

power passed to their creation, the Haitian army. The machine-gun displaced the machete. Now the peasants can do nothing against confiscatory taxes but refuse to tend the coffee trees. Nor can the workers make any effective protest, for the present government has abolished all political parties and all trade unions except a puppet taxi-drivers' union. In the past business men caught by an economic squeeze have had recourse to a commercial strike. Such a strike precipitated the fall of the Estime government in 1950.

But the use of modern police-state methods against uncooperative citizens discourages a business man from closing his doors.

The circle seems almost complete. Without popular education and a liberal exchange of opinion, democracy cannot develop. A military regime will never make a serious effort to banish illiteracy. Order maintained by those who understand the situation is more convenient for property-holders than free elections.

Some desperate Haitians hope for

intervention by the United Nations or the United States. However, the United Nations cannot act when no aggression is exercised except against the local population. The United States has an understandable reluctance to intervene in the affairs of a state where no known Communists are functioning. A people in misery is natural prey to Communist propaganda, and it is said that some refugee Haitians are being trained in Moscow, but at present communism is a purely rhetorical threat in Haiti.

TEST OF THE FREE AIR

The Lamb Case . . . by Edgar Kemler

CAN a reputable business man and successful radio-TV broadcaster be expelled from the Republican-controlled broadcasting industry because he happens to be a Democrat and a veteran of the so-called "pink decade"? The Republican-dominated Federal Communications Commission obviously thinks so. Otherwise, the status of Edward Lamb, who owns stations in Ohio, Pennsylvania, and Florida, would not now be in jeopardy. (See the Ted Lamb Case, by Edgar Kemler, in *The Nation* of June 12, 1954.)

Lamb's case made a few headlines last fall during the first round of public hearings, which started September 15, 1954. When they are resumed on February 9, there will be some real fireworks, for the case has more serious implications for civil liberties than any other security case now before the public.

The Federal Communications Commission does not claim the right to ban "tainted" broadcasters from the air in the same fashion as the government claims the right to get rid of tainted federal employees. All it asks is that applicants for TV or radio licenses tell the truth about

the nature of their involvement—specifically, whether or not they were ever guilty of "intellectual sympathy" with communism, whatever that is. This is a devious question which can hardly demand a straight answer. On the one hand, it is almost impossible for an intelligent, idealistic man like Lamb to have lived through the thirties without having felt some sympathy for human rights. On the other hand, to admit this sympathy today is to expose oneself to worse penalties than expulsion from the radio-TV industry.

That is the trap in which Lamb now finds himself. Back in 1948, when he applied for his first radio license, he informed the Federal Communications Commission of his political and economic affiliations, which were those of a liberal, pioneering New Deal independent. The commission learned, however, that he had been a member of various organizations now suspect, such as the National Lawyers' Guild, which he helped found, and had written a book in 1933 discussing the planned economy of Soviet Russia. Since then Lamb's affiliations have been checked and cleared at least six times, by both the F. B. I. and the F. C. C. Lamb himself revealed his independence to the F. C. C.; he is proud that he was a corporation lawyer who took labor cases.

Not until the reorganization of

the commission as a Republican agency in 1953 and the appointment of John C. Doerfer, a protege of Senator McCarthy, was Lamb's "explanation" called into question. Commissioner Doerfer and some of his Republican colleagues contend that Lamb had "intellectually accepted communism and knowingly contributed to Communist causes." Against this, letters from J. Edgar Hoover and others have been presented which extol Lamb for his anti-Communist editorials.

LAMB insisted before the United States Senate that if he had not switched his support from the Republican nominee for the Presidency in 1948 to the Democratic nominee in 1952 he would not now be faced with these charges. He was told as much by Doerfer himself. It is obvious that if Lamb is forced to give up his Erie station, WICU-TV, the most profitable of his half-dozen radio-TV properties—its estimated value is \$10,000,000—and the only one now in question, it will go to a Republican competitor. By unanimous vote Democrats and Republicans on the Senate committee joined to confirm Doerfer in his F. C. C. job after he said that Lamb would at least be given a bill of particulars of the charges against him. But the particulars were never given, and neither Lamb nor his attorney, former Attorney General J. Howard

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McGrath, was advised what his unknown accusers would accuse him of.

At the beginning of the case Lamb was charged not merely with the lesser evil of fellow-traveling but with having been a Communist Party member from 1944 to 1948. Later the more serious charge of party membership was dropped.

Since the hearings last fall the tide has been setting in Lamb's favor. The Scripps-Howard papers and various magazines have begun to view the F. C. C.'s case with a highly suspicious eye. If a reputable TV broadcaster can be trapped by the government on a remote security issue, then sooner or later reputable newsmen will be trapped the same way. Anyone with a federal license, even a hunting license, can be called up for a security hearing and asked about his thoughts twenty years ago. There is evidence, too, that Lamb's long-silent Democratic friends in the Senate will soon speak up for their benefactor—for many years Lamb has been among the largest donors to the Democratic Party. It even looks as if Doerfer and his colleagues might try to drop the case. If they do not, it will be tried in the courts, for Lamb has brought action in the District of Columbia's Circuit Court of Appeals questioning the right of the F. C. C. to ask him about his private thoughts.

