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STEALING SECRETS: COMMUNISM AND SOVIET ESPIONAGE IN THE 1940s

ELLEN SCHRECKER

The fall of the Soviet Union and the end of the Cold War liberated thousands of pages of previously secret records. Coming from both sides of the former Iron Curtain, these materials have greatly expanded what is known about the long-hidden world of Soviet policymaking. The most sensational of those releases dealt with the Kremlin’s espionage operations at the time of the World War II, revealing that somewhere between one and three hundred Americans and others gave information to Soviet intelligence agencies and that the Communist Party officials recruited many of these people. This Article examines this new material in order to understand espionage and the questions it raises about individual loyalty and disloyalty. It explores the activities of the main espionage networks and assesses the motivations of many intelligent and idealistic men and women who willingly entered the murky world of passwords, covernames, secret cameras, and all the other accoutrements of tradecraft or conspiracy that KGB operations required. This Article also looks at the kinds of information these people transferred and the ways in which that information may have affected Soviet behavior, and thus, shaped the course of world events. Finally, it explores the broader questions of loyalty and disloyalty involved. The Cold War and its triumphal ending has made it possible to treat the Soviet spies in terms of black and white, but, as this Article hopes to show, by adding a few more colors to the palette, the story becomes more complicated and more troubling.

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INTRODUCTION

It has been more than fifty years since Julius and Ethel Rosenberg went to their deaths in the electric chair at Sing Sing State Penitentiary. Julius, it is now definitely known, was deeply enmeshed in industrial spying for the Soviet Union. During the 1940s, he coordinated the espionage activities of a group of young, left-wing scientists and engineers who were passing technical information to the Russians. Rosenberg became involved with atomic espionage when his wife's brother, David Greenglass, was sent to Los Alamos, New Mexico, to work on the atomic bomb. Arrested in the summer of 1950, after a top-secret counter-intelligence operation known as VENONA deciphered some KGB telegrams describing his activities, Rosenberg refused to confess. Because the decrypted Soviet cables

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1. In 1995, the National Security Agency's release of the so-called VENONA telegrams revealed the extent of Soviet espionage during World War II. These telegrams, which contained correspondence between Soviet intelligence operatives in the United States and their home office in Moscow, were deciphered in a top-secret project that lasted from the late 1940s until the 1960s. These messages alerted the United States government to the espionage activities of Julius Rosenberg and dozens of other American Communists. See NAT'L SECURITY AGENCY, VENONA FILES, at http://www.nsa.gov/venona/index.cfm (last visited Apr. 13, 2004) (on file with the North Carolina Law Review); see also VENONA: SOVIET ESPIONAGE AND THE AMERICAN RESPONSE, 1938-1957, at xxvi-xl (Robert Louis Benson & Michael Warner eds., 1996) (hereinafter VENONA) (providing a useful compendium of these materials); ALLEN WEINSTEIN & ALEXANDER VASSILIEV, THE HAUNTED WOOD passim (1999) (providing the most useful overall study of Soviet espionage in the United States).

2. For a narrative account of Rosenberg's espionage, see generally ALEXANDER FEKLISOV & SERGEI KOSTIN, THE MAN BEHIND THE ROSENBERGS (2001).


4. The name of the Soviet Union's intelligence agency changed several times over the course of its history. Originally known as Cheka, it was later called, among other acronyms, the NKVD, MGB, NKGB, and KGB. See CHRISTOPHER ANDREW & VASILI MITROKHIN, THE SWORD AND THE SHIELD: THE MITROKHIN ARCHIVE AND THE SECRET HISTORY OF THE KGB (1999) (providing a list of acronyms and time periods). This Article will sacrifice historical accuracy for clarity and will refer to it as KGB throughout.

5. See RONALD RADOsh & JOYCE MILTON, THE ROsENBERG FILE 335 (1983) (explaining that "despite their deteriorating legal situation," Julius and Ethel refused to confess). Radosh and Milton provide the most comprehensive study of the Rosenberg case, and despite its exaggerated spin, the book does seem to be an accurate account.
were deemed too sensitive to be produced in a courtroom, the Justice Department decided to prosecute Ethel in the hopes that, as the assistant attorney general in charge of the case explained, "it might be possible to utilize her as a lever against her husband." When that tactic failed, the government escalated the pressure by sentencing the Rosenbergs to death.

Labeled "The Crime of the Century" by FBI Director J. Edgar Hoover, the case was controversial from the start—and not just because of the couple's subsequent execution. The early years of the Cold War had produced a raft of high-profile espionage cases. A ring of Canadian spies was exposed by the September 1945 defection in Ottawa of a Soviet code clerk named Igor Gouzenko. Two months later, Elizabeth Bentley identified a group of federal bureaucrats as Russian agents, first to the FBI, and then, in the summer of 1948, in testimony before the House Un-American Activities Committee ("HUAC"). The exposure of former State Department official Alger Hiss occurred at the same time. First named as a Communist by both Bentley and ex-Communist magazine writer Whittaker Chambers, Hiss sued Chambers for slander, whereupon Chambers produced a sheaf of typewritten documents that, he claimed, Hiss gave him for delivery to the Soviet Union. It took two trials before Hiss was finally convicted for perjury—the statute of limitations for espionage having run—in January of 1950. In the meantime, a Justice Department employee named Judith Coplon was arrested on a downtown New York City street while in the company of a Russian engineer with a batch of government documents in her purse. Two years later, in the spring of 1951, two British double agents, Donald Maclean and Guy Burgess, fled to Moscow; their colleague, Kim

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7. See Radosh & Milton, supra note 5, at 284.
11. Extensive literature exists on the Hiss case. For the most comprehensive work, see generally Allen Weinstein, Perjury: The Hiss-Chambers Case (1997).
12. See id.
13. See id.
Philby, followed in 1963.\textsuperscript{15} 

No doubt, these cases would have become notorious no matter their outcome. Espionage is, of course, a sensational charge. But, because both Hiss and the Rosenbergs insisted on their innocence throughout, and because their cases became immediately politicized, controversy reigned from the start.\textsuperscript{16} Since each was convicted on the testimony of a single witness—Greenglass with respect to the Rosenbergs, and Chambers with regard to Hiss—there seemed to be legitimate grounds for doubting the final verdicts.\textsuperscript{17} The opening of the FBI's files in the 1970s and 1980s simply exacerbated the controversy. At that time, it was still possible for partisans of the accused spies to find flaws in the government's case, given that there was clear evidence of prosecutorial misbehavior, especially with regard to the Rosenbergs.\textsuperscript{18} It was not until the end of the Cold War and the release of hitherto secret documents from both the former Soviet Union and the United States, that the question of their guilt or innocence was finally laid to rest. While the evidence for the involvement of Alger Hiss is not quite as solid as that for Julius Rosenberg and some of the other Russian agents, there is no question that dozens, perhaps hundreds, of American, Canadian, and British citizens spied for the Soviet Union before, during, and after World War II.\textsuperscript{19} 

This Article explores that espionage, but it does so in a new way, going beyond the traditional discourse of guilt and innocence to place our recently acquired knowledge in context and assess its meaning.


\textsuperscript{16} See LESLIE A. FIEDLER, AN END TO INNOCENCE: ESSAYS ON CULTURE AND POLITICS 3–24 (1955).

\textsuperscript{17} See United States v. Rosenberg, 108 F. Supp. 798, 799 (S.D.N.Y. 1952) (denying the Rosenbergs' appeal for their conviction of conspiracy to commit espionage).

\textsuperscript{18} The FBI files on the Rosenberg case reveal that the Justice Department knew that it had a weak case against Ethel Rosenberg and prosecuted her primarily to put pressure on her husband. Then, during the trial, the prosecutors colluded with the judge to ensure that he would impose the death sentence. See RADOŠ & MILTON, supra note 5, at 98–99, 277–79. For further criticisms of the government's behavior, see WALTER & MIRIAM SCHNEIR, INVITATION TO INQUEST 119–211 (1965); Victor Navasky, WEINSTEIN, HISS, AND THE TRANSFORMATION OF HISTORICAL AMBIGUITY INTO COLD WAR VERITY, in BEYOND THE HISS CASE: THE FBI, CONGRESS, AND THE COLD WAR 215–45 (Athan Theoharis ed., 1982).

\textsuperscript{19} Hiss's involvement is more difficult to substantiate because he was probably working for the GRU, the Soviet military intelligence agency, and not the KGB. WEINSTEIN & VASSILIEV, supra note 1, at 5. As of the time of this writing, that agency's records have yet to be released.
What did these people do? What did they think they were doing? Why did they do it? Unlike later spies, they were not in it for money. They are, in fact, the only large body of espionage agents in history whose motivations were entirely ideological and who did not, it seems, think that they were betraying their country. The specific historical situation within which they acted—the rise of Hitler and the Second World War—explains much, but not all, of their behavior. Their political commitments, personalities, and opportunities for espionage also distinguish this particular cohort. Assessing these factors should help us understand the multiple loyalties of the dozens of intelligent and idealistic men and women who willingly entered the murky world of passwords, cover names, microfilmed documents, and all the other accoutrements of tradecraft, or konspiratsya, that KGB operations required.

Part I examines the way in which American counter-intelligence agencies uncovered and handled information about Soviet espionage. It focuses particularly on the deciphering of the VENONA cables and on how the information obtained from them helped the federal government track down the KGB's American agents. Part II looks at the operations of the Soviet espionage network. It examines the recruitment of the members of that network as well as the interactions between them and their Russian handlers. In addition, Part II considers the technical aspects of that espionage—the tradecraft or konspiratsya the KGB operatives tried to get their American agents to practice. Part III takes up the espionage itself. What kind of information was the Soviet Union seeking? What kind of information did it receive? The most valuable materials, of course, were the nuclear secrets that several physicists transferred from the American atomic bomb project. But Moscow's other American agents were equally fecund, transferring thousands of pages of political and technical data before the KGB's networks shut down during the early Cold War.

Part IV addresses questions of loyalty, exploring the complicated political and personal agendas that motivated the Soviet Union's American, British, and Canadian agents to spy on their own governments. Part V concludes the discussion by offering a preliminary assessment of the significance of that espionage. How much of an impact did it really have? Though controversy about it

20. See infra notes 277–82 and accompanying text.
22. See WEINSTEIN & VASSILIEV, supra note 1, at 48, 255, 270–72.
still rages in a few quarters, VENONA and the other documents may have settled the open questions so that historians can turn to other issues.

I. UNCOVERING ESPIONAGE

There is considerable irony to the story of Soviet spying; after all, the VENONA project's code-breakers discovered it as a result of the American government's own undercover work. Beginning in 1939, the United States Army began intercepting the KGB's messages, which were sent as ordinary commercial telegrams along with the Soviet Union's regular diplomatic and commercial correspondence.23 It did not, however, try to decipher these documents until 1943 when it began to fear that Stalin might make a separate peace with the Third Reich.24 The task was daunting, even for the skilled cryptoanalysts of the Army Signals Security Agency—the precursor of the National Security Agency—because the telegrams contained two layers of encipherment: a coded message that was then encrypted with random numbers taken from a set of "one-time pads."25 Although theoretically indecipherable as long as the pads were used only once, the messages slowly yielded their secrets because the Soviets had reused some of their pads during the darkest days of the war.26 By 1946, the American code-breakers realized that they were reading KGB correspondence, and, within a few months, they had partially deciphered a message about the Manhattan Project.27 At that point, it had become clear that the Soviet intelligence agencies had been running perhaps hundreds of espionage agents.28 Most agents, however, were mentioned only by cover names, and, in order to figure out their real identities, the NSA called in the FBI.29

By 1948, when the Bureau assigned a full-time special agent to the project, J. Edgar Hoover and his men had been looking for Russian spies for more than three years.30 Beginning in 1943, the FBI,

24. VENONA, supra note 1, at xii.
26. Id. at 28–29.
28. VENONA, supra note 1, at xxi.
29. See Haynes & Klehr, supra note 23, at 36; West, supra note 27, at 24.
30. See Robert J. Lamphere & Tom Schachtman, The FBI-KGB War: A Special Agent's Story 78–79 (1986) (describing his assignment to take charge of the
which had initially focused on Axis agents, began to pay more attention to Soviet nationals and their American contacts. To Hoover’s dismay, however, few officials outside the intelligence community evinced much concern about possible KGB penetration of the federal government. For example, President Roosevelt had ignored Whittaker Chambers’s 1939 report on secret Communists within his administration, while, according to one not entirely reliable source, President Truman had laughed off a 1945 briefing about the code-breaking project as “a fairy story.” In the face of militant fascism, Russia and the United States were allies, albeit uncomfortable ones, and neither Roosevelt nor his successor wanted to aggravate the already difficult relationship by raising the issue of Soviet espionage.

