

# ADDITIONAL MATERIAL ON THE DAVIES CASE

*The following is a reprint of Arthur Krock's column in the Nation which appeared in the New York Times on November 16, and was entitled "The Core of the Security Problem".*

The President knows the complexity of the "security" standards for Government servants that, in its latest manifestation, caused the dismissal of John Paton Davies and the cartooning of Secretary of State Dulles as a cruel administrator and a cowardly man. The President knows this if for no other reason than that the rigid nature of the Administration's security ordinance has been laid before the Cabinet by Dulles himself and possible forms of amendment brought by him into the discussion.

So far there is no indication that the Cabinet supporters of the Executive mandate which, in the Secretary's opinion, required him to separate Davies from the diplomatic service favor a modification that would give Dulles a leeway he thinks is now forbidden. Or, if they do, as yet there is no indication that the President is of the same mind, or, if he is, has found a way out of the dilemma expounded by the Secretary of State that would not involve risking "the interests of the United States." (As the Executive Order is written, "reasonable doubt" must be resolved either against an appraisal of that interest or the interest of the individual concerned.)

Some of the critics of separation findings . . . have taken as their targets the administrators of the agencies involved instead of the Executive order which limits their basis of decision and the President who, knowing this, has not widened the basis. . . .

. . . And, in so far as diligent inquiry can establish it, the following is Dulles' record in the Davies case:

He inherited it from the previous Administration.

He read the record in the case—snatching what hours he could from his basic duties—and concluded that it left unsettled activities by Davies on which several prior reviewers thought he had been evasive.

The Secretary then asked Davies if he would not welcome an opportunity to dispel these doubts; Davies said he would; and a final board, which Dulles described as "highly honorable and fair," was set up for that purpose.

Dulles, who had been hopeful that Davies would clear up the doubts and the board's conclusion would be favorable, was troubled when its conclusion unanimously was to the contrary. As he construed the Executive order, that compelled him to support the board because the findings were made on the test of attributes of professional behavior, and confronting the Secretary was the Executive mandate to resolve in favor of Davies any "reasonable doubt" of the diplomat's explanations to the board only if thereby "the interests of the United States" were not disregarded.

He concluded that, bound to this choice, and on parts of the record to which—they would have disarmed some of the criticism—he did not publicly allude, he was required by law to support the unanimous board. The unhappy Dulles would gladly have allowed Davies to resign, but that would have been a concession of error which Davies courageously declined to make. And Dulles could not retire the diplomat

on a pension because Davies had not completed the service required by law—an unfair one.

In the opinion of this correspondent, after searching for the facts Dulles was a most disconsolate principal in the drama. Perhaps if he had not been a lawyer all his life, and therefore interpreted the Executive order as putting him in the position of an appellate court, which is obligated to reverse only misapplications of the law, he would have rejected the finding of the unanimous board on the evidence presented to it by construing his appellate jurisdiction to authorize his writing a new law in the interest of the morale of the Foreign Service, which he fully realized might be further damaged in the process.

But this correspondent is convinced that Dulles reluctantly and sorrowfully did what he believed he was sworn to do. And if his critics suspect that political consideration animated the Secretary, they might recall that he could have released the unanimous board verdict on Davies before the Congressional election.

Not until a nonpolitical group, headed by a true liberal like John Lord O'Brian, is given the security problem to study and relieve can there be an end to repetitions of the deplorable case of John Paton Davies.

*Eric Sevareid, CBS Radio News Analyst, broadcast the following on November 8, 1954. The text of his broadcast has been reprinted in the Congressional Record.*

Good evening . . . Sometimes, to add to the meaning of the headlines, a reporter must be personal. Eleven years ago I was a war correspondent, flying toward China over the infamous "Hump." There came a terrifying moment when the passengers, mostly GI's, stood near the door, trying to summon the courage to bail out of the crippled plane. Precious moments passed. Then one of the three civilians aboard, the diplomat who clutched a dispatch case to his chest, gave us a wry smile and leaped out. His action broke the paralysis; we all followed; and all of us, but one, survived.

