The Trial of a Security System

AFTER weeks of arduous work, a special personnel security board of the Atomic Energy Commission has concluded that Dr. J. Robert Oppenheimer is of unquestioned loyalty to the United States but that his clearance should not be reinstated. Reactions to these decisions have been prompt and vigorous. Among them, Mr. Walter Lippman echoed an attitude he had expressed at the time the case first became public information: "The one intolerable result is the result we have got, a divided, confused, contradictory verdict that raises enormous issues and settles none of them."

Enormous issues are raised. The review board has asked itself questions of the utmost importance concerning relations between the nation's security system and the rights of individual men. The report is a provocative document which merits careful study in its entirety. Yet it comes to conclusions that to many—including one of the three members of the review board itself—appear contradictory. Clearly the case cannot be allowed to rest here. Whatever in the way of additional process precedes the final decision, the contradiction and inconclusiveness of the review board's recommendations, and of some of the bases upon which they were made, must be removed. Until this is done, the case will continue to be unfinished business.

The verdict of "loyal but a security risk" is logically defensible and has in fact been reached in other cases. A person may have not the slightest taint of disloyalty and yet be a security risk. If he is incautious in speech; if alcohol makes him overly loquacious; if immoral habits or the presence of near relatives in lands occupied by an unfriendly nation render him particularly susceptible to pressure, then it may be dangerous to entrust vital information to him. He is a security risk, even though his loyalty is unchallenged.

It is not therefore in the bare decision itself that the difficulty is to be found. Dr. Oppenheimer's loyalty was unquestioned. His discretion in handling classified information was commended. Why then was he not reinstated? The majority members of the board, Gordon Gray and Thomas A. Morgan, found the following four points to be controlling in leading to their decision:

1) We find that Dr. Oppenheimer's continuing conduct and associations have reflected a serious disregard for the requirements of the security system.
2) We have found a susceptibility to influence which could have serious implications for the security interests of the country.
3) We find his conduct in the hydrogen bomb program sufficiently disturbing as to raise a doubt as to whether his future participation, if characterized by the same attitudes in a Government program relating to the national defense, would be clearly consistent with the best interests of security.
4) We have regretfully concluded that Dr. Oppenheimer has been less than candid in several instances in his testimony before this board.

The first, second, and fourth of these points are debatable. They were controlling in the minds of two board members but not in the mind of the third. Debate on these points will unquestionably continue.

The third controlling factor—Dr. Oppenheimer's conduct in the hydrogen bomb program—is the most serious of the four, for it raises a basis for denying clearance that seems both foreign to democratic concepts and stultifying to the progress of military research and development. It had been charged that Dr. Oppenheimer opposed the development of the hydrogen bomb and that even after the decision to go forward with its development had been reached he had continued to oppose it, had declined to cooperate fully in the project, and had attempted to persuade other scientists not to work on the project. With regard to his initial opposition, there appeared to be no uncertainty: he had opposed it. Once the decision to go forward was made, however, the board found that Dr. Oppenheimer had not opposed it, did not decline to cooperate in the effort, and had not attempted to persuade others not to work on the project. However, the majority report goes on to point out that Dr. Oppenheimer's views had been widely known "and since he did not make it known that he had abandoned these views, his attitude undoubtedly had an adverse effect on recruitment of scientists and the progress of the scientific effort in this field."

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