

## ABSTRACT

Title of Thesis: PAWNS OF THE COLD WAR: JOHN FOSTER DULLES, THE PRC, AND THE IMPRISONMENTS OF JOHN DOWNEY AND RICHARD FECTEAU

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In November 1954 Chinese officials produced two American prisoners who they had accused and convicted of being Central Intelligence agents. Outraged American officials denied the charges, labeling the men “civilians.” This thesis traces the subsequent, twenty-year imprisonments of these two Americans - John Downey and Richard Fecteau – and places the prisoner issue in the context of Sino-American relations throughout the first two decades of the Cold War. Analyzing American and Chinese policy between 1954 and 1973, this thesis argues that the imprisonments need not have lasted as long as they did. Due to the uncompromising and anticommunist actions of Secretary of State Dulles, the United States missed several opportunities (created by the Chinese) to bring the men home. Despite the ineffectiveness of Dulles’s policy, it was not until the 1970s, at the height of Sino-American détente, that American and Chinese officials reached a final agreement on the two prisoners.

PAWNS OF THE COLD WAR:  
JOHN FOSTER DULLES, THE PRC, AND THE IMPRISONMENTS OF JOHN  
DOWNEY AND RICHARD FECTEAU

By

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## Introduction

In August 1949, an American military plane flying from Alaska to Japan collected an air sample that proved to be radioactive. The significance of the discovery was clear: the Soviet Union had successfully exploded an atomic bomb. While not a total surprise to American officials, the timing of the Soviet detonation caught many off guard; most in Washington had believed Russian scientists were years away from such a development. Taking a few days to organize his thoughts, President Harry S. Truman, on September 23 relayed the distressing news to the country. Possibly more so than it did government officials, the news stunned and frightened the American public. The American people likely understood that with the Soviets possessing an atomic bomb, a new phase of the Cold War had begun, in which atomic superiority and relative security could no longer be presumed. Making matters worse, in October Mao Zedong, leader of the Chinese Communists (CCP), declared victory in his nation's civil war, bringing a populous People's Republic of China (PRC) onto the already precarious international stage. As they had with the Soviet detonation of an atomic bomb, Washington officials long expected a Communist victory in China; but also like the former event, Mao's rise to power further verified the communist threat and further reinforced the need for an immediate and decisive response.

In April 1950, the heightened tension led Truman to approve NSC-68, a National Security memorandum suggesting a new approach to American Cold War strategy. Though based roughly on the idea of containment – the general foreign policy that had prevailed since the end of World War II – NSC-68 advocated a much more aggressive

and combative approach than the father of containment, George Kennan, had likely intended.<sup>1</sup> Arguing that the Soviets, driven primarily by communist ideology, were set on world domination, NSC-68 concluded that only American military strength could check the Russian juggernaut. Part of this military muscle, the memorandum stated, would take the form of a new, “super” hydrogen bomb. Expressing no attempt either to quell the burgeoning arms race between the United States and the Soviet Union or to slow the rush toward Soviet-American conflict, NSC-68 portended a further polarized, bellicose, and frightening future.

One did not have to wait long, moreover, for such a future to arrive. On June 25, 1950, North Korean communist forces crossed the thirty-eighth parallel into South Korea, sparking what would be a three-year, bloody, Cold War battle. Understanding the threat that the North Koreans (possibly with Soviet or Chinese support) posed, Truman immediately committed American troops to action. While the goal of the war had originally been to restore the status quo, in September Truman made the crucial decision to move beyond containment, sending American troops north of the thirty-eighth parallel with the intention of restoring all of Korea under an anticommunist, pro-American regime. The decision had disastrous results as Chinese forces, with the hesitant consent of Soviet Premier Joseph Stalin, entered the war in October, increasing the war’s fatalities and significance in the process.

China’s intervention in the Korean War, combined with the general policy of NSC-68, provoked a reformulation of American policy toward all of Asia. From the end

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<sup>1</sup> George Kennan had indeed resigned over NSC-68. In his place, Secretary of State Dean Acheson appointed Paul Nitze, a veteran hard-liner, to head the State Department’s Policy Planning Staff and oversee the writing of NSC-68.

of World War II until the Communist victory in 1949 American officials, while certainly showing partiality toward the Chinese Nationalists (GMD), had shied away from preventing a Communist victory by any means necessary. Most officials understood the inevitability of a Communist takeover and few in Washington liked or trusted GMD President Jiang Jieshi and his corrupt Nationalist regime. With the Communists consolidating power in October – and no doubt with the Soviet atomic bomb in mind – American inhibitions regarding a more aggressive policy suddenly disappeared. Reinvigorated, Truman officials poured more money and resources into the weak, illegitimate GMD government now entrenched on the island of Taiwan. More dramatically, Washington began organizing covert missions over mainland China, often with the assistance of the GMD, designed to incite resistance or uprisings against the Communist regime. While the extent of these missions was still small in 1949 and 1950, by the end of Truman’s administration and the beginning of Eisenhower’s, they had become a significant component of the American arsenal. The new, aggressive approach, moreover, was not confined to China; Mao’s victory provoked American aid to vulnerable nations throughout Asia. As Michael Schaller points out, American foreign policy in Asia became “a knee-jerk reaction” as Washington poured money and resources into any regime that found itself under threat of communist takeover.<sup>2</sup>

At home, the upsurge of Cold War turbulence divided the American people. Frightened by the rapid successes of foreign communism, conservatives demanded protection of American interests. The China Lobby, which had made its presence felt since 1947, exploded to the scene in late 1949, following the CCP victory. The coalition,

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<sup>2</sup> Michael Schaller, *United States and China in the Twentieth Century*, Second Edition (New York: Oxford University Press, 1990), 144

set on restoring the GMD to mainland China, pressed Congress for aggressive action and came down hard on anyone advocating a more moderate policy. Further, Cold War fears frequently led conservatives to suspect government officials and American citizens of disloyalty or treason. Alger Hiss and Julius and Ethel Rosenberg made headlines for their alleged involvement in the Soviet conspiracy, and a young congressman, Richard Nixon, earned national celebrity for his role in weeding out such individuals. Like Nixon, the nation's fear of communism catapulted Joseph McCarthy, a virtually unknown Republican senator, to national stardom. Maintaining the simple, but unfounded, claim that American communists had contaminated the State Department and other governmental agencies, McCarthy likely did more than any other American to bring the conflict between communism and democracy onto American soil. For two years, McCarthyism dominated domestic politics, polarizing Washington and intensifying the public's fear of communism.

Despite the Truman administration's own significant crusade against the communist threat – at home and abroad – the prolonged stalemate in Korea and the vitriolic accusations that conservative Republicans were flinging proved too much for the Democrats to bear; the 1952 election ushered in Republican Dwight D. Eisenhower to the White House and Republican majorities in both houses of Congress. The change in power did little to ease the rising tensions. Even with the death of Stalin in 1953 and the Senate's censure of McCarthy in late 1954, the Cold War remained a strong force in both international and domestic politics. Both Eisenhower's campaign promise to "go to Korea" and his administration's agenda of K<sub>1</sub>C<sub>2</sub> (Korea, corruption, communism) demonstrated the continuing importance of American strength and the survival of



democratic institutions. Further, while President Eisenhower himself may have represented a moderate sect of the Republican Party, his appointment of the staunch anticommunist John Foster Dulles as Secretary of State eliminated any thought that he would usher in a passive approach to foreign policy that would avoid the moralistic, uncompromising, and aggressive form of anticommunism supported by so many contemporary American officials.

It was in the midst of this chaotic and tense environment that, on November 23, 1954, Washington officials received word from Beijing that the Chinese<sup>3</sup> were holding two Americans prisoner after having convicted them of working for the Central Intelligence Agency (CIA). Assumed by family and friends to have been dead for some time, John Thomas Downey and Richard George Fecteau had been in China since November 29, 1952, after their plane had gone down in the third year of the Korean War and Chinese officials had captured the two men. On November 23, after two years in a Chinese jail, a Chinese court had handed down life and twenty-year sentences to Downey and Fecteau, respectively. American officials, led by Secretary of State Dulles, lashed out against the charges immediately, refuting them as “reprehensible” and “without foundation.”<sup>4</sup> Dulles adamantly insisted that the men’s mission had been legitimate, their imprisonments unjust. Conversely, Chinese officials pointed to concrete evidence to

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<sup>3</sup> For the remainder of the paper, the terms “Chinese” and “China” will be used interchangeably with the terms “Chinese Communists” and “PRC,” respectively. The terms “GMD” or “Chinese Nationalists” will be used when referring to Jiang Jieshi Taiwanese government.

<sup>4</sup> Saltzman to American Embassy in London, 25 November 1954, 611.95A241/11-2554, RG 59, North Korea Files, Box 2886; “United States Government Text Which the Government of the United Kingdom Was Requested to Transmit to the Chinese Communist Foreign Office, 26 November 1954,” RG 59, North Korea Files 1950-1954, Box 2886.

prove their case and demanded professions of guilt and apology from Washington. For almost twenty years, American and Chinese officials failed to find a middle ground in regard to the prisoners, leaving Downey and Fecteau to remain in jail. The international fiasco did not end until February 1973, at the height of Sino-American détente, when President Richard Nixon finally linked the two men to the CIA and the Chinese consequently released John Downey from prison.<sup>5</sup>

Knowing now, a half-century after the episode began, that Downey and Fecteau were indeed CIA agents, it is important to examine whether such information was known by top U.S. State Department officials in 1954, or even earlier. If the employment of the two men were, in fact, known within the State Department the question remains why officials did not publicly disclose this information for two decades. If United States officials, specifically Secretary of State Dulles, knew the true identity of Downey and Fecteau and opted not to concede that information to the Chinese, then it would appear that American policy had sacrificed the freedom of two American citizens both to promote an anticommunist Cold War agenda and to save face in light of an international blunder.

## II

At least since 1973 the American public has known the true employment of Downey and Fecteau, and that the executive branch purposefully orchestrated a cover-up. Scholars who have discussed Downey and Fecteau, however, have not adequately dealt with this aspect of the case. Generally, studies of the Downey and Fecteau affair divide

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<sup>5</sup> The Chinese released Richard Fecteau in December 1971.

into three categories. The first of these groups focuses on the two men in the context of the development and deployment of covert operations in Asia during the Cold War. In 1983 William Leary published *Perilous Missions*, a superb work on Civil Air Transport (CAT) and its coordination with the CIA.<sup>6</sup> Thirteen years later John Prados published *Presidents' Secret Wars* and William Breuer published *Shadow Warriors*, two comprehensive studies on U.S.-supported covert activity throughout the Cold War.<sup>7</sup> All three books do an excellent job of tracing the careers of Downey and Fecteau, providing detailed accounts of their training and their missions. Though scholarly in research and content, and crucial to understanding the complexities of American espionage during the Cold War, the books do not tell a complete story of the two men. Focusing exclusively on Downey and Fecteau's flight, none of these works sufficiently discusses the role of the United States government in denying to the American public the truth about Downey and Fecteau's employment.

A second category of books concerns the policies of the United States and China during the Cold War, and the effect of those policies on the Downey-Fecteau affair. Unlike the books mentioned in the first category, these books attempt to give some insight into Washington's deceitful and ineffective approach on the prisoner issue. Few of these works, however, do so sufficiently. Two classic studies, Richard Deacon's *The Chinese Secret Service*<sup>8</sup> and David Wise and Thomas Ross's *The Invisible Government*<sup>9</sup>

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<sup>6</sup> William M. Leary, *Perilous Missions: Civil Air Transport and CIA Covert Operations in Asia* (University of Alabama Press, 1984).

<sup>7</sup> John Prados, *Presidents' Secret Wars: CIA and Pentagon Covert Operations From World War II Through the Persian Gulf* (Chicago: Elephant Paperbacks, 1996); William B. Breuer, *Shadow Warriors: The Covert War in Korea* (New York: John Wiley & Sons, Inc., 1996).

<sup>8</sup> Richard Deacon, *The Chinese Secret Service* (New York: Taplinger Publishing Co.,

are representative of this weak historiography. For one thing, discussion of Downey and Fecteau rarely takes up more than a page or two in the entire book. Such a limited discussion makes comprehensive analysis almost impossible. For example, in discussing Downey and Fecteau, Deacon jumps from Dulles's public outrage in 1954 to Downey's release in 1973, leaving out the bulk of relevant and intriguing information.<sup>10</sup>

A more fundamental weakness in most of these books, moreover, is the writers' decisions (avoidable or not) not to draw from governmental records in their research; historians dealing with this topic have relied almost exclusively on newspaper articles and secondary sources. The result of this research is that these books actually reveal very little that was not already known to the public. For instance, in *The Chinese Secret Service* Deacon probes into Dulles's unwillingness to admit to the Chinese the true nature of Downey and Fecteau's employment, lest the United States lose face on the international stage.<sup>11</sup> Deacon's discussion, while accurate and helpful in understanding the ensuing government cover-up, is based entirely on newspaper articles not governmental records. Likewise, in *The Invisible Government*, written in the midst of the Downey-Fecteau affair, Wise and Ross "uncover" information that was readily available to the public. Throughout the book, the authors discuss some of the case's contradictions – such as various allegations from government officials and American students that Downey and Fecteau were indeed CIA agents. These revelations, as critical as they were to debunking the American cover story, are based solely on secondary source material

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Inc., 1974).

<sup>9</sup> David Wise and Thomas B. Ross, *The Invisible Government* (New York: Random House, 1964).

<sup>10</sup> This succinct discussion can be found in Deacon, *Chinese Secret Service*, 370-372.

<sup>11</sup> See *ibid.*, 371.

and newspaper articles.<sup>12</sup> Deacon, Wise, and Ross truly cannot be blamed for their limited research, since they wrote their books while much of the useful governmental material remained classified, and in the case of Wise and Ross before the Chinese had even released Downey and Fecteau. Regardless, nearly all recent works on American policy on the prisoners draw from these earlier sources, and thus these deficiencies need to be remedied.

The third category of books consists of personal accounts by Americans who found themselves in Chinese prison alongside Downey and Fecteau. Wallace Brown and Steve Kiba, both members of an Air Force crew captured by the Chinese shortly after Downey and Fecteau, and imprisoned for a time with the men, wrote books chronicling their experiences. Unfortunately, these books, clearly unique in their access to undocumented information, fail to tell sufficiently the story of Downey and Fecteau. Kiba's *The Flag*,<sup>13</sup> representative of this type of study, is a strident narrative, composed almost entirely of mundane and often offensive dialogue (supposedly verbatim), and no scholarly analysis. Further, having no possible knowledge of the parallel events ensuing in Washington or Beijing, Kiba's work lacks both context and significance, contributing only to the reader's understanding of the inhospitable conditions of a Chinese prison cell.

By far the best work to date on the Downey-Fecteau case – yet not wholly satisfying - is Ted Gup's *The Book of Honor*.<sup>14</sup> Unlike other historians writing on this topic, Gup attempts to combine both the military and political aspects of the Downey-

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<sup>12</sup> See Wise and Ross, *Invisible Government*, 108.

<sup>13</sup> Steve E. Kiba, *The Flag: My Story: Kidnapped in China* (Bloomington, Indiana: 1<sup>st</sup> Books Library, 2002).

<sup>14</sup> Ted Gup, *The Book of Honor: The Secret Lives and Deaths of CIA Operatives* (New York: Anchor Books, 2001).

Fecteau case into a readable narrative. While Gup chronicles the life stories of several CIA operatives, his detailed discussions of Downey and Fecteau comprise a major portion of the book. Further, Gup investigates aspects of the case that most historians have simply ignored, including the visits to the PRC by the prisoners' families, high-level meetings in Washington regarding the men, and post-release events related to the imprisonments. In this respect, Gup tells a relatively comprehensive and insightful story, following the Downey-Fecteau case from its origins in the early 1950s to its intriguing finale in the early 1970s.

