



The Supreme Court and McCarthy-Era Repression

One Hundred Decisions

ROBERT M. LICHTMAN



**The Supreme Court And Mccarthy Era Repression By
Robert M Lichtman 30 Mar 2015 Paperback**

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The Communist Judicial System in China, 1927-1976 Qiang Fang, 2025-10-01 Drawing on hundreds of newly released judicial archives and court cases this book analyzes the communist judicial system in China from its founding period to the death of Mao Zedong It argues that the communist judicial system was built when the CCP was engaged in a life or death struggle with the GMD meaning that the overriding aim of the judicial system was from the outset to safeguard the Party against both internal and external adversaries This fundamental insecurity and perennial fear of loss of power obsessed the Party throughout the era of Mao and beyond prompting it to launch numerous political campaigns which forced communist judicial cadres to choose between upholding basic legal norms and maintaining Party order In doing all of this The Communist Judicial System in China 1927 1976 Building on Fear fills a major lacuna in our understanding of communist era China

The Supreme Court and McCarthy-Era Repression Robert M. Lichtman, 2012-08-15 In this volume attorney Robert M Lichtman provides a comprehensive history of the U S Supreme Court s decisions in Communist cases during the McCarthy era Lichtman shows the Court s vulnerability to public criticism and attacks by the elected branches during periods of political repression The book describes every Communist related decision of the era none is omitted placing them in the context of political events and revealing the range and intrusiveness of McCarthy era repression In Fred Vinson s term as chief justice 1946 53 the Court largely rubber stamped government action against accused Communists and subversives After Earl Warren replaced Vinson as chief justice in 1953 however the Court began to rule against the government in Communist cases choosing the narrowest of grounds but nonetheless outraging public opinion and provoking fierce attacks from the press and Congress Legislation to curb the Court flooded Congress and seemed certain to be enacted The Court s situation was aggravated by its 1954 school desegregation decision Brown v Board of Education which led to an anti Court alliance between southern Democrats and anti Communists in both parties Although Lyndon Johnson s remarkable talents as Senate majority leader saved the Court from highly punitive legislation the attacks caused the Court to retreat with Felix Frankfurter leading a five justice majority that decided major constitutional issues for the government and effectively nullified earlier decisions Only after August 1962 when Frankfurter retired and was replaced by Arthur Goldberg did the Court again begin to vindicate individual rights in Communist cases its McCarthy era was over Demonstrating keen insight into the Supreme Court s inner workings and making extensive use of the justices papers Lichtman examines the dynamics of the Court s changes in direction and the relationships and rivalries among its justices including such towering figures as Hugo Black Felix Frankfurter Earl Warren William O Douglas and William J Brennan Jr The Supreme Court and McCarthy Era Repression One Hundred Decisions tells the entire story of the Supreme Court during this unfortunate period of twentieth century American history

Barred by Congress Robert M. Lichtman, 2022-01-27 In Barred by Congress How a Mormon a Socialist and an African American Elected by the People Were Excluded from Office Robert M Lichtman provides a

definitive history of congressional exclusion and expulsion cases Lichtman offers a timely investigation of the vital constitutional issues debated since the nation's founding concerning permissible and impermissible grounds for excluding a member elect or expelling a member from Congress Barred by Congress begins with an exhaustive review of the numerous congressional exclusion and expulsion cases in the eighteenth and nineteenth centuries before focusing on the stories of the last three members elect to be excluded from Congress a Mormon a Socialist and an African American each an outsider in American politics excluded notwithstanding election by the voters Lichtman illuminates each of these three remarkable individuals with a detailed biographical sketch Brigham H Roberts was a Utah Mormon whose exclusion from the House of Representatives in 1900 was fueled by a nationwide anti Mormon campaign waged by William Randolph Hearst and his newspaper empire a controversy centered on the issue of polygamy Victor L Berger a Socialist Party leader and editor of an antiwar Milwaukee newspaper during World War I was elected to the House despite the efforts of the Wilson administration to derail his campaign by indicting him under the Espionage Act he was excluded in 1919 and again in 1920 Adam Clayton Powell Jr was a Baptist minister and civil rights advocate who represented the Harlem neighborhood of New York City in the House of Representatives from 1945 until his exclusion in 1967 In *Powell v McCormack* the Supreme Court ruled that Powell's exclusion by the House violated the Constitution a decision that a half century later remains established law but still does not provide complete assurance that the people will be able to in Alexander Hamilton's words choose whom they please to govern them

Deadly Farce Robert M. Lichtman, Ronald D. Cohen, 2004 The book traces the rise and fall of Harvey Matusow a wise guy professional informer witness of the McCarthy era whose dramatic recantation led to his own imprisonment but hastened the end of the era No issue so possessed the nation in the first half of the 1950s as alleged Communist subversion in the United States Communist Party member an undercover FBI informer inside the Party and then a leading witness for the government during the McCarthy era until he recanted his testimony His story illuminates a disturbing time in American history one with renewed relevance today Matusow was easily the most flamboyant of the professional ex Communists a celebrity informer who considered himself booked by Congressional committees not just to testify but to entertain He testified that Communists fostered loose sex taught politicized Mother Goose rhymes to small children and tried to infiltrate the Boy Scouts He also named more than 200 people as Communists and was a prosecution witness in major criminal cases transcripts personal interviews private papers and other primary sources most never before utilized to describe the unusual role of ex Communist informer witnesses during the McCarthy era The Justice Department kept several dozen political informers on the government's payroll to testify in hundreds of deportation sedition and contempt of Congress cases Some informers achieved celebrity as the result of high profile appearances at criminal trials and before Congressional committees But as the era continued instances of perjury began to appear Harvey Matusow's sensational recantation in 1955 gave him his biggest audience yet It led to the dissolution of the Justice Department's

informer stable and ended the public's infatuation with the group. Matusow's unrepentant and at times vaudevillian appearances before the Senate red hunting committee investigating his recantation followed by his prosecution for perjury for the recantation not his original testimony and prison sentence mark the climax of *Deadly Farce*. McCarran and Elizabeth Bentley among many others offers an inside entertaining and closely documented view of a largely untold part of McCarthy era history. The columnist Murray Kempton described Matusow as a truly remarkable witness in the opera bouffe sense demanded by inquisitions of the 1950s. Many Are the Crimes Ellen Schrecker, 1998 Offers an analysis of the McCarthy phenomenon tracing the machinations of anticommunism in creating a culture of fear and suspicion.

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