UNDoubtedly, Doerfer's case against Lamb would be stronger if he could have proved the earlier charge that Lamb was a concealed Communist from 1944 to 1948. Why he believed this charge and why he clung to it from July 29, 1953, to July 29, 1954, is still something of a mystery. Perhaps he believed it because he wanted to believe it. Or perhaps one of the professional ex-Communists of Toledo, Lamb's home town, told Doerfer something in private that he would not repeat in public under oath. One such ex-Communist is known to have offered a \$1,000 bribe to another ex-Communist to testify about Lamb's presence at the dedication of Lincoln House, which has since been described as a bookstore patronized by Communists in 1944. Yet the significance of this bit of chicanery is also clouded. Lamb's speech at Lincoln House was made to urge Communists to honor the war-time alliance of Soviet Russia and the

United States. Many public officials and non-Communists attended the opening of the bookstore and urged unity behind the war effort.

The testimony already given, which exceeds a million words, is chiefly notable for the vain effort of Walter C. ("Bucky") Powell, commission counsel, to close the gap between Lamb and the Toledo ex-Communists. Unable to prove that Lamb was a party member, Powell has harped on his alleged "contributions" to party causes, such as a \$2 ticket Lamb was supposed to have bought to a picnic that may have been Republican or Democratic or Communist—the commission witnesses are not certain. Conceivably Lamb, along with other non-Communists, could have been on the party's list of persons to be solicited for contributions, though as Russell Brown, one of Lamb's hard-hitting counsel has pointed out, this fact has not been established. An ex-Communist consultant on a \$25-a-day testify-for-hire basis, asserts that Lamb was twice asked for \$100 contributions in 1944 but admits that no such contribution was made. Ernest Courey, who says he saw Lamb give \$7 to a party member in 1938 and again in 1940, was not in fact a Communist. He says he was a spy for a strike-breaking agency. Courey had a conviction for second-degree murder in his background, but he could not "remember" the incident when testifying in detail about conversations he overheard twenty years ago.

It was in desperation, apparently, that Powell put the colorful Mrs. Marie Natvig on the stand. A little reflection would have told him that Mrs. Natvig was mentally too erratic to testify effectively about anything. Moreover, her knowledge of communism in general and of Lamb in particular was evidently gleaned largely from the feature sections of the Sunday papers. Powell apparently chose to believe her amazing story about a "romance" with Lamb back in the thirties. Her testimony touched on a Communist pow-wow in Columbus, Ohio, in the spring of 1936—other F. C. C. witnesses say there was no such meeting. Then, with advance notice to the newspapers, she told of her "first act of infidelity, which indirectly resulted in her divorce." With promptings from F. C. C.

counsel she recalled lectures on "hot and cold wars" which Lamb delivered a decade before the hot-and-cold war terminology was invented. She even said an alleged Lamb agent, one Milling Underwood, had attempted to bribe her with \$50,000 to stay off the witness stand. Underwood, a retired railroad man, was immediately found by Lamb's counsel. He testified that he had never heard of Lamb, that he was picked up in a Washington bar by Mrs. Natvig, and that no bribe of \$50,000 was ever mentioned. Incidentally, Powell left the F. C. C. on January 3 and was taken on by the National Association of Radio-TV Broadcasters.

PUBLICLY Lamb says he is confident he will win his case. But he has already suffered serious financial injury from the F. C. C.'s attacks. Pending the outcome the commission will not even let him repair or properly maintain his TV and radio stations. And because hostile politicians and editors, in addition to Commissioner Doerfer, have wrongly leaped to the conclusion that he was once close enough to the Communist Party, he has felt obliged to start a number of legal actions in which he is now demanding more than \$1,500,000 for libel damage. Meanwhile Lamb is quietly bolstering and diversifying his \$30,000,000 business empire against the possibility of being driven out of broadcasting. He has manufacturing, publishing, and other interests which are not "subject to shakedown by licensing agencies." Ironically, by current F. C. C. standards, his great wealth ought to be the most compelling argument for his loyalty as an American.

In a column headed Publisher's Notebook which he runs each week in his Erie *Dispatch*, Lamb makes no bones about the fact that he was a liberal in the depression years, that he is a liberal now in his years of abundance, and that he will remain a liberal in the years ahead. Privately Lamb says that he will continue the fight to clear his name if it takes his last penny. "There are basic American rights involved, and I want to go out of this world with the knowledge that I have fought for a better, more wholesome country, an America where intelligent men live and prosper in an atmosphere of freedom."

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