What ultimately makes Gup's book unsatisfying is that he ignores the numerous, previously classified government documents that shed so much light on the Downey-Fecteau case. Writing in 2001, moreover, Gup potentially had access to this material. To his credit, Gup does frequently refer to NSC and CIA memoranda (which surprisingly and unfortunately, lack citation) but these documents do not address the crucial issue of the State Department cover-up. For this reason, Gup's discussion of government policy as it applied to Downey and Fecteau, while more elucidating than most historians' contributions to the topic, fails to tell the entire story.

The story of Downey and Fecteau is one that needs to be told in full. Not only does this require historians to focus on both the military and political aspects of the case and draw from relevant primary material, but also to tell the Downey-Fecteau story in the context of the Cold War. The fluctuations in the Sino-American relationship between 1952 and 1973 go far in explaining the turbulence of the Downey-Fecteau affair. Thus, the story of Downey and Fecteau is, to a large extent, a story of China and the United

States in the post-World War II era, a seemingly obvious aspect of the narrative that most historians have not fully explored.

## Chapter 1: A “Fantastic and Conflicted” Reality, 1954-1957

The November 23, 1954 Beijing radio broadcast picked up by Washington officials announced that the Chinese were holding thirteen Americans accused and convicted of “espionage.” The Chinese had sentenced the guilty Americans to prison terms ranging from four years to life. United States Air Force Colonel John Knox Arnold and his crew accounted for eleven of these men. American officials identified the remaining two men as twenty-four year old John T. Downey and twenty-seven year old Richard G. Fecteau.<sup>15</sup>

Following the broadcast, Washington and Beijing officials set to work arguing their cases to international and domestic audiences. Though discussing the same series of events that involved the same individual Americans, the Chinese and American governments quickly realized they were developing two very different versions of the same story. Not only did Washington and Beijing fail to find common ground in regard to the physical details of the prisoner cases, but also in the manner that the two nations hoped to resolve the affair. In this latter regard, American government officials, knowing that at least some of the imprisoned men were guilty, set out to resolve the ordeal by both alienating the Chinese and intentionally burying the case in ambiguity and deceit. On the other hand, the Chinese government – despite the existence of hard evidence to verify its case – proved, for a time, to be more lenient. During the first few years of the prisoner

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<sup>15</sup> John Foster Dulles to American Consul in Geneva, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886; “13 Americans Get Terms Up to Life as Spies in Peiping,” *New York Times*, 24 November 1954, 1.



affair Chinese officials were more willing to negotiate with Washington and they worked toward managing the prisoners' releases through acts of compromise.

## I

Upon learning of the men's imprisonments, Secretary of State John Foster Dulles lashed out against the Chinese for two reasons; first because he considered the imprisonments to be based on "trumped up charges," and second because despite the fact that the men had been Chinese prisoners for nearly two years, the Chinese broadcast of November 23 was the "first word" on the issue heard by American officials.<sup>16</sup> Surely, China's delay in relaying information to the United States regarding the imprisonments aggravated American officials. President Dwight D. Eisenhower believed the Chinese had, in fact, deliberately timed the announcement to cripple America's international standing.<sup>17</sup> It was the "wrongful" detentions themselves, however, which truly fueled American animosity. Responding to all the convictions, the U.S. government issued an official statement insisting that the Chinese were holding the Americans "without foundation" and demanding their releases. Furthermore, due to the fallacious and mean-spirited nature of the Chinese charges and the consequent imprisonments, Washington

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<sup>16</sup> This second complaint was only in regard to Downey and Fecteau. At a June meeting in Geneva Chinese officials had admitted holding the Arnold crew in prison, but they had not mentioned Downey and Fecteau at that time.

<sup>17</sup> This refers to a statement of Eisenhower's in which he questions whether the announcement was delayed to provoke the United States into action that would "divide" the U.S. from its allies of "free governments." "The President's News Conference of December 2, 1954," *Public Papers of the President of the United States, Dwight D. Eisenhower*, 1954 (Washington, D.C.: Government Printing Office, 1960), 1075 (hereinafter *PPDDE*, and year).

demanded both “compensation” and the “punishment of the Chinese Communist officials responsible for the denial of the rights of” the prisoners.<sup>18</sup>

Throughout government circles, Americans widely accepted and reiterated such a passionate and hostile response to China’s actions. Responding to the imprisonment of Captain Elmer Llewellyn, a member of Arnold’s crew, Montana senator Mike Mansfield chastised the Chinese for “their total disregard of all the elements of decency.” He urged Dulles to “do everything in your power to see that this wrong...be righted.”<sup>19</sup> Congressman Thomas Lane of Massachusetts, too, sent the Secretary a letter informing Dulles of his frustration. Representing Lynn, Massachusetts, Fecteau’s hometown, Lane passionately argued for an aggressive response to China’s actions. He saw “Force” as the only reasonable solution to the problem, and thus if the “Chinese Reds” did not release the thirteen Americans within “one week,” Lane suggested supporting Jiang Jieshi and the GMD in “counter-offensive actions against the Chinese mainland.”<sup>20</sup> It is ironic that the solution Lane suggested for the release of the prisoners was strikingly similar to the charges of which Downey and Fecteau were initially accused and convicted. Downey’s congressman, Thomas Dodd of Connecticut, exhibited a passion and demand for action comparable to Mansfield and Lane. Like his fellow legislators, Dodd expressed his aggravation over “[t]his outrageous breach of international law and of the rules of human decency.” While Dodd did not share Lane’s desire for uncompromising aggression, he

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<sup>18</sup> Dulles to American Consul in Geneva, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886; Saltzman to American Embassy in London, 25 November 1954, 611.95A241/11-2554, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>19</sup> Senator Mike Mansfield to Dulles, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>20</sup> Congressman Thomas Lane to Dulles, 24 November 1954, 611.95A251/11-2454, RG 59, North Korea Files 1950-1954, Box 2887.

did advocate moving “beyond the line of diplomatic protest”; this, however, would take the form of trade embargoes or naval blockades, not attacks on mainland China. Dodd did not want to “bring [the United States] into armed conflict” with the PRC. The cautious congressman quickly qualified his weariness over aggression, however, by insisting that the PRC would “only respect strength.”<sup>21</sup>

Responding to Congressmen Lane and Dodd, Assistant Secretary of State Thruston Morton agreed with the men’s “indignation at the outrageous and illegal action of the Chinese Communists.” Further, he promised the congressmen that the U.S. government would do everything possible to free the thirteen Americans. Morton even questioned the effectiveness of Dodd’s proposal to tighten trade embargoes on China (and presumably other non-militant tactics), contending that they would never, “even if successful, provide the kind of immediate and compelling pressure needed to free the detained Americans.”<sup>22</sup> Clearly the State Department was considering a more immediate, aggressive response to the prisoner issue.

The public calls for strong action echoing throughout Washington should have been expected in light of the malevolent nature of Sino-American relations throughout the 1950s. The militant tone of the congressmen’s and Morton’s correspondence, however, produced a slightly misleading portrayal of actual State Department policy. Dulles did not want outright war with China. The plethora of calls for revenge and punishment for the imprisonments existed only in public speeches and correspondence

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<sup>21</sup> Congressman Thomas Dodd to Eisenhower, 30 November 1954, 611.95A241/11-3054, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>22</sup> Thruston Morton to Lane, 1 December 1954, 611.95A241/12-154, RG 59, North Korea Files 1950-1954, Box 2886; Morton to Dodd, 9 December 1954, 611.95A241/12-954, RG 59, North Korea Files 1950-1954, Box 2886.

with concerned Americans, never in classified memoranda or private meetings. The aggressive, jingoistic language of Washington's response to the imprisonments should thus be understood more as a political tactic to sooth a frustrated and anxious public than as a direct call for military action.<sup>23</sup> This did not mean that Dulles sought peace with China, only that he was not an extremist. The Secretary of State was, nonetheless, an uncompromising anticommunist, and his uncooperative response to the Chinese broadcast – while not a call for war – assured that peaceful resolution was not in the near future. This stubborn, politicized, and hostile approach to the prisoner issue remained a key component of American policy until the 1970s. While U.S. presidents and secretaries of state never seriously considered going to war over the prisoners, they made certain – through public attacks, snubs, and ineffective policy – that Sino-American cooperation on the prisoner issue was not an option either.

## II

Aside from this passionate – though hollow – rhetoric, State Department officials quickly got to work formulating an actual course of action on the prisoner issue. The result, in the months following China's broadcast, were two distinct policies regarding the two groups of American prisoners. American officials agreed that all thirteen men had been on legitimate flights at the times of their capture and consequently, that the Chinese had acted criminally when they imprisoned all the Americans. Aside from these

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<sup>23</sup> Nancy Bernkopf Tucker makes a similar point in regard to American policy toward Taiwan in “John Foster Dulles and the Taiwan Roots of the ‘Two Chinas Policy’,” in *John Foster Dulles and the Diplomacy of the Cold War*, ed. Richard H. Immerman (Princeton, New Jersey: Princeton University Press, 1990), 240.

significant similarities, however, Washington officials approached the two cases in different ways.

In the case of Colonel Arnold and crew, American officials insisted that the eleven men belonged to the U.S. Air Force and that their mission had been a direct component of the United Nations-led fight in the Korean War. As such, officials claimed that the men were traditional prisoners of war and should be released as stipulated in the Korean Armistice Agreement. This approach promised not only the release of the prisoners, but also the chance to cast the Chinese as uncooperative or even criminal. Even if Washington's strategy failed to secure the release of the men, such a policy ensured that the American public would view Beijing, not Washington, as the source of failure.

Supporting such a policy, Far East Air Force Headquarters reported that in the early evening of January 12, 1953, Arnold and crew, all members of the 581<sup>st</sup> Air Re-Supply and Communications Wing of the U.S. Air Force, departed Yakota Air Force Base in Japan on "a routine leaflet-dropping mission over North Korea."<sup>24</sup> Designed to disseminate "psychological warfare materials," Arnold's mission appeared to American officials a "legitimate military operation" in wartime.<sup>25</sup> Further, American officials

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<sup>24</sup> Memorandum on "Air Force Prisoners of War in Communist Hands," prepared by Millard Young for Charles A. Sullivan, 26 November 1954, 611.95A241/11-2654, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>25</sup> Walter P. McConaughy to American Ambassador New Delhi, 31 December 1954, 611.95A241/12-2854, RG 59, North Korea Files 1950-1954, Box 2886; Henry Cabot Lodge to State Department, 20 December 1954, *Foreign Relations of the United States 1952-1954*, Vol. XIV, Part I (Washington, D.C.: Government Printing Office, 1985), 1041-42 (hereinafter *FRUS*, year, and volume).

pointed out that the crewmembers were in full Air Force uniform, and were carrying all the necessary identification and documentation associating them with the UN mission.<sup>26</sup>

Near midnight American radar had spotted the crew's B-29 being "attacked by twelve enemy fighters."<sup>27</sup> Washington officials insisted the attack was not the result of the American plane straying over the North Korean-Chinese border, citing "radar evidence" that showed Arnold's plane "12-15 miles south of the Yalu [River]" when the PRC fighter planes had "intercepted" it.<sup>28</sup> Another official report corroborated such facts, placing the aircraft's last location fifteen miles south of the Yalu River, near the North Korean city of Sonchon.<sup>29</sup> The obvious purpose of the American reports was to prove that Arnold's plane had not been flying over Chinese territory when Chinese forces shot it down – the argument PRC officials were presently employing. If the American crew had been over Chinese airspace (a region in which American soldiers were not supposed to be fighting), using the Korean Armistice Agreement to secure the men's releases would have proved more difficult. Thus, with radar evidence and a firm defense intact,

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<sup>26</sup> Anthony Nutting, Britain's representative to the United Nations and a close ally to the United States throughout the prisoner affair, reinforced this fact to the United Nation's General Assembly. In his December 1954 speech Nutting rhetorically questioned why eleven American fliers would be dressed in uniform if they were carrying out a covert mission in China. "Text of Speech Delivered to United Nations by Anthony Nutting," 8 December 1954, 611.95A241/12-854, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>27</sup> Memorandum on "Air Force Prisoners of War in Communist Hands," prepared by Young for Sullivan, 26 November 1954, 611.95A241/11-2654, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>28</sup> "13 Americans Get Terms Up to Life as Spies in Peiping," *New York Times*, 24 November 1954, 1, 6; Dulles to American Consul in Geneva, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886. While American officials regularly used twelve to fifteen miles as the crew's distance from the Yalu, flight navigator Elmer Llewellyn said they had been forty miles south of the North Korea-PRC border. Kiba, *The Flag*, 269.

<sup>29</sup> Memorandum on "Air Force Prisoners of War in Communist Hands," prepared by Young for Sullivan, 26 November 1954, 611.95A241/11-2654, RG 59, North Korea Files 1950-1954, Box 2886.

the American approach to the Arnold case appeared solid. The location of the plane crash, the status of the men, and the purpose of the mission all seemed to support the men's innocence – a conclusion that American officials gladly and boldly maintained.

American officials never felt or acted as confidently in regard to Downey and Fecteau. Consequently, American policy regarding these two prisoners was not as straightforward. While American officials agreed that Downey and Fecteau were on a legitimate flight at the time of their capture, this marked the only significant similarity between American policies on the two groups of prisoners. Immediately distinguishing them from Arnold's crew, American officials insisted that Downey and Fecteau were "civilian...employees [of] the Department of the Army" who had been on a routine "flight [from] Korea to Japan"<sup>30</sup> when they were "attacked."<sup>31</sup> Outside of this core argument – and the unwavering support for Downey and Fecteau's innocence – American policy regarding the two men was immersed in confusion. President Eisenhower succinctly described this ambiguity at a press conference soon after the Chinese broadcast, describing Downey and Fecteau's status as "cloudy."<sup>32</sup>

Two reasons lay behind this haziness. First, American officials found themselves unable to prove convincingly their side of the Downey-Fecteau case due to the absence of concrete evidence such as radar reports. This lack of evidence proved especially frustrating when American officials were forced to explain why Downey and Fecteau's plane had crashed in China, a location over which they should not have been flying.

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<sup>30</sup> Such a label first appeared in Dulles to American Consul in Geneva, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>31</sup> "United States Government Text Which the Government of the United Kingdom Was Requested to Transmit to the Chinese Communist Foreign Office, 26 November 1954," RG 59, North Korea Files 1950-1954, Box 2886.

<sup>32</sup> "The President's News Conference," 2 December 1954, *PPDDE*, 1954, 1083.

Unable to point to radar reports to prove the “civilians” location, American officials played dumb, claiming it was “unknown” how the plane got into Chinese hands.<sup>33</sup> Further, due to the absence of information, preliminary reports from Washington and Far East Headquarters often contradicted each other in regard to the nature or the course of Downey and Fecteau’s flight.<sup>34</sup>

Second, American officials quickly discovered the difficulty of applying the Korean Armistice Agreement to Downey and Fecteau. Unlike Arnold’s crew, Downey and Fecteau were allegedly civilians, not military men. Such a status did not make using the Armistice Agreement to secure their releases wholly useless, but did make it less appropriate. Without a firm defense intact, moreover, confused officials often placed Downey and Fecteau in discussions of traditional prisoners of war who the Chinese were legally obligated to return, but they also frequently refused to associate Downey and Fecteau with the Korean Armistice Agreement or the UN-led offensive, relying on other channels to secure the men’s returns. The question of the usability of the Korean Armistice Agreement plagued the Downey-Fecteau case for its first year, contributing to Washington’s vague and ineffective policy on the two prisoners.

### III

Helping set the stage for America’s ambiguous policy on Downey and Fecteau, Ruth Boss of Eugene, Oregon, wrote to Senator Wayne Morse in a desperate plea for more information on the two prisoners. Confused by the November 23 Chinese

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<sup>33</sup> Dulles to American Consul in Geneva, 23 November 1954, 611.95A241/11-2354, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>34</sup> This contradiction can be seen clearly in “13 Americans Get Terms Up To Life as Spies in Peiping,” “Leaflet-Dropping Mission,” *New York Times*, 24 November 1954, 6.



broadcast, Boss was mainly concerned with the fate of her brother, whom she felt was somehow linked to the two “civilians” the Chinese were allegedly holding. Though Boss herself learned very little from Washington, her inquiry helped expose not only the case’s ambiguity but also the contradictory and deceitful nature of early American policy.