In the weeks that followed, we were never entirely sure we would get out of those jungle mountains; in such circumstances men learn truly to know one another; who is weak; who is afraid; who is impetuous, and who is strong, and calm and prudent. As the time passed, the GI's, and I began to recognize the civilian with the carefully guarded dispatch case as one among us with a calm and natural courage, as one who would never panic, who never complained. He was the one we chose, for common sense and discretion, to deal with the touchy and dangerous Naga head hunters, our undecided hosts. Mostly we feared Japanese patrols, and a day came when we heard there was a Jap patrol not far away. The Colonel in charge gave orders that we three civilians, in case of attack, were to take out guns and try to escape, while the soldiers remained to fight. It was the diplomat who said, "In the first place this would be dishonorable. In the second place, we'd never get out." Fortunately, there was no attack.

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There was, however, a long and painful hike in rain and heat for all of us. There were moments when another step seemed quite impossible. In such moments, it was generally the diplomat who would sing out with something like, "Onward and upward with the arts," and we would laugh and gasp and keep on climbing. I began to faint with heat and thirst on one suffocating slope; the man who left his half pint of water with me—all he had—was, of course, the diplomat.

After we emerged into India and the military reports were in, there was a move in the Air Force to decorate our diplomat for his outstanding personal conduct. I do not know if he ever received the decoration. But none of us in that strange party, I think, would have disputed the choice. For I thought then, as I think now, that if ever again I were in deep trouble, the man I would want to be with would be this particular man. I have known a great number of men around the world, under all manner of circumstances. I have known none who seemed more the whole man; none more finished a civilized product, in all that a man should be—in modesty and thoughtfulness, in resourcefulness and steady strength of character.

The name of this man is John Paton Davies. He is the man Secretary of State Dulles, on the recommendation of a five-man board, has just broken on the wheel of official disgrace. The Foreign Service officer dismissed, three years short of retirement and pension, after giving twenty-three years of his life—and almost life itself—in the arduous service of his government. Eight times he was investigated; eight times he was cleared. One by one the politically inspired charges of Communism or disloyalty or perjury were dropped; the ninth board came up with something new, called defects of character. Mr. Davies is not, concluded the board of Mr. Dulles, of sufficient judgment, discretion and reliability.

Sufficient, one may ask, unto *what*? Their test can only have been of supernatural design. I saw their victim measured against the most severe tests that mortal man can design. Those, he passed. At the head of the class.

This is Eric Sevareid in Washington.

**Louis J. Halle, who wrote the following "Letter to the Times" which appeared in the New York Times on November 14, was a member of the Policy Planning Staff and a member of the Journal Editorial Board until his resignation from the Department last August.**

TO THE EDITOR OF THE NEW YORK TIMES:

The dismissal of John Paton Davies from the Foreign Service has implications for the public welfare that not all private persons are in a position to appreciate. One who after thirteen years has now resigned from the State Department (of his own accord, on good terms with its Administration and not under a cloud) may be permitted some comment on it.

Secretary Dulles concurred in the finding of a security hearing board that Mr. Davies had "demonstrated a lack of judgment, discretion and reliability." Judging another man's "judgment" is never more uncertain than when the chief test is the judge's own judgment.

One of the findings of the board was that the policy recommendations of Mr. Davies "were not in accordance

with the standard required of Foreign Service officers, and show a definite lack of judgment. . . ."

#### **Composition of Board**

Mr. Davies is one of the most experienced men in this country in matters of foreign policy. It is proper to inquire, therefore, into the qualifications of those who found his policy recommendations faulty. They were the Inspector General of the Army, the deputy to the Director for Plans and Readiness of the Office of Defense Mobilization, a legal assistant of the Federal Communications Commission, an assistant to the Director of the Foreign Operations Administration and the Director of the Office of Procurement and Technical Assistance of the Small Business Administration.

