

EDITORIALS

THE DAVIES CASE

The following comment on the Davies case represents the considered views of the Board of Directors of the Foreign Service Association and the JOURNAL Editorial Board.

A Security Hearing Board has unanimously found that John Paton Davies' "lack of judgment, discretion, and reliability raises a reasonable doubt that his continued employment in the Foreign Service of the United States is clearly consistent with the interests of national security". The Secretary of State, following the procedures of applicable statutes and of Executive Order 10450, reviewed the case, reached the same conclusion and terminated Mr. Davies' employment.

There are probably few officers in the Service who do not feel a deep sense of both personal and professional concern over this decision.

With the personal situation of John Davies his many friends in the Service will have great sympathy. The decision comes five to ten years after the events in question, and after he had endured repeated investigations and reinvestigations under constantly varying standards. All this took place against a background of bitter public recrimination over responsibility for the course of events in China. Disloyalty to the United States having been excluded from the findings, Mr. Davies has been cast out of a service to which he has given 23 arduous years because he cannot establish that his "retention in employment" is "clearly consistent with the interests of the national security".

However harsh and disquieting this may seem, we as officers of the Department of State and the Foreign Service must assume that valid reasons exist for a decision by the Secretary of State, even though the details of the reasons may be unknown to us. We must also have confidence that the rights and equities which we possess as officers who are dedicating ourselves to the public service will be safeguarded by our superiors.

Questions and doubts have nevertheless arisen in the minds of all of us which publication of all or part of the record might help to answer. Just what was the "standard required of Foreign Service Officers" which the Security Hearing Board had before it in concluding that "Mr. Davies' observation and evaluation of the facts, his policy recommendations, his attitude with respect to existing policy, and his disregard of proper forbearance and caution in making known his dissents outside privileged boundaries were not in accordance with [that] standard. . . ."? If, in fact, there exists no such "standard" which could have been made available to the Board, should we assume that it obtained help in this regard from men having special qualifications to evaluate the performance of Foreign Service Officers? Or would guidance from such sources be discounted by the ironical fact that it was just such men who year after year evaluated the work of John Davies and found him deserving of promotion to the highest ranks of the Foreign Service?

Since all of us owe our present professional status, be it

high or low, to the same system of evaluating performance that carried John Davies to the top of the Service, can anyone doubt the serious effect on service efficiency and morale of the implications of the Davies decision?

We who are dedicating our minds and energies to a lifetime in the Foreign Service will do our best and hope that we shall not become "security risks" through failing to meet "the standards required" when, in this or that area of foreign affairs with which we are concerned, the course of history takes an unfavorable turn.

When the commanding officer of a naval vessel is tried by court-martial as a result of his vessel's running aground, he not only has the protection of a definite legal code, understood and respected by all naval officers; he also has the assurance that his actions and judgments will be weighed by a body of men who themselves have had experience with uncharted shoals and unpredictable winds. And even if professional negligence is proved and appropriate punishment meted out, the naval officer is not branded a "security risk" or as "disloyal" in any sense.

It is perhaps here that we come to the heart of the matter. The concept of security as embodied in Executive Order 10450 is comprehensive indeed and includes, or is being interpreted to include, virtually the entire range of problems which were handled by normal personnel procedures—conduct, character, demeanor, reliability, trustworthiness, forthrightness and even, as demonstrated in the Davies case, professional competence and judgment in the field of foreign affairs. So long, therefore, as the Executive Order on "Security" leads to this intermingling of standards bearing on the old problem of competence with those pertaining to the problem of communist subversion, everyone is a potential security risk and thus a potential candidate for humiliating public disgrace. It is worth recalling that the Foreign Service Act of 1946 makes specific provision for hearings by the Board of the Foreign Service before an officer may be separated from the Service either for unsatisfactory performance of duty or for misconduct or malfeasance.

Because we have profound confidence in the country we serve, we believe that the system which has raised so many questions will be carefully reviewed. Meanwhile, many officers, and particularly those engaged in the front lines of the intellectual, moral and material struggle of the age will have the added burden of knowing that in the performance of their duties they may, today, tomorrow or ten years hence, be found to have shown "a definite lack of judgment, discretion and reliability," with the harsh penalty which can now flow from such a finding. Until more of the record is published or until the "standard" and the "privileged boundaries" are authoritatively clarified, there may often seem to be great personal risks in searching out of significant political trends, in reporting them and in speculating on their future course, in forming judgments of men and events, in short, in the exercise of skills which we employ in the national interest.

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We think the answer to all such questions is clear. We are in the service of our country in a critical time. All such service carries with it risks of greater or less degree. If the risks now seem to have increased and even to threaten the effective utilization of our human resources, we must nevertheless continue to call the shots as we see them and to do our whole duty with the highest degree of institutional and personal integrity.

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