Boss’s brother, Robert Snoddy, was a CAT pilot whose C-47 had supposedly “exploded in midair” in 1952. According to reports available to Boss, Snoddy and co-pilot Norman Schwartz had flown out of Seoul, South Korea on November 26, 1952 heading for Miko, Japan. Not only did the aircraft type, departure date<sup>35</sup> and city, and destination provide comparisons to Downey and Fecteau’s doomed mission, but Snoddy’s last flight report listed “the names of J. Downey, civilian, and R. Fecteau, civilian.”<sup>36</sup> From this, Boss assumed that her brother had been flying the two men at the time of the crash. Aside from that, however, Boss was completely in the dark.

Boss’s confusion, reasonably enough, stemmed from the fact that while CAT officials had informed her, “all hands perished with [Snoddy’s] plane,” Chinese officials broadcasted they had Downey and Fecteau in their possession. Moreover, in a United Press article that Boss included with her letter to Morse, a CAT spokesman alleged that the only people on board the missing C-47 were Snoddy and Schwartz. If Snoddy’s flight report were accurate, and Downey and Fecteau had been aboard the plane, Downey and Fecteau should have been dead, not in a Chinese prison. Conversely, if CAT’s allegation were true then there existed no satisfying explanation for Downey and

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<sup>35</sup> It is not entirely clear why Boss’s letter refers to the date November 26 while the date of Downey and Fecteau’s crash was November 29. It is possible that the C-47 was stationed in Korea for several days before departing.

<sup>36</sup> Ruth Boss to Wayne Morse, 25 November 1954, 611.95A241/12-354, RG 59, North Korea Files 1950-1954, Box 2886.

Fecteau's names being on the pilots' flight report. Understandably, in her letter to Morse, Boss demanded to know who was lying.<sup>37</sup>

Aside from the discrepancy between CAT and the flight report, the UP article also highlighted a contradiction between the statements coming from Washington and Far East Command Headquarters in Japan. According to Washington officials and Snoddy's flight report, Downey and Fecteau were civilian employees of the Department of Army, flying from Korea to Japan. However, soon after the doomed flight a spokesman from Far East Command Headquarters, where Downey and Fecteau presumably would have been stationed, stated there was "no record of the men in the current or retired civilian employees file."<sup>38</sup> Not only were private citizens questioning the official American position, but it appears that in the first few days following the Chinese broadcast not all American officials had been sufficiently introduced to the government's cover story. While the truth regarding Snoddy and Schwartz would not be made public for fifty years,<sup>39</sup> Boss's confusion offered a brief glimpse at the intricate government cover-up that was already underway.

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<sup>37</sup> Ibid.

<sup>38</sup> Ibid.; Dolph Janes, "UP News Release," 25 November 1954, included in Ruth Boss to Wayne Morse, 25 November 1954; 611.95A241/12-354, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>39</sup> It was not until 2002 that the U.S. Defense POW/Missing Personnel Office announced that Snoddy and Schwartz were indeed flying Downey and Fecteau on the night of their doomed mission. That same year, in an effort to put an end to the confusion surrounding Snoddy and Schwartz's role in the espionage mission, an American Army recovery team cleared a fifty square meter area in the foothills of the Changbai Mountains, where Downey and Fecteau's plane had supposedly crashed. Unfortunately, the team, while uncovering debris from a small aircraft, was unable to identify the wreckage and thus link it to the infamous C-47. John Schauble, "Search for Spy Pilots Conjures Up Spooks of a Cold War Past," *Sydney Morning Herald*, 27 July 2002, 15; Michael Dorgan, "Wreckage in China May be CIA Plane Lost in Korean War; Army is Looking for Pilots' Bodies," *San Diego Union-Tribune*, 30 July 2002, 7.

#### IV

CAT (later known as Air America) had, in fact, been in business since 1946, successfully carrying out paramilitary operations such as transporting military supplies, soldiers, and dignitaries throughout China. It was not until spring 1949 – as the GMD was nearing its inevitable defeat in the Chinese civil war– that U.S. officials first recognized the benefit of using CAT as the airline of the CIA, and the start of the Korean War in summer 1950 only amplified this potential. Pouring money into the financially weak airline, the CIA, by the end of 1949, owned CAT.

With the Chinese civil war already a lost cause, American officials used the Korean War as the true testing ground for the new acquisition. CAT fit well into America’s new military strategy – beginning under President Truman and blossoming with Eisenhower and Dulles – which placed a larger emphasis on covert operations. In July 1950 the Joint Chiefs of Staff (JCS) had recommended to the Secretary of Defense that the CIA “be authorized to exploit guerilla potential on the *Chinese Mainland* to accomplish the objective of *reducing the Chinese Communist capabilities to reinforce North Korean forces.*” Shortly thereafter, the State Department authorized the CIA to begin such activities. This authorization, coming from the State Department, the Department of Defense, and the JCS, was “affirmed and reiterated” “[f]rom time to time...during the course of the Korean hostilities.”<sup>40</sup> While this specific dialogue did not explicitly mention CAT, the covert airline was now part of the American arsenal and would be used most definitely in the pursuit of victory.

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<sup>40</sup> “Memorandum on JCS Requirements,” Attached to McConaughy to Robertson, 9 December 1954, 611.95A251/12-954, RG 59, North Korea Files 1950-1954, Box 2887.

In 1951, in line with these general orders, Snoddy and Schwartz, members of a select group of CAT pilots known for flying the most dangerous of missions, volunteered for a new CAT-CIA project known as TROPIC. Commencing in spring 1952, TROPIC flights left Japan at night in unmarked C-47s and usually dropped cargo or people over Jilin Province in northeastern China for the purpose of stirring up resistance or establishing communication networks.<sup>41</sup> In November 1952, however, Snoddy and Schwartz were to embark on a much more dangerous, and far less perfected mission of an in-flight pickup. Traditionally, if CAT pilots needed to retrieve a Chinese agent, the American fliers would land their plane in China and proceed with the pickup. The process was time consuming and agents increased their risk of capture. A new procedure, however, allowed pilots to pick up agents without ever landing the plane. To execute the new technique, the grounded agent would be harnessed to a strong wire, stretched tautly between two poles. The airplane crew, flying at sixty miles per hour, would hook onto the wire, hopefully lifting up the agent in the process. While practice runs had shown this type of retrieval to be feasible – though failure could mean decapitating the grounded agent – the November flight was to be the first real test.<sup>42</sup>

Accompanying Snoddy and Schwartz on November 29 would be two CIA agents – John Downey, who had often joined Snoddy and Schwartz on their previous flights over China, and Richard Fecteau, a relatively inexperienced intelligence officer. Using the new technique, the four men planned to pick up Li Chun-ying, a Chinese agent who, since October, had been observing the action of a resistance team.<sup>43</sup> The flight had,

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<sup>41</sup> Prados, *Presidents' Secret Wars*, 73.

<sup>42</sup> Breuer, *Shadow Warriors*, 217.

<sup>43</sup> Leary, *Perilous Missions*, 139-40.

unfortunately, been doomed before the four Americans had even taken off. Chinese forces had already captured the Chinese resistance team and the agents had consequently disclosed the plans of the Downey-Fecteau mission. Three hours after the plane took off from Seoul Snoddy and Schwartz were dead from Chinese gunfire and Downey and Fecteau had been captured.<sup>44</sup>

## V

Though few high-level American officials were aware of Ruth Boss's specific inquiry, they all were very sensitive to the fact that the contradictory (and fallacious) statements currently circulating about Downey and Fecteau would make it difficult to formulate a coherent policy on the men. Commenting on the grueling task ahead of him, Assistant Secretary of State for Far Eastern Affairs Walter Robertson noted that he could not conceive of any policy "that would not raise more problems than it would solve." Concurring with Robertson's dreary assessment, Dulles maintained that the only acceptable course of action was to "play everything down."<sup>45</sup> Ideally, such a policy would limit confusion, embarrassment, and conflict. This indeed was the crux of a December 1954 State Department memorandum written by Walter McConaughy, Director of the State Department Office of Chinese Affairs.<sup>46</sup> Provoked by the question

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<sup>44</sup> Ibid., 138-40; Wendell L. Minnick, *Spies and Provocateurs: A Worldwide Encyclopedia of Persons Conducting Espionage and Covert Action, 1946-1991* (Jefferson, North Carolina: McFarland & Company, Inc., 1992), 57.

<sup>45</sup> Robertson-Dulles telephone conversation, 27 December 1954, 1:20 p.m., John Foster Dulles Papers, Eisenhower Library 1951-1959, Telephone Conversation Series, Box 3, Folder 3.

<sup>46</sup> McConaughy sent the memorandum to Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs. The memorandum was based on the discussions between Mr. McConaughy, Mr. Wisner, and Mr. Godel. Memorandum on "Treatment of Cases of

of whether revealing a “fuller description” of Downey and Fecteau’s mission would assist American officials in their quest toward an effective course of action, the memorandum laid the foundation for a policy of evasion, ambiguity, and deceit that would remain intact for the next fifteen years.

The memorandum forwarded several reasons as to why it would be “highly questionable” for Washington officials to reveal more fully the nature of Downey and Fecteau’s flight. First, it noted that the two men’s mission was “different” from that of Colonel Arnold’s crew. The Chinese, who had given the Air Force men shorter prison terms, had apparently determined some type of distinction between the crews, and the Americans reinforced again and again that Arnold’s crewmembers were military men. Due to the real difference between the two crews, and the fact that Washington officials considered themselves in an “excellent position” on the Arnold case, the memo argued that any further revelation regarding Downey and Fecteau would be detrimental on the whole. If anyone were to discover that the U.S. government had not been completely honest from start regarding Downey and Fecteau, Chinese, UN, and other foreign officials would naturally doubt Washington’s sincerity in regard to the eleven Air Force men whose imminent release appeared possible.<sup>47</sup>

Second, the memo intimated that initial “official” statements regarding Downey and Fecteau had not been entirely accurate, a revelation of which Ruth Boss was painfully aware. A “fuller revelation,” therefore, would create further contradictions, “seriously weaken[ing] [America’s] stance.” Even worse, the memo noted that such a

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Downey and Fecteau,” Walter P. McConaughy to Walter S. Robertson, 9 December 1954, 611.95A251/12-954, RG 59, North Korea Files 1950-1954, Box 2887.

<sup>47</sup> Ibid.

revelation “might seem to put the Chinese Communists in a less unfavorable light.” Full disclosure might actually allow PRC officials to “argue, with some plausibility” that Downey and Fecteau’s prison sentences were “lighter” than they could have been in such circumstances.<sup>48</sup>

Third, in accordance with the “long-established” custom “of all countries,” the memorandum insisted that the full nature of such operations should never be disclosed. It can only be assumed that the “operations” to which the memorandum refers are covert espionage activities. Calling for “official silence,” the memo suggested that Washington officials should not be compelled to reveal anything further regarding Downey and Fecteau since such matters were the concern only of the U.S. government.<sup>49</sup>

Finally, revealing fuller details should be avoided, the memo argued, because such disclosure “would be difficult” to defend domestically. Officials worried that by acknowledging that Downey and Fecteau were CIA agents on an illegal flight over China, it would appear that they “were going out of [their] way to incriminate these men and seal their fate.”<sup>50</sup> For the sake of the Eisenhower administration, therefore, U.S. officials should continue to deny culpability. It is ironic that State Department officials believed releasing a “fuller description” would prolong the men’s imprisonments, when it would later prove to be their unwillingness to do so that guaranteed lengthier sentences.

With the dangers of full disclosure and the inherent problems of the Downey-Fecteau case clearly in mind, McConaughy laid out in the memorandum’s conclusion the basis of America’s official policy on the two prisoners. He insisted it would be ideal for

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<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

American officials to assert that Downey and Fecteau had been involved in a “mission...directly connected with the UN effort,” without “going to the lengths of a full revelation,” but he understood that this would be difficult: “Inevitably curiosity would be aroused in the UN as to the precise nature of their mission.” Regardless of such difficulty, McConaughy suggested that American officials maintain that exact stance. To deal with any awkward situations that might consequently arise, the memo suggested American officials “evade” the inevitable questions and stand firmly behind Downey, Fecteau, and Washington’s official position.<sup>51</sup>

As opposed to American policy regarding the Arnold crew – which required a full and detailed explanation of the mission in question – disclosure appeared to be detrimental to the success of American policy on Downey and Fecteau. Such a policy, while effective in upholding a façade of American innocence and Chinese cruelty, did little to resolve the fundamental issues of the case or hasten the release of the two American prisoners. Despite its ineffectiveness, American officials would, for the next fifteen years, remain faithful to its tenets of evasion and deceit.

## VI

The Chinese versions of the Arnold and Downey-Fecteau cases obviously differed greatly from Washington’s positions. Initial Chinese reports in late 1954 indicated that the Chinese had charged twenty-two men (thirteen Americans and nine Chinese) with espionage activities. According to the Chinese, two of the Americans, John Downey and Richard Fecteau, had “stealthily crossed the Chinese border” in a C-47 aircraft before

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<sup>51</sup> Ibid.



Chinese forces shot down their plane on November 29, 1952.<sup>52</sup> One and a half months later, the reports continued, Chinese forces shot down Colonel John Arnold's plane in a similar fashion, leaving the Air Force men stranded in China's Liaoning Province.<sup>53</sup> The Chinese quickly charged the latter crew with the near identical crime of "having sneaked" into China in order "to conduct espionage activity." Further incriminating the Air Force men, the Chinese alleged that Arnold's 581<sup>st</sup> U.S. Air Re-Supply and Communications Wing was one of several American "special air wings" that routinely cooperated with the CIA in carrying out "criminal activities against China and the Soviet Union."<sup>54</sup> While indisputably on different flights, the Chinese considered Downey and Fecteau, and the eleven Air Force men all to be American espionage agents.

Aside from significant Chinese assumptions regarding the nature of the thirteen men's employment and missions, substantial physical evidence "fully prove[d]" to the

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<sup>52</sup> Charged along with Downey and Fecteau for espionage against China, the Chinese defendants Hsu Kwang-chih, Yu Kwan-chou, Wang Wei-fan, and Wang Chin-sheng, were sentenced to death; Chang Tsai-wen, Luan Heng-shan, Chung Tien-hsing, and Li Chun-ying, were sentenced to life in prison; and Niu Sung-lin was sentenced to fifteen years in prison. "Judgment of Military Tribunal on US Spies in the Downey-Fecteau Espionage Case," translated in *People's China*, no. 24: 6-8, 16 December 1954, found in Jerome Cohen and Hungdah Chiu, *People's China and International Law: A Documentary Study*, Volume I (Princeton, New Jersey: Princeton University Press, 1974), 625, 628.

<sup>53</sup> Following the Arnold crew's imprisonment, the U.S. government determined three members of the original Air Force crew – Paul Van Voorhis, Henry Weese, and Alvin Hart – to be dead. Crewmember Steve Kiba, however, insists that he saw Van Voorhis months after his imprisonment. By Kiba's own admission, however, he was the only one to see Van Voorhis; the official report on the missing prisoner is still that he was killed in action. Contradictory reports on the fate of Van Voorhis can be seen in "Enclosure 'C'" of memorandum on "Air Force Prisoners of War in Communist Hands," prepared by Young for Sullivan, 26 November 1954, 611.95A241/11-2654, RG 59, North Korea Files 1950-1954, Box 2886, and Steve Kiba, *The Flag*, 300.

<sup>54</sup> "Full Text of the Judgment of the Military Tribunal of the Supreme People's Court of the People's Republic of China on 11 U.S. Spies in the Arnold-Baumer Espionage Case," 3 December 1954, 611.95A241/12-354, RG 59, North Korea Files 1950-1954, Box 2886.