The first concrete indication that there might be widespread Soviet espionage in North America came with the defection of Russian cipher clerk Igor Gouzenko in Ottawa on September 5, 1945. Recalled to Moscow and fearful of what might await him there, Gouzenko decided to give himself up to the Canadian government. He prepared for his flight by taking a sheaf of documents that revealed an extensive network of British and Canadian citizens who were transmitting materials to the GRU with the help of the Canadian Communist Party. Both in his initial oral debriefing and in his later testimony before the Royal Commission investigating his charges, Gouzenko claimed that the Russians had similar sources within the American government, including “an assistant secretary of the Secretary of State’s Department,” but he supplied neither names nor documents to back up that assertion. Since both Washington and Ottawa had yet to become openly antagonistic to the Soviet Union, news of the case was kept secret and

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fragmentary messages); POWERS, supra note 8, at 281–82 (explaining how J. Edgar Hoover was searching for Russian spies).

31. WEST, supra note 27, at 23.
32. VENONA, supra note 1, at xii, xvii (explaining that federal agencies did not always follow up on the leads they had or share their information).
34. WHITAKER & MARCUSE, supra note 9, at 31.
35. Id. at 30.
36. WEST, supra note 27, at 26.
38. Id. at 10, 136; see also James Barros, Alger Hiss and Harry D. White, The Canadian Connection, 21 ORBIS 593, 595–96 (1977) (explaining that Gouzenko told American authorities there were Russian spies close to a deputy Secretary of State).
became public only in February 1946 when it was leaked to columnist Drew Pearson. Nonetheless, the FBI, which had been immediately alerted to Gouzenko's defection, assumed that Soviet spies were operating within the United States, and it intensified its efforts to find them. Ironically, however, Hoover also did not want Gouzenko's allegations made public; such revelations would highlight an embarrassing lack of counterespionage vigilance within the American intelligence community.

Two months later, the FBI received further information about the existence of pro-Soviet espionage within the American government when a thirty-seven-year-old Vassar College graduate named Elizabeth Bentley described her exploits as a courier for the KGB: she had been recruited into the underground by her lover, a mid-level American Communist party official named Jacob Golos, who used her to carry materials from Washington, D.C., to New York City. By the time the Bureau's New York agents finished debriefing Bentley, she had named more than eighty people who she said were connected to the Russians' espionage operations. Most were secret Communist Party ("CP") members or sympathizers who worked in the Pentagon, the Treasury Department, and the many temporary agencies that sprang up in wartime Washington. Her most active agents, Nathan Gregory Silvermaster and Victor Perlo, ran their own spy rings, which were later spun off from hers. They collected information from a wide range of federal officials, including the White House's chief economist Lauchlin Currie and Assistant Secretary of the Treasury Harry Dexter White. Though Bentley mentioned Alger Hiss, whom she originally identified as Eugene, she had never met him.
For years, historians and others viewed Bentley as a loose cannon and had difficulty accepting the veracity of her story. Though a recent biographer gamely tried to present her as a kind of proto-feminist, Bentley was clearly an aberrant character whose heavy drinking, sexual obsessions, and need for attention made both the KGB and the FBI extremely cautious in dealing with her. Describing one of her reports to his Moscow superiors, one of her Soviet contacts noted, "[p]ossibly she is making this up and exaggerating." Nearly ten years later, Bentley's FBI handlers were similarly concerned about her veracity. Nonetheless, while not confirming every detail of her often changing stories, VENONA and the Moscow archives establish that Bentley was telling the truth most of the time.

Of course, at the time Bentley turned herself in, the VENONA project had not yet revealed any information about Soviet spying, and the FBI was scrambling to find evidence to corroborate her story. Recognizing that, as one FBI official put it, "the Bentley case was the most important case confronting the Bureau at the present time," the FBI assigned seventy-two agents to the investigation, put the principal suspects under surveillance, and interviewed them in the hopes of obtaining a confession. None of the suspects confessed,


50. See OLMSTED, supra note 42, at x–xi. For Bentley's own account of her experience as a spy, see generally ELIZABETH BENTLEY, OUT OF BONDAGE: THE STORY OF ELIZABETH BENTLEY (1951).

51. OLMSTED, supra note 42, at x. But see WEINSTEIN & VASSILIEV, supra note 1, at 97–102 (describing the KGB's concern with Bentley's personal life). An indication of Bentley's particular obsessions is that almost every one of her first-person accounts—whether from the KGB, the FBI, or her own memoir—contains a story of someone coming on to her sexually. See BENTLEY, supra note 50, at 54.

52. See Letter from New York to Moscow, No. 588 (Apr. 29, 1944), in VENONA, supra note 1, at 261 [hereinafter Letter No. 588].


54. For documentary evidence of Bentley's veracity, see HARVEY KLEHR ET AL., THE SECRET WORLD OF AMERICAN COMMUNISM 309–17 (1995); VENONA, supra note 1, at vii, xxi, xxxii; WEINSTEIN & VASSILIEV, supra note 1, at 97.

55. ELLEN SCHRECKER, MANY ARE THE CRIMES: MCCARTHYISM IN AMERICA 173 (1998); see OLMSTED, supra note 42, at 102–03; Letter from R.C. Hendon to Clyde Tolson, Assistant Director, FBI (Nov. 19, 1945) (on file with the North Carolina Law Review); Letter from D.M. Ladd, Assistant Director, FBI, to J. Edgar Hoover, Director, FBI (Nov. 4, 1953) (on file with the North Carolina Law Review).
and though a few people were convicted of perjury and contempt, the government was never able to put Bentley’s agents on trial for espionage.\textsuperscript{56} It did, however, leak their names to friendly journalists and congressional investigators, thus ensuring that Bentley’s allegations would get a full public airing, even if the subjects of those charges were never actually prosecuted.\textsuperscript{57} Meanwhile, as the FBI, which did not want a prosecution, and the Justice Department, which did, sparred over what to do about the men and women Bentley identified, the VENONA project was slowly yielding results.\textsuperscript{58} By the end of 1952, the decrypted telegrams had not only corroborated much of what Bentley, the so-called “Blonde Spy Queen,” revealed in 1945, but had also provided information that led to the prosecutions of Klaus Fuchs, Julius Rosenberg, and Judith Coplon, among others.\textsuperscript{59} However, because the FBI could not obtain confessions or corroborating evidence about some of the other people mentioned in the VENONA decrypts, their names remained hidden for more than forty years.\textsuperscript{60}

VENONA, it turns out, was one of Cold War America’s most tightly held secrets. The project was, in fact, so highly classified that even the President of the United States was unaware of its existence.\textsuperscript{61} Though President Eisenhower and some cabinet members may have been alerted, Truman was never told because the Army Chief of Staff feared that the White House was too full of leaks.\textsuperscript{62} Nor, at first, was the CIA informed; Hoover’s turf consciousness succeeded in keeping the agency out of the loop until late 1952.\textsuperscript{63} The Russians, on the other hand, had been aware of VENONA since 1946.\textsuperscript{64} One of their American agents, a linguist named William Weisband, was working on the project and, in 1949, Kim Philby, the British Secret Service’s liaison with the American intelligence community, began turning over

\begin{thebibliography}{99}
\bibitem{56} SCHRECKER, supra note 55, at 173, 237.
\bibitem{58} SCHRECKER, supra note 55, at 233 (describing turf battles between the Justice Department and the Director of the FBI).
\bibitem{59} VENONA, supra note 1, at xxvi–xxvii.
\bibitem{60} See JOSEPH ALBRIGHT & MARIA KUNSTEL, BOMBSHELL: THE SECRET STORY OF AMERICA’S UNKNOWN ATOMIC SPY CONSPIRACY 9 (1997) (noting that the secrets can “finally” be revealed forty years later).
\bibitem{62} Id.
\bibitem{63} VENONA, supra note 1, at xxx.
\bibitem{64} MOYNIHAN, supra note 61, at 142–46.
\end{thebibliography}
copies of the decrypts to the KGB. The Americans discovered Weisband's Soviet connections after he was named by an associate. He refused to confess, but he went to prison anyway—for contempt of court, not espionage. A year later, in 1951, Philby came under suspicion when his colleagues Donald Maclean and Guy Burgess fled to Moscow.

Given the Russians' knowledge of VENONA, the Americans' long-term insistence on secrecy seems hard to understand. Even so, it does appear that the United States was somewhat more willing to open Cold War records to researchers than was the former Soviet Union. Most of Moscow's archives still remain closed, though there were a few years in the early 1990s when outsiders had access to Soviet materials. During that window of opportunity, John Earl Haynes, Harvey Klehr, and some other scholars managed to obtain information about the Communist Party's clandestine activities from the files of the Communist International ("Comintern") and the American party records that had been sent to the Soviet Union for safe keeping. Information also came from the KGB, but that

66. VENONA, supra note 1, at xxvi, xxviii.
67. Id. at xxviii.
68. See Newton, supra note 15, at 327-28; see also MOYNIHAN, supra note 61, at 145 (noting that in May 1951 Maclean and Burgess defected to Moscow); VENONA, supra note 1, at xxv (describing how Maclean and Burgess fled to Moscow in 1951); WEINSTEIN & VASSILIEV, supra note 1, at 336 (explaining that Donald Maclean escaped arrest by fleeing to Moscow).
69. KLEHR ET AL., supra note 54, at xiii-xv; WEINSTEIN & VASSILIEV, supra note 1, at xv-xvi.
70. KLEHR ET AL., supra note 54, at xiii-xv; WEINSTEIN & VASSILIEV, supra note 1, at xv.
71. Communism was an international movement. FERNANDO CLAUDIN, THE COMMUNIST MOVEMENTS FROM COMINTERN TO COMINFORM 5 (B. Pearce & F. MacDonagh trans., Monthly Review Press 1975) (providing a survey of international communism). Each country had its own Communist party, but because the Soviet Party actually ran Russia, it dominated the entire movement. Id. It did so through the Communist International, or Comintern, the body that officially coordinated all the other parties in the world. Id. Thus, the American Communist Party took its directions from the Moscow-based Comintern, which was under the control of the Soviet Union. Id. The KGB was the Soviet Union's secret police and intelligence organization, combining the functions of both the FBI and the CIA. Id. But there were, as in the United States, separate military intelligence units like the GRU, about which little is known. Id.
72. See KLEHR ET AL., supra note 54, at xiii-xv. For other studies that utilize these sources, see generally JAMES R. BARRETT, WILLIAM Z. FOSTER AND THE TRAGEDY OF AMERICAN RADICALISM (1999); EDWARD P. JOHANNINGSMIEJER, FORGING AMERICAN COMMUNISM: THE LIFE OF WILLIAM Z. FOSTER (1994); VERNON L. PEDERSEN, THE COMMUNIST PARTY IN MARYLAND, 1919-1957 (2001); JAMES G. RYAN, EARL
material was less reliable; an American publisher paid an undisclosed sum of money to obtain access for historian Allen Weinstein and his Russian collaborator.\textsuperscript{73} Because those records were only selectively released and are not available to other scholars, Weinstein’s information, like that of Jerrold and Leona Schechter, who also claim to have seen “Russian Intelligence Archives,” cannot be verified.\textsuperscript{74} The memoirs of former KGB operatives present similar problems: some of these accounts may have been designed to score points in contemporary Russian bureaucratic struggles; but, without archival corroboration, it is difficult to assess their veracity.\textsuperscript{75}

II. TRADECRAFT AND KONSPIRATSYA: THE SPIES AND THEIR HANDLERS

What all these newly available materials reveal, with a consistency that reinforces their credibility, is an active global network of underground Communist agents operating under the direction of the Comintern and the Soviet Union’s intelligence apparatus.\textsuperscript{76} Though espionage was certainly one of that apparatus’s primary functions, as were its activities in support of Soviet foreign policy, it also served as the center of operations for a worldwide revolutionary movement. A curious blend of idealism, careerism, and crudity pervaded these endeavors. Communist operatives from around the world pilfered secret documents from Western chancellories and ferreted out Trotskyists and other supposed enemies of the Soviet motherland, but they also struggled against French imperialism in Vietnam, fought the Japanese in China, and organized resistance against the Nazis in occupied Europe.\textsuperscript{77}

\begin{footnotesize}
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\item See Weinstein & Vassiliev, supra note 1, at xv.
\item See Schechter & Schechter, supra note 33, at xxvii; Weinstein & Vassiliev, supra note 1, at xv.
\item See, e.g., Andrew & Mitrokhin, supra note 4, at 1 (describing a KGB official’s defection to Britain and the “copious notes” he took on top secret KGB files); Feklisov & Kostin, supra note 2, at vi (noting that this source is a “riveting narrative” by Feklisov of his recruitment and participation in Soviet espionage); Pavel Sudoplatov et al., Special Tasks: The Memoirs of an Unwanted Witness—a Soviet Spymaster xii (1994) (defending use of “personal reminiscences” of defectors).
\item For a comprehensive treatment of the KGB’s activities, see Weinstein & Vassiliev, supra note 1, at 1 (providing a “narrative history of major Soviet intelligence operations in the United States during the Stalin era”); West, supra note 27, at xii (describing the VENONA decrypts and the clandestine activities of the KGB between 1940 and 1948).
\item See Weinstein & Vassiliev, supra note 1, at 30 (describing Alexander Feklisov’s maintenance of a clandestine radio link). See generally William J. Duiker, Ho Chi Minh: A Life (2000) (describing Communist resistance to French rule in
\end{enumerate}
\end{footnotesize}
Believing that they belonged to "a world fraternity," some Americans had plunged into this Communist underground during the 1930s, taking advantage of the protection provided by their American passports as they conveyed cash and secret instructions between Moscow and such trouble spots as Shanghai, Berlin, and Johannesburg. Even in the United States, where the risks, though not entirely negligible, were less serious, Communists often operated secretly, while the party, under orders from Moscow, maintained a separate clandestine organization that not only helped the Comintern, but also maintained an underground infrastructure that could function if the party was ever outlawed. Though it was by no means the dominant element within American communism, this shadow structure fostered an aura of conspiracy that permeated the movement and may well have eased the passage into espionage for the men and women who would later work for the KGB.

