

## The Use of Faceless Informers in Passport Cases Finally Heads For A Test

### Unproven Rosenberg Linkages Utilized by Dulles to Hound A Physicist

In Federal District Court here in Washington last week, the State Department finally embarked on what promises to be the first test of its right to use "faceless informers" in denying passports. The case was that of the physicist, Weldon Bruce Dayton. Hitherto, as in the Leonard Boudin case, the Department has preferred to back down and issue a passport rather than risk an adverse higher court opinion on secret evidence. So far only one Federal judge, Youngdahl, has ruled squarely that confidential information could not be the basis for denying passports. The Court of Appeals last September 13 in the case of Dayton sent the passport application back to State Department with instructions to specify whether, what and why anonymous accusations were used. The Court implied that it would then pass on the propriety of using undisclosed evidence. The Secretary of State thereupon filed specific findings. Motions for summary judgment by both sides were argued before Judge McGarraghy last Monday.

Dayton has been through the mill of three extensive grand jury appearances in connection with the Rosenberg case. Though he was never indicted, the Department may be counting on unproven warmed over linkages with the Rosenbergs to win this case for them, and establish a precedent for others. Dayton has not only denied under oath any connection with the Rosenbergs or espionage but has also denied that he was ever a Communist. Prize remark of the opening argument came after Dayton's counsel, Harry I. Rand, cited these denials. The young attorney for the Department of Justice replied that Dayton might not have been a Communist but he "had a proclivity for making friends of people left of center." This is a new addition to the criminal code.

Though Dayton emerged innocent from prolonged grand jury inquiry, the Department has in effect convicted and punished him on its own. Unable to obtain work in this country, Dayton several years ago accepted an invitation to work on cosmic rays (non military) at the famous Tata Research Institute in India. The Department denied him a passport. The four grounds specified by the Secretary of State are (1) association with a Science for Victory Committee at the University of California in 1943-44; (2) that Dayton was associated at Ithaca, N. Y., with another scientist, Alfred Sarant, who fled to Mexico in 1950 after being interrogated by the FBI in the Rosenberg case (the Secretary claims to

#### It Will Be A Memorable Evening

Don't forget the night of Friday, Dec. 14, the *Weekly* is holding a public meeting at the Community Church, 40 E. 35th Street, New York City, to commemorate the anniversary of the Bill of Rights with a panel discussion of its meaning in the light of events in Eastern Europe. How can basic freedoms be preserved under socialism? What can the Soviet bloc learn from our Bill of Rights? What can we learn from events in the Soviet bloc about the danger of permitting fundamental political liberties to be eroded at home? To discuss these questions we have invited editors of independent Left and socialist publications to contribute their varying points of view in a panel discussion. I. F. Stone will be moderator. So far A. J. Muste of *Liberation*, Daniel Roberts of the *Militant*, Bert Cochran of the *American Socialist* and Hal Draper of *Labor Action* have agreed to participate. Paul Sweezy of the *Monthly Review* must speak at Bard College that night but will send a message. There will be a minimum of speech-making and a maximum of discussion encouraged from the audience itself. We look forward to a memorable meeting. It will start at 8 p.m. sharp and close at 11 p.m. Admission \$1 (but 50 cents for students and anyone who cannot afford more). Come and express your opinion.

have confidential information that Sarant—not Dayton—was involved in the Rosenberg ring); (3) that Dayton was "present on more than one occasion" in a New York apartment said "confidentially" to have been used on other occasions by Rosenberg for microfilming; and (4) that Dr. Bernard Peters with whom Dayton would work at the Tata Institute "is suspected" (italics added) according to the Department's confidential information "of being a Communist espionage agent."

On the basis of these findings, none of which allege any wrongdoing on Dayton's part, the Secretary finds that "the applicant is going abroad to engage in activities which will advance the Communist movement." This is itself a lovely non-sequitur. The net result is to smear Peters and ruin Dayton. This is the same Secretary of State who speaks so loftily about the "rule of law."

### Documentary: London DW Writer Tells How His Reports from Budapest Were Suppressed

From the Nov. 17 issue of the London *Daily Express* just arrived here we present this excerpt from a vivid document: Peter Fryer's story telling why he resigned from the London *Daily Worker* after it suppressed his reporting from Budapest:

"I sent altogether three dispatches—from Budapest two, and one from Vienna. The first story was a straightforward account of what I had seen as soon as I arrived at Hegyes-halom on the night of October 26. I described the rejoicing of the people at their national revolution over a ruthless police dictatorship. I described, without in any sense approving of mob justice, the lynching of AVH men (secret police).

"I described the frightful atrocity at Magyarovar, where 12 hours after I crossed the border I had been shown the bodies of 80 working people machine-gunned in cold blood by AVH men, one of whom I later saw lynched. I described the election of a new workers committee which I saw at the big State farm at Babolna. And I described the general situation in Budapest. This dispatch was not used. The assistant editor of the *Daily Worker* instructed me to return home. . . .

"The second dispatch was an interview with a British Communist called Charles Coutts, who is the English editor of *World Youth*, published in Budapest. He had been work-

ing in Budapest for three years, and he described the causes and the future prospects of the Hungarian revolution. . . .

