



The HUAC Investigation and its Effect on MMS

A Documentary History: Part II

By John Ellis

Photo courtesy Municipal Archives, City of New York.

As discussed in Part I, the Metropolitan Music School (MMS) led by Lilly Popper was a school that, by the 1950s, was renowned for its progressive educational methods as well as its progressive and thorough commitment to racial and class inclusion. Meanwhile, the political atmosphere of the post-war years and the rise of the Cold War led to a chilling effect in American cultural politics. Unfortunately for Lilly Popper and the Metropolitan Music School, their success at racial inclusion made the school prominent enough to merit attention from HUAC (the House Committee on Un-American Activities). An investigation was begun that ultimately led to the hearings of April 1957.

Wallingford Riegger, noted composer and MMS president emeritus, received early attention for his political activities as is seen in a letter dated May 12, 1953, from Illinois Republican Congressman Harold H. Velde, HUAC chairman from 1953–1955, addressed to Roy Cohn, chief counsel for the Permanent Subcommittee on Investigations of the United States Senate, memorably chaired during 1953–1954 by Senator Joseph McCarthy:

“Dear Mr. Cohn: In reply to a request from your office on May 8, 1953, we are enclosing a dossier of information from the public records, files and publications of the Committee on Un-American Activities concerning Wallingford Riegger...It should be noted that the individual referred to is not necessarily a Communist, a Communist sympathizer or a fellow-traveler unless otherwise indicated.” (Velde 1953)

The dossier also included Riegger’s endorsement of a conference entitled “A Call to a Conference on Equal Rights for Negroes in the Arts, Sciences and Professions, Saturday, Nov. 10, 1951.” (Velde 1953) This shows HUAC’s conflation of civil rights activism with suspicion of subversive activity, thereby endangering the school by putting it on the committee’s radar screen.

Lilly Popper’s HUAC file demonstrates the committee’s interest in her activities from an early date as well. The earliest reference is a

memo titled “DW—September 21, 1938.” This presumably refers to an article in the *Daily Worker*:

“Feature article on MMS in esoteric language understood by Communists and fellow travellers....In describing the manner of teaching, the article focuses on “...discussion of themes and their social implications...the younger generation has the task of taking the modern technique...and making it alive and equivalent to contemporary themes...Even in this form...the theory of art for art’s sake is busted...” (HUAC Investigative Series No. 3)

A memo from a HUAC investigator to HUAC counsel dated September 26, 1956, reveals the inside story of the investigation leading up to the hearings. It referenced the July 16, 1956 *Digest of Current Communist Activities*, by anti-Communist activist J.B. Matthews.

“As set forth in the attached memo prepared by J. B. Matthews, the Metropolitan Music School has not been investigated by the Committee. I agree that an investigation could possibly produce evidence of domination and control by the Communist Party over this school since its creation in 1934. No doubt a hearing could be set up dealing with this school.” (Appell 1956) Richards Arens approved the request in October 1956, and the HUAC investigation began in earnest.

After the preliminary investigation was completed, the subpoenas were served and the committee’s preparation of questions for witnesses almost finished, Lilly Popper wrote to each of the sponsors of MMS asking for their support during the HUAC investigation. The letter to Abram Chasins,¹ prominent pianist, composer, and music director of WQXR, was dated April 1, 1957. After denouncing HUAC, Popper goes on to write, “As you know, there is nothing ‘subversive’ about the school’s activities....The very idea that there is an ‘unAmerican’ way of teaching music is ridiculous. The political beliefs of our staff—into which we have never enquired—cannot conceivably endanger the security or welfare of the United States.” (1957)

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Chasins' response, dated April 4, 1957, must have been a disappointment to Popper. "Your letter and memorandum of April 1 surprised me in view of the fact that over two years ago I wrote to the Metropolitan Music School resigning from your musical Board and requesting the removal of my name from your catalogue." He agrees that "the very idea that there is an un-American way of teaching music is ridiculous." But he adds, "there is more to the question." The distinction he makes is expressed in his belief that "a teacher worthy of the name exerts a powerful intellectual and spiritual influence on the pupils. In my opinion, any teacher who abuses this great pedagogical privilege to impose irrelevant political ideas upon an esthetic relationship, is unfit to teach, no matter what his nationality or ideology." (1957a)

