

1. The committee has run out of Hollywood victims. There is no ~~one~~ <sup>ONE</sup> left to expose. Consequently there is no more publicity to be snatched by the committee out of Hollywood's ~~hide~~ <sup>hide</sup>.

2. Public hysteria about Communists and ~~those~~ <sup>THOSE</sup> charged with being Communists has remarkably diminished. It was the surrounding public atmosphere that fortified the committee's ~~power~~ <sup>ECZEMATOUS</sup> to pronounce ~~a~~ sentence of economic death on all who invoked constitutional immunity. With the change in public opinion, the committee's power to incite public opinion has greatly diminished.

3. The Supreme Court, while it has not denied to the committee its right to ask the question, has hedged the question about with so many restrictions that no witness need go to jail because of it, or be compelled to inform on his friends. Of all rights asserted by the committee, its power to compel informing was the most hated, the most feared, the most widely deplored, and the best understood and mistrusted by the public. With this right denied to it, and with public opinion largely indifferent, the real problem confronting the committee is the maintainance of ~~its power~~ <sup>the right to ask the individual</sup> about himself.

ITS LAST REMAINING POWER:

4. The ticklish situation that developed between the committee and Columbia over Foreman has proved than any producer in Hollywood can employ anyone he wishes, with or without the committee's approval---and there is nothing the committee can actually do about it. If the producer wants the man badly enough he can hire him, and ignore the committee or defy it and get away with it. I think the committee recognizes this fact and fears it.

5. ~~The~~ <sup>3D</sup> critical economic condition of the film industry that causes it to wish to employ the most gifted persons it can find, regardless of the committee. ~~The~~ <sup>THE</sup> same economic crisis prohibits the committee from returning to Hollywood to put down a rebellion. Large interests in other parts of the nation are affected and concerned by the Hollywood slump. The committee therefore dares no longer ~~feed~~ <sup>feed</sup> on the carcass of this exhausted giant, nor bring on it any affliction that might deepen its crisis or delay even briefly its recuperation.

6. I ~~give~~ <sup>3D</sup> generous odds that if a blacklisted person who had once made his negative stand before the committee went openly to work without clearance, the committee would not, for all ~~the~~ <sup>THE</sup> reasons previously indicated, haul him before if for a second time. I think the committee understands its inability to do so. There is a ~~point~~ <sup>point</sup> beyond which government may not ~~harras~~ <sup>harras</sup> an ailing private industry.

THE RIGHT

7. I ~~follow~~ <sup>T</sup> that if the committee is to retain any semblance of its former power over Hollywood, it must abandon ~~its~~ <sup>its</sup> to compel informing, and simultaneously buttress its right to ask the question.

8. Since there are no un-called ~~persons~~ <sup>persons</sup> to whom it can propound the question for the first time, the committee's power in this area is at an end. Logic indicates it should therefore abandon destruction of careers as its end for the rehabilitation

of careers. The right to destroy and/or rehabilitate derives <sup>EQUALLY</sup> from the right to pose the question. In the circumstances of contemporary Hollywood the committee has discovered that its right to ask can be preserved only by its assertion of the power to rehabilitate.

9. In the cases of Foreman, Buchman, Roe, Doe and others, this power to rehabilitate a reputation via cooperative answers to the personal political question is being asserted by the committee at the expense of a newly limited power to compel informing. The object is obviously to make rehabilitation through submission to the question not merely the easier but the only road to economic rehabilitation.

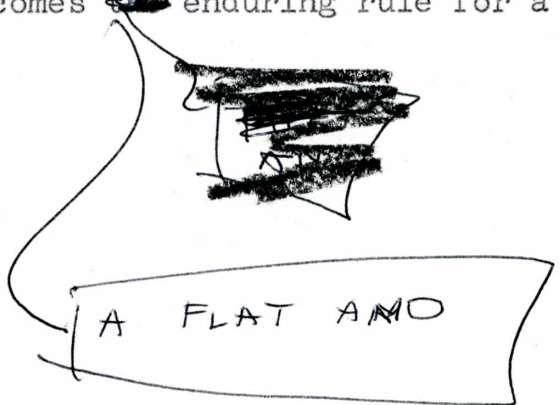
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10. It follows that Foreman, Buckman, Doe, Roe, et al., have destroyed the rule that one must ~~inform~~ inform to return to work (which is good), at the expense of confirming and therefore strengthening the rule that one must confess political preference under legislative compulsion (which is bad).

