

THE INQUISITION OF PAUL NOVICK

Excerpts from the transcript of a Senate committee hearing of the "Morning Freiheit" editor which violated the freedom of the press

At 11:30 A.M. on June 16, Paul Novick, editor-in-chief of the daily *Morning Freiheit*, was served with a subpoena to appear the next morning before the Senate Subcommittee on Internal Security of the Judiciary Committee. Novick had no idea why he had been called. Accompanied by lawyer Harry Sacher, Novick appeared before the subcommittee on Friday morning, June 17, less than 24 hours after receiving the subpoena. It then developed that he had been called in relation to the subcommittee's "investigation" into "Communist Exploitation of Foreign Language Press in the United States." Two others appeared on the same day, Frank Borich, who was "accused" of having been connected with the Croatian paper *Narodni Glasnik*, and Boris Sklar, editor of the Russian paper, *Rusky Golos*.

Senator William E. Jenner, closest senatorial follower of Joseph McCarthy, was the only subcommittee member present. Also present were Chief Counsel J. G. Sourwine, Associate Counsel Richard Arens and Director of Research Benjamin Mandel. At a certain point in the interrogation stoolpigeon John Lautner was called to testify that he "knew Novick as a Communist."

Below are excerpts from the official transcript of the hearing. They clearly show that this inquisition is a gross violation of freedom of the press.—Eds.

Mr. Novick. May I read a statement? It will take five minutes.

Senator Jenner. You can submit it to the committee, in that you have not complied with the rule that all statements must be filed 24 hours prior to the hearing. [Novick had received a subpoena less than 24 hours earlier.—Eds.]

Mr. Arens. Mr. Novick, you are the editor of the *Morning Freiheit*?

Mr. Novick. That is right. . . .

Mr. Arens. And how long have you been editor of the *Morning Freiheit*?

Mr. Novick. May I, Mr. Chairman, with your permission, make the following remark, that inasmuch as this hearing is considering the role of the *Freiheit* as a daily newspaper, its writing and my role as editor of the Jewish daily *Morning Freiheit*, it seems to me, Mr. Chairman, that this to a great extent violates the spirit of the First Amendment to the Constitution guaranteeing the freedom of the press.

If there is anything we have written or are writing which is against the law, of course, we can be taken to account. But this committee I understand is going into an inquiry

as to the activity of the *Morning Freiheit* as a daily newspaper.

Mr. Sourwine. From what do you understand that?

Mr. Novick. Because I have been called on short notice without giving me time to arrange my work in the office. I was served yesterday at 11:45 and I had difficulty in getting hold of my lawyer, less than 24 hours. This is something which is hampering the work of the newspaper. . . .

I say, the work of an editor in this respect is being hampered. If every editor can be hampered like that, then it goes against the freedom of the press.

So it seems to me, Mr. Chairman, that this inquiry into the activities of a newspaper, a paper of a minority like the Jewish people or Italians or Finns or others or Negroes, or big metropolitan papers like the *New York Times*, for instance—if an editor can be hampered in his work like this, then it seems to me it is against the spirit if not the letter of the First Amendment guaranteeing the freedom of the press.

Senator Jenner. We are certainly not trying to hamper publication. But we are trying to get information. . . .

Mr. Arens. Now, Mr. Novick, will you kindly tell the committee now, who owns the *Morning Freiheit*?

Mr. Novick. I respectfully decline to answer.

Mr. Arens. And why?

Mr. Novick. Under the protection of the First Amendment of the Constitution guaranteeing the freedom of the press, and the Fifth Amendment providing that no one shall be forced to be a witness against himself.

Senator Jenner. This committee, of course, does not recognize your right to refuse to answer under the First Amendment to the Constitution, but we do respect your right to refuse to answer under the Fifth Amendment to the Constitution. Proceed, Mr. Counsel.

Mr. Arens. Now, Mr. Novick, do you feel that a truthful answer to the question as to the ownership of the *Morning Freiheit* would furnish information which could be used against you in a criminal prosecution?

Senator Jenner. Let the record show that the witness before responding conferred with his counsel. . . .

Mr. Arens. Have you ever gone under the name of Paul Nowak?

Senator Jenner. Let the record show that the witness before responding to the question conferred with counsel.

Mr. Novick. I decline on the same grounds.