Because of their successes during World War II, it is tempting—though wrong—to view the KGB and its military counterpart as supremely efficient espionage machines. Personality conflicts, turf battles between the various intelligence agencies, and, above all, the Moscow purges seriously crippled the Soviet espionage apparatus. In short, the KGB devoured its own. During the height of the purges, so many of its most effective operatives disappeared into the cellars of its Lubyanka headquarters that there were no KGB or GRU representatives in the United States from 1938 to 1941. Once the Soviet Union entered World War II, a new cadre of professionally trained KGB officers was sent to the United States; by the end of 1941, thirteen of them were operating out of New York City. Some were "legals"—members of official Soviet delegations, protected by

Vietnam in the early twentieth century); ALLAN MERSON, COMMUNIST RESISTANCE IN NAZI GERMANY (1985) (giving an account of Communist resistance to Nazi dictatorship).


79. See generally PEGGY DENNIS, THE AUTOBIOGRAPHY OF AN AMERICAN COMMUNIST 72–87 (1977) (describing Communist activities in Europe, Asia, and South Africa); STEVE NELSON ET AL., STEVE NELSON: AMERICAN RADICAL, 137–52 (1981) (describing a trip to Berlin where he carried secret documents to a contact); RICHMOND, supra note 78, at 129 (describing Richmond's activities as a youth in the 1930s).

80. KLEHR ET AL., supra note 54, at 20–70.

81. WEINSTEIN & VASSILIEV, supra note 1, at 153–55. During the 1930s, Stalin eliminated thousands of his rivals and potential rivals. For an account of these purges, see generally ROBERT CONQUEST, THE GREAT TERROR: A REASSESSMENT (1990).

82. WEINSTEIN & VASSILIEV, supra note 1, at 153.

83. FEKLISOV & KOSTIN, supra note 2, at 47–58.
their diplomatic status, but also easily tracked by the FBI.84 Others were “illegals”—Russian nationals who lacked that protection and worked for the Soviet press and trade organizations or else tried to blend into the American population.85 As their workloads increased and became more technical, they began to specialize. Thus, for example, within the New York office, which was the KGB’s main station in the United States, Anatoly Yatskov became the conduit for the atomic spies, while Alexander Feklisov dealt with electronics.86 All took cover names when they dealt with their American contacts. Thus, Elizabeth Bentley dealt with both “Bill,” the illegal operative Itzhak Ahkmerov who was posing as an American businessman, and “Al,” Anatoly Gromov, or Gorsky, who was posted to the Soviet Embassy in Washington, while Harry Gold, Klaus Fuchs’s courier, knew Yatskov as “John.”87

Relations between the American spies and their Soviet contacts varied. The purges had created an enormous reservoir of fear and suspicion, for there was always the possibility that a mistake would be lethal for an unfortunate KGB operative. As a result, during the late 1930s and early 1940s, Moscow worried constantly about the political reliability of its agents.88 In September 1939, for example, Jacob Golos, Elizabeth Bentley’s mentor and lover, came under attack because he was, according to an internal KGB memo, “strongly suspected of Trotskyite activities.”89 He should, another official suggested, “by no means remain in the list of agents in the U.S. Since he knows a great deal about the station’s work, I would consider it expedient to bring him to the Soviet Union and arrest him.”90 That never happened, but even people as valuable as the Los Alamos physicist Theodore Hall and the Cambridge spies Burgess, Maclean,

84. Id. at 58–66.
85. WEINSTEIN & VASSILIEV, supra note 1, at 32–38, 155.
86. FEKLISOV & KOSTIN, supra note 2, at 57.
87. OLMSTED, supra note 42, at 63. The original text of Bentley’s account of her dealings with the KGB is in her signed statement to the FBI dated November 8, 1945. Letter from E.E. Conroy, Special Agent in Charge, FBI, to J. Edgar Hoover, Director, FBI (Nov. 13, 1945) (on file with the North Carolina Law Review). For more examples of the Soviet operatives’ pseudonyms, see ROBERT CHADWELL WILLIAMS & KLAUS FUCHS, ATOM SPY 198–99 (1987); WEINSTEIN & VASSILIEV, supra note 1, at 167.
88. See BOROVIK, supra note 65, at 217–20 (discussing material that led the KGB to suspect that the Cambridge ring was supplying disinformation); WEST & TSAREV, supra note 15, at 159 (describing the KGB’s concern with the Cambridge ring).
89. WEINSTEIN & VASSILIEV, supra note 1, at 90. “Trotskyite” was a derogatory term used by Communists to label the followers of Stalin’s rival, Leon Trotsky.
90. Id.
and Philby, came under suspicion. Much of this distrust originated in the Moscow home office; at the ground level, if one is to believe the testimony of former agents and their handlers, the relationships could be quite warm. Philby, for example, became so close to his first Russian contact that he claimed, "I sometimes felt that we had been friends since childhood." The reasons were obvious. Who else could a spy talk to? As Philby later explained:

[I]t's very important for an agent . . . surrounded by danger and people in front of whom he has constantly to play a role, to know that he can unburden himself, speak his mind from time to time, and get not only professional advice but advice on the many problems which arise only because he lives the double or even triple life of a spy.

Julius Rosenberg and his handler Feklisov formed a similarly intimate bond. Before friendships could develop, however, the Russian spymasters had to make sure that the men and women with whom they were working shared their political ideology and commitment to the survival of the Soviet Union. The hazards surrounding the espionage business and the KGB officers' lack of familiarity with Western society made it imperative for them to seek the cooperation of the local party in recruiting and vetting potential spies. And they got it from Earl Browder, the head of the American Communist Party, no less. Between 1933 and 1945, Browder recommended several dozen people to the Soviet intelligence agencies. By 1944, his duties as a talent scout had become so onerous that he delegated the task to a lower-level official who worked directly with the Russians. A similar arrangement existed in Canada, where, Gouzenko noted, "The Communist Party is the base from which

91. ALBRIGHT & KUNSTEL, supra note 60, at 164–65; ANDREW & MITROKHIN, supra note 4, at 118–21; BOROVIK, supra note 65, at 217–20; WEST & TSAREV, supra note 15, at 159–66, 229.
92. BOROVIK, supra note 65, at 33; FEKLISOV & KOSTIN, supra note 2, at 117.
93. BOROVIK, supra note 65, at 33.
94. Id. at 175 (quoting Kim Philby).
95. FEKLISOV & KOSTIN, supra note 2, at 117.
97. WEINSTEIN & VASSILIEV, supra note 1, at 305–06.
98. See Letter No. 1328, supra note 96 (showing Browder's evaluation of sources sent to Moscow through an intermediary).
these agents work, the base for their activities."99 The difficulties that
the KGB’s New York station chief had in trying to recruit people who
were not in the party made him realize that "[w]ithout the help of the
FELLOW COUNTRYMEN [Communist Party] ‘we are completely
powerless.’ "100 However, not every espionage agent came directly
from party headquarters. Some, like Klaus Fuchs and Theodore Hall,
walked in off the street—though both had been Communists in their
student days.101 Others were recruited by their friends. Kim Philby
recalled that his first assignment on joining the Soviet underground
was to bring his Cambridge colleagues into it.102 Julius Rosenberg
was a particularly energetic talent spotter; he enlisted half a dozen
of his left-wing City College pals.103

For obvious reasons, the Soviet intelligence officials were
cautious about recruiting new agents and did not want to enlist
someone without verifying his or her political reliability. The
Moscow files contain numerous letters from the KGB to the head of
the Comintern requesting reports on the backgrounds of American
party members.104 The Russians also checked out their potential
operatives directly with the CP and, in at least one instance, with a
small Communist-led labor union.105 The opinions of trusted
American agents were solicited as well. The New York station
transmitted Elizabeth Bentley’s "impressions" of a new group of
federal employees as "reliable FELLOW COUNTRYMEN [Party
members], politically highly mature; they want to help with
information."106 Julius Rosenberg claimed that his friends, Ann and

99. THE GOZHENKO TRANSCRIPTS, supra note 37, at 139.
100. See Letters from New York to Moscow, Nos. 1433–35 (Oct. 10, 1944) [hereinafter
Letters Nos. 1433–35], in VENONA supra note 1, at 350.
101. See WILLIAMS & FUCHS, supra note 87, at 15–16, 47; ALBRIGHT & KUNSTEL,
102. BOROVIK, supra note 65, at 41–49.
103. See Letters from New York to Moscow, No. 1053 (July 26, 1944), No. 1600 (Nov.
14, 1944), in VENONA, supra note 1, at 301, 365 (showing Rosenberg’s recruitment of
friends Elitcher and Hughes); Letter from New York to Moscow, No. 1491 (Oct. 22, 1944),
1491] (describing possible recruitment of another friend of Rosenberg’s) (on file with the
North Carolina Law Review); see also FERLISOV & KOSTIN, supra note 2, at 110, 149
(discussing the importance of the Rosenberg network and Rosenberg’s recruitment
efforts).
105. See Letter from New York to Moscow, No. 1340 (Sept. 21, 1944), in VENONA,
supra note 1, at 341–42 (reporting that one potential recruit had a questionable reputation
among some union members).
106. Letter from New York to Moscow, No. 687 (May 13, 1944), in VENONA supra
note 1, at 281.
Michael Sidorovich, were "devoted and reliable people." If it could be arranged, the KGB operatives themselves would vet the candidates. The New York station chief explained in early 1945 that Judith Coplon "gives the impression of being a serious person who is politically well developed and there is no doubt of her sincere desire to help us." The Soviet journalist who was Theodore Hall's initial contact with the KGB gave a similar assessment: "HALL has an exceptionally keen mind and a broad outlook, and is politically developed.

Given the wartime situation and the relatively amicable relations between the United States and the Soviet Union, as well as the Communist Party's Popular Front line and predominance within the American left, it seems not to have been too difficult for the KGB to recruit people. Nonetheless, there are a few, but only a few, indications that not everyone the Russian operatives approached was willing to enlist. It remains unclear how many such individuals there were; it stands to reason that the KGB officers in America would not necessarily have told their superiors about prospects who never developed. Still, it is known that an abortive attempt was made to enlist the scientific head of the atomic bomb project, J. Robert Oppenheimer, who seems to have been near, if not in, the Communist Party during the late 1930s. There were other physicists at Los Alamos with similar political backgrounds, but with the exception of Fuchs and Hall, none of them gave secrets to the Russians.

107. Letter No. 1491, supra note 103.
108. See WEINSTEIN, supra note 11, at 205-07 (exemplifying the Soviets' desire to evaluate candidates independently by their interest in contacting agents directly).
110. Letter from New York to Moscow, No. 1505 (Nov. 12, 1944), in VENONA, supra note 1, at 363-64.
111. The Popular Front was a policy of having Communist parties around the world ally themselves with other parties in opposition to fascism.
112. See FEKLISOV & KOSTIN, supra note 2, at 71, 151; NEWTON, supra note 15, at 34; Letter from New York to Moscow, No. 801 (Oct. 6, 1944), in VENONA, supra note 1, at 347-59; Letters Nos. 1433-35, supra note 100 (describing unfulfilled assignments due to lack of cooperation and suggesting the reluctance of some contacts to become spies).
113. See GREGG HERKEN, BROTHERHOOD OF THE BOMB: THE TANGLED LIVES AND LOYALTIES OF ROBERT OPPENHEIMER, ERNEST LAWRENCE, AND EDWARD TELLER 29-32 (2002) (describing Oppenheimer's circle of Communist friends and his association with a group of colleagues who were perhaps Communists); see also WEINSTEIN & VASSILIEV, supra note 1, at 183-85 (discussing failed attempts to recruit Oppenheimer).
114. Oppenheimer's brother Frank was among the Communists and ex-Communists at Los Alamos, as were some of his friends and students, including David Hawkins and Philip
Moreover, since the San Francisco station chief was recalled to Moscow in 1944 for failing to recruit Manhattan Project scientists, it is likely that Oppenheimer was not the only potential source who refused to spy.\textsuperscript{115}

Recruitment, however, was only the first step. The KGB operatives worried constantly about the security of their operations, fearful that an overly enthusiastic agent might inadvertently sabotage the project or that a disillusioned one might intentionally do so by going to the FBI.\textsuperscript{116} Initially, procedures were somewhat lax, in large part because the British, Canadian, and American counterintelligence organizations were not much of a threat.\textsuperscript{117} As one of the people identified by Gouzenko explained,\textsuperscript{118} "[S]ecurity measures were so childish they were practically non-existent. There was not a locked door anywhere."\textsuperscript{119} He did not, he claimed, even hear the term "security" mentioned until May 1945.\textsuperscript{120} Things tightened up somewhat earlier in the United States. As the FBI increased its surveillance over the Russian delegations after 1943, security became an obsession for the Soviet operatives.\textsuperscript{121} Because they assumed that their homes and offices were bugged, KGB officers did not use people's real names, and wrote notes to each other instead of speaking.\textsuperscript{122} They also took elaborate precautions whenever they met their local contacts—first following what Feklisov called a "security
"itinerary" to elude FBI surveillance, then hopping on and off subways and buses, ducking into storefronts, and passing documents in the back rows of darkened movie theaters. Of course, these measures did not always work. For example, when Judith Coplon was arrested in lower Manhattan with a stash of Justice Department documents in her purse, she and her Soviet contact, Valentin Gubitchev, had been leading a posse of FBI agents all around the city for several hours.

