



relationship with Chambers and his involvement with communists. Hiss's trial in May 1949 resulted in a hung jury. A second trial began on November 17, 1949, and lasted two months, with Hiss being found guilty of perjury in January 1950.⁶

Incredibly, after testifying explicitly to HUAC that he had left the party in 1937, Chambers had contradicted himself and said he defected in 1938, thus accommodating the dates on his newly produced documentary evidence. Unfortunately for Hiss, the jury that convicted him never knew about the interviews the FBI had conducted previously with Chambers in which he stated, over and over again, that he had left the party in 1937, before he could have collected secret material from Hiss and White. The reports of these interviews remained classified until the FBI released its Hiss file many years later.⁷

Before Chambers belatedly produced the microfilmed and typed documents in 1948, the FBI was fully aware there was no evidence to show that Hiss had engaged in espionage. This is made clear in an FBI memorandum written five years later, in November 1953, to accompany a summary report on Hiss: "It is strongly recommended that no dissemination of the attached material be given to a Congressional committee for the following reasons: 1. Up to the time Hiss left the Government in January 1947, the Bureau had no evidence to prove a case against Hiss. . . . No espionage allegations were received from Chambers regarding Hiss until November, 1948. . . . The Bentley espionage allegations involving Hiss in 1945 had not been proven, and Gouzenko's allegation in 1945 regarding a Soviet agent in the State Department who was *an assistant to an Assistant Secretary of State* had not been identified as Hiss, although there was a strong possibility this person could have been Hiss."⁸

The author of the memorandum apparently did not realize that this description could not have applied to Hiss, who in 1945 was well above the level of an assistant to an Assistant Secretary of State in the State Department hierarchy. A week later, on November 20, 1953, another FBI in-house memorandum was circulated. It again confirmed that Gouzenko had initially described the State Department spy as *an assistant to an Assistant Secretary of State*.⁹ But by 1953

this was water under the bridge. It was already dogma in Washington's governing circles that Igor Gouzenko had named Hiss as a spy in 1945, and no one questioned it.

Alger Hiss had become for the Republicans the personification of insidious communist subversion, and his conviction for perjury helped catapult young Richard Nixon to the nomination as Republican candidate for the vice-presidency in 1952. But Hiss's imprisonment for three years on perjury charges was hardly a triumph for the FBI or the attorney general, who had expended so much effort investigating the Bentley and Chambers allegations. Aside from Hiss, only one other individual, a former employee of the War Production Board named William Remington, was convicted, out of the more than 150 people who were investigated by the FBI. And like Hiss, Remington (who would be murdered by fellow inmates in prison) was convicted on charges of perjury, not espionage. The standards of proof in the U.S. judicial system were higher than those of the court of public opinion.

The FBI was further hindered before the Grand Jury convened to hear Chambers's and Bentley's testimony because neither of them was a very credible witness. Both had betrayed their country by serving as agents for the Soviets before "coming clean" with American authorities. And both were prone to contradicting earlier testimonies and fabricating certain aspects of their stories. Gouzenko, by contrast, had appeared honest and resolute, his past and his personal life a clear progression toward righteousness. Yes, he had been a member of the Soviet intelligence apparatus, but it was not by choice that he was born a Soviet citizen and enlisted into the NKVD. His claims that he had defected because he loved democracy and wanted to enlighten the people in the West about Soviet evils were widely accepted. He rarely contradicted himself in his testimony. And of course he brought evidence to corroborate his allegations about Soviet espionage. As we know, the evidence in many cases did not hold up in Canadian courts, but it nonetheless looked impressive.