11. Since the requirement to inform has always been posed by black-listees as their principal reason for invoking constitutional immunities, the path by which one can now return to open employment without informing, through granting the committee's power to ask the basic question, is both tempting and honorable.

12. If increasing numbers are attracted to this course, there is no reason why it should not become the ~~new~~ positive formula for readmittance to the profession of their choice. I think the committee knows this, and that certain producers of large influence know it also. I think both of them, for different reasons, want these exceptions to become the rule. It also seems to me more than likely that increasing numbers of blacklisted persons may take this path.

13. If this occurs, open return is foreclosed to all who cannot in good conscience ~~yield~~ yield to the committee this basic right of inquiry into their minds and beliefs. If it is desirable and just that all blacklisted persons ~~return~~ return, ~~then~~ then a new way for them to do so must be found before the ~~incipient~~ incipient way becomes ~~an~~ enduring rule for a second decade of the blacklist.



The committee cannot blacklist without the support of public opinion in a time of hysteria, and it cannot increase its power without a constant supply of fresh victims. Hysteria has greatly diminished, and fresh Hollywood victims simply do not exist. It is therefore not within the committee's power to establish a new blacklist, or even to enlarge the present one. The existing blacklist, like everything else in nature, cannot remain static. Since its expansion is impossible, its contraction becomes inevitable. The committee achieved power by establishing and enforcing those rules which governed the growth of the blacklist. It can retain that power today only by establishing and enforcing new rules to govern its decline.

The committee is aware of a teeming black market, of anonymously physical sallies into the open market, of incipient rebellion amongst producers wanting to employ certain persons, and particularly of Columbia's defiant act in consummating the Foreman deal without official committee clearance. It is also grimly aware that the first producer who openly employs a blacklisted writer who has ignored the committee will start a stampede.

Always more realistic than its victims, the committee has decided to trade its first decade of absolute victory for a second period of merely qualified success. The first decade was devoted to the destruction of careers; the second must therefore be spent in their rehabilitation. The power to destroy or rehabilitate derive from the committee's apparent legal right to pose the ~~question~~ basic question and require an answer. The right to ask and receive answers is therefore the one power the committee must buttress if it is to survive. To preserve this power---and with it implicit control over motion ~~picture~~ picture employment---the committee will sacrifice that ~~xxx~~ other and less important power which produces informers.

By surrendering a few aspects of power the committee has been able to preserve the reality of power. Informers were important and when fresh names were needed. Since there are no new Hollywood victims in sight there can be no more fresh names, so nothing is lost to the committee anyhow. Moreover, the Court has so widened the protective area of the Fifth Amendment that informing is becoming increasingly rare. And finally, the command to inform was the one act demanded by the committee that was deplored even by a public which supported the committee's right of inquiry. The committee therefore gains when it yields a useless and unpopular power in return for a cooperative answer to the one question on which all its power is based.

Foreman, Buchman, Doe, Roe, et al. have taken a position in relation to this basic power. They have concluded, after years of litigation and dozens of court decisions, that however much they personally may disapprove the power, it does, in fact, exist. They have accordingly answered the committee's questions about themselves. Their refusal to inform on others has cost them years of creative work and much pain. I am glad they are now returning to work, and I honor them for returning without having uttered one name or ruined one life.

In estimating the result of their actions, one can positively say that their return weakens the blacklist by smashing one of its most cherished principles. I hold nothing against them, however, when I suggest that I myself cannot in good personal conscience yield to the committee the right to inquire into my politics. Their way is therefore a special way for special persons. It is so tempting that if no alternative ~~way~~ is found it may very well become the general way. As for the committee, I'm certain it intends it to be the only way.

If this occurs the committee will have established as firm a control over the decline of the blacklist as it held over its rise. Those who do not care to acknowledge its power to pose the question would find themselves automatically and without any act on their part consigned to a permanent blacklist. I don't think this is imminent, but it certainly is possible.