The KGB's main problem was the sloppy tradecraft or _konspiratsya_, as it was called, of their American contacts. VENONA and the Moscow files are full of lamentations about the security lapses of these men and women—their incorrigible habits of attending left-wing meetings, talking about their activities with each other, and recruiting people without getting permission from Moscow. Elizabeth Bentley and her boyfriend, Jacob Golos, were among the worst offenders. A marked man after he was convicted for failing to register as a foreign agent, Golos refused to surrender his agents. Bentley, who inherited Golos's contacts after he died in November 1943, was equally troublesome. Her carelessness and her "unbalanced state" of mind so upset her handlers that, at one

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123. _See_ FEKLISOV & KOSTIN, _supra_ note 2, at 54, 124 (describing obsessions with security and a secret meeting in a cafeteria); _see also_ WEINSTEIN & VASSILIEV, _supra_ note 1, at 189 (concerning intense surveillance of agents by the United States government); Letters from Moscow to Canberra, Nos. 233, 232 (Dec. 2, 1943), _in_ VENONA, _supra_ note 1, at 247 (discussing concerns about secrecy and recommending security measures); Letter from New York to Moscow, No. 1047 (July 2, 1943), http://www.nsa.gov/docs/venona/docs/July43/02_Jul_1943_m3.gif (illustrating Communist agent's notice of surveillance) (on file with the North Carolina Law Review).


125. FEKLISOV & KOSTIN, _supra_ note 2, at 163.


127. _See, e.g._, FEKLISOV & KOSTIN, _supra_ note 2, at 123, 132–33 (illustrating risks taken with personal friendships and frustrations with nervous American spies); Letter No. 709, _supra_ note 116 (showing concern about the poor quality of some agents' work for the Soviets and agents' disobedience of orders); Letters from Moscow to New York, Nos. 179–80 (Feb. 25, 1945), http://www.nsa.gov/docs/venona/docs/Feb45/25_Feb_1945_R3_p1.gif (explaining that some members of spy networks were widely known) (on file with the North Carolina Law Review); Letter from Moscow to New York, No. 292 (Mar. 29, 1945), http://www.nsa.gov/docs/venona/docs/Mar45/29_Mar_1945_R3_m1_p1.gif [hereinafter Letter No. 292] (stating that another group's composition was widely known) (on file with the North Carolina Law Review); Letter from New York to Moscow, No. 561 (Jul. 18, 1944), http://www.nsa.gov/docs/venona/docs/July44/18_Jul_1944_R3_p2.gif (canceling a meeting due to permanent surveillance of an operative) (on file with the North Carolina Law Review).

128. WEINSTEIN & VASSILIEV, _supra_ note 1, at 90–100.
point, they even considered finding a husband to keep her happy.\footnote{129} A few months later, they wanted to smuggle her out of the United States, but, realizing that she “‘won’t go anywhere voluntarily and she may damage us here very seriously, only one remedy is left—the most drastic one—to get rid of her.’”\footnote{130} Before they got around to implementing that suggestion—they were actually planning to buy her off instead—she had gone to the FBI.\footnote{131} But even the KGB’s more stable contacts created anxiety. A March 1938 directive reveals something of the KGB’s constant struggle to transform these all-too-individualistic men and women into effective agents.\footnote{132} Though the directive noted that one of the Russians’ new recruits “‘may be a very valuable source, he must be taken care of and, most important, EDUCATED, made our man, have his brains rebuilt in our manner.’”\footnote{133}

Moscow expected its agents to turn over original documents; it considered notes and oral reports to be little more than hearsay.\footnote{134} Documents, however, created serious problems: they were bulky and hard to conceal. As a result, the Russians encouraged their agents to photograph the materials themselves and transmit the undeveloped films to their handlers.\footnote{135} That way, if a courier or spy were picked up by the FBI, he or she could destroy the incriminating evidence by simply exposing the film. Unfortunately, not all of these agents were competent photographers, and the Moscow archives and VENONA cables contain several complaints about unreadable documents.\footnote{136}

Ludwig Ullmann, Gregory Silvermaster’s main photographer, was so

\footnotesize{\begin{itemize}
\item \footnote{129} Id. at 98–99.
\item \footnote{130} Id. at 102.
\item \footnote{131} Id. at 102–08.
\item \footnote{132} Id. at 78; see \textit{WEINSTEIN \\& VASSILIEV}, supra note 1, at 227–29 (discussing lessons regarding compartmentalization and tradecraft); Letters from Moscow to Canberra, No. 142[a] (Sept. 12, 1943); Letters Nos. 284, 286, \textit{supra} note 116 (showing struggle to keep operatives from meeting each other and stop them from sharing confidential information); Letter No. 292 \textit{supra} note 126 (illustrating failed efforts to keep the composition of an American network secret).
\item \footnote{133} \textit{WEINSTEIN \\& VASSILIEV}, \textit{supra} note 1, at 78.
\item \footnote{134} See \textit{NEWTON}, \textit{supra} note 15, at 39 (discussing Stalin’s demand for reports substantiated by facts and sources); \textit{WEST \\& TSAREV}, \textit{supra} note 15, at 11 (illustrating concern over speculative reports from operatives).
\item \footnote{135} \textit{FEKLISOV \\& KOSTIN}, \textit{supra} note 2, at 77–79; see Letter from New York to Moscow, No. 1715 (Dec. 5, 1944) [hereinafter Letter No. 1715], \textit{in VENONA, supra} note 1, at 385; Letter from New York to Moscow, No. 736 (May 22, 1944), \texttt{http://www.nsa.gov/docs/venona/docs/May44/22_May_1944_R1.gif} (on file with the North Carolina Law Review); Letter from New York to Moscow, No. 976 (July 11, 1944), \texttt{http://www.nsa.gov/docs/venona/docs/July44/jul_1944_R1.gif} (on file with the North Carolina Law Review).
\item \footnote{136} See \textit{WEINSTEIN \\& VASSILIEV}, \textit{supra} note 1, at 163.
\end{itemize}}
inept that half of his films did not come out. Kim Philby was another bumbler; he had been given a camera, but his pictures turned out so badly that his handlers took the camera back. Moreover, as the networks grew and produced more and more material, they caused considerable strain on the people who were managing them. By the end of 1944, Julius Rosenberg’s handlers had begun to worry about his workload: "LIBERAL [Rosenberg] . . . has on hand eight people plus the filming of materials. The state of LIBERAL’s health is nothing splendid. We are afraid of putting LIBERAL out of action with overwork."

As the KGB came to realize, the career of an agent was stressful. Given the tensions of the double life, the constant fear of exposure, as well as the unremitting pressure from Moscow for better documents and more careful tradecraft, it is surprising that more people did not defect from the Soviet spy network. A few did, Whittaker Chambers most notoriously. Several government employees, who had been sporadically supplying documents, began to worry about being caught. After begging off from further assignments, one of them, according to his American contact, was "totally frightened and depressed. He suffers from nightmares where he sees his name on the lists [presumably of accused Communists within Office of Strategic Services ("OSS")], his life is destroyed, etc." The man met his contact two more times, but Moscow was told he "came so scared to both meetings that he could not hold a cup of coffee since his hands trembled." Harry Gold was also scared, but he felt, so he told the FBI, that "I was in so deep that I was, to a certain extent, bewildered and didn’t know what to do." Elizabeth Bentley was neither scared nor overworked but she had been squabbling with her Soviet handlers for years. Concerned about her sloppy security procedures, they had been trying to wrest agents away from her
influence. Bentley was not unique in this regard—the KGB sought direct control over all their spy networks, a heavy-handed tactic that no doubt reflected the political climate in Moscow as well as its operatives' fears of exposure. In Bentley's case, it backfired. On November 8, 1945, she arrived in the FBI's New York office ready to tell her story.

Bentley's betrayal ended what Allen Weinstein and Alexander Vassiliev have labeled the "golden age" of Soviet espionage. Already reeling from Gouzenko's defection, the Russian intelligence agencies began to shut down their operations. By the end of November, the KGB had ordered its American officers "to cease immediately their connection with all persons known to Bentley in our work [and] to warn the agents about Bentley's betrayal." Soon the key Soviet operatives were on their way home, and their carefully nurtured espionage networks fell into disarray. Though a few of the most zealous agents, like Julius Rosenberg, tried to keep working, their Russian handlers were no longer around. Arriving early in 1946 without either contacts or instructions, the KGB's new Washington station chief could barely speak English. After a year, he cabled Moscow:

I feel that my knowledge of English has sharply improved. I read American newspapers almost without a dictionary, translate serious articles from English into Russian, and can talk with an American about any subject. Still, I consider [my knowledge of English] insufficient, especially in fluent conversation on everyday topics.

He had no agents and based his intelligence reports on published

146. See OLMSTED, supra note 42, at 59, 64–65.
147. See Letters from New York to Moscow, Nos. 1388–89 (Oct. 1, 1944), in VENONA, supra note 1, at 343–46 (illustrating efforts to control Gregory Silvermaster's network).
149. WEINSTEIN & VASSILIEV, supra note 1, at 340–41.
150. See id. at 105–09.
151. Id. at 105.
152. See id. at 107, 285–89.
153. See id. at 105–07, 222.
154. See id. at 288–89 (describing station chief Dolbin's unsuccessful stint in Washington).
155. Id. at 289.
His successors did no better. Old networks were destroyed by Bentley, and it proved impossible to recruit any new informants. By the beginning of 1951, the KGB had but a single agent in the United States: an open member of the Communist Party who was writing a book about world peace. A few months later, when Julius and Ethel Rosenberg went on trial, the Soviets had no functioning American agents at all.

III. WHAT THE SPIES STOLE: THE FRUITS OF ESPIONAGE

In order to assess the issues of loyalty that are central to understanding why so many men and women worked for the Soviet Union and what they thought they were doing, it is important to consider what their efforts produced. Were they influencing policy or only providing information? Moreover, although thousands of pages of documents entered the KGB's pipeline, except for those dealing with nuclear weapons, little information exists explaining how that material was utilized once it reached Moscow. Again, with the crucial exception of nuclear weapons, that lack of knowledge means that there is no way at present to determine the significance of the actions of these Soviet agents. Still, an overview of their activities and their contributions to the KGB's trove of information is the first step toward assessing their impact.

