

**The Blacklist in Operation:  
Testimony from the  
John Henry Faulk Trial**

By the mid-1950s, the entertainment industry's blacklist had become so powerful that simply taking a strong stand against blacklisting could destroy someone's career. This is what happened to John Henry Faulk, a homespun radio raconteur whose burgeoning career as a talk show host was permanently derailed after he and a group of colleagues tried to mobilize the broadcast industry's talent union, the American Federation of Radio and Television Artists (AFTRA), against the blacklist. After Faulk's "Middle of the Road" slate won temporary control of AFTRA in 1955, the professional blacklists attacked Faulk and got him fired from CBS.

Faulk fought back. He sued the main blacklists: AWARE, Incorporated, an anti-Communist organization within the broadcast industry that mobilized support for the blacklist and published charges against Faulk and his allies in its bulletin; Laurence Johnson, a Syracuse supermarket owner who threatened sponsors that he would boycott their products if they hired tainted talent; and Vincent Hartnett, a professional anti-Communist who helped compile *Red Channels* (see Document 18) and then went into business shepherding blacklisted entertainers through the convoluted procedure required to clear them of the charges he and his allies had made.

When the case finally came to trial in 1962, witnesses for Faulk explained how the blacklist operated. Producers David Susskind and Mark Goodson described the procedures used to screen entertainers. Actors Kim Hunter and Everett Sloan testified about what they did to

Testimony, *John Henry Faulk v. AWARE, Inc. et al.*, in John Henry Faulk, *Fear on Trial*, 2nd ed. (Austin: University of Texas Press, 1983), 91-97, 135-40, 149-52, 157-62.

get cleared. After Faulk won his case, the blacklist began to wane. Still, many of the performers it had affected—including John Henry Faulk—were never able to recoup their careers.

DAVID SUSSKIND

*Testimony in Faulk v. AWARE*

1962

[*Faulk's attorney, Louis*] *Nizer*: Now, did you when you selected various actors and actresses and even the names of technicians or the director or the assistant director, did you submit those names to anyone?

*Susskind*: Yes, sir, I had to submit the names of everybody on every show in every category to an executive of Young & Rubicam, and nobody could be engaged by me finally or a deal made and consummated, before a clearance or acceptance came back from Young & Rubicam. . . .

. . . When I sold the program to the advertising agency, Young & Rubicam, for Lorillard cigarettes, the condition of the sale was that all names of all personnel in all categories on every program were to be submitted for political clearance by Young & Rubicam, and nobody was to be hired until they approved and said, "All right, hire such a person." . . . It generally took forty-eight hours. I was told that I should always anticipate a forty-eight-hour delay on the approval or rejection of any name.

*Nizer*: Can you estimate how many names on this one program over the year that it ran that you submitted in this way for political approval?

*Susskind*: I must have submitted over the period of time about five thousand names, I would guess. . . .

. . . I would telephone the executive at Young & Rubicam. I would have had previously made tentative commitments to actors, writers, producers, directors, everybody on the program. . . . I would then call the advertising agency executive. I would submit the names. He would, as I say, reject or approve them in terms of their political acceptability. . . .

... I said to Mr. Levy [advertising executive] that it is extraordinarily difficult to find the right actors for the right parts, the right writers for the right scripts, and the right directors for the right stories, that his rejections were making the program almost unworkable and impossible artistically, and that I could not accept the responsibility for the steady deterioration of the program when this practice was in vogue. . . .

... [I said,] "I know a great number of the people you have rejected. I know them socially and professionally and there is no question about their political reliability or their good citizenship or their loyalty to this country, and on all these grounds I beg you to let me confront these people with whatever you have on them and let them answer and you will find that they will be all right and you will have a much better show." And he (Mr. Levy) said, "I am helpless. We are helpless. This is the practice. We have no choice, and we have to pay five dollars for every clearance and two dollars for every recheck. Do you think we like it? It's costing us a bloody fortune." And I believe he said, "Cut down the number of actors you submit, cut down the number of directors and the number of writers, because you are breaking us. It's five dollars a throw, and two dollars a throw, and you give us eight actors for each role and then you give us three writers for each script, and then you give us four directors for each show. Somebody is getting rich. We're growing broke. Stop it. Narrow it down."

I said, "I can't narrow it down, because I have learned that your percentage of rejections is so high I have to have alternative choices to be prepared when you reject them politically." . . .

*Nizer:* When these names came back not approved, rejected for political reasons, what was your practice in dealing with the actors and actresses or director who was not approved? . . .

*Susskind:* . . . When they came back rejected, as part of my instruction at the beginning of the program when I made the sale of "Appointment with Adventure" and subsequently "Justice" and many other programs, it was stipulated that I was never to tell any rejectee why he was rejected. . . .

