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When Suspicion of Teachers Ran Unchecked

By RALPH BLUMENTHAL

Fifty-seven years later, Irving Adler still remembers the day he went from teacher to ex-teacher at Straubenmuller Textile High School on West 18th Street.

It was the height of the Red Scare, and the nation was gripped by hysteria over loyalty and subversion. New York City's temples of learning, bursting with postwar immigrants and the first crop of baby boomers, rang with denunciations by interrogators and spies.

Subpoenaed in 1952 to testify before the Senate Internal Security Subcommittee investigating Communist influence in schools, Mr. Adler, the math department chairman and a member of the executive board of the embattled Teachers Union, refused to answer questions, citing his constitutional right.

The end came quickly, recalled Mr. Adler, 96, who later acknowledged membership in the Communist Party: "I was teaching a class when the principal sent up a letter he had just received from the superintendent announcing my suspension, as of the close of day."

Mr. Adler, who has written 56 books, was one of 378 New York City teachers ousted by dismissal, resignation or early retirement in the anti-Communist furor of the cold war, when invoking the Fifth Amendment became automatic grounds for termination. These painful stories may have been buried to history, if not for a coming documentary and a lawsuit seeking to reopen 150,000 documents on more than 1,150 teachers who were investigated and on the informers who turned them in. Among the questions, all these years later, is whether their names can be published, and whether there is still a stigma in being named, or having named, a Communist.

The Board of Education's purges came to be widely condemned as the city's own witch hunt, repudiated decades later by subsequent administrations that reinstated dozens of dismissed teachers.

"None of those teachers were ever found negligent in the classroom," said Clarence Taylor, a professor of history at Baruch College who has written a study of the Teachers Union and the ideological strife that destroyed it. "They went after them for affiliation with the Communist Party."

Teacher interrogations also occurred in Philadelphia, Boston, Cleveland, Detroit and Buffalo, among other cities. In hearings of the security subcommittee, about 1,500 of the country's one million teachers were said to be "card-carrying Communists," with two-thirds of the accused residing in New York City.

The plaintiff in the lawsuit, Lisa Harbatkin, a freelance writer, applied in 2007 to see the files on her deceased parents, Sidney and Margaret Harbatkin, and other teachers summoned for questioning in the 1950s by the city's powerful assistant corporation counsel, Saul Moskoff, assigned to the Board of Education as chief prosecutor.

As next of kin, she got access to files showing that informants had named her parents as Communists, and that her father had surrendered his license rather than be interrogated while her mother escaped retribution. But files on other teachers and suspected informants were withheld.

Under privacy rules adopted last year by the Municipal Archives, researchers without permission from the subjects or their heirs can review files only upon agreeing to seek city approval before quoting material or publishing identifying personal information about the subjects (except for accounts from already-public sources like newspapers).

Ms. Harbatkin sued, gaining free representation from the Albany firm of Hiscock & Barclay. "The city's offer imposes restrictions on her freedom of speech that are unconstitutional," said her lead lawyer, Michael Grygiel. The legal brief calls it "more than a little ironic" that the city sought "to prohibit Ms. Harbatkin from 'naming names' in writing about this period of history."

A lawyer for the city, Marilyn Richter, said that a 1980 court ruling allowed the archives to redact some names before releasing files. But the same ruling noted that the city had sealed the files only until 2000.

"The courts previously determined that the individuals named in these records have a right of privacy not to have their identity revealed," said Ms. Richter. She said the offer to allow Ms. Harbatkin to review unredacted copies of the documents, "if she agrees not to reveal identifying information, actually provides her greater access to the records than the law requires."

Ms. Harbatkin said her aim was to write about cases she found compelling but not to expose every name in the files. "The fear increases directly proportional to how closed off everything is," she said. The city, she said, had no right "to tell you what you can see."