Chasins also wrote to the chairman of HUAC on April 4, 1957, expressing support for the investigation and distancing himself from the school. In the letter, Chasins stated he had resigned from the MMS musical Board two years prior and emphasized his opposition to the "Communist ideology." (1957b)

However, during the hearings on April 9, 1957, Popper said the school had no record of a letter from Chasins resigning from the Board and clarified that he was a member of the school's sponsoring committee, not its Board. (HUAC Hearings 1957, 619–620)

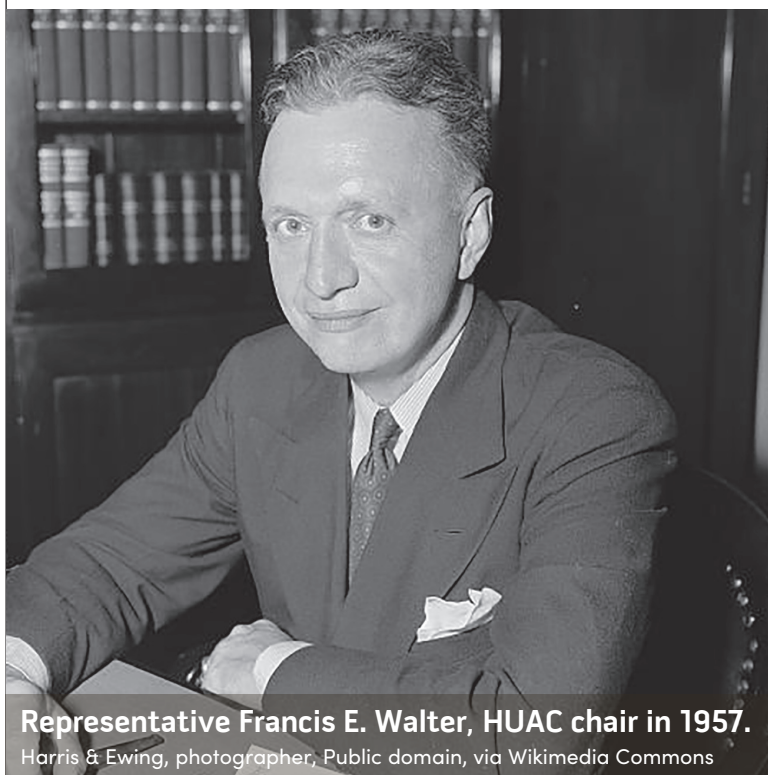
On January 25, 1957, Lilly Popper received her subpoena to appear on February 8, 1957, in a closed session. A telegram of March 20, 1957, addressed to her from HUAC's chairman, Francis Walter (1957), directed her to appear again in front of the committee on Tuesday, April 9, 1957. The table was now set for the hearings to begin.

The Hearings

The public HUAC hearings were held April 9–12, 1957. They focused on the Metropolitan Music School but also included inquiries into the members of the Symphony of the Air and the American Federation of Musicians, Local 802. More than 40 witnesses testified, some who had no relationship to the Metropolitan Music School while others had varying degrees of connection.

In his peroration, Representative Morgan Moulder of Missouri, chairman of the subcommittee of HUAC carrying out the hearings, attempted to reassure his listeners of the Committee's intentions:

"Now, of course, we are not worried about communizing Beethoven and Bach, and we do not feel that the performance of a concerto by a Communist is in itself subversive. But we do feel that the presence of the activities of Communists, of persons loyal to the international conspiratorial apparatus in the Soviet Union, do constitute a subversive threat regardless of the profession in which these persons are engaged. The Communist musician, Communist lawyer, the Communist teacher, all stand forth as a danger to a free society for the one reason alone, that they are Communists and that, as Communists, they will utilize their professions in whatever way possible to further the interests of the alien conspiracy to which they belong." (HUAC Hearings 1957, 612)



Representative Francis E. Walter, HUAC chair in 1957.

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The first witness in the hearings was Popper, with her counsel Mildred Roth. It was not long before Arens, the lead counsel of HUAC, asked what had become the anticipated question: "Miss Popper, are you now or have you ever been, a member of the Communist Party." Her reply was equally anticipated: "Sir, I decline to on the basis of my rights under the First Amendment and my right under the Fifth Amendment to be a witness against myself. And I object to this question as to my political affiliations or nonaffiliations." (HUAC Hearings 1957, 615)

Arens eventually turned his attention to the subject of former MMS faculty member Leonard Cherlin, a friendly witness for the Committee, questioning Popper about phone calls and messages from Cherlin.