These men disagree with Mr. Davies' recommendations on Far Eastern policy and advocated his punishment.

One can imagine what the verdict of such a board as this might have been on the judgment displayed by a man who in 1950 recommended that "if the Communist Government of China in fact proves its ability to govern China without serious domestic resistance, then it, too, should be admitted to the United Nations." Might it not have found this man's judgment below standard? Yet this was the recommendation made by Mr. Dulles in his book, *War or Peace*. I do not say this in criticism of Mr. Dulles' judgment any more than I take the like situation to reflect on Mr. Davies' judgment. In both cases, the actual and the hypothetical, we have the spectacle of ignorance sitting in judgment on wisdom.

#### **Relations with Press**

The other charge on which Mr. Davies has been judged guilty, that of expressing his views indiscreetly to the press, could also be sustained against a large number of Government servants, more so than ever since the Administration has urged its employes to be more open with the press.

Few things can be more dangerous in their implications for a society than a law, however good in itself, that is invoked only against selected individuals in a political situation.

Most of us would agree that the official whose job it is to get rid of security risks in the State Department must be above suspicion of exercising his functions in the interests of any faction or party. Any partisan bias might well prevent the effective administration of security, which must be impartial, and thereby raise a doubt whether his continued employment in that capacity was "clearly consistent with the interests of the national security."

Why, then, should not the procedure applied to Mr. Davies have been applied to the director of the department's Bureau of Security after he had referred in a public address to the legal obstacles that made it difficult "to replace an individual whose viewpoint does not coincide with that of the Republican party"? Was this not poor judgment, lack of discretion and unreliability? How can one avoid suspecting that the difference has to do with the fact that Mr. Davies has been an object of attack by Senator McCarthy while Mr. McLeod is the Senator's publicly avowed friend and admirer?

The occasion of this letter is the injury to the public service. In his statement Mr. Davies says he has informed the Secretary that he would welcome publication of the whole record of his case, "including my 1950 recommenda-

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tions that we seek a preventive showdown with the Soviet Union."

***Recommendation on Russia***

The implication here is eloquent. Any recommendation that we seek a preventive showdown with the Soviet Union is at least as much at odds with our actual foreign policy as were the recommendations that Mr. Davies made so many years ago on our relations in the Far East. But from the point of view of the police-mind looking for security risks any error, in this case, is on the right side.

In the year and a half since the personnel of the State Department and Foreign Service were placed under the control of police officials like Mr. McLeod the temptation to buy job-security by making policy recommendations of this sort has been too great for some to resist. Those with the character to resist have in many cases left the Government service, although many others still carry on.

I am aware of my moral responsibility in saying, as one who has been on the inside until recently, that by these indirect methods the policemen have gained some control over American foreign policy, a field in which they have no competence.

The Secretary has, in a few instances at least, been given dangerous advice that he would not have been given if these pressures had not existed. More often it has been thought unsafe to give him the advice that he should be given. Security officers read the memoranda and make their own judgments.

Now an example has been made of an officer whom most of us know to be of fine character, loyal, courageous and intelligent, and who has been subjected to public dismissal and punishment for "lack of judgment, discretion and reliability." I say punishment because, in addition to being publicly sacked as a "security risk," he has been deprived of the pension that he had earned by twenty-three years of faithful service. It will now be even clearer than before that the reporting and advice of the Service had better conform to the policy views of the security officers.

One hopes that the American public will see at last that the word "security" has become a euphemism. It covers the primitive political drive of the last five years to eliminate intellectual and moral distinction from the Government service, and to staff the Government instead with political good fellows who cannot be suspected of superiority. Under the reorganized Foreign Service, for example, educational standards for admission are being avowedly lowered. It is as if the mediocrity of the mindless had become the ideal.

The impediment to good government in many countries has been that government service does not attract to itself the best elements in the national population. A generation ago one heard that complaint commonly about our own Government. When it is again made in the years to come we should remember, among others, the case of John Paton Davies.

*Louis J. Halle.*