Despite the flood of materials they received from their American sources, the Russians were dissatisfied. A September 1943 dispatch from the New York station chief complained about the lack of agents “with distinguished status capable not only of explaining matters in which we are interested but influencing affairs in a direction desirable for us.” There was considerable irony here, for during the height of the McCarthy period, when the anti-Communist furor was at its peak, the most politically damaging allegation about the government's supposed softness on communism was not that federal employees had spied for the Soviet Union, but that they had subverted American foreign policy. Senator McCarthy was only one of many

156. Id. at 286–87.
157. Id. This was due to the recent defections of key agents Bentley and Gouzenko.
158. Id. at 299.
159. See id. at 286, 334.
160. See BRUCE CRAIG, TREASONABLE DOUBT: THE HARRY DEXTER WHITE SPY CASE 135–55 (2004) (noting that there is little information about how the material the Soviet Union gained from espionage was used).
161. WEINSTEIN & VASSILIEV, supra note 1, at 228.
162. For a more comprehensive discussion of such charges, see SCHRECKER, supra
Republican politicians and other opponents of the Roosevelt and Truman Administrations who claimed that high-level officials had sold out their country's interests.\textsuperscript{163} The substance of their charges centered on (1) Yalta, where it was alleged that Communists within the State Department had surrendered Eastern Europe to Stalin,\textsuperscript{164} and (2) China, where a similar cabal had supposedly undermined Chiang Kai-shek's Nationalist government.\textsuperscript{165} These charges were baseless.\textsuperscript{166} Given the larger historical forces involved—the Red Army's occupation of the future Soviet bloc nations and the ongoing Chinese civil war—no matter who determined American policy, the United States could not have prevented the Communist take-overs.\textsuperscript{167} In addition, there was no evidence at the time, or in the more recently released documents, that Communist agents or sympathizers had subverted United States foreign policy. Even so, the charges continued to fester.\textsuperscript{168}

These charges focused primarily on those individuals who, unlike most of the Soviet agents, had some access to policy-making circles: Alger Hiss, Harry Dexter White, and Lauchlin Currie.\textsuperscript{169} Hiss had been at Yalta and had helped to organize the United Nations\textsuperscript{170} but he handled administrative matters, not political ones.\textsuperscript{171} Thus, while it appears likely that he conveyed information to the Soviets, he was in no position to determine policy. White and Currie, however, had more influence. White, an Assistant Secretary of the Treasury, handled international financial matters and was responsible for constructing the Bretton Woods monetary system that dominated the


\textsuperscript{165} ROSS Y. KOEN, THE CHINA LOBBY IN AMERICAN POLITICS 171 (1974).

\textsuperscript{166} Id. at 100, 171.


\textsuperscript{168} For a study of some charges regarding the loss of China to the Communists, see generally HARVEY KLEHR & RONALD RADOsh, THE AMERASIA SPY CASE: PRELUDE TO MCCARTHYISM (1996).

\textsuperscript{169} See infra notes 170–73 and accompanying text.

\textsuperscript{170} See WEINSTEIN, supra note 11, at 312–15. (discussing Hiss's roles and contributions during and after the war).

\textsuperscript{171} Id.
Western economy after the war. Currie, also an economist, worked in the White House as Roosevelt's chief economic advisor. Bentley mentioned both men in her November 1945 statement to the FBI, as did Chambers, and their names appear in the VENONA decrypts.

Currie's involvement seems more tenuous than that of either Hiss or White. His biographer has examined the available evidence and determined that it was inconclusive. Currie knew Gregory Silvermaster and some of the other people in the Silvermaster spy ring. They were all government economists and some—Currie, George Silverman, and White—had been at Harvard together. But the VENONA texts that mention Currie are incomplete and do not indicate anything more than that he had discussed government policy with his friends and gave documents to Silvermaster. It is also important to note that the official stance of the White House during the war encouraged cooperation with the Soviets. Currie was simply following that policy.

VENONA and the Moscow files implicate Harry Dexter White.
One 1944 message, in particular, relates a conversation with an as yet unidentified operative that makes it clear that White was aware of the delicate nature of his relationship with the Soviets.

As regards the technique of further work with us JURIST [White] said that his wife was [B% ready] for any self-sacrifice[,] he himself did not think about his personal security, but a compromise [PROVAL] would lead to a political scandal and [B% the discredit] of all supporters of the new course [c], therefore he would have to be very cautious.183

As this and other documents reveal, White had clandestine contacts with Soviet representatives and may well have discussed economic and political issues with them.184 White's biographer, Bruce Craig, characterizes these admittedly unauthorized contacts as “a species of espionage,” but considers them part of a broader project designed to promote Allied unity and aid in the war effort at a time when the Roosevelt administration’s fear of arousing criticism made a more open relationship difficult.185

Whatever the new documents show about the Soviet connections of people like Currie, White, and Hiss, the charges that they subverted American policy are hard to sustain. The most recent allegations against White, made by a former KGB official, claim he helped bring on World War II in the Pacific by carrying out Moscow’s orders to create antagonism between Japan and the United States over China and thus divert Tokyo from attacking Siberia.186 Since Roosevelt and his advisors also strongly supported China’s struggle against Japan, White’s actions in facilitating loans to Chiang Kai-shek were in keeping with official policy, and, as a mid-level Treasury official—he was not yet an Assistant Secretary—he was hardly a key player.187 White has also been accused of the reverse, withholding

182. Bruce Craig, a leading authority on the White case, concluded that White was implicated in some kind of espionage. CRAIG, supra note 160, at 256–62.
186. See SCHECTER & SCHECTER, supra note 33, at 3–44.
funds from Chiang Kai-shek in order to help the Communists.\textsuperscript{188} Here, again, although he did try to delay the loans, he was acting in accord with the wishes of his superiors.\textsuperscript{189} (Currie faced similar accusations about his role in China, where he functioned as FDR's man on the spot.\textsuperscript{190} Ironically, though, he was actually quite supportive of the Nationalist government he was later charged with subverting.\textsuperscript{191}) The one area in which White determined policy was post-war financial arrangements, but it would be a stretch to claim that the establishment of the International Monetary Fund and World Bank, his most important achievements, undermined American interests on Moscow's behalf.\textsuperscript{192} White may have tried to help the Soviet Union negotiate favorable terms for a post-war loan, but since the loan was not completed, it is hard to see what difference his activities made.\textsuperscript{193} Nor, despite later allegations to the contrary, were his apparently reluctant contributions to the punitive, and abortive, Morgenthau plan to deindustrialize Germany designed to help the Russians.\textsuperscript{194}

What the Russians did want, and what well-placed individuals like White and Currie could sometimes supply, were government positions for other members of the Soviet underground. Elizabeth Bentley explained to the FBI that, "In connection with the activities of HARRY WHITE, it was apparent to me from conversations I heard in the SILVERMASTER home, that one of his most valuable assets... was his ability to place in the Treasury Department those individuals whom the group was anxious to have assigned there."\textsuperscript{195} VENONA and the Moscow archives corroborate Bentley's recollections, indicating as well that when people like Gregory Silvermaster and his associate Ludwig Ullmann ran into trouble, White and Currie helped them keep their jobs.\textsuperscript{196} Conspiratorial

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\item \textsuperscript{188} See \textit{id.} at 193–94.
\item \textsuperscript{189} See \textit{id.} at 191.
\item \textsuperscript{190} SANDILANDS, supra note 173, at 107–25.
\item \textsuperscript{191} \textit{Id.} at 114–21.
\item \textsuperscript{192} See \textit{CRAIG}, supra note 160, at 155 (noting that postwar international financial institutions advanced several important American objectives).
\item \textsuperscript{193} See Letter No. 588, supra note 52; Letter from New York to Moscow, No. 79 (Jan. 18, 1945), http://nsa.gov/venona/venona00013.cfm (on file with the North Carolina Law Review).
\item \textsuperscript{194} \textit{CRAIG}, supra note 159, at 167–69, 176–77.
\item \textsuperscript{196} HAYNES & KLEHR, supra note 23, at 132 (stating how with the help of Currie and White, Silvermaster was able to obtain a position on the Board of Economic Warfare); \textit{see also WEINSTEIN \& VASSILIEV}, supra note 1, at 161–62 (stating that Currie helped quash a
\end{itemize}
\end{footnotesize}
motives may have been involved, but it is also possible that the two officials recommended and protected these people because, as Bruce Craig pointed out, Silvermaster, Ullmann, and the others were highly trained and competent economists whose talents were much needed in World War II Washington. At that time, there would have been no incompatibility between friendship, professionalism, and left-wing politics.

Still, there is no question that espionage occurred. Craig likens Silvermaster and the other Soviet agents to a sponge, absorbing enormous amounts of undifferentiated information and transmitting it directly to their contacts. The Russians, it turned out, were eager for almost any kind of material. During the early 1930s, they were looking for scientific and economic secrets that would be useful for their industrialization. They also wanted to learn about German and Japanese intentions with regard to the Soviet Union. After Pearl Harbor, they sought information about American war plans, prospects for a second front, and possible negotiations for a separate peace.

“What questions did Churchill discuss with Roosevelt . . . at their last meeting in June? What are the divergences between the English and Americans on the main matters of the war?” Moscow wanted information from the inner circles of the administration. The KGB was:

interested in the [U.S.] government’s plans for the country’s foreign and domestic policy, all machinations, backstage negotiations, intrigues, all that is done before this or that decision of the government becomes known to everybody . . . . The task is to penetrate into those places where policy is born and developed, where discussions and debates take place, where policy is completed.

Later, they sought information on post-war planning, the German economy, and what the United States government thought of

Justice Department inquiry of Silvermaster).

197. See CRAIG, supra note 160, at 83–85 (offering an extended discussion of how what he calls “the Econ-umists” got hired).
199. See WEINSTEIN & VASSILIEV, supra note 1, at 25.
200. See id. at 32.
201. VENONA, supra note 1, at x.
202. WEINSTEIN & VASSILIEV, supra note 1, at 160.
203. Id.
Much of the time, Moscow got what it wanted. Bentley's contacts within the Treasury Department, the OSS, and elsewhere supplied quite a lot of political intelligence. This intelligence included the high-level gossip the KGB claimed to be most interested in—reports that the Secretary of State was miffed at being bypassed by the president, that United States policy-makers were worried France might turn Communist, that the United States and Britain disagreed about their occupation zones in Germany, and so on.205

Moscow also sought scientific and technical, as well as political, information.206 Its main wartime coup was obtaining information about the atomic bomb. Klaus Fuchs and the Cambridge spies had alerted the Soviets to the project in the fall of 1941, and from then on tracking its progress became a top priority.207 Amazingly, despite what seems to have been a vigorous effort to infiltrate the Manhattan Project, the KGB's two main sources, Fuchs and Hall, approached the KGB of their own initiative,208 while another, Julius Rosenberg's brother-in-law, was serendipitously assigned to the Los Alamos machine shop.209 Alan Nunn May, a British physicist identified by Gouzenko, turned over a tiny amount of enriched uranium;210 and there seem to have been other people involved with the bomb who

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206. ALBRIGHT & KUNSTEL, supra note 60, at 34. Feklisov and some of his other technologically trained colleagues within the KGB's station were specifically detailed to collect scientific and technical information. FEKLISOV & KOSTIN, supra note 2, at 47, 54, 107–08; see also WEINSTEIN & VASSILIEV, supra note 1, at 173–78 (describing the technical training of the Soviet agents).

207. See WILLIAMS & FUCHS, supra note 87, at 87 (explaining that in the Autumn of 1941, Fuchs passed along "important information about an Anglo-American war project that could lead to a powerful new weapon"). For a discussion of Soviet espionage within the Manhattan Project, see generally ALBRIGHT & KUNSTEL, supra note 60; RADOSH & MILTON, supra note 5; WILLIAMS & FUCHS, supra note 87.

208. See ALBRIGHT & KUNSTEL, supra note 60, at 91–93 (describing Hall's motivation to disclose American technological secrets); see also WILLIAMS & FUCHS, supra note 87, at 60 (noting that Fuchs asked Jurgen Kuczynski, who worked with the OSS and the Strategic Bombing Survey In London, how he could help the Soviet Union).

209. For a discussion of David Greenglass, see ROBERTS, supra note 3, at 105.

210. WHITAKER & MARCUSE, supra note 9, at 46.
were working with the Soviet intelligence agencies, but they have not been identified.211

In the aftermath of the Soviet Union’s collapse, the KGB’s successor organization, which was eager to retain its previous influence, began to churn out stories about its atomic exploits.212 At the same time, the Russian scientific community, caught up in a similar power struggle, sought to downplay the role of espionage in the Soviet nuclear weapons program.213 These competing narratives have muddied the story, though it is known that because of Stalin’s desire to develop a bomb as soon as possible, the Russians created an exact replica of the American plutonium bomb.214 The Russian scientists claim that they could have produced their own, better, weapon within a year or two regardless—but, thanks to Stalin and the KGB, they never got the chance.215

Much less is known about other scientific secrets that Moscow received. Even before Julius Rosenberg recruited his City College of New York classmates, quite a few people were sending technical information to the Russians.216 These operations pre-dated World War II and seem to have been extensive. By 1943, the New York station alone was running twenty-eight chemists, biologists, and engineers.217 A scientifically literate courier like Harry Gold, who

