

Alger Hiss, Divisive Icon of Cold War, Dies at 92

By JANNY SCOTT

Alger Hiss, the erudite diplomat and Harvard-trained government lawyer who was convicted of perjury in an espionage case that became one of the great riddles of the Cold War, died yesterday at Lenox Hill Hospital in New York City. He was 92 and lived in Manhattan.

In a case that catapulted Richard M. Nixon to national attention and helped lay the groundwork for McCarthyism, Mr. Hiss was accused in 1948 of having been a Communist spy while working in the State Department in the 1930's.

By the time the charge surfaced in the late 1940's, Mr. Hiss had accompanied President Franklin D. Roosevelt to the Yalta Conference, played an important role in the founding of the United Nations and left the Government to become president of the Carnegie Endowment for International Peace.

He denied the accusations in a sensational series of Congressional hearings and two trials that mesmerized the public, pitting the slender, self-possessed patrician against his portly, rumped accuser, Whittaker Chambers, a Time magazine editor and onetime Soviet agent.

The evidence was strange and dramatic: microfilm in a hollowed-out pumpkin, the telltale tracks of an old Woodstock typewriter, a birdwatcher's excited recollection of a rare sighting of a prothonotary warbler.

Mr. Hiss was convicted of perjury in 1950 and served 44 months in prison. He spent the rest of his life trying to clear his name, his reputation seeming to wax and wane with each new turn in the fortunes of Mr. Nixon. The case, meanwhile, became a



The New York Times, 1992

Alger Hiss denied spy accusations in appearances before the House Un-American Activities Committee (right, in 1948), in two trials that mesmerized the public, and for the rest of his life.



Harris Ewing

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Oklahoma City Trial Set

A Federal prosecutor announced that jury selection in the Oklahoma City bombing trial would begin on March 31 in Denver. Page 9.

Stocks Ride Roller Coaster

Stocks swung wildly, with the Dow ending the day up 35.03 points. Some analysts wonder if a post-election rally has run out of steam. Page 37.

A Rabbit in Times Square

One Times Square, anchor of that fabled neon expanse, is getting a new tenant: Warner Brothers. Page 25.

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Alger Hiss, Whose Spy Case Became a Symbol of the Cold War, Is Dead at 92

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source of obsessive fascination, a tangle of conspiracy theories and lingering doubts that inspired the kind of interest later seen among Kennedy assassination buffs and followers of the O. J. Simpson murder case.

It was a kind of morality play that severed society along ideological and emotional lines. At Mr. Hiss's death, nearly 50 years after he was first publicly accused, followers of the case remained bitterly split over whether he was guilty, innocent or something in between.

To many, Mr. Hiss was a traitor whose case proved beyond doubt the existence of Communist penetration of the Government. As the columnist George Will put it, Mr. Hiss's claim to innocence had become "one of the long-running lies of modern American history."

Others had come to suspect that Mr. Hiss had lied, but were inclined to excuse him on the grounds that the times had changed, that steps taken to help the Soviet Union during the rise of Hitler in the 1930's might have been condoned at that time, but looked quite different in the late 1940's after the Soviet takeover of Eastern Europe, the start of the Cold War and widespread disclosure of Stalin's crimes.

To still others, many of them on the left, Mr. Hiss was what William Reuben, a friend and the author of one of the dozens of books on the case, called "an American saint": an idealistic New Dealer and rising star in the foreign policy establishment whose career was ruined when he was framed, in part to discredit the New Deal.

In recent years, scraps of purported evidence have continued to surface: declassified government documents, accounts of the contents of Soviet archives. Each time, one side or the other has claimed either to have sealed the case for innocence or to have unearthed a long-sought smoking gun.

Tony Hiss, Mr. Hiss's son, until recently a staff writer for The New Yorker, described his family's experience as "like living inside a fairy tale, with a curse that couldn't be lifted." As Mr. Chambers himself once put it, the case became "a permanent war."

"The Hiss case reveals in stark terms the national mood at the time it occurred," said John Morton Blum, a professor of history emeritus at Yale. "It became significant because of the times and it remains significant for what it says about the times."

Born in Baltimore on Nov. 11, 1904, Alger Hiss was the product of a certain uneasy gentility, the fourth of five children of an executive in a wholesale dry-goods company who committed suicide when Alger was 2 years old, leaving his children to be raised by their mother and an unmarried aunt.