"MR. ARENS. Did Mr. Cherlin tell you that he proposed to swear before this committee that, while he was a member of the Communist Party, he knew you as a Communist? Did he tell you that, or the essence of that, in your telephone conversation?

MISS POPPER. He did not.

MR. ARENS. Have you ever been in a closed Communist Party meeting with Leonard Cherlin, a meeting in which only comrades are admissible?

MISS POPPER. I decline, again, on the same basis, the Fifth Amendment.

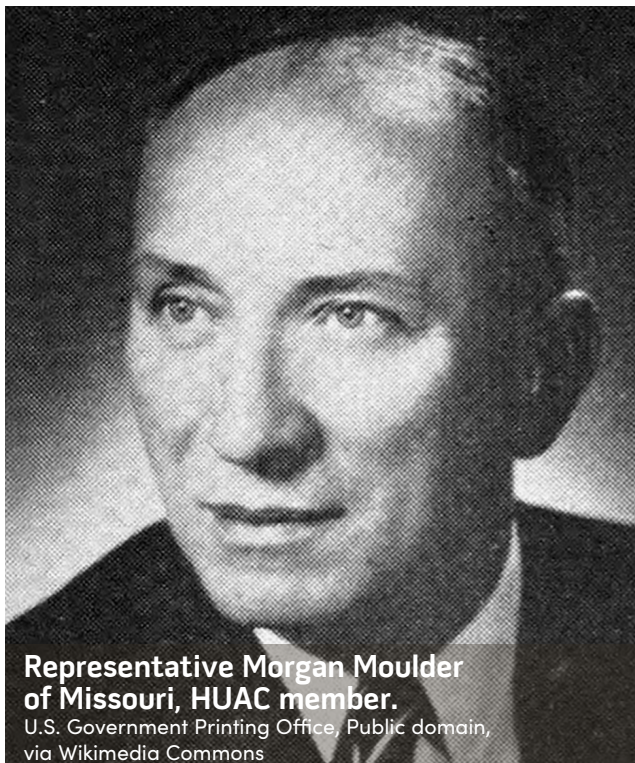
MR. ARENS. Of the members of the board of directors whom we called off a little while ago, how many of them, to your certain knowledge, are persons who have been members of the Communist Party?

MISS POPPER. Sir, we have gone through this at the closed sessions. I have been asked names back and forth and back and forth and I declined, and I can only see that this question here is given in order to smear the school and in order to smear the people in the school. I decline to answer...

MR. ARENS. Do you think it might be...

MISS POPPER. On the basis of my rights...

MR. ARENS. Consistent on the basis of the motives that we are trying to develop facts on who are Communists in institutions of this character so that the committee can



Representative Morgan Moulder of Missouri, HUAC member.

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recommend legislation to protect the internal security of this country? Do you think it might be consistent with our motives, for that to be the objective?

(The witness conferred with her counsel.)

MISS POPPER. I still decline to...

MR. MOULDER. Let her give the reasons,

MR. ARENS. You started to give your reasons for declining to answer.

MISS POPPER. I did give my reasons. I will state my reasons again. That I was already asked at closed session name after name and name after name and I declined and bringing this out in the open here and asking in the open can only have one purpose, and that is to smear the instructors and to smear the school. I will have no part of it. I decline on the basis of my rights under the First Amendment and my rights under the Fifth Amendment [not] to be a witness against myself." (HUAC Hearings, 621-623)

Arens continued with further interrogation regarding particular people associated with the school and their Communist Party affiliations, with Popper declining to respond each time.

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After intricate questioning regarding the difference between the “policing” of teaching materials by MMS and regular curricular supervision and a discussion of the scholarship committee, Leonard Cherlin was sworn in to identify Lilly Popper as a Communist in her presence. (HUAC Hearings, 627) After declining to respond to further questioning about her affiliation to the Communist Party, she was excused by the committee. (HUAC Hearings, 627–628)

Friendly Witness: Faculty Member Leonard Cherlin’s Testimony

Leonard Cherlin was a former clarinet faculty member at MMS. (Johnson 1954, 8) His testimony involved confirming the identities of Communist Party members affiliated with the Metropolitan Music School, which he did avidly. He provided insight into Communist ideology and the role of Lilly Popper in Communist Party meetings and whether there was overt political advocacy toward students in the teaching process at MMS. He was questioned by Representative Clyde Doyle, from California.