211. FEKLISOV & KOSTIN, supra note 2, at 64.
212. For examples of propaganda, see Vladimir Chikov, How the Soviet Intelligence Service ‘Split’ the American Atom, NEW TIMES, Apr. 23, 1991, at 37–40 (describing the information revealed by the KGB). For a discussion of the current debates in Russia, see Yuli Khariton & Yuli Smirnov, The Khariton Version, BULL. ATOMIC SCIENTISTS, May 1993, at 20–31 (stating that the role of the intelligence community played has been overstated); Sergei Leskov, Dividing the Glory of the Fathers, BULL. ATOMIC SCIENTISTS, May 1993, at 37–39 (noting that the foreign intelligence service is touting its role in Soviet weapons development); Roald Sagdeev, Russian Scientists Save American Secrets, BULL. ATOMIC SCIENTISTS, May 1993, at 32–36 (stating that the KGB revealed its role in the Soviet Union’s atomic history because it felt “its contributions to the program had not been sufficiently appreciated”).
215. Sagdeev, supra note 212, at 34.
216. WEINSTEIN & VASSILIEV, supra note 1, at 24–25.
217. See id. at 177.
could understand at least some of the technical details of the materials he was collecting, was essential to the Soviets, and they actually paid for a year of the Philadelphia chemist's graduate education.\footnote{Bef-e he dc-aii -ooi y LA) atuiiiii, ti,-age, Gold had been involved with industrial spying, collecting material from agents throughout upper New York State. Unlike the ideologically motivated men and women Bentley worked with in wartime Washington, many of these industrial spies were in it for the money. Others, like Julius Rosenberg, were true believers whose opportunities for espionage expanded enormously with the growth of the defense industry during the war. According to Alexander Feklisov, Rosenberg's network, which specialized primarily in electronics and aeronautics, supplied over 20,000 pages of material as well as a 12,000-page manual for the first American jet plane. Rosenberg's people were not the only Soviet agents to obtain such "highly valuable" technical information. The Canadian chemist Raymond Boyer turned over a formula for the explosive RDX; John Cairncross, one of the Cambridge spies, forwarded information about the thickness of German tank armor; and Silvermaster sent copies of pilot's operating instructions for several army and navy warplanes—just to give a few examples.}

These people delivered military intelligence as well, alerting the Soviets to the size of the German units they faced, for example, and providing detailed figures for American airplane production.\footnote{See id. at 176.}
Situated within the British intelligence agencies, the Cambridge spies offered particularly useful data, even if, as with the information about Hitler's plans to invade Russia, the recipients did not always use it well. Elizabeth Bentley gives us some idea of the scope of the Soviet spying. Her agents, she explained to the FBI at an early debriefing, provided:

All types of information. At the beginning, it was mostly political data, which was fished out of the Treasury. In those days [Silvermaster] picked up whatever memos came to [Secretary of the Treasury] Morgenthau, and found out what there was. Things about the British and Americans gang[ing] up on the Russians, that type of thing. But then, as the war went on and LUD[wig Ullmann] got in where he was and SILVERMAN moved into the Pentagon Building as a civilian employee of the Air Corps, they began to get all this tremendous amount of data . . . . Practically all the WPB [War Production Board] progress reports. Practically all the Ministry of Information in London's monthly reports. Some FBI reports. A monthly report on Red activities in this country. They used to get ahold of Navy Intelligence things, Army Intelligence things . . . . They had everything under the sun . . . . They'd go in for production figures of all varieties—how many planes are going here and there and so on.

VENONA and the Moscow files corroborate this account. They contain detailed lists of the information that came from the Silvermaster and Perlo groups as well from Bentley's independent agents in the OSS and elsewhere—thousands of pages of material on, as she put it, "everything under the sun." Though the torrent slowed to a trickle after Bentley confessed, a few key agents remained on the job. Until VENONA decrypts...
exposed her late in 1948, Judith Coplon was working in the Justice Department’s Foreign Agents Registration Section, sending the KGB tidbits from her agency and the FBI.  

Klaus Fuchs, who had returned to England to work on that nation’s nuclear weapons program, continued to supply information, as did the Cambridge spies, several of whom had been sent to the United States. Assigned to the British Embassy in Washington from 1944 to 1948, Donald Maclean became, according to former CIA director Richard Helms, “the most valuable known Soviet agent ever to operate in the West.” He was the embassy’s second secretary, in charge of all its paperwork, and he was in a good position to transmit thousands of British and American documents to Moscow. Even more crucial was his appointment to the joint British-American committee that dealt with nuclear matters and his later involvement in helping to establish NATO. When he returned to London, after his stint in Washington, he headed the American desk in the Foreign Office. The Korean War began during his watch and, as then-Assistant Secretary of State, Dean Rusk, admitted, “It can be assumed, anything we in our government knew about Korea would have been known at the British Embassy.” Together with Philby, whose connections to the American intelligence community enabled him to warn the KGB about the VENONA decrypts, Maclean presumably gave Moscow access to the most closely guarded secrets of the Western Allies.

But not all of the material the Soviet agents transmitted was particularly secret. Philby passed on the same information about the planned invasion of Normandy that Roosevelt and Churchill had given to Stalin. Similarly, according to one not necessarily reliable Russian source, a new type of machine gun acquired by the American espionage agents Morris and Lona Cohen was later sent to Moscow under the Lend Lease program. After all, the United States,

228. WEINSTEIN & VASSILIEV, supra note 1, at 226; WEST, supra note 27, at 245.  
230. NEWTON, supra note 15, at xv.  
231. Id. at 66–67.  
232. Id. at 147–84, 195–97.  
233. Id. at 284.  
234. Id. at 286.  
235. See id. at 67–210, 286; BOROVIK, supra note 65, at 258; WEST, supra note 27, at 45–46.  
236. BOROVIK, supra note 65, at 223.  
237. Chikov, supra note 212, at 37.
Britain, and the Soviet Union, were allies and during the war, despite Stalin’s distrust and paranoia, both the British and the Americans shared technology and intelligence with Moscow. That cooperation was, however, rather grudging, with Washington and London sometimes being less than forthcoming. Especially within the military, traces of the West’s long-standing hostility to the Bolshevik revolution impeded a more open policy. In addition, the British were afraid that material they sent to the Soviet Union might fall into German hands. For that reason, they did not let Moscow in on the most important intelligence achievement of World War II—the ULTRA code-breaking project. They did, however, sometimes share the results of those intercepts. Had there been less fear and hostility, the Soviet Union might well have received much of the non-nuclear information it got from espionage through regular channels.

IV. DIVIDED LOYALTIES: WHY THEY SPIED

Although the Soviet Union was officially an ally, both the American and British governments kept it at arm’s length. Thus, the men and women who transmitted unauthorized information to Moscow were caught up in a web of conflicting loyalties. Or were they? In order to unravel that web, it is necessary to know, among other things, what they thought they were doing.

Were they, in fact, aware that they were spying for the KGB? Some spies, like Lauchlin Currie, may have been consciously sheltered from that knowledge. The VENONA decrypts that describe Currie’s activities seem to imply that he was not entirely witting. Nor was he unique. Elizabeth Bentley and her lover, Golos, purposely kept their agents unaware of the destination of their materials, fearing that their more skittish sources might bolt if they knew that their information was going to Soviet intelligence agencies

239. See id. at 42–45. ULTRA was a top-secret British project that used early computers to break German codes.
240. See id. at 45–47; Andrew & Mitrokhin, supra note 4, at 95–96.
241. See Sandilands, supra note 173, at 480–81, 500–05 (offering a plausible reading of the VENONA decrypts and other materials that makes the case that the KGB probably kept Currie out of the direct espionage loop, even though it is clear he was giving information to people who were definitely directly involved).
242. See id.; Letter No. 143, supra note 179; Letter from Moscow to New York (Mar. 28, 1945) (wondering whether to approach Currie directly and whether to bring up questions of his closet complicity with Silvermaster) (on file with the North Carolina Law Review).
instead of party headquarters in New York. Over time, that deception wore thin. By early 1944, if not before then, Silvermaster at least understood for whom he was working. He was, his KGB handler reported, "a man sincerely devoted to the party and the Soviet Union... politically literate, knows Marxism, a deeply Russian man ... known in Washington as a progressive liberal ... [and] understands perfectly that he works for us." But some of Silvermaster’s sources were considerably less informed. Frank Coe, for example, apparently thought he was reporting to the American party.

Other people knew their documents were being sent to Moscow, but may not have realized that the KGB was the recipient. Though the Russian operatives wanted their contacts to know they were working for the Soviet Union, neither VENONA nor the Moscow archives indicate they were told for what organization they were working. As one KGB official reported to his superiors about an inexperienced espionage recruit in 1937: "‘He has very little experience and sometimes behaves like a child in his romanticism. He thinks he is working for the Comintern, and he must be left in this delusion for a while.’" Even agents as sophisticated as Kim Philby and Morris Cohen initially thought that they, too, were in a Comintern operation, not a KGB one. Eventually they realized the truth, as no doubt, other agents did. When a member of Victor Perlo’s group discussed the matter with one of his handlers, he said that Perlo had told him that "‘he was not passing materials to [Browder] anymore but was passing them to us,’” Who that “us” was—the Soviet Union or the KGB—remains unclear. But, according to his interlocutor’s report, the man “apparently was very proud of this fact, which contradicts [Bentley’s] opinion that everyone will immediately stop working if they find out about the connection with us. Seemingly, one way or another, they already know about it.” As did some other spies. “[I am] not a child,” Treasury official Abraham Glasser told his Soviet contact, “[and I] realize exactly

243. WEINSTEIN & VASSILIEV, supra note 1, at 84–85.
244. See id. at 162.
245. Id.
246. See id. at 162–63.
247. Id. at 162.
248. Id. at 75.
249. See ALBRIGHT & KUNSTEL, supra note 60, at 31; BOROVIK, supra note 65, at 46–47.
250. WEINSTEIN & VASSILIEV, supra note 1, at 237.
251. Id.
where and to whom [my] materials have been going for several years.\textsuperscript{252} Coplon also knew who her handlers were. At first, she told one of them she thought she was working for the Communist Party U.S.A. ("CPUSA").\textsuperscript{253} However, she figured out "that the nature of the materials in which we are interested pointed to the fact that it was our country which was in question. She was very satisfied she was dealing with us."\textsuperscript{254} Again, did she think she was dealing with ordinary Russian officials or intelligence operatives? Repugnant as the KGB may seem today, to dedicated American Communists the identity of their conduit to Moscow may not have mattered much as long as it helped them do their bit for the Russian war effort.

What is hardest to understand, however, is how these men and women managed to rationalize what they were doing in the face of the Stalinist terror of the 1930s.\textsuperscript{255} Most of them, especially the agents recruited during the mid-1930s, were ardent Communists, accustomed to the party's top-down style of decision-making and convinced of the need to support the Soviet Union.\textsuperscript{256} Thus, their clandestine work simply reinforced their sense of discipline. In an interview after his arrest in 1950, Klaus Fuchs recalled that when he was in the German underground in the early 1930s, he "'was ready to accept the philosophy that the Party is right and that in the coming struggle you could not permit yourself any doubts after the Party had made a decision.' "\textsuperscript{257} The Moscow trials, however, gave some of the Soviet agents second thoughts; a few wondered whether they should run so many risks for a regime that they had begun to question.\textsuperscript{258} In 1937, for example, the State Department official, and Soviet spy, Lawrence Duggan expressed his uneasiness about the purges.\textsuperscript{259} According to his handler, he was afraid that he might be exposed by a fascist spy within the KGB and was reluctant "to work for a country where something happens that he does not understand."\textsuperscript{260} Nonetheless, he swallowed his doubts and continued to supply intermittent scraps of

\textsuperscript{252} Id. at 266.
\textsuperscript{253} Id. at 266, 277–78.
\textsuperscript{254} See Letter No. 27, supra note 109.
\textsuperscript{255} See generally CONQUEST, supra note 81 (providing an overview of the Stalinist terror).
\textsuperscript{256} See BOROVIK, supra note 65, at 27–28; FEKLISOV & KOSTIN, supra note 2, at 108–09, 118–20.
\textsuperscript{257} WILLIAMS & FUCHS, supra note 87, at 182 (recounting Klaus Fuchs’s interview with William Skardon on January 27, 1950).
\textsuperscript{258} See WEINSTEIN & VASSILIEV, supra note 1, at 12–15. The Moscow trials led to the sentencing and subsequent execution of many of the Soviet Union’s top leaders.
\textsuperscript{259} See id. at 13.
\textsuperscript{260} Id.
information. The available sources are mute about the response of other KGB agents and agents-to-be. Some may have accepted the trumped up charges, believing as did Peggy Dennis, the wife of a leading American Communist then living in Moscow, that:

We did not know the extent of those purges, but we cannot claim we did not know what was happening. We knew that the Comintern had been decimated. We read of the public trials. True, we read in silence, puzzled and uncomprehending, but we read the accounts and we accepted them. We saw it as part of the brutal realities of making revolution, of building an oasis of socialism in a sea of enemies. We accepted the belief of infallibility of our leaders, the wisdom of our Party. Facts and claims to the contrary were rejected as the very proof of that anti-Sovietism that demanded the vigilance Stalin urged.

Other Communists who, unlike Dennis, did not have to confront the disappearances of people they knew, found it easier to ignore than to rationalize the purges. Julius Rosenberg's handler, Alexander Feklisoiv, claims that Rosenberg never raised the topic. Michael Straight, a wealthy American recruited by the Cambridge network, describes the willful ignorance to which he and his colleagues subscribed:

Only the hardened party members were prepared to argue that the confessions of Stalin's new-found enemies were genuine. The rest of us simply refused to think about the trials. We would not peer into the dark recesses of the Kremlin while Russia was arming itself against Hitler and sending arms to Spain.