For all these reasons I suggest the urgent necessity of some strategic plan that will permit all to return without regard to the committee rather than a portion with regard to it. Since the committee has changed its rules in recognition of the fact that it can win a qualified but not an absolute victory, it appears to me that blacklistedees must somewhat temper their own desire for absolute victory, and consider such qualifications of their position as external reality and changing times may require.

One must add to the above two classifications that great beehive which comprises the real black market, to which you and I and many others are privy. In the last three weeks I have rejected for myself but snagged for others (1) a \$3500. TV job; (2) a \$5,000. fast re-write; (3) a \$10,000 script job; (4) a script at \$20,000 plus five percent. I have also, on my own behalf, just signed a contract to do one script for a larger sum of cash than I ever received at any time, plus six and a quarter percent of the whole picture. This man is paying just as much for my services, and possibly more, than if I were completely cleared. He has no economic motive, therefore, to wish to keep me in my present anonymous condition. On the contrary, ~~it~~ his economic interest would be better served if he could use my name with my work. Indeed, the gradual rise in black market prices has practically destroyed the economic edge it gave our employers over their competitors in the past, and now ~~it~~ places them in a position where in dollars and cents they are hurt more than we by the omission of our names. ~~It~~ Here again, the interest of all concerned parties indicates how favorable the situation is for a break-through if one can be devised.

Various Courses of Action Open

Although all of the developments outlined in the preceding section are advances which others may use for further advances, each fits the unique situation of individuals, and is not applicable to all. Certain persons do not wish to acknowledge the authority of the committee to inquire into their political preferences, ~~and~~ hence the Foreman-Buchman-Endore formula is foreclosed to them. We must remember that actors are also blacklisted and must have a formula which permits their return ~~to~~. They cannot take the second course of returning under noms de plum, for they have faces. Neither, for that matter, could you or I very well enter studios under assumed names, for we were too well known under our own. Certain writers like A,B,C and D, who have ~~not~~ scored their first really big coups under noms de plum wish to retain their new names in conformity with an old and honorable literary custom. But others---and I count myself one of them---wish to keep the names they started out with. What I am trying to think my way through to is an individual strategy ~~that can be used by all blacklisted persons if they wish to avail themselves of it---a way involving no recognition of the committee, no appearance before an employer committee, and no pseudonyms.~~

One way might be negotiation, based on the admitted best interests ~~of unwilling blacklisters and unhappy blacklistees.~~ Such negotiation might involve the employment of ~~Joe Welch, or some person of similar stature.~~ It would terminate with the announced ~~blacklist.~~ Problem: how can a negotiator function in view of the diversity of the blacklistees, and their differing ~~likes~~ what they will and will not do? Problem: the existence of the MPPA and Johnston, with the consequent likelihood negotiation would have to be with

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independent producers only. Problem: what would the negotiator say about the politics, past or present, of those for whom he is negotiating? The ~~plan~~ plan strikes me as complex and improbable. It is a search for an absolute solution, and I think the times limit us to qualified solutions.

Another possibility might lie in united action by, let us say, a ~~dozen~~ dozen of the most successful blacklisted writers, plus those working under noms de plum. What would happen if we solidly confronted our own producers with the ultimatum of no more work without credit? It could work. On the other hand, it requires the most skillful organization and well nigh perfect unanimity---something of which I think no twelve writers in the world are capable. Beyond that, it represents an organized effort which could provoke organized resistance, or which, if discovered, might give rise ~~on the right~~ on the right to a new campaign against "subversion" from within. Every successful attempt to bypass clearance or to evade ~~it~~ it by noms de plum has been the result of highly individual, rather than organized, initiative.

Let me outline a hypothetical situation. The writer hypothetically involved is me. Then let me develop through to a hypothetical solution that I think might be satisfactory.