"For the first edition of the *Daily Worker* it was cut and cut ruthlessly. . . . Matthews [acting editor] cut out, for example, Coutts's reference to there being no democratic discussion within the Hungarian party. . . . There were many protests from members of the staff at the way Matthews had cut this piece and as a result. . . . it was partly restored.

"The third dispatch I filed soon after arriving at the Bristol Hotel in Vienna on November 11. . . . It described certain excesses committed by Soviet troops in the heat of battle. I saw the result of one of them. I saw an old man of 70 lying on the pavement as late as Thursday, dead, with a loaf of bread still in his hand. He had been shot by a Soviet tank as he came away from a bread shop. . . .

"I argued that there was no 'white terror' in Hungary. I asked: 'If the Soviet intervention was necessary to put down counter revolution, how is it to be explained that some of the fiercest resistance of all was in the working class districts of Ujpest and Csepel?'"

[This dispatch was not published.] "In fact the editor [J. R. Campbell] who had that day returned from Moscow, refused to let other members of the staff read it."

## A Page Devoted to the Higher Confusions: Introducing the "Moral Size" Atom Bomb

### The AEC's Murray Revises the Gospel for Nuclear Warfare

We confess ourselves dismayed by the speech Atomic Energy Commissioner Thomas E. Murray made here in Washington on November 10 when he was presented with the 1956 award of the Catholic Association for International Peace. Mr. Murray is the lone dissenter of the AEC, a man of genuine piety. He sparked the Stevenson position on H-bomb tests and has probably done more than any other single individual except Nehru to arouse world opinion to the dangers of an H-bomb race. But it seems to us that the thesis he expounded on accepting the Catholic peace award began with a myth and ended in a monstrosity; it is appalling to see it taken seriously in so many quarters.

The myth is a "Christian tradition of civilized warfare" to which Mr. Murray would have us return. To deflate this notion is not a tactless exercise in denigration but the necessary exposure of the painful fact that human slaughter is as often due to good as bad rationalizations. The truth is that war-

#### Almost As Bad

"George Washington University's policy of limiting its faculty to believers in God was denounced yesterday from a Washington pulpit. The Rev. Dr. A. Powell Davies of All Souls' Church (Unitarian) . . . reviewed the religious attitudes of George Washington and Abraham Lincoln and expressed doubt that either could meet [GW President Cloyd Heck] Marvin's test. 'What an awful headline it would make,' Dr. Davies said: 'George Washington. Refused Place on George Washington Faculty.'" —*Washington Post*, Nov. 26.

If Dr. Marvin wants to keep the minds of his students really untarnished, he had better bar Unitarians from the faculty as well as agnostics.

fare has always been least civilized when rooted in, or disguised by, religious or quasi-religious motivations. Christian warfare is a sub-species of ideological warfare, and shares its merciless fury.

Except for the wars of the French Revolution, which were quasi-religious or ideological, the most devastating orgy of mass murder until our own times was the Thirty Years War in which Protestant and Catholic ravaged the German lands in mutual hatred. The "Christian tradition of civilized warfare" reached the pagan New World in that bloody plunder of Aztec and Inca which first put the Glory of God in Western Europe solidly on the gold standard. In our lifetime we

#### Reassuring Note

Connoisseurs of military theology may find a tidbit worth filing away in a plane-side press conference remark by General Alfred M. Gruenther on returning to Washington Nov. 23. "There is no better way to preserve our religious civilization," the retiring NATO commander told reporters, "than through the alliance system." Nobody was impious enough to ask him if he included the Warsaw pact among these celestial instruments.

The remark recalled a full dress interview with Gruenther last year by Adelbert Weinstein, military expert of West Germany's leading paper, the *Frankfurter Allgemeine Zeitung*. Weinstein wrote that in talking with Gruenther he had a strange feeling he had met someone like him before. Afterwards he recalled that the General's manner and way of talking reminded him of a Jesuit with whom Weinstein had been in a prisoner of war camp. Weinstein said Gruenther told him that in his youth he was attracted to the priesthood (Gruenther is of German Catholic origin) but decided on West Point instead.

Thus should Gruenther succeed Dulles, we will again have a Secretary of State in close touch with God.

have seen two World Wars out of Christian Europe, and Hiroshima was a product of the same civilization.

The rich genius of this civilization for double-talk and double-think is demonstrated by Mr. Murray himself. Appealing to "the high principles of justice that lie at the heart of the Western tradition of civilized warfare," Mr. Murray advocates "rational nuclear armament," based on the use of the smaller sized atomic weapons which he regards as "moral."

It would be hard to equal this for lush confusion. Just how can nuclear warfare be "rational" and "moral?" Mr. Murray leaves this worse confounded by arguing not for the abolition but for the limitation of the larger size weapons. He says "there are only a limited number of uses, militarily and morally justifiable, to which the larger bombs might be put." This implies that even the big bombs may be morally used on some special occasions, on which presumably the Strategic Air Command would be justified in blowing all mankind to Kingdom Come. When as good a man as Mr. Murray slides into such folly, it is a measure of how far humanity in our time has slipped its moorings.

**Thank You For The Many Kind Messages Coming In With This Year's (Record-Breaking) Renewals**

And

Keep December 14

Open

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