“MR. DOYLE. May I ask you this: At any of those meetings at a home to which you referred, did Miss Popper, whom you identified participate in the program by way of leading any discussion or reading any paper or leading any discussion of the Communist Party that you now recall?

MR. CHERLIN. I have to make another point. This was one home where I attended most of the meetings, but there were also meetings that I can recall in Miss Popper’s own apartment. I don’t recall if she attended any of the meetings at the Riverside Drive address.

MR. DOYLE. Did she have closed Communist Party meetings in her own home which you attended?

MR. CHERLIN. I believe there were 1 or 2 that I remember.

MR. DOYLE. Where was that address?

MR. CHERLIN. 18 West 74th Street. She has an apartment in the school.

MR. DOYLE. How many people would attend those meetings?



MR. CHERLIN. Again, it would be a small group. I can’t recall for sure.

MR. DOYLE. At any meeting that you attended at Miss Popper’s home, in the apartment at the school, which you testified to, did she lead in any Communist Party discussion?

MR. CHERLIN. Not that I recall. She was never active in any of these capacities in the Communist Party, my assumption being that her activities as director of the school were time consuming and, therefore, there would be no time for her to participate actively in the Communist Party.” (HUAC Hearings, 635)

When asked the significance of the MMS in the objectives of the Communist Party, Cherlin said, “This is difficult to answer *because in my workings with the Metropolitan Music School, I never actually saw an actual synthesizing of politicalizing and teaching of music.* [emphasis by the author] These things were kept divorced. There was a clientele of people that certainly ranged from the extreme left to the extreme right. It was considered that *politics and business or music should not mix* [emphasis by the author], as far as the Metropolitan Music School procedures were concerned.” (HUAC Hearings, 631)

For such a friendly witness to assert categorically that he never saw any indication of political indoctrination at MMS gives lie to the entire rationale of the hearings. In addition, Cherlin’s statement that there were students

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who held political views on the extreme right was noteworthy as one could safely assume that people with such views would have left MMS if they felt politically proselytized.

John Kenneth Ackley, Registrar, Background and Testimony

John Kenneth Ackley, the MMS registrar, had already suffered more than anyone else involved in the HUAC drama at MMS. He had been ousted from his position as registrar at City College as a result of the Rapp-Coudert Hearings in the New York State Legislature between 1940 and 1942. (Leberstein 1993, 91–122) On June 30, 1941, John Kenneth Ackley became the first staff member of City College to be dismissed from his job due to the Rapp-Coudert Committee's investigation. (Leberstein 1993, 104)

The *New York Times* edition of April 1, 1941, reported the suspension of Ackley, the third such suspension (1941, 25.) The acting president of City College, Dr. Harry N. Wright, decided to suspend him in advance of a criminal trial conviction. Ackley later became the registrar of the Metropolitan Music School in 1946. (HUAC Hearings, 643) He entered the hearing on the morning of April 9, 1957, and declined to answer questions about Communist membership based on his rights under the Fifth Amendment. He did testify that he was not currently a member of the Communist Party, but he claimed the Fifth Amendment when he was asked if he were currently under "Communist Party discipline." (HUAC Hearings 1957, 642)

President Emeritus Wallingford Riegger's Testimony

Wallingford Riegger was perhaps the most esteemed witness called by HUAC in their investigation into the MMS. He was confrontational from the outset. After his request to read a prepared statement was denied, the Committee members, including Representative Bernard Kearney of New York, resumed their questioning:

"MR. ARENS. Mr. Chairman, there is a question outstanding on this record. So that

the record will be clear, the question outstanding, Mr. Riegger, is: Are you now, or have you ever been, a member of the Communist Party?