*Nizer:* Did you also submit the names even of children on this program? Could you put a child on without getting clearance?

*Susskind:* Even children. . . .

... In the course of "Appointment with Adventure," sponsored by Lorillard at Young & Rubicam Agency, we required the services of a, I believe, at least a seven- or eight-year-old girl actress, child actress. It was a backbreaking assignment to find a child who could

act well enough to be in a professional program coast to coast. We went to all the established sources, the talent agencies. They did not represent children. . . .

It was an extraordinarily difficult search involving going to the public schools system, the United Nations schools. We finally found a child, an American child eight years old, female. I put her name in along with some other names. That child's name came back unacceptable, politically unreliable.

MARK GOODSON

*Testimony in Faulk v. AWARE*

1962

*[Faulk's attorney, Louis] Nizer:* Can you state with reasonable certainty whether, if a performer becomes controversial in the sense of his or her patriotism being involved, such performer—can you state with reasonable certainty the general practice as to whether such performer can obtain employment in the television and radio industry, generally, as a trade practice.

*Goodson:* Yes, I would say in general that nonclearability meant unemployability.

*Nizer:* Does it matter, in giving your answer—can you state with reasonable certainty what the practice was whether the innocence or guilt of that performer were established or not?

*Goodson:* Well, the innocence or guilt was never brought up, Mr. Nizer, because the facts of the matter were never discussed. . . .

... A sponsor is in business to sell his goods. He has no interest in being involved in causes. He does not want controversy. . . .

... The favorite slogan along Madison Avenue is "Why buy yourself a headache?" The advertising agency's job is to see to it that the products are sold but that the sponsor keeps out of trouble, and an advertising agency can lose a great deal, it can lose the account. The sponsor can lose a little bit of business, but he still can recoup it. The agency can lose the account and I would say that a great portion of an agency's job is concerned with the pleasing and taking care and serving a client.

So I think in many instances, the clients were perhaps even less

aware of all this than the advertising agency, which considered one of its principal jobs keeping out of trouble, just keep out of trouble. I don't think that they took a political position. I think it was apolitical. It was just anticonroversial.

Given the choice between performer A who is noncontroversial, and performer B, about whom there is any kind of a cloud whatsoever, the natural instinct on a commonsense business basis is to use the noncontroversial personality. Again, a favorite saying is "There are a lot of other actors, a lot of other performers. Why bother with this one? Why buy this headache?"...

*[Goodson discusses why people were put on the blacklist.]*

*Goodson:* ... All I can say is there were no differentiations made between Communists, Communist sympathizers, those who had lunch with Communist sympathizers, those who knew somebody who had lunch with Communist sympathizers, and so forth, but there was one overall list and the differentiation was not made for us. . . .

... Sponsors and their agencies wanted to keep out of trouble with the public and, therefore, wanted to eliminate anybody that might be accused of anything which could involve the sponsor in controversy. . . .

It [the reasons for blacklisting] also included various forms of associations that were much narrower, much further apart than that [association with the Communist party]. It included general controversy of any kind and in certain cases it even—I'm ashamed to say—included the elimination of people from shows because they had the same name as members of the Communist Party.

## KIM HUNTER

### *Testimony in Faulk v. AWARE*

1962

*Hunter explains that it took several years before she became aware that she was being blacklisted. Finally, in 1953, Arthur P. Jacobs, Hunter's public relations adviser, contacted Vincent Hartnett, one of the defen-*

*dants. Hartnett offered to investigate Hunter for a fee of two hundred dollars. Nizer asked Hunter about the incident.*

*Hunter:* ... Mr. Jacobs called me on the telephone. We had a phone conversation in which he ... asked if I were willing to pay the two hundred dollars for information from Mr. Hartnett. I said that I would not, that my life is absolutely an open book, and I did not feel I needed Mr. Hartnett's information or investigation and I certainly wasn't going to pay two hundred dollars for it. . . .

... And I did not. However, Mr. Jacobs said "Please—"

*[Nizer reads into the record a letter from Hartnett to Geraldine B. Zorbaugh, general counsel for the American Broadcasting Company.]*

*Nizer [reading]:* "Dear Gerry, On October 2 (1953), I received from you the enclosed list of names for the purpose of evaluation. To keep my own records straight I note that on the list appeared the following names ... and one of these names is Kim Hunter. ... In my opinion, finally, you would run a serious risk of adverse public opinion by featuring on your network Kim Hunter."