A certain kind of cognitive dissonance seems to have been at work here, as well as an ingrained suspicion of the capitalist press. Like many dedicated Communists, Klaus Fuchs had long discounted Western reports about Russia, believing that they "could be deliberate lies." Theodore Hall, his fellow atomic spy, had a similar reaction:

"In 1944 I did not realize the nature and scale of the atrocities

262. DENNIS, supra note 79, at 117-18.
263. FEKLIISOV & KOSTIN, supra note 2, at 119.
265. WILLIAMS & FUCHS, supra note 87, at 183.
perpetrated in the Soviet Union during and after the 1930s . . . .
Many reports about these things had been proved false, and
they seemed incompatible with the obvious dedication of the
Soviet Army and people during the war. If I had seen the
whole picture in focus, I feel quite convinced that I would have
acted differently . . . . On reflection . . . I think my emotional
revulsion against Stalin's terror would have stopped me in my
tracks. Simple as that. 266

Of course, it was not that simple. Nonetheless, though the
purges may have prompted some quiet soul-searching, they did not
produce many defections—or at least not many public ones.
Moreover, the people who did break with Moscow at that time, like
Whittaker Chambers, were motivated less by revulsion against the
terror than by the fear that they might be swept up in it.

Since most of the men and women who spied for the Soviet
Union signed on because they wanted to fight fascism, the 1939 Non-
Aggression Pact between Hitler and Stalin that split Poland between
Germany and the Soviet Union and precipitated World War II in
Europe, was more disturbing. Michael Straight, who was increasingly
uncomfortable with his undercover work, responded to that event by
breaking his connection with the KGB. 267 Even as staunch a believer
as Kim Philby recalls his confusion, as well as the fear that the Soviet
Union might share some of his information with the Third Reich. 268
Yet, as with the purges, most of the spies—like most ordinary party
members—suppressed their doubts. "The Russo-German pact was
difficult to understand," Fuchs told his Scotland Yard interlocutor,
"but in the end I did accept that Russia had done it to gain time." 269

No matter how devoted they were to the Soviet cause, the
negative connotations of espionage created discomfort for the men
and women drawn into it. William Remington was not "happy about
the whole situation," his ex-wife testified. 270 "Once he was in, he
wanted to get out." 271 In some cases, the future agents hesitated
before committing themselves fully to underground work. "It was
only after a great struggle on my part," a former Canadian spy
recalled, "that I could bring myself eventually to accept this kind of

266. ALBRIGHT & KUNSTEL, supra note 60, at 282–83.
267. WEINSTEIN & VASSILIEV, supra note 1, at 81–83.
268. BOROVIK, supra note 65, at 144–49.
269. WILLIAMS & FUCHS, supra note 87, at 183.
270. GARY MAY, UN-AMERICAN ACTIVITIES: THE TRIALS OF WILLIAM
REMMINGTON 165 (1994).
271. Id.
work.”

When he decided to tell the Russians about the Manhattan project, Ted Hall explained, “I contemplated a brief encounter with a Soviet agent, just to inform them of the existence of the A-bomb project. I anticipated a very limited contact.” Fuchs was similarly cautious at first. He planned only to give information about his own work, not that of others. Recognizing the squeamishness of their new recruits, the KGB’s operatives would often make their early assignments relatively innocuous—recruiting their friends or checking out local Nazis. Harry Gold’s first task was to steal the process for keeping ice cream from melting.

A curious blend of personal and political motives seems to have drawn this cohort of political activists into espionage. Money, however, was not a prominent factor. The VENONA decrypts are full of messages revealing that the Russians wanted to pay their most productive agents, perhaps as a way of guaranteeing their loyalty. While some people took money—Harry Gold, for example, was on a $100 per month retainer during the early 1940s—others did not. Gold recalls that Klaus Fuchs was positively insulted when he offered him the $1500 the KGB believed he “fully deserve[d].” Most of the agents who accepted Moscow gold took only what they needed to cover the cost of their undercover work. There were other rewards as well, “valuable gifts” like the oriental rugs Whittaker Chambers gave Harry Dexter White, Alger Hiss, and George Silverman, or the medals that Moscow secretly bestowed on Kim Philby, Elizabeth

272. WEISBORD, supra note 118, at 134–35.

273. ALBRIGHT & KUNSTEL, supra note 60, at 288.

274. WILLIAMS & FUCHS, supra note 87, at 189.

275. BOROVIK, supra note 65, at 38–46; Chikov, supra note 212, at 40.

276. WEINSTEIN & VASSILIEV, supra note 1, at 176.


278. FEKLISOV & KOSTIN, supra note 2, at 135–36; WEINSTEIN & VASSILIEV, supra note 1, at 177.


280. See Letter No. 1314, supra note 277; FEKLISOV & KOSTIN, supra note 2, at 122; VENONA, supra note 1, at 335.
Bentley, and Gregory Silvermaster, among others.\textsuperscript{281} But most of the men and women who spied for the Soviet Union did so for political reasons, as Kim Philby put it, “on the basis of conviction.”\textsuperscript{282} They were Communists with connections that happened to bring them within the purview of the KGB’s networks.\textsuperscript{283} Their recruitment was a chain process; political comrades recruited each other.\textsuperscript{284} Whether other party members, given a similar opportunity, would also have spied for the USSR is something that will never be known. Still, it seems clear that the espionage agents had particularly strong political commitments. Kim Philby explained to an interviewer shortly before his death:

Several factors influenced my decision inner and external, emotional and rational. The study of Marxism and seeing the Depression in England. Books and lectures and the rise of fascism in German. Fascism was one of the deciding factors for me. I was becoming convinced that only the Communist movement could resist it. Of course, there were doubts and unfounded expectations. But there was also dissatisfaction with myself. I kept asking myself—why not give yourself totally to this movement? I had only one alternative: either I told myself, yes, or I gave up everything, betrayed myself, and dropped politics altogether.\textsuperscript{285}

Rosenberg, if his handler can be believed, was similarly dedicated, seeing “his collaboration with Soviet intelligence as a kind of religious calling, which was his way of fighting, indirectly, but no less effectively, his personal enemy: fascism.”\textsuperscript{286} Silvermaster was equally devoted, as he told one of his handlers, and he felt “his work for us is the one good thing he has done in his life.”\textsuperscript{287} These people were—or at least saw themselves as—revolutionaries. Morris Cohen, who was recruited during the Spanish Civil War and ultimately ended

\textsuperscript{281.} See Albright & Kunstel, supra note 60, at 174; Borovik, supra note 65, at 249; Weinstein supra note 11, at 189–92; Weinstein & Vassiliev, supra note 1, at 165; Letter from New York to Moscow, No. 1798 (Dec. 20, 1944), http://www.nsa.gov/docs/venona/docs/dec44/20_Dec_1944_R3_m4_p1.gif (on file with the North Carolina Law Review); Letter No. 1314, supra note 277; Bentley Statement, supra note 148.

\textsuperscript{282.} Borovik, supra note 65, at 173.

\textsuperscript{283.} West & Tsarev, supra note 15, at 275.

\textsuperscript{284.} Borovik, supra note 65, at 41–46; Feklisov & Kostin, supra note 2, at 108; West & Tsarev, supra note 15, at 128–33.

\textsuperscript{285.} Borovik, supra note 65, at 12.

\textsuperscript{286.} Feklisov & Kostin, supra note 2, at 120.

\textsuperscript{287.} See Letter from New York to Moscow, No. 1635 (Nov. 21, 1944), http://www.nsa.gov/docs/venona/docs/Nov44/21_Nov_1944_R3_m1_m1_p1.gif (on file with the North Carolina Law Review).
up in Moscow, explained his commitment with a quote from a film about Robespierre: "'If you are a revolutionary you don't stop here. You go to the very end.' That's all.’” Early in his underground career, he had promised his superiors that, though he would like to work in the American labor movement, “if circumstances require my presence elsewhere, similar to the Spanish struggle against fascism, then I would go there.” He did not, it should be noted, think that he had been a traitor. Nor did other self-confessed revolutionaries. Though they realized they had broken the law, as the Canadian scientist Raymond Boyer put it, “[S]ometimes a revolutionary has to do illegal things even if he doesn’t want to.” A colleague of Boyer’s was even more blunt: “We accepted the illegal aspect. It’s illegal but whose law is it: . . . the law of the people who double-cross an ally.”

Ultimately, as we probe the various motivations, opportunities, and commitments of these Soviet agents, we invariably return to the unique situation provided by the rise of fascism and World War II. Of course, there were people who wanted to contribute to the Soviet experiment in the years before the war. Harry Gold, for example, began his career of industrial espionage in 1936, because, he claimed, “I thought that I would be helping a nation whose final aims I approved, along the road to industrial strength.” But, time and again, it was the war and the perception that a Soviet victory was absolutely essential to defeat the Nazis that induced these men and women to spy. As they saw it, reactionary forces within the Allied governments were withholding desperately needed aid from the Soviet Union, and, therefore, many believed whatever could help ensure Soviet victory was not only legitimate, but necessary. The Canadian spy, Scott Benning, articulated this sense of obligation: “I couldn’t have lived with myself afterwards if I hadn’t done something.” Another confessed:

[T]here was no choice for a [C]ommunist. It was a situation where the Soviet Union was bleeding to death and the government was refusing to give them information that would help in the development of their own defenses. We just felt

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288. ALBRIGHT & KUNSTEL, supra note 60, at 285.
289. KLEHR ET AL., supra note 54, at 220.
291. WEISBORD, supra note 118, at 130.
292. Id. at 130–31.
293. WILLIAMS & FUCHS, supra note 87, at 201.
294. WEISBORD, supra note 118, at 130; WILLIAMS & FUCHS, supra note 87, at 184.
295. WEISBORD, supra note 118, at 132–33.
that anybody in a position to help, would help and should help. It was as simple as that.\textsuperscript{296}

Neither she nor any of the other Soviet agents thought that they were betraying their country; they were, after all, working for an ally. “I did not consider myself a traitor and I still don’t,” State Department official Julian Wadleigh declared at the trial of Alger Hiss.\textsuperscript{297} He further stated:

I felt that I was doing the right thing. I was acting in accordance with my convictions as of that time . . . I had no reason to believe any of them [the documents] would or could be used against the U.S. government because they . . . were going to be used against Germany and Japan . . . . I was not a traitor because I never intended to injure the U.S . . . . The main objective was the Nazis and other aggressive powers in the world. I felt the Soviet Union was the only power that was actually resisting the expansion of the Fascist and reactionary powers.\textsuperscript{298}

The Canadian chemist Raymond Boyer made the same point. He passed on information because without it the Soviet Union was not as efficient, as effective an ally as it could have been . . . . Today we know we won the war, but the end of 1942 was a low point . . . . We were losing everywhere. German subs were sinking almost all the ships on the way to the front. The Nazi army was on the Volga. The United States hadn’t even started to get going. Victory was a long way from assured.\textsuperscript{299}

Helping the Russians, he claimed, “didn’t imply any kind of betrayal.”\textsuperscript{300} Harry Gold made the same point: “I felt that as an ally, I was only helping the Soviet Union obtain information that I thought it was entitled to.”\textsuperscript{301} William Remington’s ex-wife offered the same justification for his wartime spying. “After all,” she explained, “we were allies with the Russians at that time, and it wasn’t so dreadful, perhaps, in trying to give them secrets over the heads of the Governments.”\textsuperscript{302} Significantly, the Loyalty Review Board that was

\textsuperscript{296} Id. at 130.
\textsuperscript{297} CRAIG, supra note 160, at 400 n.55 (quoting the Wadleigh testimony) (on file with the North Carolina Law Review).
\textsuperscript{298} Id.
\textsuperscript{299} WEISBORD, supra note 118, at 131.
\textsuperscript{300} Id. at 132.
\textsuperscript{301} WILLIAMS & FUCHS, supra note 87, at 202.
\textsuperscript{302} MAY, supra note 270, at 165.
assessing Remington's case in 1949 agreed: "Our government's attitude toward Russia in 1942 was such that giving the Russians information with respect to the progress of our war effort wouldn't necessarily spell disloyalty." Ironically, the KGB held the same belief during the early years of the war. It suspected Philby and the other Cambridge spies of being double agents because the information they were sending to Moscow did not harm British interests.

To a certain extent, Philby, Remington, and the rest may have convinced themselves that they were serving the Allied war effort by furthering the Russian one. But they were also working within an ideological framework that eschewed conventional patriotism. They saw themselves as internationalists, as citizens of a larger polity. This polity was centered in Moscow, it is true, but they believed it encompassed the entire world. In some very concrete way, these people saw themselves as belonging to what one American Communist called:

[T]he nascent world brotherhood of man. It made you one with the peoples you read about on the onionskin pages of International Press Correspondence (Inprecor), a news service publication of the Communist International, and the more remote they were from you in space and sociological time the greater the thrill in the sense of kinship with them. A mutiny aboard a Dutch cruiser in waters off the Dutch East Indies, a strike of diamond miners in South Africa, peasant uprisings in French Indochina—you came upon such events in Inprecor, not as a distant observer, but as allied combatant.