MR. RIEGGER. I respectfully decline to answer on the following grounds: The First Amendment of the Constitution of the United States reads, in part, as follows:

Congress shall make no law abridging the freedom of speech or of the press or of the right of the people peaceably to assemble. The House Committee on Un-American Activities by its actions contravenes both the spirit and the letter of this amendment. The fact that Congress has legislated this committee into existence by no means justifies the committee's unconstitutional procedures. As an American, I would fear the loss of my self-respect were I to submit to its interrogatories.

MR. KEARNEY. I think you should be perfectly satisfied, Mr. Witness.

MR. RIEGGER. Well, in effect, I am." (HUAC Hearings 1957, 648–50)

Riegger was one of the only witnesses who pleaded the First Amendment without a simultaneous Fifth Amendment plea, thus placing him in jeopardy of being cited with Contempt of Congress. The intensity of the confrontation between Riegger and the Committee did not relent. Indeed, at one point in the questioning, Chairman Moulder grew so exasperated at Riegger's lack of responsiveness that he said, "The witness is so ordered and directed to answer the question, and we again advise you of the possible dangers of being in contempt of Congress for your refusal to answer." (HUAC Hearings 1957, 653)

The Committee then called in John Lautner (Packer, 1962) who identified Riegger as a member of the Communist Party (HUAC Hearings 1957, 650). Lautner later clarified his testimony by identifying Riegger as a "functionary" of the Communist Party. He referred to Riegger as a "branch functionary," "treasurer" and "branch organizer" during Lautner's time at the Communist Party branch on the west side of Manhattan between 1933–1936. (HUAC Hearings 1957, 651) Riegger adamantly refused to answer questions regarding his involvement in the Communist

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Wallingford Riegger, MMS president emeritus

New Georgia Encyclopedia, CC0, via Wikimedia Commons. (New York photo)

Party or related organizations. The questioning grew so hostile that, when asked by Arens where and when he was born, (HUAC Hearings 1957, 652) Riegger replied by reading the First Amendment of the Constitution to the committee and reading his previous statement claiming its protections. (HUAC Hearings 1957, 652–653) This answer was not considered acceptable by the Chairman.

“Mr. MOULDER: You are advised by the committee that we do not accept that as a proper response to the question which was propounded to you as to where and when you were born. Therefore, you are again ordered and directed to answer the question propounded by Counsel as to where and when you were born.

MR. RIEGGER. I am sorry that you don’t regard that as adequate. I will simply repeat what I said before, if you wish me to read this all over again.

MR. DOYLE. May I just observe this to you, Mr. Witness. You are not being smart when you are doing this. It is not being smart.

MR. RIEGGER. I am simply asserting my rights.

MR. DOYLE. It is not smart at all. I want to say, Mr. Chairman, that I think we are entitled to know whether or not this man is an American citizen. If he is, how did he come by it? Was he born in some foreign country? If he was, what country?

MR. KEARNEY. Facetiously, Mr. Chairman, I think we are entitled to an answer to the question as to whether he was born or not.

MR. DOYLE. Of course, under the First Amendment, it might incriminate him, according to his pleading.

MR. MOULDER. The witness has been given ample opportunities to respond to the question. Proceed, Mr. Arens.” (HUAC Hearings 1957, 653)

Mainstream press reactions to Riegger and MMS were largely hostile except for one opinion piece by Murray Kempton of the *New York Post*. He was critical of the Committee’s interrogation of Wallingford Riegger:

“He is a composer of monumental integrity; he went on in his grain during the most savage period of Soviet attacks on the bourgeois formalism of music like his. He was not so much resistant as absolutely inattentive to the aesthetic theories of Andrei Zhdanov and this is the man the Un-American Activities Committee presents to us as submissive to Communist dictation... Wallingford Riegger, by the way, spit in the committee’s eye with an elderly grace which would have suited Bach better in his relations with the Margrave of Brandenburg. ‘As an American,’ he said, ‘I fear the loss of my self-respect if I answered you.’ Riegger was standing on the First Amendment alone; the committee told him that he wasn’t ‘being very smart.’ This means that he could expect to go to jail. I suppose he can go to jail, and that is perhaps not very smart. It is, however, in the lonely, noble tradition of this old man’s life.” (Kempton 1957)

Aftermath of the Hearings:

Despite the largely negative press surrounding the HUAC hearings, MMS was able to stay