Mr. Arens. Have you ever gone under the name of



Paul Novick

Peisach? . . . [This mysterious alias is Novick's first name in Yiddish.—Eds.]

Mr. Novick. I decline on the same grounds. . . .

Mr. Arens. Who is the assistant editor of the *Morning Freiheit*?

Mr. Novick. I decline to answer on the same grounds

. . . .
[As is usual in these inquisitorial proceedings, the committee counsel asked Mr. Novick to name the names of various people connected with the *Morning Freiheit*. Refusing to act the stoopigeon, Mr. Novick declined to supply this information.—Eds.]

Mr. Arens. Do you feel that if you told this committee who formulates the editorial policy of the *Morning Freiheit*, you would be furnishing information which could be used against you in a criminal prosecution? . . .

Mr. Novick. I submit that this question substantiates my statement made at the beginning of this hearing, that this hearing is in violation of the First Amendment of the Constitution. I don't think any committee of Congress, much as I respect Congress and its committees, should go into the activities of any daily newspaper, whether a metropolitan newspaper like the *New York Times* or a newspaper of the Jewish people like the Jewish *Morning Freiheit* or any other.

Mr. Arens. Do you think the committee is entitled to go into the question of any conspiratorial apparatus that may be dedicated to the destruction of the Constitution which we have been alluding to frequently in this conversation?

Mr. Novick. If there is anything against the *Morning Freiheit* or any other paper that is against the law, then there is a court of law where we can be held to account. But this investigation is not a court of law. It goes into details of the activities of a daily newspaper, of its policies, editorial, who writes editorials, who does this or that, and this to my mind is against the spirit, if not the letter, of the First Amendment of the Constitution. . . .

Mr. Novick. About the Constitution. I have in my statement, a short statement that I wanted to read at the beginning, that we are devoted, we are in a fight now for the preservation of the Constitution and the Bill of Rights,

including the First and Fifth Amendments, and we wholeheartedly not only support the Constitution but fight for the civil rights of the American people, of the Jewish people, and for the upholding of the Constitution of the United States against all—

Mr. Arens. Does the Communist Party uphold the Constitution of the United States?

Mr. Novick. Pardon me. I have not finished. (Continuing)—against all conspiracies—against all conspiracies. This is in line with the policy of the *Morning Freiheit*.

Senator Jenner. I notice that in this statement here you say, "Our paper is now engaged in a campaign against the rearming of Germany under Hitler generals."

I believe it is a known fact that just recently Germany has entered into a treaty which permits her to rearm, and that is the policy of our country, that West Germany be permitted to rearm, with certain modifications and categories, and so on. You are against that policy?

Mr. Novick. Mr. Chairman, in the *United States News* of this week, the publication *U. S. News*, there is a list of generals who are going to lead, be at the head of the newly created German army. The commander of that army is going to be General Manteuffel. In German that means the "man devil." He was a Hitler general, a war criminal, guilty of the murder of countless thousands of Jews, Ukrainians, Russians and other people of the Ukraine.

Senator Jenner. Knowing that the threat of the world today is the threat of communism, and Germany happens to be a nation adjacent to the borders of the Communist nations, and East Germany is under the domination of the Communists, is it the idea and the theory of your editorial policy of your paper that Germany stand helpless and disarmed against this Communist threat?

Mr. Novick. Mr. Chairman, you ask me a question—

Senator Jenner. It is in your statement here. I am trying to get your editorial policy, what you are driving at. You want Germany to be disarmed. You want the Communists to be armed; is that right?

Mr. Novick. I am glad you asked me this question, Mr. Chairman.

Senator Jenner. Yes.

Mr. Novick. Because it so happens that tomorrow there is going to be a World Jewish Congress in Paris, and Jews of all shades of opinion, Zionists and Democrats and Republicans and Socialists—they are from France and from Great Britain and from other countries, and from Canada and from Argentina, and they are coming there as Jews who have lost six millions of their people in the last World War, murdered at the hands of these same generals like Manteuffel and the others.

For the information of this committee, this Manteuffel was the head of the offensive in the Belgian Bulge in December of 1944. He was guilty of the murder of American soldiers, wounded American soldiers. He was the commander of the offensive in the Bulge, in the Belgian Bulge. It is against the interests of the American people, not only of the Jewish people, that these people should be the leaders of an army. . . .