Chinese the guilt of the defendants.<sup>55</sup> On board both planes, parts of which had been recovered after the respective crashes, PRC officials discovered substantial “evidence of espionage.” From the salvaged sections of the two planes, on display in Beijing, Chinese officials had recovered “secret code books...sub-machine guns and revolvers, wireless receiving and transmitting sets for use on [the ground],” a “map of...Kirin [Jilin],” devices “for retrieving agent from [the] ground” and “implements for making fake passports.”<sup>56</sup> To reduce any doubt within Washington of the authenticity of the evidence, British officials in Beijing had viewed the “exhibits” of the two planes’ wreckages, and they believed “little evidence of obvious faking” existed.<sup>57</sup>

Further convincing the Chinese officials of the men’s guilt were the alleged confessions of both Downey and Arnold to their involvement in espionage activities. According to Chinese officials, Downey had conceded that throughout 1951 and 1952 he was actively involved in training Chinese agents on the Saipan Islands, and dropping them into mainland China with the purpose of creating insurgent, guerilla warfare. Downey allegedly admitted that he had conducted three such drops in the four months preceding his 1952 capture.<sup>58</sup> PRC officials claimed Arnold had confessed as well to his

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<sup>55</sup> Ibid.

<sup>56</sup> Summary of *United Press of India* report on prisoners, Kennedy to Dulles, 30 December 1954, 611.95A241/12-3054, RG 59, North Korea Files 1950-1954, Box 2886; Butterworth to Dulles, 17 December 1954, 611.95A241/12-1754, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>57</sup> Summary of *United Press of India* report on prisoners, Kennedy to Dulles, 30 December 1954, 611.95A241/12-3054, RG 59, North Korea Files 1950-1954, Box 2886; Butterworth to Dulles, 17 December 1954, 611.95A241/12-1754, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>58</sup> Upon his release, Downey admitted to newsmen that he gave the Chinese every bit of secret information he had, but it is not clear if this confession coincided with the one alleged by the Chinese. “Downey Gave Chinese Secret Information,” *United Press International, The Evening Star and Daily News*, 14 March 1973, A-3. Corroborating

engagement “in espionage work over China.” In a “written deposition,” Arnold allegedly admitted that the unit to which he was attached had “introduced special agents and guerilla units into Communist-held areas and Communist countries.”<sup>59</sup>

While the Chinese did not obtain confessions from all the men involved, they took the confessions of Downey and Arnold, who the Chinese considered to be the “heads of two different espionage groups,”<sup>60</sup> as representative of the remaining eleven men.<sup>61</sup> Chinese officials also quickly pointed out that Downey and Arnold’s confessions verified the ongoing Chinese belief “that there had been a pattern of US espionage against China during the last seven years.” By December 1954 PRC officials insisted that the Chinese had either captured or killed 230 American “special agents” after “American espionage organization[s]” had dropped the agents into China.<sup>62</sup> Understanding that this number, despite the real possibility of exaggeration, did not include U.S. agents that proceeded undetected in China, the suspicion among Chinese officials in the Arnold and Downey-Fecteau cases seemed to have legitimate basis.

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Downey’s alleged 1952 confession were two Chinese agents, convicted along with Downey and Fecteau, who, in 1951 had joined the “Free China Movement,” a U.S. espionage organization. According to Chang Tsai-wen and Luan Heng-shan, Downey had trained them for the specific espionage mission in question. “Judgment of Military Tribunal on US Spies in the Downey-Fecteau Espionage Case,” translated in *People’s China*, no. 24 (supp.): 6-8, 16 December 1954, found in Cohen and Chiu, *People’s China and International Law*, Volume I, 626-28.

<sup>59</sup> Summary of *United Press of India* report on prisoners, Kennedy to Dulles, 30 December 1954, 611.95A241/12-3054, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>60</sup> Ibid.

<sup>61</sup> According to Fecteau in 1999, “there was no leader” between himself and Downey. The Chinese, however, decided that Downey was in charge since he had studied at Yale while Fecteau attended Boston University. Fecteau quoted in Mac Daniel, “Former POW Finds Freedom by Making Peace With Past,” *Boston Globe*, 11 July 1999, 1.

<sup>62</sup> Lodge to State Department, 20 December 1954, *FRUS 1952-1954*, Vol. XIV, Part I, 1041-42; Kennedy to Dulles, 30 December 1954, 611.95A241 /12-3054, RG 59, North Korea Files 1950-1954, Box 2886.

American action during the Geneva Conference of 1954, Chinese officials maintained, further incriminated Downey and Fecteau. Beginning in April, several months before the Chinese announced the imprisonments of the two “civilians,” American and Chinese representatives met in Geneva primarily to discuss the terms of the Korean Armistice Agreement. One component of this discussion was American and Chinese prisoners still being held by the opposing nation. During the June 10 meeting, in an effort to resolve this sticky issue, American Ambassador U. Alexis Johnson gave Chinese Ambassador Wang Ping-nan a list of civilians and military personnel who American officials “had good reason to believe were imprisoned or...detained in Communist China.” Johnson hoped the Chinese would return these individuals under the provisions of the Korean Armistice Agreement. Colonel Arnold and his crewmembers, along with dozens of other Americans were on the list.<sup>63</sup> A problem emerged, however, in that Downey and Fecteau, both of whom had supposedly been missing from action since November 1952, were not listed.<sup>64</sup> While this omission could have been due to the fact that American officials took Downey and Fecteau to be dead, the Chinese – who were currently holding the men in prison – took the absence of Downey and Fecteau’s names to signify Washington officials’ attempt to cover up or simply ignore American covert activity. Conceding that the Chinese might have Downey and Fecteau in prison

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<sup>63</sup> Soon after Johnson had given the list to the Chinese, Beijing officials admitted they were holding the eleven Air Force men. Word on Downey and Fecteau, however, did not come until November. “Background Information on United States Air Force Personnel Sentenced By Chinese Communists,” 3 December 1954, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>64</sup> Lodge to State Department, 13 January 1955, *FRUS*, 1955-1957, Volume II, China (Washington, D.C.: United States Government Printing Office, 1986), 26-30.

would, according to Chinese logic, be one step closer to admitting that the U.S. government had authorized covert activities in China.<sup>65</sup>

The Chinese case was not without its flaws. For one, some of the espionage tools on board Arnold's plane were "regular" items carried by all Air Force crews, a fact that further reinforced Arnold's traditional military status.<sup>66</sup> Further, as American officials were quick to point out, the Chinese often forced confessions from prisoners, and thus the incriminating statements of Downey and Arnold were not wholly convincing. These flaws were most significant in the Arnold case, in which the Air Force men appeared to be the victims of faulty Chinese assumptions and an unfair Chinese legal system. In the Downey-Fecteau case, however, the strengths of the Chinese case outweighed any weaknesses; regardless of China's questionable tactics, Downey and Fecteau were guilty of the espionage charges.

Not entirely convinced of a distinction between the guilt of the two groups, Foreign Minister Zhou Enlai felt "his case against the fliers was good."<sup>67</sup> Commenting on China's case, the Chinese press insisted, "beyond [a] doubt...the defendants were dropped into Chinese territory to conduct espionage activity" and "undermine the cause

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<sup>65</sup> Interestingly, American officials took the same event as evidence of Chinese maliciousness. In retrospect, many in Washington felt that Chinese officials' silence regarding Downey and Fecteau at the June meeting proved the Communists' desire to conceal the detentions from the American government and public. Such an assertion can be found in Macomber to Dirksen, 14 March 1969, RG 59, POL 7-1 US-CHICOM 1967-1969, Box 258.

<sup>66</sup> McConaughy to American Ambassador New Delhi, 31 December 1954, 611.95A241/12-2854, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>67</sup> Lodge to Department of State, 20 December 1954, *FRUS 1952-1954*, Vol. XIV, Part I, 1041-42.

of people's democracy in China."<sup>68</sup> Despite his confidence, Zhou soon made clear that he did not intend to prolong unnecessarily the Americans' imprisonments. If the United States and China could come to some understanding on the prisoner affair, Zhou insisted that the men would return home.

## VII

As the Americans quickly realized, this understanding would be difficult to achieve. Unable to reach a settlement with the Chinese in the early days of the prisoner affair, Washington officials concluded that, with the drastic exceptions of military operations or total capitulation, they had run out of unilateral options. Thus, to the credit of the Eisenhower administration, American Ambassador to the United Nations (UN), Henry Cabot Lodge quickly brought the prisoner issue into the UN. The international body moved quickly and on December 10 the UN's General Assembly (GA) passed a resolution granting Secretary-General Dag Hammarskjold the authority to obtain the release of the "eleven" men "captured by Chinese forces...on 12 January 1953" as mandated by the Korean Armistice Agreement. Stressing the legitimacy of the Armistice Agreement, the resolution condemned "the trial and convictions of prisoners of war illegally detained."<sup>69</sup>

Though Arnold's crew was likely innocent of the Chinese charges, the resolution's wording was nearly identical to the ineffective American responses that had

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<sup>68</sup> "Judgment of Military Tribunal on US Spies in the Downey-Fecteau Espionage Case," translated in *People's China*, no. 24 (supp.): 6-8, 6 December 1954, found in Cohen and Chiu, *People's China and International Law*, Volume I, 627.

<sup>69</sup> Text of UN resolution found in Andrew W. Cordier and Wilder Foote, ed., *Public Papers of the Secretaries-General of the United Nations, Dag Hammarskjold*, Volume II (New York: Columbia University Press, 1972), 417 (hereinafter *PPDH*, and volume).

followed China's November 1954 broadcast. The harsh language worried Hammarskjöld and following the adoption of the resolution he guided UN action in an unexpected direction. Despite strong support for the resolution in both the UN and Washington, Hammarskjöld aptly argued that its condemnatory and clearly politicized language would result in its ultimate failure.<sup>70</sup> Based on the body's vote on the resolution, Hammarskjöld's point had credence. Support for the December 10 decision clearly divided along communist (as well as communist-sympathizing) and non-communist lines;<sup>71</sup> its implementation would thus be an implicit sign to China of the UN's favoritism toward anticommunism. Hammarskjöld feared that the Chinese government would take the resolution as an affront and would cool to any further negotiations. To avoid this unfortunate fate, the Secretary-General made the controversial decision to deal with the prisoners by traveling to Beijing to meet directly with Foreign Minister Zhou. Tossing out the mandate of the GA resolution, Hammarskjöld made clear he was traveling to China under the authority exclusively of the UN Charter, which made him responsible for resolving any international conflict. Such a neutral strategy, dubbed Hammarskjöld's "Peking formula," would hopefully encourage Zhou, whose government the UN did not officially recognize, to speak and negotiate openly with the Secretary-General.<sup>72</sup>

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<sup>70</sup> The United States delegation had, in fact, wanted to use a more forceful tone in the resolution, but it was clear that such language would cost the U.S. support in the UN. Richard Miller, *Dag Hammarskjöld and Crisis Diplomacy* (Oceana Publications, 1961), 32.

<sup>71</sup> The Soviet delegation opposed the resolution and the Indian and Yugoslavian delegations were among those abstaining.

<sup>72</sup> Peter B. Heller, *The United Nations Under Dag Hammarskjöld, 1953-1961* (Lanham, Maryland: The Scarecrow Press, Inc., 2001), 41; Joseph P. Lash, *Dag Hammarskjöld: Custodian of the Brushfire Peace* (Garden City, New York: Doubleday & Company, Inc., 1961), 61.

The proposed meetings were not only controversial, they were also risky. Since the UN had failed to resolve the Korean conflict before it had erupted into a full-scale war, the international body lacked the credibility that many had perceived at its inception in 1945. A failed attempt at securing the American prisoners would thus bury the UN deeper in its own powerlessness. Increasing that potential for failure, many diplomats feared that the Chinese Communists, in light of their exclusion from the international body, would immediately reject any motions by the UN.

On the flip side, however, many argued that Hammarskjold had an obligation to free the prisoners. Lodge contended that the UN could not continue to function if it failed to support the American men who had fought under its auspices.<sup>73</sup> Furthermore, Hammarskjold's mission provided the UN with the opportunity to project itself back on the international scene in dramatic fashion. Optimistic officials even felt that since membership to the UN was of prime importance to the Chinese government, the Chinese would embrace Hammarskjold's efforts. The Chinese, the argument went, were more likely to welcome and respond favorably to Hammarskjold's "Peking Formula" than they would to a condemnatory UN resolution. Clearly, the end results of the Hammarskjold mission were not a given at the time of his departure nor were they a matter of trivial significance.

In spite of Hammarskjold's approach to the prisoner issue, once he had made the decision, the Secretary-General maintained Washington's support for the duration of his mission. This support, however, is surprising when one recognizes that Hammarskjold's fundamental strategy in his Beijing Mission and the language of the GA resolution itself,

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<sup>73</sup> Thomas J. Hamilton, "U.S. is Urging U.N. to Score Peiping," *New York Times*, 3 December 1954, 2.



were somewhat contrary to the policy of American officials to that point. Though he had discarded the inflammatory language of the resolution, Hammarskjold maintained its basic agenda: freeing the eleven Air Force men.<sup>74</sup> This meant that Hammarskjold would not even attempt to free the American “civilians” – Downey and Fecteau. Justifying his decision, Hammarskjold claimed it was the Air Force men who had, without a doubt, been involved in a UN-sponsored mission at the time of their capture, and thus they were the only individuals whose releases he felt obligated to secure.

It is surprising, therefore, how supportive American officials were of Hammarskjold’s coming mission. In his 1955 State of the Union Address, Eisenhower made clear his commitment to “support and strengthen” the UN, citing Hammarskjold’s mission (taking place at the time of Eisenhower’s speech) as evidence of the international body’s importance.<sup>75</sup> More specifically demonstrating an accord between Hammarskjold’s action and American policy, Lodge announced that the United States “had not asked for United Nations action concerning [the] two civilian employees of the Army [Downey and Fecteau].”<sup>76</sup> And Dulles, in a direct contradiction to earlier statements, informed the press that Downey and Fecteau “had not been under United Nations Command and therefore, they were not within the compass of United Nations action.”<sup>77</sup>

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<sup>74</sup> *PPDH*, Volume II, 417.

<sup>75</sup> “Annual Message to the Congress on the State of the Union,” 6 January 1955, *PPDDE*, 1955 (Washington, D.C.: Government Printing Office, 1959), 10.

<sup>76</sup> Lodge had clarified this point early on at a meeting with representatives of sixteen nations shortly before he brought the prisoner issue to the UN. Lodge to Dulles, 2 December 1954, 611.95A241/12-254, RG 59, North Korea Files 1950-1954, Box 2886; Hamilton, “U.S. is Urging U.N. to Score Peiping,” *New York Times*, 3 December 1954, 2;

<sup>77</sup> Dulles, Press Conference of 18 January 1955, John Foster Dulles Papers, Speeches, Statements, Press Conferences, etc., Box 333.

With their initial support of the GA resolution and by explicitly defending Hammarskjold's Beijing agenda, American officials were backing away from their original insistence that all thirteen men had been on UN-sponsored, legitimate missions at the times of their capture. While State Department officials had touched on such a distinction between the two flights in McConaughy's State Department memorandum one month earlier, that same memorandum had concluded that the best course of action would be "to assert specifically that these men [Downey and Fecteau] come within the category of 'UN personnel'."<sup>78</sup> While maintaining this stance would have proved difficult, American officials, initially, had appeared willing to try. Thus, the statements of Dulles and Lodge represented a significant shift in American policy on the prisoner issue. Moreover, by intentionally closing the one channel that seemed to offer the most hope for the prisoners, the policy change reinforced the inherent ambiguity and weakness of American action on the two "civilians."