Jones is ~~is~~ a leading motion picture personality, head of his own production corporation, completely financed, solidly rich. His firm is and has been active and prosperous. He makes pictures costing from half a million to four millions. He believes the time has come to break the blacklist. He wishes to break it because he loathes ~~the~~ ~~blacklist~~. Like all of us, he has a secondary motive of self-interest. He believes that to be known as the producer who broke the blacklist would add lustre and honor to his public reputation. He also believes ~~that the most talented of formerly blacklisted persons would have a natural inclination, all other things being equal, to work with him and his organization, and that all would profit thereby.~~  
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~~...~~  
A contract has been drawn up between Jones and me, and I am presently working on a script for his organization. If my name is not used on the screen, I receive X dollars upon completion of the script, and 2X dollars on the day shooting begins. If my name is used on the screen, I receive only the original X dollars, and forego the 2X on date of production. In either event, I shall receive 5% of the profits from the whole picture. If it is decided my name ~~shall~~ shall appear on the screen, I have the right to see the film, and if I do not wish my name on it, to take it off. Thus the option goes both ways. If, at any time before start of production, Jones opts to use my name, then I revoke my right to take it off.

Jones is serious about this. His organization has made special surveys and analyses of possible public reaction; they have had private discussions with certain persons of great ~~influence~~ in

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the motion picture



industry. When and if they decide to place my name on the film they propose to do it with style and great flourish: they wish their act to attract the widest possible attention. I repeat: they want to do it very much, and are working hard and intelligently toward that end. But of course if they feel they cannot cope with the public reaction, they finally and reluctantly will decide not to do it. They want the Jones organization to be helped by the act; ~~but~~ they cannot afford to risk damaging it.

Now the interesting thing about the whole matter is that ~~\_\_\_\_\_~~ although I have had a number of discussions with the Jones organization about this precise matter, at no time has anyone connected with that organization asked me anything about my politics, and, of course, at no time have I volunteered such information. The problem of what would happen if they released the film with my name on it, and thereafter I was asked by the press whether I am or am not a Communist has not been once mentioned. Whether or not it will come up in future deliberations I do not know, but I begin to doubt it. This is altogether extraordinary.

I think the ~~\_\_\_\_\_~~ lot may be cast in either direction. There are as many reasons why Jones should change his mind as there are for him to carry the plan through. I could understand completely if he should abandon the idea, but he doesn't abandon it at this point. ~~\_\_\_\_\_~~ It is more than likely the decision will not, in any event, be made until the film is ready for release---a ~~\_\_\_\_\_~~ matter of long months. A plan has come to my mind which, presented to Jones at the proper and crucial time, I think might cause him to go through with the project as he wishes to do.

The plan would have to come from me to Jones. It could not be the other way around. The plan, as it would work out in action, is this: Jones releases the film with my name on it. The industry and public reaction to the act can be either friendly, neutral, or hostile. My guess would be neutrality at the worst, an effort to ignore the act. If, however, organized hostility should menace Jones and his organization, the following action would go into effect: Jones, approached by the press, would say: "I hired the man as a writer, not a politician. Hence I asked about his record as a writer rather than as a politician. I know nothing about his politics, and have asked him nothing about them." The press would then come to me, and I would confirm what Jones previously had said. Then, depending on the pressures being exerted on Jones, I would say: "However, if it's going to hurt the picture, or ~~\_\_\_\_\_~~ if a man like Jones, who isn't remotely interested in my politics, is going to suffer because of these speculations, then I don't at all mind telling you that I am not a Communist, and haven't been for a very considerable length of time." And then the consequences of such an interview in terms of follow-up questions, which I fancy I could handle somewhat better than ~~\_\_\_\_\_~~ has been done in the past. I would, incidentally, have with me at that press interview some lawyer of great reputation and conservative

THE HEARING

views.

If thereafter the committee should summon me, I would decline all, probably on the solid First and Fifth. ~~Immediately after~~ I would call a press conference, with that splendid-looking lawyer still at my side, and issue a statement about this business of meddling with people's politics. I might even have a notarized statement of non-membership to show the press (not certain about this though), and discuss everything with them with complete frankness, the whole, of course, to be based on my implacable denial of the committee's right to invade this area of thought. ~~At~~ At the conclusion of this episode the Jones organization, in return for my having protected their film, would announce my employment for a second.

Inherent in the plan are two possibilities. First, that the public ~~reaction is not hostile enough to menace Jones (as I think it will not be), in which event no press statements at all, and the black-~~ list is absolutely broken. Second, that the reaction is ~~thought~~ ~~to be~~ hostile enough to require a statement from me, in which event the victory is qualified, but still great, and the area of individual action within ~~it~~ it large enough ~~to permit almost anyone who wishes to return to films to do so.~~ If a press statement had to be made, I think it more than likely that I should be the last blacklisted returning person who would need to go through the ordeal, for in the scramble for blacklisted personnel that would ~~the~~ the news value of the thing would diminish to the point where no one would have to say anything. The ball game would be over.