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open. Popper stepped down as director and was replaced by her long-time friend and associate Rudolf Jankel. She retained her faculty position as well as her title as head of the piano department. In 1959, she became ill and was admitted to the Intensive Care Unit of Lenox Hill Hospital in Manhattan. (Fink, Greenberg 1989, 80) Popper's death was marked in the 1960–1961 bulletin of the Metropolitan Music School: "In Memoriam Lilly Popper: With the deepest regret we announce the passing of Lilly Popper, who was the director of the School from 1944–1958." She was interred with her mother Clara at Cedar Park Cemetery in Paramus, New Jersey. (Email from CP General information@nj-cem.com. 2019) The only available government record of her passing gives the death date of Lillian Popper as September 11, 1959. (New York, New York Death Index 1959–1965).

Wallingford Riegger's death occurred in 1961 as he was walking on the sidewalk in his neighborhood in Morningside Heights, Manhattan. As one dog was fighting with another, he tripped over its leash, fell and struck his head. He died after undergoing brain surgery in Columbia-Presbyterian Hospital. (New York Times 1961, 1, 76)

Despite the HUAC hearings and the subsequent deaths of the leaders of the Metropolitan Music School, it managed to stay open and deliver its services to the public. According to the Office of Development and Public Affairs at the Juilliard School, MMS offered scholarships there from 1974–1989. (Victoria Brand email to author, 2009) Aaron Shelden, a former MMS trustee, provided his own recollections regarding the final years of the Metropolitan Music School in an email exchange in January 2019. In it, he said, "I think we on the board decided in around 1986 that the school could not be profitable as a result of past debt and insufficient income. It was decided to sell the building and create a foundation." (Aaron Shelden email to author, 2019) Thus ended the story of the Metropolitan Music School, a progressive music educational institution without which my former piano teacher, African American composer Arthur Cunningham, may never have been able to reach his potential in music

and become the teacher who inspired me to go into music.

Lilly Popper was ahead of her time in effecting substantive change on a local level while living modestly in an apartment above the school and empowering people of color to be in positions of authority in MMS. In effect, she was "de-centering" herself for the sake of increased racial and class representation at the board, administrative, faculty and student levels.

While Popper and many of her colleagues were committed Marxists, the notion of a middle-aged piano teacher as a threat to the national security of the United States is an absurdity. Not even the friendly witnesses in the HUAC hearings ever asserted that she or any of the CPUSA members tried to abuse their teaching for the purposes of Communist indoctrination. Nor did those witnesses produce evidence that would suggest anything other than CPUSA members on the faculty and in the administration at MMS were guilty of being or having been members of a political party that was, at that time, outlawed in the United States. What they did do was provide an excellent music education to hundreds of students of color at an affordable price taught by a racially integrated faculty dedicated to teaching folk, jazz and classical music as equally valid forms of art. One could see in Popper's work at MMS, the initial administrative and curricular steps toward the "decolonization" of music education as envisioned by Margaret E. Walker:

"I do not believe, however, that grappling with the colonial origins of the canon and the narrative should lead to a rejection or refusal of Western art music or its performers and audiences. I remain unconvinced that it is the "music itself" that supports coloniality but believe that it is rather the narrative of evolution and consequent privileging of Western composers, works, and analytical tools that delivers this message of superiority." (Walker 2020, 14)

Rather than discarding the Western canon, Popper saw the mission of MMS as one of opening access to classical music as an equal alongside music from outside of the

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Western canon, thereby strengthening the reach of music education through increasing its breadth. The CPUSA ultimately failed to attract African Americans in great numbers, and its own ideological framework proved unappealing to Americans across the political spectrum. But Popper's work with MMS, divorced from its political impetus, ends up providing us with an early and potent example of how diversity and inclusion can be achieved in music education. It also reminds us of how much courage is needed to create change.

AMT

RIP: Just after the submission of Part 1 to AMT, I learned of the passing of path-breaking African American timpanist Elayne Jones, mentioned in Part 1 of this series, on December 17, 2022, at her home in California. Condolences to her family, friends, and colleagues. Her story deserves to be more widely known. <https://www.nytimes.com/2022/12/21/arts/music/elayne-jones-dead.html>.

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Notes

1. My piano teacher during my doctoral studies was Constance Keene (1921–2005). She was married to Chasins between 1949 and his death in 1987.

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