In response to Hammarskjold's proposed mission, the Chinese surprised many observers as well when Zhou invited the Secretary-General to his country in the "interest of peace and relaxation of international tension."<sup>79</sup> On January 5, 1955, Hammarskjold arrived in China to commence his meetings with Zhou. The meetings as a whole were amicable and the men made good impressions on one another. Keeping to his proposed agenda, Hammarskjold focused all his attention on the eleven airmen in Arnold's crew. In his attempt to secure their releases, Hammarskjold did not deviate much from the basic American position, insisting that the airmen's mission had been part of the UN-led

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<sup>78</sup> Memorandum on "Treatment of Cases of Downey and Fecteau" Walter P. McConaughy to Walter S. Robertson, 9 December 1954, 611.95A251/12-954, RG 59, North Korea Files 1950-1954, Box 2887.

<sup>79</sup> "Cable from Chou-En Lai, Peking, December 17, 1954," in *PPDH*, Volume II, 423.

offensive in Korea. Under the Korean Armistice Agreement, his argument continued, the Chinese should return the men to the United States. In his effort to maintain an appearance of neutrality, however, Hammarskjold stressed that his conclusions were based on his own independent study, and implicitly not on the persuasive convictions of the U.S. government.<sup>80</sup>

According to Hammarskjold, who returned from the meetings optimistic, the talks produced two positive and significant results. First, the Secretary-General accepted Zhou's pledge that the Chinese policy of leniency was still intact and he firmly believed that the Chinese would release the airmen in the near future. Second, Zhou complied with Hammarskjold's request for substantive information on the condition of the prisoners. To this end, Zhou produced films and photographs of the prisoners displaying their good health, which Hammarskjold brought back to New York.<sup>81</sup> More significantly, Zhou offered to allow the prisoners' families (including the Downeys and Fecteaues) to visit China so they could "see for themselves how well [the prisoners] were treated," a major concern of both the Eisenhower administration and many Americans.<sup>82</sup>

## VIII

Before most Americans could even learn of Hammarskjold's accomplishments, Secretary Dulles put an end to any hopes raised by the Secretary-General's mission. In late January 1955, in response to Zhou's visa offer, Dulles decided that the United States "should deny passports to those relatives who may wish to visit American prisoners in

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<sup>80</sup> *PPDH*, Volume II, 437.

<sup>81</sup> *Ibid.*, 439.

<sup>82</sup> Lodge to State Department, 13 January 1955, *FRUS, 1955-1957*, Volume II, 26-30.

Communist China.” While he conceded that the decision “was not necessarily permanent,” the “tense” situation in China made it “imprudent” at that time to grant the relatives an exception to the general American travel policy. Dulles feared that in a flurry of chaos and violence the relatives might “be grabbed and held as a second set of hostages.”<sup>83</sup> Not only was Dulles concerned for the relatives’ physical safety, but he likely shared the common American fear of communist propaganda and brainwashing as well.

Anticipating disappointment from Americans with personal ties to the prisoners, Dulles sent letters of “sympathy and concern” to the men’s families explaining that his decision was “in the best interest of our nation” and informing them that Hammarskjold was optimistic about the prisoners’ eventual releases.<sup>84</sup> Further, Hammarskjold and Dulles distributed to the families the films and photographs of the American prisoners that showed the men “in reasonably good health.”<sup>85</sup> Even with future reports, which would publicly corroborate this positive assessment, the prisoners’ relatives could hardly have been satisfied with their government’s decision.

While Zhou’s invitation appears to have presented an opportunity to secure the releases of the prisoners – or at least ease the tension of the prisoner affair – one cannot

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<sup>83</sup> Dulles made these statements during a meeting with other high-level State Department officials on 25 January 1955, 611.93241/1-2555, RG 59, China Files 1955-1959, LM153 Roll #10.

<sup>84</sup> “Department Not Issuing Passports for Visits to Communist China,” text of letters from Dulles to families of U.S. fliers imprisoned in China, 27 January 1955, Department of State Bulletin, Volume XXXII, No. 815, p. 214.

<sup>85</sup> Minutes of meeting on relatives’ visits to Communist China, 25 January 1955, 611.93241/1-2555, RG 59, China Files 1955-1959, LM153 Roll #10. Some of the pictures showed the prisoners (the Arnold crew, Downey and Fecteau) playing volleyball and eating dinner. From Steve Kiba’s website, <<http://webpages.charter.net/kibasflag/>>, “Propaganda Photos,” accessed 7 June 2004.

blame Dulles alone for his decision. First, Dulles's decision was in line with Washington's accepted policy on travel to the PRC; his decision, therefore, was somewhat automatic. Second, there was no guarantee that allowing these relatives to visit the prisoners would have any real impact on the eventual releases of the Americans. To this point, Zhou had opted not to release any of the thirteen prisoners and past relations with the Chinese Communists had shown them to be hostile to American interests. The degree of mistrust between the two nations was exceptionally great and thus revamping American travel policy in response to a Chinese proposal would have required an enormous, and possibly unrealistic amount of faith on the part of the Americans. Despite these caveats, the explanation that Dulles gave for refusing to distribute passports seemed disingenuous. In light of the unusual nature of the prisoner ordeal, Washington could have easily provided the families passports to China while still maintaining the general ban on such travel. Granting such an exception would have allowed the United States to test China's receptiveness to Sino-American cooperation without fully reversing America's position on Asia during the Cold War. If the Chinese proved to be sincere in their efforts to end the prisoner ordeal and the trips proceeded smoothly, the United States could have pursued such channels further. If, on the other hand, the Chinese reneged on their invitations or exploited the families' visits for political reasons, American officials would have a more solid foundation on which to execute an aggressive course of action on the prisoner issue. Instead of proceeding in such a manner, however, Dulles was content to shut the door on any travel possibilities, immediately using Downey, Fecteau, and the other prisoners as "pawns" to show both

Chinese contemptibility and America's resolve to defend its citizens from such maltreatment.

Exposing further the rashness of Dulles's decision, some individuals, including Hammarskjold, felt that allowing relatives to visit the prisoners might have a "good effect" that went beyond any personal relief the visits would provide for the families. Hammarskjold had been enthusiastic upon his return from China, confident that in Zhou's invitations to the prisoners' families, he had found a way to secure the men's freedom. Based on his own experience with political prisoners and with Beijing, Hammarskjold believed that Chinese officials were likely to respond more favorably to private appeals – made by relatives during their visits to China – than they would to demands from the U.S. government.<sup>86</sup> Responding to such personal pleas would allow the Chinese to put an end to the prisoner issue without "losing face." Further, Hammarskjold believed that Zhou had "intended" the invitations "to be so regarded."<sup>87</sup> If Hammarskjold's assessment were correct, then Dulles's decision to deny passports to the prisoners' families shut the door on the greatest opportunity to that point to secure the men's releases.

The Secretary-General's candid comments on the possible benefit of American visitors to China were cause for alarm throughout Washington. Though Dulles's decision was merely one component of an accepted American travel policy, if the American public

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<sup>86</sup> Memo on "US Fliers Detained by Red China," Lodge to Dulles, 2 February 1955, 611.95A241/2 255, RG 59, North Korea Files 1955-1959, Box 2587. Hammarskjold also voiced his feelings on the relatives' visits in a telephone conversation with Ambassador Lodge. Noted in Lodge-Dulles telephone conversation, 17 January 1955, 9:05 a.m., John Foster Dulles Papers, Eisenhower Library 1951-1959, Telephone Conversation Series, Box 3, Folder 10.

<sup>87</sup> Memo on "US Fliers Detained by Red China," Lodge to Dulles, 2 February 1955, 611.95A241/2 255, RG 59, North Korea Files 1955-1959, Box 2587.

believed that such a policy was now prolonging the imprisonments of Americans in China, the Eisenhower administration – regardless of its intentions – would suffer setbacks. To prevent this potential predicament, Ambassador Lodge secured from Hammarskjold a pledge to “play the whole thing down,” in reference to Zhou’s visa offer and any “good effect” it could possibly produce.<sup>88</sup> In addition to the Secretary-General’s promised reticence, Dulles hoped to “bury” the visa story in the American press. The two major stories in early 1955 regarding the prisoners were the films and photographs of the men that Zhou had provided for Hammarskjold and Zhou’s visa offer. Obviously, the former story was more politically attractive to Dulles, and he made sure Hammarskjold released it before Zhou did the visa offer, in order to “blanket” the potentially dangerous second story.<sup>89</sup>

## IX

As demonstrated by the visa offer, Foreign Minister Zhou was approaching the prisoner affair in a very different manner than Secretary of State Dulles. While neither side wanted war, the Chinese made clear that they did not want a prolonged international fiasco either. Thus, as Secretary Dulles was busy “playing down” the prisoner issue in order to maintain American integrity, Zhou worked toward ending the affair in a speedy and moderate manner.

Zhou’s leniency “impressed” Secretary-General Dag Hammarskjold when the two met in January. According to Hammarskjold, while Zhou felt his case was solid, the

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<sup>88</sup> Lodge to the Department of State, 13 January 1955, *FRUS, 1955-1957*, Volume II, 29

<sup>89</sup> Lodge-Dulles telephone conversation, 17 January 1955, 4:06 p.m., John Foster Dulles Papers, Eisenhower Library 1951-1959, Telephone Conversation Series, Box 3, Folder 10.

Chinese government was willing to “back down” so long as American policy or rhetoric did not force Chinese officials to act otherwise. Indian Prime Minister Jawaharlal Nehru, often the liaison between American and Chinese officials in the 1950s, corroborated the Secretary-General’s assessment, insisting that the Chinese were prepared “to reduce or commute the sentences” of the American prisoners as long as officials in Washington did not “bluster” with the Chinese. “If [the] US engaged in ‘bluster,’” however, or if Washington insisted on stepping up its support of Jiang Jieshi and the GMD, the Indians were sure the Chinese “w[ou]ld never release the fliers.”<sup>90</sup> While the United States had a recent history of not fully trusting the Indian government regarding Chinese affairs,<sup>91</sup> Hammarskjold verified to American officials Zhou’s ultimatum. The “main grudge” of Zhou and the entire Chinese government, according to Hammarskjold, was “the [American] treaty with Chiang [Jiang].” Hammarskjold intimated that while Zhou preferred “not...to make it too difficult to release the prisoners,” U.S. cooperation with the GMD would surely test his flexibility.<sup>92</sup>

Zhou’s desire for leniency appears sincere. The Foreign Minister stressed that while he was confident the death penalty was “completely justified” in Downey and Fecteau’s cases (it should be recalled that the Chinese executed four of the Chinese defendants associated with the Americans’ mission), the two men would “come back

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<sup>90</sup> Lodge to Department of State, 20 December 1954, *FRUS, 1952-1954*, Vol. XIV, Part I, 1041-42.

<sup>91</sup> Washington officials had repeatedly ignored Indian warnings that the Chinese intended to intervene in the Korean War. American officials felt that Prime Minister Nehru and the Indian government were far from neutral on the subject of Chinese intervention and tended toward being communist sympathizers. U. Alexis Johnson with Jef Olivarius McAllister, *The Right Hand of Power* (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1984), 101.

<sup>92</sup> Lodge to State Department, 13 January 1955, *FRUS, 1955-1957*, Volume II, 26-30.



home one day.”<sup>93</sup> In light of the fact that the Chinese had already handed Downey a life sentence, this concession on the part of Zhou was significant indeed. The greatest sign of Chinese leniency and readiness to negotiate with Washington, moreover, came on August 1, 1955, when the Chinese released Colonel John Arnold and his crew from prison.<sup>94</sup>

Zhou’s motive for releasing the Air Force men was not entirely humanitarian. As Chinese Ambassador Wang Ping-nan acknowledged following the announcement, he hoped the crew’s release would “have favorable effects on the present [Sino-American Geneva] talks,” which began in early August.<sup>95</sup> Regardless of this ulterior and political motive, it is significant that persuading American officials to discuss the status of Taiwan and Sino-American trade – the two main issues the Chinese hoped to resolve at Geneva – occupied more importance to the Chinese than holding Americans in prison. Such a priority, regardless of its political undertones, should be acknowledged.

## X

Some were receptive to Zhou’s actions. Aside from the understandable attention paid to stories of Chinese mistreatment of the prisoners – an apparent side effect of the Air Force crew’s release – the American press hailed the event as evidence of a developing, peaceful relationship between the United States and China.<sup>96</sup> Likewise, the

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<sup>93</sup> Ibid.; Lodge to Department of State, 20 December 1954, *FRUS, 1952-1954*, Volume XIV, Part I, 1041-42.

<sup>94</sup> None of the Air Force men, whom the Chinese had sentenced to terms ranging from four to ten years, had served out his entire sentence when the Chinese announced their release.

<sup>95</sup> Dispatch # 239, Johnson to Dulles, 1 August 1 1955, 611.93/8-155, RG 59, China Files 1955-1959, LM153 Roll #2.

<sup>96</sup> Butterworth to Dulles, 2 August 1955, 611.93/8-255, RG 59, China Files 1955-1959, LM153 Roll #2.

Indian press, traditionally more supportive of Beijing than of Washington, considered the release of utmost importance. Not only did the Indians agree the release was a harbinger of future Sino-American détente, they also insisted that the release was so monumental a step that the American government needed to reciprocate with an act of equal import. Such a move would have to go “beyond present reciprocal action regarding return of Chinese students”;<sup>97</sup> the Indians suggested granting China recognition, admitting China into the UN, or reducing American support of Jiang.<sup>98</sup>

Despite the upbeat response from both the American and Indian press, many Americans – including influential administration officials – refused to recognize the release of the Air Force men as a positive step. Surprisingly, it was not the stories of mistreatment, torture, and brainwashing in Chinese prisons that contributed to this negative reaction. In retrospect, Ambassador U. Alexis Johnson pointed out “that such stories had to be expected.” Dulles, too, recognized the public outrage over the stories as the “inevitabl[e]” result “whenever prisoners are returned” to their home country.<sup>99</sup> Furthermore, Dulles – correctly recognizing that a wave of anti-Chinese sentiment following the Arnold crew’s release might “freeze up the Chinese Communists about letting the other [prisoners] out” – encouraged American officials to dilute any further such anti-China stories. What concerned the Eisenhower administration more was the Chinese government’s apparent exploitation of the release. Americans suspected the

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<sup>97</sup> This is in reference to the hundreds of Chinese students who, during the Korean War, had been prevented from returning to the Chinese mainland. After the war’s conclusion, however, the U.S. government lifted all restrictions and the Chinese students were free to travel. Johnson, *Right Hand of Power*, 235.

<sup>98</sup> From *Hisdustan Standard*, quoted in Cooper to Dulles, 3 August 3 1955, 611.93241/8-355, RG 59, China Files 1955-1959, LM153 Roll #10.

<sup>99</sup> Johnson, *Right Hand of Power*, 255; Dulles to Johnson, 16 August 1955, 611.93/8-1655, RG 59, China Files 1955-1959, LM153 Roll #2.

Chinese had set the men free only to make a case for their own magnanimity. The concern certainly had merit. For one, the Arnold crew, while not on an entirely benevolent mission at the time of their capture, appears to have been over North Korea when the Chinese had attacked them; the consequent imprisonment was thus in violation of the Korean Armistice Agreement. By releasing the Air Force men, therefore, the Chinese were merely doing what they should have already done. Further, Ambassador Wang readily acknowledged that there existed ulterior motives behind the release, namely the advancement of the proposed Sino-American Geneva talks. Keenly aware of these aspects of the release, American officials resented this resort to propaganda lest the international public forget that the Chinese had illegally captured and detained the American prisoners in the first place.<sup>100</sup> More fundamental than their concern over Chinese propaganda, many American officials felt the release of Arnold's crew was simply not enough. As long as the Chinese were still illegally holding Downey and Fecteau, among others, in prison, many could not bring themselves to view the release of eleven prisoners as being a truly significant or commendable action.