For such people, prevailing conceptions of national loyalty had little meaning. As Julius Rosenberg's handler noted about his agents:

Their homeland was not the United States or Great Britain, but the World itself and their compatriots were all the inhabitants of the earth. It is in the name of this community for the common good that they shared secrets with us that appeared

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303. Under the Truman Administration's loyalty-security program, if federal employees were charged with disloyalty and threatened with dismissal, they could appeal their cases to a specially constituted Loyalty Review Board. ELEANOR BONTECOU, THE FEDERAL-LOYALTY SECURITY PROGRAM 54-60 (1953).

304. MAY, supra note 270, at 129.

305. BOROVNIK, supra note 65, at 217-20.

306. Id. at 224; WEISBORD, supra note 118, at 130-32.

307. FEKLISOV & KOSTIN, supra note 2, at 66.

308. RICHMOND, supra note 78, at 126-27.
too dangerous to be held by one side alone.\textsuperscript{309}

Though the internationalism the Soviet spies espoused was hijacked by the Soviet Union, it is an ideal that offers an attractive alternative to traditional forms of patriotism. Embraced by the contemporary political philosopher Martha Nussbaum, internationalism, or cosmopolitanism, as she prefers to call it, honors “the person whose allegiance is to the worldwide community of human beings.”\textsuperscript{310}

The tragedy here is that during the late 1930s and 1940s some of the people who shared that conception of a “worldwide community” implemented it by sharing secrets with the intelligence services of a brutal, tyrannical regime. They managed to convince themselves that their espionage was, as one Canadian agent put it, “something that would, in the long run—I was conscious that it would be a long run—advance the whole cause of international co-operation.”\textsuperscript{311} Theodore Hall had a similar explanation for his collaboration with the KGB: “I felt myself to be part of a broad democratic front. These actions were undertaken at a time before the beginning of the Cold War, and I saw myself as part of the political front insisting on peaceful and harmonious relations between the peoples of these states.”\textsuperscript{312} Scientists, perhaps because they already had more international contacts than most other people, were particularly prone to this kind of reasoning.\textsuperscript{313} Still, it is important to realize that the internationalism of the scientific community did not have to lead to espionage. There were other physicists like Niels Bohr and Leo Szilard who also believed that the best route to a lasting peace was to share atomic secrets with the Soviet Union.\textsuperscript{314} However, unlike Hall and Fuchs, they sought to achieve that goal and prevent a disastrous arms race by trying to influence policy-makers, not by working with

\begin{itemize}
\item \textsuperscript{309} FEKLISOV & KOSTIN, supra note 2, at 66.
\item \textsuperscript{311} WEISBORD, supra note 118, at 134.
\item \textsuperscript{312} See ALBRIGHT & KUNSTEL, supra note 60, at 90; Joan Hall, Theodore Hall: A Personal Historical Perspective 10 (Apr. 2003) (unpublished manuscript on file with the North Carolina Law Review).
\item \textsuperscript{314} For a description of the efforts of Bohr and others to prevent an arms race, see WILLIAM LANOUETTE & BELA SILARD, \textit{GENIUS IN THE SHADOWS: A BIOGRAPHY OF LEO SZILARD} xvi–xix (1992); MARTIN J. SHERWIN, \textit{A WORLD DESTROYED: THE ATOMIC BOMB AND THE GRAND ALLIANCE} 6–8 (1975).
\end{itemize}
Why then did Ted Hall spy while other former Communists at Los Alamos did not? Can we find some kind of psychological factor that can explain why certain individuals chose to act above the law and engage in what they knew was a clearly illegal transfer of unauthorized information? Though a few of these people were probably aberrant, most of the others seemed to live more or less normal lives. One personal characteristic that many of the Soviet spies shared was a strong streak of anti-authoritarianism. Given the standard portrayal of individual Communists as Stalinist puppets who blindly followed the Kremlin's orders, finding such a personality trait among the Russian agents would be surprising, to say the least. Yet, time and again, the sources reveal a common pattern of people who were self-assured, independent, even arrogant. Harry Dexter White, according to his biographer, had a "propensity to question authority." Alger Hiss was viewed as "a strong, determined man with a firm and resolute character." Ted Hall also appears to have been, in the words of friends and family members, a "free-thinking, iconoclastic" individual, "a natural-born rebel." Hall himself admitted he was "far too sure of [him]self." William Remington took an equally independent path. His ex-wife admitted: "We were not orthodox Communists in that sense of following all the rules . . . . We were Communists as much as we wanted to be." The couple established contact with Bentley on their own, thus ending up as, albeit reluctant, KGB informants. A similar strand of self-assurance characterized Bentley's other agents as well. Silvermaster was typical—his later Soviet handler described him "as a man wholly devoted to us but exceptionally self-willed, stubborn, confident of his superiority over all others and behaving with respect to other [agents] as a dictator or 'fuhrer.'" Already conditioned by their Communist affiliations to consider themselves outside the system and convinced that they had a superior understanding of the world, these people

315. See LANOUETTE & SILARD, supra note 314, at xvi–xix; SHERWIN, supra note 314, at 6–8.
316. I must admit to considerable hesitation with regard to offering any kind of psychological explanation for what was a primarily political set of motives.
317. CRAIG, supra note 160, at 400 n.58.
318. WEINSTEIN & VASSILIEV, supra note 1, at 268.
319. ALBRIGHT & KUNSTEL, supra note 60, at 83.
320. Id. at 289.
321. MAY, supra note 270, at 215.
322. See id. at 69–70.
323. WEINSTEIN & VASSILIEV, supra note 1, at 165–66.
decided to act on their own, even if that meant breaking the rules.324

V. How Much Did Soviet Espionage Really Matter?

The extent to which these espionage agents' actions affected the course of history remains an open question. Obviously, they did not bring about the better world for which they hoped. No matter how idealistic its aims, espionage alone could not ease the deepening tensions between the Soviet Union and the West during the 1940s, and it may well have made them worse. Certainly, the Russian intelligence agencies' single most important achievement, obtaining the secrets of the atomic bomb, sped up Moscow's acquisition of nuclear weapons, but only by about two years.325 All the authorities, both then and now, recognize the competence of the Soviet scientists and estimated that, even without the information from Fuchs and Hall, the Soviet Union would have become a nuclear power within five years after the United States' bombing of Hiroshima.326

Nonetheless, it is possible that the information that enabled the Russians to detonate the bomb in the summer of 1949 may have had an impact on world events. It could have been, at least in part, responsible for the outbreak of the Korean War in the sense that it gave Stalin the confidence to approve Kim Il Sung's plan to invade South Korea the following year.327 On the other hand, some believe that the Soviet Union's acquisition of nuclear weapons actually stabilized the world balance of power.328 Theodore Hall, who had no

324. See OLMSTED, supra note 42, at 55. Their actions, we now know, were to destroy their lives. Such was quite literally the case for Julius and Ethel Rosenberg and William Remington, who was murdered by a fellow prisoner while he was serving a sentence for perjury in Lewisburg penitentiary. MAY, supra note 270, at 307–19. Many others avoided prison, but nonetheless, often found themselves ostracized, evicted from the American mainstream, with their formerly promising careers in tatters. Some responded by leaving the country, and seeking new lives in places where their past exploits were either unknown or, as with the people who went to the Soviet bloc countries, rewarded. See, e.g., HAYNES & KLEHR, supra note 23, at 201 (describing Flora Wovschin's escape to the Soviet Union where she later married a Russian); WEST & TSAREV, supra note 15, at 226 (describing how one of the Cambridge spies fled England, living in Geneva, Rome, and France). But even an exile like Theodore Hall, who managed to escape public notice until the very end of his life, lived that life darkened by the fear of exposure and punishment. HALL, supra note 312, at 12.

325. HOLLOWAY, supra note 214, at 366.

326. See id.

327. See id.; see also ZUBOK & PLESHAKOV, supra note 214, at 62–63, 150 (discussing the factors that led Stalin to believe the United States might not invade South Korea). Mao Zedong's triumph in China was, most historians agree, a far more important factor. Zubok, supra note 214, at 62–66.

328. ALBRIGHT & KUNSTEL, supra note 60, at xiv–xv; John J. Mearsheimer, Back to
regrets about what he did, speculated that the end of Washington’s nuclear monopoly in the late 1940s may have prevented the United States from using the bomb against the Chinese Communists in 1949 or the early 1950s.329

Nuclear espionage, however, is in a class by itself. Very little is known about the final disposition of the other information Moscow received. Presumably, some of the technical material provided by Julius Rosenberg and others was of value. However, it is not known, for example, whether the information about jet engines that Rosenberg’s agents supplied was as useful as the information that the Soviet Union obtained from captured German scientists at the end of the war.330 On the other hand, it does appear that the intelligence gleaned from the ULTRA decrypts that the Cambridge spies transmitted helped the Russians win the battle of Kursk in 1943.331 As for the reams of material that Bentley’s agents sent about American aircraft production or the state of the German economy in 1945, scholars simply do not know how it was used. Did it increase or lower Stalin’s suspicions of his wartime partners? Did Stalin even receive it? Philby foiled attempts to foment anti-Soviet movements inside eastern Europe, but there seems to be a consensus that those movements would have failed in any event.332 The post-war intelligence that Donald Maclean fed the KGB was probably more important.333 Though some historians view his espionage activities as nothing less than sabotage, they also admit that those activities may have helped defuse the 1946 crisis unleashed by Stalin’s demand to control the Turkish straits, since they let Moscow know that Truman was prepared to back up his objections with force.334 But did Stalin factor that information into his decision-making? Similarly, did the jealously guarded knowledge about the limited size of the United States atomic stockpile, which Maclean must have also sent to Moscow, encourage Stalin to impose the Berlin blockade and take other risks? It is simply unknown and probably unknowable.

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329. ALBRIGHT & KUNSTEL, supra note 60, at xiv-xv, 288; HALL, supra note 312, at 11.
330. Unable to find that information, I called on the H-Diplo listserv and received a hodgepodge of seemingly informed answers, thus reinforcing my suspicion that the information is probably not available to scholars.
332. BOROVİK, supra note 65, at 250–52.
333. NEWTON, supra note 15, at xv.
334. See id. at 98, 109.
CONCLUSION

This information indicates that spying does not invariably damage national interests. Secrecy, after all, impedes communication; a more open atmosphere on both sides might well have dissipated some of the hostility and suspicion that poisoned Soviet-American relations during the height of the Cold War.\textsuperscript{335} While the Kremlin's atomic espionage was clearly deleterious, a different case could be made with regard to the political and military intelligence conveyed during and after World War II by the likes of Philby, Maclean, and Harry Dexter White. Not only could it have contributed in some small way to the Allied victory over Germany, but it is also possible that during the tensest moments of the early Cold War, the insights into United States policy-making that these agents supplied may have provided what Vojtech Mastny calls a "critical margin of stability" by ensuring that the Russians did not miscalculate American intentions.\textsuperscript{336}

Finally, because of the inherent fascination of espionage, is it possible that its importance is being overestimated? After all, spying is, as one historian recently noted, what nation-states ordinarily do.\textsuperscript{337} Did the activities of Maclean and Philby, Harry Dexter White, Alger Hiss, and Gregory Silvermaster change the history of the world between the 1930s and the 1950s? Would the Soviet Union have collapsed, or Stalin have moderated his policies, or the United States have gained the upper hand in determining the post-war fate of Eastern Europe or China if that espionage had not occurred? Nothing revealed thus far in the new sources available in Washington or Moscow establishes any credible basis for making such an argument. It may, in fact, be time to look at something else. The past decade's revelations have resolved the matter of guilt and innocence, leaving only the deeply contentious issues of loyalty and disloyalty that loom so ominously over the recent discourse about Communism, anticommunism, and the Cold War.\textsuperscript{338} Since it is now known why and

\textsuperscript{335} For a lengthy disquisition on the baneful effects of secrecy during the Cold War, see MOYNIHAN, supra note 61, \textit{passim}.

\textsuperscript{336} Vojtech Mastny, \textit{The Cold War and Soviet Insecurity: The Stalin Years} 196 (1996). For a specific example of a confrontation that espionage may have defused, see NEWTON, \textit{supra} note 15, at 98.


\textsuperscript{338} See, e.g., ANN COULTER, \textit{Treason: Liberal Treachery from the Cold War to the War on Terrorism} \textit{passim} (2003) (resuscitating the theory that American liberals abetted Soviet spying and subversion); see also JOHN EARL HAYNES & HARVEY
how so many men and women spied for the Russians, the remaining questions are moral and political ones—and they lie outside the realm of historical scholarship.

KLEHR, IN DENIAL: HISTORIANS, COMMUNISM & ESPIONAGE 2–9 (2003) (claiming that "progressive" historians are tainted by their denial of the reality of Communist espionage).