*[Hunter is then asked about a telephone conversation with Hartnett about the antiblacklist fight within AFTRA.]*

*Hunter:* The substance of it was that he said to show—kind of show my good faith, that I was truly a loyal American and not pro-Communist, that affidavits were not sufficient, that I should by all rights do something actively anti-Communist and did I object to do any such thing, and I said, "No, certainly not."

He asked me then if I knew about the AWARE resolution, the resolution to condemn AWARE that was pending within our television union at AFTRA, and I said yes, I know about it.

And he said, well one way that I could show a strong anti-Communist stand would be to go to that meeting and speak up in support of AWARE, publicly, in front of everybody.

I said, "Mr. Hartnett, it would be very difficult for me to speak in support of AWARE because I am not in support of AWARE, Incorporated."

He said, "Well, it wouldn't be necessary to support AWARE, Incorporated, as such, and, in fact, it wouldn't even really be necessary for you to go to the meeting, if you would be willing to send a

telegram that could be read before the meeting publicly, speaking, saying in so many words that you are against this resolution to condemn AWARE."

I said, "Mr. Hartnett, I will do my best to form a telegram." . . .

*[Nizer reads into the record the text of Hunter's telegram and an attached note to Hartnett.]*

*Nizer [reading]:* "To the membership: For your union to condemn AWARE, Inc. shouldn't it also bring suit against AWARE for libel and defamation of character? Is AFTRA prepared to follow this through to its logical conclusion? And what earthly good do we hope to accomplish for the union or its members by passing this resolution?"

"I'm neither a member of AWARE, Inc. nor a friend, nor am I in sympathy with any of its methods, but I urge you all to think very carefully indeed before voting for this resolution. The individuals hurt by Bulletin No. 12 have recourse to right any wrong that may have been committed, but AFTRA will have no recourse whatsoever if it places itself on record as protesting and aiding the Communist conspiracy, even if this action is taken in the noble desire to aid and protect the innocent. Signed, Kim Hunter."

And annexed to it, this is from Mr. Hartnett's files, May 25, 1955: "Dear Mr. Hartnett. Enclosed is a copy of the wire I sent to the AFTRA membership meeting last night. I was unable to attend the meeting so I have no idea whether it was read or not. Signed, Kim Hunter."

*Nizer:* After this date, did you get television appearances? . . .

*Hunter:* Yes, Mr. Nizer, I worked. . . .

. . . I worked quite frequently after that and to the present date.

## EVERETT SLOAN

### *Testimony in Faulk v. AWARE*

1962

*Sloan describes his inability to find work after 1952 because he had been confused with Alan Sloane, whose name appeared in Red Channels.*

*Sloan:* I found out by inquiring that if you work for the UN Radio more than twice, that the third time you work for them you are required to obtain the same status as a permanent employee, and that included submitting to an FBI check. . . .

. . . And so, having already worked for the UN Radio twice, I sought a third employment from them, which I received. . . .

*[Sloan was cleared by the FBI but was still unemployable, so he met with Paul Milton, whom a friend had recommended he consult.]*

*Sloan:* [Milton said] "Well, I take this with a grain of salt." Then I said, "What do you mean by that?" He said, "Well, we don't put much stock in it." And I said, "Who is we?" He said, "AWARE, Incorporated." And that was the first time that he represented AWARE in any way. I said, "I wasn't aware of the fact you were a member or a director of AWARE or represented them in any way." I said, "If I had known that, I certainly wouldn't have come to see you." I said, "But aside from that, what is your objection to this document [an FBI clearance], now that you have seen it?" He said, "Well, we at AWARE had different standards of clearance than the United States Government's agencies. We are a little more stringent. We feel they are a little too lenient." And I said, "You mean to say that you set yourselves up as opposed to the United States Government in the matter of loyalty, which is, indeed, I would say, their province?" He said, "Yes, we do." I said, "Well, what would AWARE, Inc. suggest that I do, then, in view of the fact that this document doesn't seem to mean much to them?"

And he said, "I suggest that you let me arrange a meeting for you with Mr. Hartnett, at which meeting perhaps you and he can evolve some statement that you can make that will be satisfactory to Mr. Hartnett and will also prove satisfactory to, perhaps, the people who are not presently hiring you." . . .

. . . I said, "Go fly a kite." I told Mr. Milton that as far as I was concerned I was much more interested in the opinion of the United States Government than of Mr. Milton of AWARE or of Vincent Hartnett, and that as far as I was concerned both their purpose and methods as I could gather were immoral and illegal and that I would have nothing to do with them whatsoever.

. . . I hoped that very soon the fact that they were conducting their business in a way that I considered immoral and illegal would be proven and come to light, and I walked out of the restaurant.

*In memory of Andrea Eagan  
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