While Dulles concurred with this negative assessment of the crew's release for the most part, he welcomed it in one respect. With the release of Arnold's crew, Dulles believed he had found a way to free Downey and Fecteau. By releasing the Air Force men, Dulles argued, the Chinese had undercut their case against the two "civilians." Up until the 1955 release, the Chinese had held all the prisoners on similar charges of espionage, but with the release of Arnold's crew the Chinese appeared open to the possibility of releasing American "spies," destroying "any basis for differential

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<sup>100</sup> Dispatch #240, Johnson to Dulles, 1 August 1955, 611.93/8-155, RG 59, China Files 1955-1959, LM153 Roll #2.

treatment.”<sup>101</sup> Downey and Fecteau’s continuing imprisonments, the argument continued, suddenly took on arbitrary and wholly unfair characters.

Dulles’s strategy was certainly valid. The charges against the Arnold crew were remarkably similar to those against Downey and Fecteau, and thus there was logic behind using the Arnold crew’s release as a key to free the two “civilians.” But on the matter of freeing American prisoners – especially prisoners that Dulles knew to be guilty – such merit seemed beside the point. The strategy was doomed to fail because it insisted on alienating the one government that would make the ultimate decision on the fate of the prisoners. Instead of accepting the Air Force crew’s release as a beneficial gesture that pointed toward future détente, and using it as a springboard to negotiate the releases of Downey and Fecteau, Dulles saw it both as a way to rebuke further the Beijing government and to avoid any cooperation with the Chinese.

In addition to giving Dulles ammunition to attack further the “unjust” imprisonments, the Air Force crew’s release indirectly shed light on the true nature of Downey and Fecteau’s mission and the lengths that American officials would go to deny it. During the numerous debriefings by CIA, U.S. Air Force, and State Department officials that commenced following the crew’s return to the U.S., the Air Force men openly discussed Downey and Fecteau and inquired into their status and fate. Like many other Americans, the Air Force men were curious as to why the Chinese had released them but not the “civilians.” Unfortunately, American officials – following closely the suggestions laid out in the 1954 McConaughy memorandum – denied the crew members the “fuller description” they requested. Further, according to Steve Kiba, the radio

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<sup>101</sup> Dulles to Johnson, 4 August 1955, 611.93/8-455, RG 59, China Files 1955-1959, LM153 Roll #2.

operator in Arnold's crew, U.S. officials told the Air Force men "to remain silent" in regard to Downey and Fecteau and "to forget...the whole touchy mess."<sup>102</sup>

Coming nearly a year after China's November broadcast, the intense desire for silence was certainly not an attempt to hide from the American public news of Downey and Fecteau's presence in China. Instead, the concern of American officials centered on the fact that Kiba, along with the others in Arnold's crew, had come to know Downey and Fecteau during their time together in the Beijing Prison and had learned the truth regarding Downey and Fecteau's employment. Further worrying U.S. officials, Kiba was certain that all it would take to secure the men's releases were official concessions of guilt and a public apology by the President.<sup>103</sup> If Kiba spread such information throughout the country the credibility of the Eisenhower administration would likely suffer. The stern warnings thus appear to be part of an attempt to hide from the public proof both of Downey and Fecteau's guilt and the potential simplicity of their releases.

## XI

Immediately following the Arnold crew's release, American and Chinese ambassadors made another attempt at diplomatic settlement, meeting in Geneva to discuss the remaining prisoners in China. Previous diplomatic efforts by the UN – already weakened by the apparent failure of Hammarskjold's Beijing Mission – ended officially as these Geneva meetings commenced. Secretary-General Hammarskjold did not object to this shift in jurisdiction; in fact, he felt it was not his place to "butt into" the prisoner issue if American and Chinese ambassadors would be discussing the same topic

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<sup>102</sup> Kiba, *The Flag*, 273-274.

<sup>103</sup> Kiba, *The Flag*, 278

themselves. In press conferences on the subject, Hammarskjold regularly commented that conducting multiple, simultaneous negotiations on the prisoners would be detrimental to the ultimate goal and thus he opted to step down his efforts toward securing the remaining prisoners' releases.<sup>104</sup> Hammarskjold's "step down" was not entirely of his own choosing. The Secretary-General, with the support of Washington, had always maintained that he was responsible only for the releases of UN personnel and thus with the Air Force men out of jail, the UN no longer had a reason to involve itself in the prisoner affair. It was thus left to Chinese and American ambassadors, outside the auspices of the UN, to resolve the sticky issue of civilians still remaining abroad.

The Sino-American meetings at Geneva between Ambassadors Wang Ping-nan and U. Alexis Johnson stemmed from the Geneva Talks of 1954, which had dealt with the unresolved issues of the Korean War. While Secretary Dulles initially did not want Johnson to discuss directly with the Chinese the issue of American prisoners in China, he finally acquiesced. Dulles's eventual compliance stemmed in small part from China's decision to release Colonel Arnold's crew – a result that Zhou and Wang had anticipated. More integral to Dulles's decision, however, were his desires to quiet European criticism of American Chinese policy and to discourage any possible plans of Chinese aggression against the offshore islands.<sup>105</sup>

On August 1, 1955, after several months of preparatory work, the Geneva meetings commenced. The agenda for the meetings (there was no agreement, or even expectation, on how long the talks would last) was twofold: (1) "The return of civilians of

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<sup>104</sup> "From Transcript of Press Conference, UN Headquarters, New York," 5 September 1957, in *PPDH*, Volume III (New York: Columbia University Press, 1973), 656.

<sup>105</sup> Gordon H. Chang, *Friends and Enemies: The United States, China, and the Soviet Union, 1948-1972* (Stanford, California: Stanford University Press, 1990), 156

both sides to their respective countries”; and (2) “Other practical matters at issue between the two sides.”<sup>106</sup> Such “practical matters” referred mainly to Sino-American trade and the ambiguous status of Taiwan. Despite Wang and Johnson’s agreement on the agenda, it was clear from the start that the Americans placed more importance on the first item while the Chinese emphasized the latter. American politics dictated both the importance of securing the prisoners’ releases and maintaining the status quo on Sino-American relations. The Chinese, on the other hand, recognized that matters such as Taiwan and Sino-American trade were more vital to their interests than the return of Chinese nationals remaining in the United States. This disagreement on priorities, while present from the start, did not greatly burden the talks for the first several weeks. Other disagreements, however, emerged quickly and with disastrous results.

The first such disagreement erupted over who would be included under the “civilian” category established in the agenda’s first item. Johnson was most interested in forty-one Americans who U.S. officials knew the Chinese were holding in prison. Wang chose to focus on all Chinese nationals living in the United States – some 117,000 – who he alleged were not free to return to the Chinese mainland. Understandably, this initial discussion produced discord between the ambassadors. Wang insisted that while the Chinese nationals in the U.S. were not technically in prison, they were just as restricted from returning home as the imprisoned Americans were from leaving the PRC. Intimidation and suppression of information, Wang explained, resulted in the Chinese being “forced” to remain in America. Johnson responded that since American officials placed no explicit travel restrictions on the Chinese nationals it was illogical and unfair to

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<sup>106</sup> Dispatch #235, Johnson to Dulles, 1 August 1955, 611.93/8-155, RG 59, China Files 1955-1959, LM153 Roll #2.

place them and the American prisoners in the same category.<sup>107</sup> Wang likely understood that Johnson would never agree to group the thousands of Chinese with the handful of American prisoners, and thus China's action reinforced that a settlement on the prisoner issue would not come easily or quickly.

Despite, or possibly because of this initial harbinger of failure, Wang and Johnson set out, in mid-August, to formulate explicit declarations that the two countries would repatriate all of the other nation's citizens within a specified timeframe.<sup>108</sup> On September 10, after much heated debate over the specific language of the declaration, Wang and Johnson released an "Agreed Announcement."<sup>109</sup> According to the declarations, the governments of the United States and China agreed that all citizens of the other nation "who desire to return" to their home country "are entitled to do so." Furthermore, the

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<sup>107</sup> According to Johnson, American officials had, during the Korean War, restricted some Chinese nationals in America from returning to the PRC. The policy was carried out on the grounds that certain individuals with technical training in nuclear energy, rocketry, and weapons design, would be a great asset to the PRC and thus a threat to UN forces. The number of such individuals was small, however, and American officials never restricted them from traveling within the United States. Johnson, *Right Hand of Power*, 235.

<sup>108</sup> To prevent the ambassadors from signing one declaration together – a political faux pas during the Cold War – Johnson and Wang constructed two identical, but separate, declarations.

<sup>109</sup> The main disagreement arose over the description of the speed at which American and Chinese nationals would be returned to their home country. Ambassador Johnson hoped to use the word "promptly," while Ambassador Wang preferred the phrase "as soon as possible." Johnson felt that the Chinese choice did not express enough rapidity while Wang felt the American choice connoted a demand. Due to this disagreement the two ambassadors eventually settled on the term "expeditiously." Dispatch #616, Johnson to Dulles, 25 August 1955, 611.93/8-2555, RG 59, China Files 1955-1959, LM153 Roll #2.; Dispatch #624, Johnson to Dulles, 25 August 1955, 611.93/8-2555, RG 59, China Files 1955-1959, LM153 Roll #2; Dispatch # 625, Johnson to Dulles, 25 August 1955, 611.93/8-2555, RG 59, China Files 1955-1959, LM153 Roll #2.



two countries arranged to “adopt appropriate measures so that they [the foreign nationals] can expeditiously exercise their right to return.”<sup>110</sup>

To some extent the Agreed Announcement was a monumental achievement. The Announcement would mark what was to be the last formal agreement between the Chinese and Americans until the Shanghai Communiqué of 1972. Furthermore, the Announcement seemed to bear fruit immediately as the Chinese, upon the conclusion of the September 10 meeting, announced the release of ten Americans from China. The United States, too, quickly moved toward fulfillment of the Announcement’s stipulations. Since the Chinese nationals with whom Wang was primarily concerned were American residents, not prisoners, the question was not whether they could legally return to China, but whether American officials or American policy were obstructing their return in any way. To assure the Chinese government that this was not the case, American officials advertised (in Chinese and English) the Agreed Announcement on radio, television, and in the 35,000 post offices throughout the country, informing Chinese residents who felt “imprisoned” to register their complaints with the State Department or the Indian Embassy.<sup>111</sup> Possibly due to the widespread information campaign, over 200 Chinese returned to the mainland by the end of 1956; no Chinese, however, ever registered with State Department or Indian officials complaints of American interference.<sup>112</sup>

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<sup>110</sup> “Release: Re ‘Agreed Announcement of the Ambassadors of the United States and the People’s Republic of China,’ Geneva,” 10 September 1955, John Foster Dulles Papers, Speeches, Statements, Press Conferences, etc., Box 339.

<sup>111</sup> Due to amicable relations between the PRC and India, the Chinese government selected the Indians to be their “third party” on the prisoner issue. In China, the U.S. government relied on the British to oversee the progress on repatriation.

<sup>112</sup> Johnson, *Right Hand of Power*, 257; Memorandum on “American Prisoners in Communist China,” Dulles to all American Diplomatic and Consular Posts, 29 January 1957, 611.93251/1-2957, RG 59, China Files 1955-1959, LM153 Roll #10.

This period of goodwill and compliance ushered in by the Sino-American agreement, however, was not to last. From late September 1955 this apparent accord faded quickly. Wang was not entirely placated by American action. Despite his lack of evidence to support the charge, Wang insisted that Washington policy still restricted Chinese nationals from returning to the mainland. More legitimately, Johnson and other American officials were frustrated that a week and a half after the ambassadors released the Announcement nineteen Americans (eighteen of them prisoners) still remained in China with no sign of imminent release.

This lingering fact greatly “disturbed” Johnson, who had expected the word “expeditiously” to guarantee a more rapid delivery of the remaining Americans.<sup>113</sup> Much to Johnson’s dismay, Wang now insisted that the Americans still remaining in the PRC had violated Chinese law and officials thus needed to review each of their cases individually before decisions on their releases could be made. Frustrated, Johnson responded that Wang had not brought up this crucial exception during their earlier talks and that the Chinese government was renegeing on the agreed terms of the September 10 Announcement. Wang, in turn, countered that by forcing the Chinese government to release the American prisoners, American officials were “interfer[ing] in [the] juridical processes and violat[ing]...[the] sovereignty [of] China.”<sup>114</sup> From the start, Wang contended, the Agreed Announcement had obviously applied only to the “return of

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<sup>113</sup> Dispatch #772, Johnson to Dulles, 23 September 1955, 611.93/9-2355, RG 59, China Files 1955-1959, LM153 Roll #2.

<sup>114</sup> Ibid.

civilians,” not the “return of persons who had committed crimes.”<sup>115</sup> This exception, of course, meant that Downey and Fecteau, among others, would remain in Chinese prison.

With a stalemate forming in late 1955, the Sino-American talks dragged on with no visible results. On September 20, around the time the Agreed Announcement began to splinter, Johnson grudgingly agreed to move on to the second item on the agenda – “other practical matters” – with the understanding that he could still refer back to, and demand implementation of, the first item. As the talks went on, the Chinese released several more prisoners so that by the year’s end only thirteen Americans remained behind Chinese bars. After December, however, the slow trickle of releases from China stopped completely. The talks continued, but made little to no progress; in December 1957, after seventy-three sessions, the ambassadorial talks were finally suspended.<sup>116</sup>

The talks in Geneva reinforced just how difficult it was for the United States and China to trust one another and cooperate with each other. Despite the fact that the Sino-American talks were an example of diplomacy between the two nations they also served as evidence that the Sino-American conflict was not waning. The fallout in Geneva also had repercussions for Washington’s approach on the prisoner affair. Aside from the obvious fact that Geneva’s failure meant prolonged prison terms for the two men, following the September agreement Washington shifted its strategy on the Downey-

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<sup>115</sup> That Wang brought up this crucial exception should not have been a great surprise to Johnson. While Johnson was correct in saying that the two ambassadors had not enumerated such an exception in the Agreed Announcement, Wang had brought up such a proposal during earlier talks. *Ibid.*; Johnson, *Right Hand of Power*, 245.

<sup>116</sup> The two governments did not wholly abandon the idea of Sino-American talks as they were transferred in September 1958 to Warsaw, Poland, where American and Chinese ambassadors would meet until 1964. Wang Ping-nan remained as China’s ambassador to the Warsaw talks, but Ambassador Jacob Beam replaced Johnson as America’s representative.

Fecteau case. Instead of demanding that Downey and Fecteau be released under the provisions of the Korean Armistice Agreement – the policy that had loosely prevailed since November 1954 – American officials now insisted that the Chinese release Downey and Fecteau under the provisions of the September 10 Agreed Announcement. This shift reinforced what had clearly begun at the time of Hammarskjold’s Beijing mission, when American officials had surprisingly backed away from their earlier association of Downey and Fecteau with the UN-led mission in Korea. Moreover, the shift was logical in light of the ever-present ambiguity surrounding Downey and Fecteau’s status; it was not always clear (to the Chinese or Americans) if the Korean Armistice Agreement had ever applied to men who were not members of the U.S. military and were possibly spies. The Agreed Announcement, on the other hand, was more specific to the two American prisoners and it did not, at least according to American officials, contain exceptions for any of the civilian prisoners in China. Therefore, even more so than pointing to the Korean Armistice Agreement, referring to the Agreed Announcement would directly place the blame for the men’s continuing imprisonments on the Chinese.

## **XII**

With no resolution at Geneva, Foreign Minister Zhou appealed to Secretary of State Dulles’s senses in early 1957, when he proposed to Dulles a direct offer to release the prisoners. In exchange for the U.S. government sending American newsmen to report on the social and economic progress of the PRC, Zhou would release Downey and Fecteau. This specific exchange offer emerged in February 1957, but according to Dulles

the Chinese had forwarded a similar offer in 1955 in regard to the Arnold crew.<sup>117</sup> Zhou's earlier offer and Dulles's rejection of it had gained little attention due to the Air Force crew's subsequent release that summer, but Zhou's 1957 offer, much to the chagrin of Dulles, maintained public prominence and attention. After word got out that Zhou was again willing to swap prisoners for American correspondents, reporters routinely brought up the topic at press conferences. Questioning Dulles's "philosophy about the [travel] policy," the reporters' frustration seemed to center more on their own inability to visit China than the uncertain fate of the American prisoners.<sup>118</sup> Selfishness aside, the reporters' interest melded Zhou's exchange proposal and the general American travel policy for correspondents together, guaranteeing more attention for the Chinese offer than it may normally have received. Regardless of the publicity it gained, Dulles was no more willing to consider Zhou's offer in 1957 than he had been in 1955.