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Let me make no bones about it, there are selfish motives involved. I want to be paid a fair price for my work on an open market. I see no gain for any man's cause in presently receiving one-sixth to one-third of what my work is worth. I want a certain amount of time each year to devote to other writing. Black market prices compel me to work continuously. I want my name back before I die. I hold it no more degrading to call the press conference earlier hypothecated than to use six false names as presently I do. I am disgusted with meeting secretly in obscure restaurants for legitimate conferences, with receiving checks made out to non-existent persons, with depositing those checks in bank accounts bearing legally false names. I am weary of seeing others collect unemployment insurance that belongs to me. I am infuriated at not being able to claim even those Federal income tax deductions made from salaries I have earned in the name of other persons, thereby compelling me to pay double taxes. I am angry that my name cannot even appear on contracts which insure my family's right to certain properties in the event of my death.

LITERARY

ELEVEN

I, who am an enemy of exploitation, have chosen to place myself in a position where I am outrageously exploited, and this I dislike, since I willingly acquiesce in a wrong. I, who never conspired in my life, have for ~~ten~~ years lived a life which is the very essence of conspiracy. My children, avoiding all questions innocently put to them by schoolmates concerning their family, have actually been raised in the atmosphere of conspiracy (for a good end, to be sure, but still a bad atmosphere). In order to protect my right not to say what I am or what I was, I have for eleven straight years asserted every day that I am not who I am multiplied by six.

On the other hand there are moral and ethical considerations I cannot and don't wish to deny. I do feel an obligation to other persons, amongst them you. I hope I am capable of dying for a great cause, but I mortally hate being pecked to death for a small one. The reasons why I cannot find it in myself to satisfy the committee's demands are too obvious to enumerate. I therefore seek a way to gain such rights as remain to Americans by sacrificing no more of my personal dignity than I have sacrificed daily for the last eleven years.

It was the stated purpose of this committee to inflict economic punishment on all who did not ~~immediately~~ yield to it. We did not yield and the punishment was accordingly inflicted. It now appears to me that we can bring an end to that punishment without dealing with the committee which inflicted it. If this ~~can~~ can be accomplished, all persons will see that a time has come when the ~~committee's~~ committee's power to inflict punishment is at an end. With that power gone, the committee itself is gone. If there ~~exists~~ exists such a strategy,

and if we reject it, we then become voluntary submitters to punishment rather than its unwilling victims. As such, we serve the committee's ends by unnecessarily prolonging the punishment it has administered. Each hour and year of our continuing punishment confirms and emphasizes the committee's power over all who dare dissent. If the object of the committee was to punish, our object must be to avoid punishment. If we were right in challenging the committee's power to punish, then we are wrong if we accept its punishment one instant longer than we must. If we return to work despite the committee, we shall have ended its power to punish and won our fight.

Someone recently told me an amusing story about Voltaire. As you probably know, he used, in all, over a hundred pseudonyms. These he reserved for his most controversial books and pamphlets. When he sent one of these hot manuscripts to the printers, he dispatched with it a violent denial of authorship, attributing the whole thing to some plot amongst his enemies to destroy him by attributing to him work that didn't even betray a proper knowledge of grammar. The reason for his fierce disclaimers lay in the fact that he owned a lot of ~~his~~ property in France and he didn't want to have it confiscated, ~~by because of something he~~ ~~did~~. Rousseau, on the other hand, always signed even his most inflammatory works with his own name. The followers of Rousseau therefore charged Voltaire with cowardice. Voltaire said fair enough, he still wasn't going to give his enemies the satisfaction of showing how brave he was by publicly admitting he had written certain works, for that, he pointed out, would enable them to ~~publicly~~ confiscate his property and put him in prison, which was exactly what they wanted to do. He would therefore remain a coward and earn their scorn, satisfied that he was thus galling them ~~all~~ ~~the~~ ~~more~~.