He graduated from the Baltimore public schools and Johns Hopkins University and spent his summers on the Eastern Shore of Maryland. At Harvard Law School, he became a protégé of Prof. Felix Frankfurter, who arranged for him to work as a clerk for Associate Justice Oliver Wendell Holmes of the Supreme Court upon graduating in 1929.

In 1933, at Mr. Frankfurter's urging, Mr. Hiss joined President Roosevelt's New Deal Administration, working first in the Agricultural Adjustment Administration, then as counsel to a Congressional committee investigating the munitions industry, then in the Justice Department.

He moved to the State Department in 1936, became director of the Office of Special Political Affairs and served as an American adviser at the Yalta Conference in 1945, in which Roosevelt, Churchill and Stalin drew the map of postwar Europe, setting the stage for the Cold War.

Mr. Hiss was also an organizer of the conferences that laid the foundation and drafted the charter for the United Nations, and was chief adviser to the United States delegation at the first meeting of the General Assembly in 1946. Later that year, he left government to become president of the Carnegie Endowment for International Peace.

The Chambers Charges: Disloyalty and Subversion

The accusations against Mr. Hiss first appeared in public on Aug. 3, 1948, when Whittaker Chambers appeared voluntarily before the House Un-American Activities Committee and testified that he had worked during the 1930's as a courier for an elite underground Communist organization in Washington.

Mr. Chambers, who had become a fervent anti-Communist after leaving the Communist Party in 1938, testified that the underground organization's aim had been to install Communists and their sympathizers in government posts. One member, he said, was Mr. Hiss.

Under oath, Mr. Hiss denied having been a Communist or knowing anyone named Whittaker Chambers. So the committee brought the men together at the Commodore Hotel in New York City. There, Mr. Hiss identified Mr. Chambers as George Crosley, a freelance writer he said he had known in the mid-1930's.

Crosley was one of several aliases that Mr. Chambers had used during his Communist years.

The committee then staged a dramatic confrontation between the two men in a marble-columned caucus room in Washington packed with more than 800 people. Under hours of questioning and the glare of kilig lights, the two men differed widely in their accounts of their earlier contacts.

Mr. Hiss said Mr. Crosley first approached him as a freelance writer looking for information for an article. He said he had sublet an apartment to Mr. Crosley, lent him money and given him the use of an old Ford, but that the relationship had ended badly when Mr. Crosley turned out to be a dead-beat.

Mr. Chambers, however, said Mr. Hiss had given the car to the Communist Party for organizational work. He described Mr. Hiss as his closest friend in the party. He testified that when he decided to quit, he went to Mr. Hiss's home and tried unsuccessfully to persuade him to leave too.

He knew details of Mr. Hiss's life that seemed to suggest close association. For

example, he had told the committee in private how Mr. Hiss and his wife, Priscilla, were birdwatchers and had once excitedly recounted how they had spotted a rare prothonotary warbler.

A member of the committee who played an increasingly prominent role in the hearings was Mr. Nixon, a first-term Republican Congressman from California, who said years later that, without the Hiss case, he would never have become Vice President, and then a Presidential candidate in 1960.

At the Washington hearing, Mr. Hiss challenged Mr. Chambers to make his charges outside of the hearing room, without Congressional immunity. So when he was asked about his charges on the radio program "Meet the Press," Mr. Chambers answered: "Alger Hiss was a Communist and may be now."

The Slander Suit: Accusations of Espionage

Mr. Hiss sued him for slander. In a deposition in the case, Mr. Chambers broadened his allegations.

He accused Mr. Hiss of espionage: stealing State Department documents and passing them to him for transmission to Moscow. He produced handwritten notes in Mr. Hiss's writing and dozens of pages of State Department dispatches from 1937 and 1938 that he said Mrs. Hiss had retyped.

In an episode that came to define the case, Mr. Chambers then led Federal agents to his Maryland farm and to the so-called pumpkin papers: two strips of developed film and three rolls of undeveloped film containing State and Navy Department documents, hidden in a hollowed-out pumpkin.

Mr. Hiss, summoned before a grand jury, denied that he had given documents to Mr. Chambers or had seen him after January 1937. Because the statute of limitations on espionage had expired, the grand jury indicted him on two counts of perjury, accusing him of lying about his dealings with Mr. Chambers.

A first trial, ended in a hung jury, split 6 to 4 for conviction. But in a second trial, which began in November 1949, Hede Massing, who had been prevented from testifying the first time, testified that she had been a Soviet agent and had known Mr. Hiss to be a Communist in 1935. On Jan. 21, 1950, he was convicted. Four days later, he was sentenced to five years in prison.