Either refusing to accept the offer as sincere or simply rejecting any offer forwarded by the Chinese, Dulles publicly snubbed the Chinese plan as "blackmail," refusing to make American citizens "subject for that kind of barter."<sup>119</sup> Supporting Dulles's decision in more moderate language, President Eisenhower informed reporters that the U.S. government could not go along with this "quid pro quo arrangement" until the Chinese "carried out their promises [likely referring to the September 10 Agreed

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<sup>117</sup> Dulles refers to this offer in his press conference of 5 February 1957, John Foster Dulles Papers, Speeches, Statements, Press Conferences, etc, Box 353.

<sup>118</sup> Examples of reporters' questions on U.S. travel policy to China can be found in transcripts of the press conferences of February 5, March 5, and March 26, 1957. Department of State Bulletin, Volume XXXVI, Nos. 922, 926, 929.

<sup>119</sup> Press Conference of 5 February 1957, John Foster Dulles Papers, Speeches, Statements, Press Conferences, etc, Box 353.

Announcement at Geneva].”<sup>120</sup> Even if Dulles had accepted Zhou’s sincerity, he likely would have rejected such an offer due to its origins. Dulles had insisted, and would continue to insist, that the Chinese were holding American prisoners in violation of international law, and even if it promised an end to the exhausting prisoner ordeal, he could not allow the Chinese to use “human beings for political purposes.”<sup>121</sup> The irony – whether or not Dulles perceived it as such – was that the United States, in rejecting Zhou’s offer, was doing exactly that. In his response to the exchange offer, Dulles reinforced that his resentment toward the Chinese would take precedence over action beneficial to both the American prisoners and Sino-American relations.

As was the case with Zhou’s visa offer, Dulles’s decision was in line with American policy. American reporters were prohibited from traveling to the PRC and while a few determined newsmen made their way to China, the United States refused to condone such travel. In tethering himself to existing American policy, however, Dulles missed an enormous opportunity, not only for the prisoner issue but also for Sino-American relations in general. The newsmen-prisoner exchange offer, along with Zhou’s invitations to the prisoners’ families in 1955, exemplified Beijing’s attempt to bring about a peaceful, quick end to the prisoner situation. Further, these episodes appear to be part of a general trend of Chinese policy, between 1955 and 1957, which pursued improved Sino-American relations. In the few years following the Korean War, Chairman Mao Zedong rightfully recognized the military and economic superiority of the

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<sup>120</sup> “The President’s News Conference,” 6 February 1957, *PPDDE*, 1957 (Washington, D.C.: Government Printing Office, 1958), 130-31.

<sup>121</sup> Dulles, Memorandum on “Americans Imprisoned or Detained in Communist China,” 18 July 1955, Dwight D. Eisenhower Presidential Papers (Ann Whitman Files), Dulles-Herter Series, Box 4, Folder 6.

United States; to avoid another conflict with the Americans, he opted to pursue a more moderate foreign policy.<sup>122</sup> Dulles even appeared to be conscious of this development. At a press conference in July 1955, he conceded that there had recently been a reduction in the “warlike activities” and “belligerent Communist propaganda” that so defined earlier Chinese action.<sup>123</sup> Regardless of Dulles’s consciousness of moderate Chinese policy, American action between 1955-1957 – while reflecting the lull in hostilities between the Americans and Soviets – showed American officials to be utterly opposed to Sino-American cooperation and set on toppling the new Chinese regime.<sup>124</sup> Dulles, moreover, carried this general policy into the prisoner issue, as demonstrated by his blunt rejections of Zhou’s proposals. Many years later in reference to Dulles’s rejection of the newsmen-prisoner exchange, but surely applicable to all his actions on the prisoner issue to that point, one New England newspaper pointedly noted that the Secretary of State had opted “to sacrifice the lives of two young men, whether they be innocent of the charges or patriotic Americans risking their all for their country.”<sup>125</sup>

### XIII

In addition to learning of Dulles’s rejection of Zhou’s latest offer, the American people also gained more information, in 1957, about the true nature of Downey and Fecteau’s employment. As this information came from private citizens, not Washington

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<sup>122</sup> Chang, *Friends and Enemies*, 162; Schaller, *United States and China in the Twentieth Century*, 149.

<sup>123</sup> “Statement by Secretary Dulles,” press conference of 26 July 1955, Department of State Bulletin, Volume XXXIII, No. 841, p. 220.

<sup>124</sup> In *United States and China in the Twentieth Century*, 149, Schaller notes the “rigid stance” of the United States during these years, pointing specifically to American rejection of citizen and journalist exchanges with the Chinese.

<sup>125</sup> “Mr. Downey’s Fate,” *Bridgeport Post*, 19 December 1971.

officials, its dissemination only brought more confusion to an already uncertain case. In early 1957, Charles Edmundson, a former aide to the United States Information Agency in Korea, announced during a television interview he was certain the Chinese Communists were correct in their accusations against Downey and Fecteau. Secretary Dulles's adamant rejection of Zhou's newsmen-prisoner exchange offer further convinced Edmundson of the men's guilt. The Secretary's rejection, according to Edmundson, stemmed from his fear that American correspondents "might discover that some of the [prisoners] were United States intelligence agents." State Department officials had thus denied their travel in order to uphold better the "fantastic and conflicted" reality they were offering to the American public.<sup>126</sup>

While one could brush off Edmundson's testimony as conjecture by an individual no longer involved in the American government, the report of several American students visiting Downey and Fecteau in September 1957 could not be ignored so easily. The Chinese invited these ten students, who had just attended the Moscow Youth Festival in the Soviet capital, to visit the PRC and the American prisoners. For much of their report, the students discussed the mundane details of Downey and Fecteau's lives, describing their cells, their meals, and their recreation. Commenting on their health, the students recalled that both men appeared physically and mentally fit. Fecteau even boasted to the

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<sup>126</sup> Associated Press, "2 Captives of China Called U.S. Agents," *New York Times*, 25 February 1957, 46; Charles Edmundson, "The Dulles Brothers in Diplomania," *The Nation*, 9 November 1957, vol. 185, p. 315-318.



students that he was receiving “better meals than Chinese fellow prisoners, including bread instead of rice.”<sup>127</sup>

The students’ comments on the prisoners’ health were good news to those concerned about the men, especially Downey and Fecteau’s families, who the U.S. government still prohibited from traveling to China. But in a more controversial section of the report, the students surely shocked Americans when they reported that Richard Fecteau had admitted he worked for the CIA. According to their report, Fecteau told the students he had first joined the merchant marine and then enrolled in Boston University, hoping to become a football coach. It was his desire to earn a better salary, however, which eventually pushed him into the intelligence agency.<sup>128</sup>

Edmundson’s statements and the students’ report marked the first public American accounts that rejected outright Washington’s official story on the two prisoners.<sup>129</sup> If informed men and eye witnesses believed that Downey and Fecteau were spies, many Americans began to wonder – as Ruth Boss had years earlier – who was lying. Confusion aside, the public revelations did nothing to change American policy. The State Department and CIA made no comment on Edmundson’s statements and while national newspapers thoroughly covered the students’ visit, no one within the Eisenhower administration discussed it. The only effect of the new information was to bewilder further many anxious and concerned Americans.

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<sup>127</sup> Frederic Grab, “Visitors in Peiping Report 2 Americans in Prison Are Well,” *New York Times*, 8 September 1957, 12; Reuters, “U.S. Visitors Tell of 2 Held in China,” *New York Times*, 9 September 1957, 7.

<sup>128</sup> Reuters, “U.S. Visitors Tell of 2 Held in China,” *New York Times*, 9 September 1957, 7.

<sup>129</sup> While Steve Kiba had assured American officials that the two men were agents of the CIA, his statements were never made public.

#### XIV

In light of the perplexing series of events in early 1957, Ira D. Cardiff, a private citizen of Yakima, Washington found himself utterly confused about the facts surrounding the Downey-Fecteau case. Hoping for a fuller explanation of Washington's vague policy, Cardiff began writing to government officials, apparently annoying and worrying them in the process. By early 1957, Cardiff had sent at least two letters to Congressman Hal Holmes of Washington state, but upon receiving no satisfactory reply from Holmes, Cardiff redirected his inquiries to the State Department. Through his letters, Cardiff (unknowingly) did a great deal more than reveal the ambiguity of the case; even more than Ruth Boss's 1954 letter, Cardiff's correspondence helped to expose the lengths American officials would go to uphold their official story regarding Downey and Fecteau. Similar to the experience of Steve Kiba upon his return to the U.S., the Cardiff affair demonstrated that American policy was meant not only to "play down," but also to cover up the truth about the prisoners.

In the first of his three letters to Assistant Secretary of State for Congressional Relations Robert Hill, written in March 1957, Cardiff questioned the "capacity of employment" of "the two 'army civilian employees' [Downey and Fecteau]...previous to their" imprisonment.<sup>130</sup> Evidently the official succinct statement that Downey and Fecteau were simply civilians working for the Army Department had not satisfied Cardiff's curiosity. Upon receiving no reply, Cardiff sent the same letter again on April 20, and then again two and a half weeks later. Finally, on June 7, 1957, eleven weeks

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<sup>130</sup> Ira Cardiff to Hill, 21 March 1957, 611.93241/3-2157, RG 59, China Files 1955-1959, LM153 Roll #10.

after his original letter to Hill, Cardiff received his long awaited reply. In what was certainly a disappointment to Cardiff, John Meagher of the State Department informed him that records in Washington “do not contain any further details of the employment of the two American civilian employees of the Department of the Army.”<sup>131</sup>

The length of time it took for officials to send Cardiff a reply does not imply anything about the validity of its contents or a conscious unwillingness to deal with the issue. Furthermore, the reply itself, while predictably vague, was not particularly incriminating. Washington officials, however, had been concerned with Cardiff’s letters since they received the first one in March and it was their reaction to the letters within the State Department that is especially telling.

Upon receiving the first of Cardiff’s letters to the State Department Marian Evans, working in the Public Services Division, noted to her superior that it would be ideal to “file the attached letter...without reply.” Evans rightly anticipated, however, that Cardiff would not stop sending letters until he received an answer, and she questioned whether there was not some way to respond to him “without getting too involved.” Furthermore, Evans wrote that to “avoid giving Mr. Cardiff another person to write to” – a strategy Cardiff had apparently used to get in touch with Assistant Secretary of State Hill – any correspondence to Cardiff would be signed in the Public Services Division, not forwarded to other State Department offices.<sup>132</sup> A week later, during an interoffice

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<sup>131</sup> John P. Meagher to Cardiff, 7 June 1957, 611.93241/5-757, RG 59, China Files 1955-1959, LM153 Roll #10.

<sup>132</sup> Marian Evans to Aylward, 10 May 1957, 611.93241/5-1057, RG 59, China Files 1955-1959, LM153 Roll #10.

conversation held solely to discuss Cardiff's letters, high-level State Department officials agreed to Evan's proposed approach.<sup>133</sup>

While all agreed that any reply to Cardiff – for the sake of ending his barrage of inquiries – would come from the Public Services Division, officials throughout the government contributed to its construction. One State Department official had scribbled in the lower left corner of Cardiff's third letter a note stating that Assistant Secretary Hill “requests [r]eply be coordinated with CIA,” demonstrating the intelligence agency's interest in the Downey-Fecteau case.<sup>134</sup> Further, on May 17 Ralph Clough, Deputy Director of the Office of Chinese Affairs, produced a “suggested reply” for Cardiff. It was John Meagher of the Public Services Division who wrote the eventual reply noted above, but it followed Clough's suggestion verbatim, and presumably was acceptable to the CIA and Secretary Dulles. It was an ambiguous, weak response that merely restated what Cardiff already knew.<sup>135</sup>

While Cardiff himself got little out of this overdrawn letter fiasco in Washington, the episode emphasized just how intricate the government cover-up was. The number of hands through which Cardiff's letters passed, the amount of time spent on picking the exact words for a reply, and the degree of coordination between the State Department and the CIA reinforced how important it was to uphold the official U.S. story regarding the two men and how crucial it was to deny the truth from the public. In this way, the Cardiff affair epitomized the American course of action that had prevailed since

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<sup>133</sup> Memorandum on “Letter from Ira D. Cardiff,” E.R. Hipsley to John Meagher, 17 May 1957, 611.93241/5-1757, RG 59, China Files 1955-1959, LM153 Roll #10.

<sup>134</sup> Note written on letter from Cardiff to State Department, 7 May 1957, 611.93241/5-757, RG 59, China Files 1955-1959, LM153 Roll #10.

<sup>135</sup> Ralph Clough to Marian Evans, 17 May 1957, 611.93241/5-1757, RG 59, China Files 1955-1959, LM153 Roll #10.

November 1954; despite officials' implicit and at times frank acknowledgements of Downey and Fecteau's employment by the CIA behind closed doors, they would continue to insist on a policy of ambiguity and outright deceptiveness when discussing the issue with the public. This evasive policy was exactly what State Department officials had in mind when Walter McConaughy had written his 1954 memorandum.

By the end of 1957, with the ineffective policy of 1954 still intact, American officials had clearly abandoned the possibility of working with the Chinese to secure the release of the prisoners. Zhou's 1957 newsmen-prisoner exchange offer marked the last substantive opportunity to secure to the release of the prisoners. Further, by that time the UN had long since abandoned the issue and Ambassadors Johnson and Wang had suspended their talks in Geneva. By 1957 it appeared that the Chinese, too, had closed the door on cooperation with Washington. This was due in part to China's continuing frustration over the still lingering Taiwan issue. Mao was convinced that improving Sino-American relations in order to resolve the Taiwan issue was neither possible nor desired. More integral than Taiwan was the commencement of China's "Great Leap Forward." With this new era in China, Beijing officials distanced themselves both from Russia – whose style of communism Mao viewed as lacking in revolutionary fervor – and from the West.<sup>136</sup> The successful Russian satellite, Sputnik, furthermore, provided the Chinese with the confidence necessary to embark down this new path. Thus 1957 marked the climax, to some extent, in the Downey-Fecteau case. Until Richard Nixon moved into the White House, ushering in a new era of Sino-American relations, it appeared that little could be accomplished on the prisoner issue.

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<sup>136</sup> Chen Jian, *Mao's China and the Cold War* (Chapel Hill, North Carolina: University of North Carolina Press, 2001), 172.

## Chapter 2: Onto the Backburner; 1957-1968

While 1957 marked what was to be the last official opportunity to secure the release of the prisoners until the 1970s, that year also saw the beginning of a series of initiatives by private citizens that would have a significant impact on the prisoner affair. Aside from approaching the prisoner affair with compassion, mercy, and openness – techniques that were lost on American officials – these private citizens laid the basis for a policy that would secure the releases of John Downey and Richard Fecteau after government officials finally adopted it in the 1970s. Aside from these private initiatives, however, 1957-1968 marked a low point in the Downey-Fecteau case. For the remainder of Eisenhower's administration, Secretaries of State John Foster Dulles and Christian Herter maintained the policy developed in 1954.<sup>137</sup> Further, the Kennedy and Johnson administrations, busy with other, more pressing matters, and vulnerable to attacks from the Right, also did little to change course on the prisoner issue. The Chinese, as well, seemed to lose interest in the prisoners as they backed away from the lenient, moderate approach that had characterized their policy from 1955-1957. As a result, the prisoners' fates ceased to be a high priority in Washington and Beijing; Downey, Fecteau, and concerned Americans found themselves again, forced to wait.

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<sup>137</sup> In April 1959, a month before his death, Dulles resigned as Secretary of State. Under Secretary of State, Christian Herter, replaced Dulles and held the position for the remainder of Eisenhower's presidency.