Files already released to Ms. Harbatkin recount a battle of wills in 1956 between her mother and Mr. Moskoff, the inquisitor who became the fearsome face of the crusade to ferret out subversion in the schools. In her interrogation, Margaret Harbatkin acknowledged joining a Communist Party cell under a pseudonym but said she later withdrew.

Then, directed by Mr. Moskoff "to identify those people who were members of this group," she replied: "I don't remember any. I've known teachers at so many different

schools. As a substitute I went from — I don't even remember all the different schools I worked at, Mr. Moskoff, and that's the truth."

The files contain reports by informants who have never been publicly identified. But one operative known as "Blondie" and "Operator 51" was later revealed as Mildred V. Blauvelt, a police detective who went undercover for the Board of Education in 1953 and was credited with exposing 50 Communist teachers. Later, in a series of newspaper reminiscences, she said her hardest moments came when, posing as a Communist hard-liner, she had to argue disaffected fellow travelers out of quitting the party.

Other material was collected for a documentary, "Dreamers and Fighters: The NYC Teacher Purges," begun in 1995 by a social worker and artist, Sophie-Louise Ullman. She died in 2005, but the project, accompanied by a Web site, dreamersandfighters.com, has been continued by her cousin Lori Styler. The unfinished work is narrated by the actor Eli Wallach, whose brother, Samuel, was president of the Teachers Union from 1945 to 1948 and was fired from his teaching job for refusing to answer questions before the superintendent of schools, Dr. William Jansen. Samuel Wallach died at 91 in 2001.

"They called everybody a Communist then," growled Eli Wallach, 93, in a telephone interview, still bristling over the way his brother was treated.

The Teachers Union, which was expelled from the American Federation of Teachers in 1941 before disbanding in 1964 and being succeeded by the United Federation of Teachers, maintained that "no teacher should be disqualified for his opinions or beliefs or his political associations." State and city authorities countered that Communists were unfit to teach because they were bound to the dictates of the party.

When asked by Mr. Moskoff, "Are you now or have you ever been a Communist?" many teachers refused to answer. They were then charged with insubordination and subject to dismissal.

In his case, said Mr. Adler, the math teacher, it worked out happily. His Challenge of the state's Feinberg Law, which made it illegal for teachers to advocate the overthrow of the government by force, was rejected by the United States Supreme Court, but the court later reversed itself in another case and declared the law unconstitutional.

He went on to a successful career as a writer of math and science books, settling in North Bennington, Vt. But although he quit the Communist Party after the 1956 Soviet invasion of Hungary, he said, the F.B.I. in 1965 listed him as "a potentially dangerous individual who should be placed on the Security Index" — subject to detention in the event of a national emergency. Another teacher, Minnie Gutride, 40,

killed herself with oven gas in 1948 after being called out of her classroom to be questioned about Communist activities.

Outside the written record, Ms. Harbatkin did discover unexpected moments of humanity. The Board of Education was often reluctant to oust a husband and wife when both were teachers, and her mother, who died in 2003, confided to her that after she told Mr. Moskoff she would never sleep again if she provided or verified the names of fellow teachers, he turned off his tape recorder “and told her to keep saying she didn’t remember the names.”

She was not charged and continued teaching into the 1970s.

This article has been revised to reflect the following correction:

Correction: June 18, 2009

An article on Tuesday about a lawsuit that is seeking access to New York City Board of Education files on teachers investigated during the anti-Communist purges of the 1950s misstated, in some editions, the outcome of a legal challenge to the state’s Feinberg Law, which made it illegal for teachers to advocate the overthrow of the government by force. The United States Supreme Court upheld the Feinberg Law in 1952; it did not declare it unconstitutional. (That came 15 years later, in a decision on another lawsuit.)

The article also referred imprecisely to the reason that Irving Adler, a fired teacher who challenged the Feinberg Law, broke with the Communist Party in 1956. He quit over the Soviet invasion of Hungary and Kremlin policies; he did not renounce Communism.