When Secretary of State Dean Acheson said in a news conference that day that he did not intend to turn his back on Alger Hiss, a little-known Republican Senator named Joseph R. McCarthy seized on the comment to begin charging that the State Department was "thoroughly infested" with Communists.

"Alger Hiss's conviction gave McCarthy and his supporters the essential touch of credibility, making their charges of Communist involvement against other officials headline copy instead of back-page filler," Allen Weinstein, a historian, wrote in his 1978 book, "Perjury: The Hiss-Chambers Case."

Mr. Hiss's court appeals failed and he was sent to the Federal penitentiary in Lewisburg, Pa. He became a model prisoner. With characteristic wry stoicism, Mr. Hiss later described his prison years to his son as "a god corrective to three years at Harvard."

He emerged in late 1954, jobless and disbarred, with Congress about to deny him his pension. His marriage foundered. He and his wife separated in 1959. He eventually found work, selling stationery and printing services to businesses.

"He said he wasn't a great salesman, but he could get in any door," Tony Hiss recalled in a recent interview. "Because when the boss heard that Alger Hiss was in the lobby, he wanted to see what he looked like."

But the scrutiny faded as time passed. By the time The New School for Social Research in New York City hired Mr. Hiss in 1967 to do a series of lectures on the New Deal, the school received only one outraged letter and one telephone call. Five hundred people turned out for the first lecture.

In 1972, he enjoyed a rare victory in the courts. A Federal court overturned the so-called Hiss Act, the law that Congress had passed to bar him from collecting a pension.

All along, he had been trying to clear his name. While still in prison, he had filed a motion for a new trial, arguing that the typewriter used as evidence against him had been tampered with, equipped with a new typeface and planted. The court, unconvinced, had denied the motion.

In 1957, Mr. Hiss published a book, "In the Court of Public Opinion," arguing his case once again, and accusing Mr. Nixon and other Republicans of having attacked him to influence elections and discredit the Yalta agreement and the New Deal.

Mr. Hiss cooperated with many of the authors of the numerous books written on the case, including Mr. Weinstein, who, with the American Civil Liberties Union, filed suit under the Freedom of Information Act to get access to F.B.I. and Justice Department records of the Hiss case.

When the Government finally began releasing the papers, Mr. Hiss used them as grounds for one more petition to the court, claiming prosecutorial misconduct. But Judge Richard Owen ruled in July 1982: "The trial was a fair one by any standard, and I am presented with nothing requiring a hearing on any issue. The jury verdict rendered in 1950 was simply supported by the evidence, the most damaging aspects of which were admitted by Mr. Hiss."

Mr. Hiss appealed, unsuccessfully to the Second Circuit Court of Appeals and the United States Supreme Court. On Oct. 11, 1983, the Supreme Court declined to hear the case, seeming to put an end to Mr. Hiss's last hope of vindication in the courts.

Meanwhile, Mr. Weinstein, who had started out believing Mr. Hiss might have been innocent, ended up concluding in his book that Mr. Hiss had lied. Several earlier books had sided with Mr. Hiss, but Mr. Weinstein's was taken by many critics to be the most definitive account.

In the book, Mr. Weinstein tried to address each of the theories that had been floated about the case, from a half-dozen possible conspiracies to the suspicion that Mr. Weinstein said was held for a time by



Alger Hiss, a chief organizer of the founding conference of the United Nations, greets Harry S. Truman in April 1945 after the President spoke to delegates in San Francisco.



In an episode that came to define the Alger Hiss case, Whittaker Chambers, at right in 1948, gave Federal agents the so-called pumpkin papers: two strips of developed film and three rolls of undeveloped film containing State and Navy Department documents, concealed in a hollowed-out pumpkin. Representative Richard M. Nixon, a member of the House Un-American Activities Committee, examined the film with the committee's chief investigator, Robert Stripling above.



Alger Hiss left the Federal courthouse with his wife, Priscilla, on June 23, 1949.



Handcuffed, he was led to the detention center on West Street on March 22, 1951.

some of Mr. Hiss's own lawyers: that Mr. Hiss was covering for his wife.

"We may expect that newer and perhaps more ingenious defenses of Hiss will soon follow, if only because none of the many theories raised during the past three decades has proved persuasive," he wrote. "There has yet to emerge, from any source, a coherent body of evidence that seriously undermines the credibility of the evidence against Mr. Hiss."

The 1980's brought a resuscitation of the reputation of Mr. Chambers, whom Mr. Hiss's lawyers had tried to discredit during the second trial by calling as a witness a psychiatrist who had concluded from Mr. Chambers' writings and testimony that he suffered from a condition described as "psychopathic personality."

