University Press, 1977) pp. 86, 222-3.

37. *Ibid.*, pp. 223-8.

38. *Hearings before the Committee on Foreign Relations, United Senate, Seventy-Ninth Congress, First Session, on the Situation in the Far East, Particularly China* (Washington: U.S. Government Printing Office, 1971) p. 147.

39. Walter Millis, ed., *The Forrestal Diaries* (New York: Viking, 1951) p. 102.

40. Miles S. Richards, 'James F. Byrnes on Foreign Policy,' *South Carolina Historical Magazine* 92(1) (1991) [hereinafter Richards]: p. 37.

41. *Ibid.*, pp. 37-40.

42. *Ibid.*, pp. 39-40.

43. *Hearings before the Committee on Foreign Relations, United States Senate, Eightieth Congress, First Session, on Executives F, G, H, and I* (Washington: United States Government Printing Office, 1947) [hereinafter Vandenberg] p. 16.

44. Richards, *supra* chapter 6, note 40, p. 41.

45. Vandenberg, *supra* chapter 6, note 43, p. 4.

46. *Ibid.*, pp. 4-7, 17, 182-4.

47. James F. Byrnes, *Speaking Frankly* (New York: Harper, 1947) [hereinafter Byrnes] pp. 99-100.

48. Robertson, *supra* chapter 6, note 15, p. 477.

49. *Ibid.*, pp. 477-9.

50. Vandenberg, *supra* chapter 6, note 43, pp. 3-10, 188-9.

51. See, for example, Gheorghe Onisoru, 'The State Department and the "Royal Strike,"' *Romanian Civilization* 7(1) (1998) [hereinafter Onisoru]: pp. 37-46.

52. Truman, *supra* chapter 4, note 25, p. 551.

53. See, for example, Messer, *supra* chapter 6, note 23, pp. 156-80.

54. Robert H. Ferrell, ed., *Off the Record: The Private Papers of Harry S. Truman* (New York: Harper & Row, 1980) [hereinafter Ferrell] p. 132.

55. Robertson, *supra* chapter 6, note 15, pp. 487-9.

56. Larson, *supra* chapter 6, note 30, pp. 246, 251.

57. Alperovitz, *supra* chapter 1, note 17, p. 307.

58. Grew Papers, *supra* chapter 1, note 7, MS Am 1687, vol. 122, File: Lyon, 2 Aug. - 18 Dec., Grew

to Elsie and Cecil Lyon, Sept. 30, 1945.

59. Onisoru, *supra* chapter 6, note 51, pp. 37-46.

60. McCarran, *supra* chapter 2, note 44, pp. 728-32; Castle, *supra* chapter 2, note 46, vol. 50, p. 272.

61. Weil, *supra* chapter 2, note 2, p. 238.

62. Castle, *supra* chapter 2, note 46, vol. 50, p. 290.

63. Tydings, *supra* chapter 1, note 1, p. 1179.

64. Grew Papers, *supra* chapter 1, note 7, MS Am 1687, Letters, vol. 121, file: Acheson - Aldrich, 20s, Grew to Acheson, August 22, 1945.

65. *Ibid.*, MS Am 1687, Letters, vol. 122, file: Pettengill - Phillips, 15s, Grew to Phillips, July 19, 1945.

66. Castle, *supra* chapter 2, note 46, vol. 50, p. 249.

67. McCarran, *supra* chapter 2, note 44, p. 1774; Alperovitz, *supra* chapter 1, note 17, p. 376.

68. Alperovitz, *ibid.*, p. 699, n. 41.

69. Stuart, *supra* chapter 3, note 43, pp. 425-6.

70. Castle, *supra* chapter 2, note 46, vol. 50, pp.271-2.

71. William Lasser, *Benjamin V. Cohen: Architect of the New Deal* (New Haven: Yale University Press, 2002) [hereinafter Lasser] p. 3.

72. Byrnes to Tydings, April 24, 1950, quoted in Tydings, *supra* chapter 1, note 1, pp. 874-5.

73. *Ibid.*, pp. 874-5.

74. Robertson, *supra* chapter 6, note 15, p. 482.

75. Even today, precious little is known of this quiet campaign. Martin Weil's discussion of it is based exclusively on interviews. Weil, *supra* chapter 2, note 2, pp. 243, 248-9.

76. Robertson, *supra* chapter 6, note 15, p. 484.

77. Truman Library, *supra* chapter 2, note 2, Tom C. Clark Papers, Box 95, Appointments File (Calendars, 1943-45), File: June-Dec. 1945.

78. See, for example, Alperovitz, *supra* chapter 1, note 17, p. 570; Ferrell, *supra* chapter 6, note 54, p. 176.

79. See, for example, Athan Theoharis, 'The Rhetoric of Politics: Foreign Policy, Internal Security, and Domestic Politics in the Truman Era, 1945-1950,' *Politics and Policies of the Truman Administration*, ed. Barton J. Bernstein (Chicago: Quadrangle, 1970) pp. 207, 214; *Prelude*, *supra* chapter 1, note 4, p. 173.

80. *Prelude*, *ibid.*, pp. 114, 121-2, 128.

81. Lasser, *supra* chapter 6, note 71, pp. 5, 279-83.

82. *Ibid.*, pp. 284-9; Byrnes, *supra* chapter 6, note 47, p. 70.

83. *Prelude*, *supra* chapter 1, note 4, pp. 120-1.

84. *Ibid.*, pp. 121-33.

85. *Ibid.*, p. 146.

86. See full discussion in chapter four. Tydings, *supra* chapter 1, note 1, pp. 1057, 1181-4.

87. Wallace, *supra* chapter 4, note 36, p. 501.

88. It was largely thanks to Mortimer's restless hounding that Frank Sinatra earned his reputation as an entertainer who would sooner punch a reporter than speak to him. As part of the Hearst papers' campaign to discredit Democrats and their supporters, of whom Sinatra was a prominent one, Mortimer frequently reported on Sinatra's alleged Mob connections. In a widely publicized incident in April 1947, Sinatra punched Mortimer at a Hollywood nightclub after the reporter had allegedly called the entertainer 'a dago son of a bitch.' Sinatra was charged with assault, but the case settled before trial. Nancy Sinatra, *Frank Sinatra: An American Legend* (Santa Monica: General Publishing Group, 1995) pp. 60, 77-8, 81.

89. *Prelude*, *supra* chapter 1, note 4, pp. 204-5.

90. *Ibid.*, p. 199.
91. Tydings, *supra* chapter 1, note 1, p. 1048.

7 Conclusion

1. John Toland, *Infamy: Pearl Harbor and Its Aftermath* (Garden City: Doubleday, 1982) pp. 110-2.
2. *Ibid.*, pp. 112-4.
3. Alperovitz, *supra* chapter 1, note 17, pp. 507-11.
4. Niccolò Machiavelli, *The Prince*, trans. George Bull (London: Penguin, 1995) p. 56.

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