



One who got away — with spying for USSR

By Alan Wallace

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An American who spied for the Soviet Union but was never even charged with espionage may become as well known as others who were caught and punished, thanks to Justice Department lawyer and former CIA intelligence officer Mark A. Bradley's new book, "A Very Principled Boy: The Life of Duncan Lee, Red Spy and Cold Warrior" (Basic Books).

A descendant of Robert E. Lee and the son of idealistic missionary parents, Duncan Lee had a leftist bent that strengthened during his 1935-38 Oxford stint as a Rhodes Scholar — a time when the USSR seemed a better alternative to some Depression-weary Americans. Lee nevertheless earned a Yale law degree and joined a Wall Street firm — whose chairman, "Wild Bill" Donovan, would soon head a new civilian intelligence agency for World War II, the Office of Strategic Services, and make Lee one of his top OSS aides.

Recruited as a spy by the Soviets' NKVD, Lee fed the USSR — then a U.S. ally — information that included the likely D-Day timetable through a female Communist Party USA handler who became his lover. He left little in the way of a paper trail — never copying, always memorizing and reciting documents — and his spying ended along with World War II.

But his handler had been replaced by another woman who defected to the U.S. in 1945, spilled what she knew to the FBI and told the House Un-American Activities Committee that Lee had been a Soviet agent. Lee denied that before Congress, making his a "he said, she said" case, and FBI head J. Edgar Hoover lacked enough other evidence to prosecute him.

In 1950, an NSA predecessor agency intercepted signals that proved Lee's spying. But the FBI didn't want to expose that signals-intelligence program in open court, so Lee once again escaped prosecution.

He'd later fight Mao's Communists in China and work as a corporate lawyer. And in a document written for his children before his 1988 death, he denied ever spying for the USSR, which only deepens the mystery of what Lee really believed — and believed in — and whether he ever truly regretted the traitorous role he'd played.

CLASSICAL VS. PROGRESSIVE

“The Classical Liberal Constitution: The Uncertain Quest for Limited Government” by Richard A. Epstein (Harvard University Press) — The classical liberalism of Locke, Hume and Madison, whose emphasis on natural rights and limiting government's power to restrict those rights underpins our Constitution, has been eroded — to America's detriment — by “progressive” liberalism and its emphasis on government as guarantor and expander of rights, especially since the New Deal, and with judges too often siding with the progressive view. That's what this author, a New York University and University of Chicago law professor and Hoover Institution senior fellow, maintains. Acknowledging that his analysis and opinions can put him at odds with both ends of today's political spectrum, he applies his viewpoint to issues that include judicial review, freedom of speech and religion, equal protection, health-care legislation and congressional authority under the Constitution to enact all “necessary and proper” laws to exercise the legislative branch's enumerated powers.

INSIDE CRAFT BREWING

“The Craft Beer Revolution: How a Band of Microbrewers is Transforming the World's Favorite Drink” by Steve Hindy (Palgrave Macmillan) — What distinguishes this book from others about the same industry is its author's background: a former Middle East correspondent for The Associated Press, he co-founded Brooklyn Brewery in 1986. That background — enhanced by roles he's played in grappling with craft-brewing issues, ranging from work within industry groups to testifying before Congress — enables him to offer insider perspective that illuminates craft brewing's complexities. Readers will learn about small craft brewers' struggles against beer giants' domination of wholesale distribution, and about controversies over craft brewers' use of contract brewing and international conglomerates' creation of brands designed to give the impression they're craft beers. Even the book's foreword reflects craft brewing's rise over the last few decades: It's by John Hickenlooper, who started Denver's Wynkoop Brewing Co. and went on to occupy the Colorado governor's mansion today.

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“Intellectual Privilege: Copyright, Common Law, and the Common Good” by Tom W. Bell (Mercatus Center) — The author is a lawyer who's practiced in Silicon Valley and Washington, a Chapman University law professor and a Cato Institute adjunct fellow. He analyzes U.S. copyright law from a libertarian perspective at a time when many believe it needs changes and reforms have been proposed. He says two viewpoints have dominated such debate: one that questions copyright along with all restraints on free expression and sees it as political, and one that considers copyright as a property right deserving full legal protection. But in his view, both of those positions fall short of what copyright law should be. Seeing copyright as “a statutory privilege that threatens our natural and constitutional rights,” he offers “fresh solutions” that point the way “toward a world less encumbered by legal restrictions and yet richer in art, music, and other expressive works,” according to the publisher.