Mr. Chambers himself had gone on to write eloquently of his unhappy life in his 1952 best seller, "Witness," which began with a foreword in the form of a letter to his children, part of which read, "My children, as long as you live, the shadow of the Hiss Case will brush you. In every pair of eyes that rests on you, you will see past, like a cloud passing behind a woods in winter, the memory of your father — dissembled in friendly eyes, lurking in unfriendly eyes. Sometimes you will wonder which is harder to bear: friendly forgiveness or forthright hate. In time, therefore, when the sum of your experience of life gives you authority, you will ask yourselves the question: 'What was my father?'"

Mr. Chambers died of a heart attack in 1961 at age 60. President Reagan awarded him a posthumous Medal of Freedom in 1984. In 1988, the Reagan Administration declared the farm that had yielded the pumpkin papers a national historic landmark.

The Nixon Connection: Search for Smoking Gun

When President Nixon's image, too, improved in those years, he appeared at the annual Halloween dinner of a group called the Pumpkin Papers Irregulars, made up mostly of neoconservative followers of the case, and delivered a talk that he later published, entitled "Lessons of the Alger Hiss Case."

When Mr. Nixon died in April 1994, Mr. Hiss released a statement that was striking in its brevity and apparent restraint: "He left many deeds uncorrected and unatoned for," Mr. Hiss said, adding that he felt sympathy for Mr. Nixon's family.

Attention turned to the case once more in the early 1990's after the fall of Communism. Gen. Dmitri Volkogonov, a Russian historian in charge of K.G.B. and military intelligence archives, announced in 1992 that he had searched files and had found no evidence that Mr. Hiss had been a Communist spy.

"You can tell Mr. Alger Hiss that the heavy weight can be lifted from his heart," General Volkogonov said, responding to a request for information from Mr. Hiss and his supporters, who say a half-dozen other Russian archivists have told them they, too, found no evidence that Mr. Hiss was a spy.

But when American historians questioned whether General Volkogonov's certainty was realistic, given the voluminousness and complexity of the Soviet archives, he conceded that he could not rule out the possibility that some records had been overlooked or even destroyed.

In 1993, Maria Schmidt, a Hungarian historian doing research on the Hungarian secret police, said she had discovered a stack of documents among the restricted files of the Interior Ministry in Budapest that seemed to implicate Mr. Hiss as a Communist spy.

The documents included statements by Noel H. Field, who had worked with Mr. Hiss at the State Department in the 1930's while spying for the Soviet Union. Mr. Field, who later fled to Hungary and was imprisoned, had told the secret police that Mr. Hiss had tried to recruit him as a spy.

Mr. Hiss's detractors pronounced the Hungarian papers the smoking gun that finally validated their view and closed the case. But his supporters cited evidence that Mr. Field's statements had been coerced.

Then earlier this year, the National Security Agency released a collection of newly declassified documents, including an intercepted message sent by a Soviet spy in Washington to Moscow in 1945, identifying a high-level State Department official present at Yalta as an agent, code-named Ales.

The cable said the agent had worked for Soviet military intelligence since 1935 and had flown on to Moscow after the Yalta conference. There was a notation on the document, by someone at the National Security Agency, suggesting that Ales was "probably Alger Hiss."

Once again, Mr. Hiss's detractors said the document was new proof that he had been a spy. Mr. Hiss released a statement denying he was Ales. Yes, he had spent a night in Moscow after Yalta, but he said he had gone there mainly to see the subway system.

By the time he died, Mr. Hiss had outlived most of the people in the case. His first wife had died in 1984. In addition to their son, Tony, of Manhattan, Mr. Hiss is survived by his second wife, Isabel Johnson of Manhattan; a stepson, Dr. Timothy Hobson of San Francisco, and a grandson.

In addition to several dozen books, the case inspired a documentary film, a television mini-series and at least one play. A novel based on the case was published earlier this year. A new biography of Whittaker Chambers and a new edition of Mr. Weinstein's book are due out in 1997.

Looking back, those who believe that Mr. Hiss was not guilty insisted he would never have accepted their support all these years had he not been telling the truth. In his long insistence, they found final proof. They said he had lived his life like an innocent man.

As for those who believe him guilty, some said they had long ago given up their hope that he would come clean. As William F. Buckley Jr., the founder of National Review, who viewed Whittaker Chambers as a moral hero and never doubted Hiss's guilt, put it recently: "It's probably understandable that he would feel that he had let too many people down."