## I

Prohibited for years from traveling to China to see her son and plead for his release, Mary Downey had discovered the difficulty in making any progress on the matter. Despite her meetings – conducted in the few years following the Chinese broadcast – with Secretary-General Dag Hammarskjold, Ambassadors Henry Cabot Lodge and U. Alexis Johnson, Senator William Knowland, and Indian UN Representative Krishna Menon, Mrs. Downey often felt ignored and helpless. Commenting on his July 1957 meeting with Mrs. Downey, Ambassador Johnson recalled he “was not able to do much to relieve the very understandable anxieties and fears of a deeply distressed mother.”<sup>138</sup>

Helping Mrs. Downey toward her ultimate goal of seeing her son again, the United States, in late 1957, lifted its nearly three-year old prohibition of travel to the PRC for relatives of the prisoners. Almost immediately Mrs. Downey began organizing her trip to China to visit John. Planning to join Mrs. Downey on her trip were her other son, William, Richard Fecteau’s parents, and Ruth Redmond, whose son Hugh<sup>139</sup> was in a Shanghai prison.<sup>140</sup> In allowing the relatives to travel, the U.S. had abandoned, to some extent, its general travel policy on China, which had prohibited all such visits. Further, officials helped the relatives prepare for their trips. This assistance consisted mainly of issuing passports to the families and expediting the naturalization process for Mrs.

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<sup>138</sup> Johnson to State Department, 5 July 1957, 611.95A251/7557, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>139</sup> In April 1951, Redmond, a representative of an American import-export company in Shanghai, was convicted of espionage and imprisoned.

<sup>140</sup> According to Gup, *The Book of Honor*, 104, John Downey’s father opted not to travel to China because “he was unsure that he could control his anger.”

Fecteau, who required American citizenship in order to receive a passport.<sup>141</sup> American action in this regard should be commended, but despite this significant decision, America's anti-Chinese travel policy was still visible. Remnants of such policy could be seen most clearly in Dulles's decision to express the American "two-China" policy on the relatives' passports.<sup>142</sup> In doing so, Dulles made clear that his decision to allow the relatives to visit China represented an *exception* to American policy, not a harbinger of fundamental and permanent change in the near future.

Regardless of the decision's implication on future policy, the families' trip to China proceeded. The relatives hoped to visit the prisoners over the Christmas holiday, but the three families could not coordinate such a trip quite so quickly.<sup>143</sup> It was on New Year's Eve that Mary and William Downey met Phillip and Jesse Fecteau in New York to begin their trip. Mrs. Redmond joined the group the next day and the five of them commenced their journey, first to San Francisco, then to Hawaii, then to Tokyo, and then to Hong Kong. At the Hong Kong-Chinese border the trip nearly ended abruptly when Chinese guards objected to certain words in the American passports that questioned PRC sovereignty. The objection, provoked by Dulles's insistence that America's "two-China" policy be explicit, delayed entrance and frightened Mrs. Downey into thinking her

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<sup>141</sup> Mrs. Jessie Fecteau, a native of Newfoundland, had not yet been naturalized when Dulles announced his decision to allow her to travel to China. Instead of the normal thirty-day delay between application and naturalization, United States officials processed and approved Fecteau's application in five days; Dana Adams Schmidt, "U.S. Captives' Kin Ask Chinese Visas," *New York Times*, 17 December 1957, 10

<sup>142</sup> While American officials had come to recognize the permanence of the Beijing government, officially they would recognize only the Nationalist regime in Taiwan as the true Chinese government. This "two-China" policy would remain intact until the development of Sino-American détente in the 1970s.

<sup>143</sup> Schmidt, "U.S. Captives' Kin Ask Chinese Visas," *New York Times*, 17 December 1957, 10.



“journey had been in vain.”<sup>144</sup> Fortunately, the matter was resolved and the five travelers entered China. From the border, the Americans took a lengthy train ride west to Canton, from where the Downeys and Fecteaus took a plane to Beijing. Mrs. Redmond traveled alone by plane to Shanghai, where her son was imprisoned.<sup>145</sup>

The Downeys and Fecteaus spent a total of eighteen days on this initial visit to China after the Chinese granted the families an extra week’s stay in the country.<sup>146</sup> The Chinese permitted the families to see the prisoners every other day, for two hours at a time, giving them a total of seven meetings together.<sup>147</sup> The sessions provided the families with the much needed time to enjoy John and Richard’s company and showed the prisoners to be in good shape both physically and mentally. Mrs. Downey commented, “Jack looked well...his spirits were good...he never showed signs of depression.”<sup>148</sup>

To culminate their time together, on their seventh and last session with the prisoners, the families organized a good-bye lunch for the men. In preparation, the two mothers “dashed around,” buying American-style food for their sons. In the end, the lunch consisted of steaks, vegetables, coffee, and a great deal of ice cream that provided John Downey with fond memories of home. The American feast was surely a welcomed

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<sup>144</sup> Mary Downey as told to J. Robert Moskin, “A Mother’s Story...My Son Is a Prisoner in Red China,” *Look*, 6 December 1960, vol. 24, p. 72, 75-79.

<sup>145</sup> While Redmond was imprisoned in a different prison than Downey and Fecteau indications are that his experiences had been quite similar to the other two men.

<sup>146</sup> Drumright to Dulles, 17 January 1958, 611.95A251/1-1758, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>147</sup> During their time away from the prisoners, the relatives went sightseeing throughout China as guests of the Chinese Red Cross. Drumright to Dulles, 27 January 1958, 611.95A251/1 2758, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>148</sup> Downey, “A Mother’s Story...My Son Is a Prisoner in Red China,” *Look*, 6 December 1960, vol. 24, p. 72, 75-79.

change from the “dull” food to which the men had grown accustomed.<sup>149</sup> The lunch was also the first time that Mary and William Downey had met Richard Fecteau and it was likely the first encounter between Jessie and Phillip Fecteau and John Downey. John and Richard, in fact, had only seen each other three times since their imprisonment,<sup>150</sup> and thus the celebratory lunch was a rare treat for the two prisoners as well.

## II

In addition to serving as a family reunion, the trip provided the relatives with the opportunity to confront the Chinese directly and plead for the men’s releases. Mary Downey, who had already conducted such meetings in the U.S., took advantage of this opportunity, petitioning Foreign Minister Zhou for John’s freedom. Though the Chinese assured Mrs. Downey that Zhou understood “the feelings behind” the appeal and that John’s good behavior could still bring about an earlier release, in the end, they denied her request.<sup>151</sup> While the Downeys claimed to be “surprised” by the “speed of [the] rejection,” Mrs. Downey also commented that release of John at that point would have been a “miracle.”<sup>152</sup>

Like his mother, William Downey used his time abroad not only to see his brother but to try to secure his release as well. William knew that John was guilty of the Chinese

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<sup>149</sup> Ibid.; Drumright to Dulles, 27 January 1958, 611.95A251/1-2758, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>150</sup> Downey and Fecteau had been together for a photo session with the 11-member Arnold crew, on a tour of China, and most likely in 1957 when the American students came to visit both men. Drumright to Dulles, 27 January 1958, 611.95A251/1-2758, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>151</sup> Downey, “A Mother’s Story...My Son Is a Prisoner in Red China,” *Look*, 6 December 1960, vol. 24, p. 72, 75-79.

<sup>152</sup> Ibid.; Drumright to Dulles, 27 January 1958, 611.95A251/1-2758, RG 59, North Korea Files 1955-1959, Box 2587.

charges and thus his efforts to free his brother, like those of Mary Downey, relied on compassion, not on proving John's innocence.<sup>153</sup> Differing in technique from his mother, though, William attempted to free John through the Chinese legal system – the institution that many in America blamed for the prisoners' captivity. In July 1959, after visiting his brother in China, William Downey, with the help of Hong Kong lawyer Percy Chen, commenced the process of appealing John's sentence. On October 1 William submitted to the Chinese Supreme People's Court an appeal for the release of John Downey.

Compared to the initiatives of the U.S. government, the appeal was quite remarkable. First, it carefully stressed the private nature of the lawsuit. A criminal case such as Downey's, the appeal insisted, "is purely a matter within the domestic jurisdiction of a state." As such, there was no room for outside involvement from any "foreign country [clearly referring to the U.S.] or...the United Nations." Second, the appeal did not harp on international settlements such as the Korean Armistice Agreement or, implicitly, the Sino-American Agreed Announcement made at Geneva.<sup>154</sup> Third, the appeal made clear that the Downeys were protesting "against the sentence and not against [the] conviction." Implicitly accepting John Downey's guilt, the appeal argued that a life

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<sup>153</sup> In January 1958, during one of William's visits with his brother, John remarked that "he [was] getting what he deserved." Coming during one of William's meetings with John in the Chinese prison, the remark was never made public, but its occurrence surely struck a blow to William's personal belief that his brother was innocent. Drumright to Dulles, 27 January 1958, 611.95A251/1-2758, RG 59, North Korea Files 1955-1959, Box 2587.

<sup>154</sup> "Petition by way of Appeal of John Downey against sentence of life imprisonment passed on him by the Military Tribunal of the Supreme People's Court of the People's Republic of China on 23<sup>rd</sup> November 1954," attached to Jacobson to American Consulate General in Hong Kong, 11 August 1960, 293.1111-Downey, John Thomas, RG 59, China Files 1967-1969, Box 258.

sentence was far too harsh in light of the prisoner's youth, the precepts of socialism, and China's "traditional...spirit of humanitarianism."<sup>155</sup>

While William and his mother differed in their specific tactics, both strategies sought mercy and closure and were, in that respect, stark contrast from Dulles's calls for "punishment" and "compensation."<sup>156</sup> Despite the Downeys' refreshing approaches, in the end, their appeals failed. The Chinese court rejected Will Downey's appeal and Mrs. Downey's initial trip abroad ended with John still in jail and no release on the horizon. Further, aside from any personal relief that the 1958 trip brought to the Downeys and Fecteaus, this initial visit appeared to have done little to advance the ultimate goal of releasing the men. Secretary-General Hammarskjold's hopes, in early 1955, that visits and personal appeals from family members would expedite the release process, never materialized.

### III

Part of the reason that these early private initiatives had little success was that they were not supported, in any significant way, by a shift in official American policy. Throughout the whole of Eisenhower's administration the precedent set by Secretary of State Dulles held strong. Moreover, the election of 1960, which ushered in nearly a decade of Democratic leadership, did practically nothing to reverse this course. In part, this was due to the relative continuity between the Eisenhower, Kennedy, and Johnson administrations. Over a dozen high-level Eisenhower officials, throughout the State

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<sup>155</sup> Ibid.

<sup>156</sup> American Consul Geneva to American Embassy London, 25 November 1954, 611.95A241/11-2554, RG 59, North Korea Files 1950-1954, Box 2886.

Department and White House, found themselves with influential positions in the Democratic administrations. Several, including Walter McConaughy, Ralph Clough, Edwin Martin, and U. Alexis Johnson, had been directly involved in constructing American policy on Downey and Fecteau.

Just as important to the continuation of Dulles's policy in the 1960s were international relations, and their impact at home. With the Cold War still going strong in that decade and with American distrust and animus toward the PRC still intense, Democratic presidents saw little political benefit in altering the inherited policy on the prisoner issue. Furthermore, Presidents John F. Kennedy and Lyndon Johnson carried the extra burden of being members of the party that had, according to leading Republicans, "lost" China and contaminated the State Department with communist sympathizers. It had been Dulles and his conservative allies in Congress, moreover, who were responsible for many of these accusations. This stigma, largely unfair yet present nonetheless, made relative consistency with the Eisenhower administration, specifically on relations with China, especially appealing to the vulnerable Democratic administrations. Even without this stigma, monumental events such as the Bay of Pigs disaster, the Cuban Missile Crisis, the creation of the Berlin Wall, and the ever-escalating Vietnam War, monopolized the attention of Kennedy and Johnson; the fates of Downey and Fecteau were dwarfed by comparison.

Changes in China, too, are responsible for the failure to resolve the prisoner issue. With the commencement of the Cultural Revolution in the mid-1960s the Chinese further abandoned the moderate foreign policy they employed in the previous decade. With the launch of Russia's Sputnik in 1957 and the Chinese acquisition of an atomic bomb in

1964, the Chinese enjoyed the confidence necessary to carry out a more revolutionary and anti-American foreign policy. Refusing to cooperate with the United States, the Chinese made even more difficult any resolution on the prisoners.

China's new course of action reinforced to American officials the importance of standing firm on Cold War policy. Thus, without any sufficient reason to shift American policy on the prisoners – and with significant reasons not to – Kennedy and Johnson followed, for the most part, the blueprint that Dulles had developed. Just as Washington officials had throughout the 1950s, Kennedy and Johnson responded to passionate calls for the prisoners' releases from relatives, concerned citizens, and American politicians with familiar assurances that the U.S. government was “actively and continuously concerned” with the fates of Downey and Fecteau.<sup>157</sup> Furthermore, American officials continued referring to the September 10 Agreed Announcement – which, according to American officials, had yet to bring about the desired or intended results – as evidence that it was the Chinese, not the Americans, whose inaction was prolonging Downey and Fecteau's imprisonments.<sup>158</sup>

More than just representing an absence of change, the policies of Kennedy and Johnson marginalized the prisoner issue. During the 1950s President Eisenhower and Secretary of State Dulles had regularly dealt with the prisoner affair in public. Both men spoke about Downey, Fecteau, and the other prisoners at several press conferences a year

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<sup>157</sup> This phrase was part of a standard reply letter that can be found in Frederick G. Dutton to Senator Magnuson, 8 January 1962, 611.93251/1-862, RG 59, China Files 1960-1963, M1855 Roll #126; and Dutton to Congressman Bates, 30 April 1962, 611.95A241/4 1762, RG 59, North Korea Files 1960-1963, M1855 Roll #133.

<sup>158</sup> Such an argument was laid out in “Americans Imprisoned in Communist China,” attached to David Dean to Shepherd, no date, POL 7-1 US-CHICOM/Downey, John Thomas, RG 59, China Files 1967-1969, Box 258.

and Eisenhower referred to them in two State of the Union addresses. Further, it was the Eisenhower administration that had initially brought the prisoner issue to the floor of the UN. Conversely, while curious and concerned Americans prevented Kennedy and Johnson from completely dismissing the prisoner issue, the 1960s marked a significant decline in the publicity of the Downey-Fecteau case. Unlike the frequent – yet ineffective – attention given by Eisenhower and Dulles, Kennedy spoke publicly about the men only four times, and Johnson never mentioned them at all.

The decline in interest can be blamed in part on the consistently malevolent nature of Sino-American relations and in part on the stalemate on the prisoners that had developed by the end of 1957. With diplomatic efforts having expired and American presidents refusing to cooperate with the Chinese, American policy presented little hope of bringing the prisoners home. In China, as well, the brief period of conciliation with the U.S. beginning in 1955 ended in 1957, making resolution on the prisoner issue more difficult.<sup>159</sup> This decline of both progress and opportunity effectively turned the fates of Downey and Fecteau into non-issues as both countries seemed content to leave the prisoner question on the backburner for the time being. It would take the dramatic shift in Sino-American relations upon Richard Nixon's election to reinvigorate public and governmental interest in Downey and Fecteau.

#### IV

Serving as exceptions to the fatigue that washed over the American public in the 1960s, a series of international events during the decade sparked a resurgence of interest

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<sup>159</sup> Chang, *Friends and Enemies*, 162

– albeit short-lived – in the Downey-Fecteau case. In 1962 the Russians released American pilot Gary Powers, who had been in prison since May 1, 1960 after Soviet forces shot down his U-2 spy plane over Russia. That same year the new Cuban government released from prison over 1,000 Cuban exiles who were involved in a CIA-led attempt to overthrow Fidel Castro’s communist regime in April 1961. Finally, in late 1968 the North Koreans released the crew of the *USS Pueblo*, the members of which had been imprisoned in January of that year for attempted espionage.

More significant than the news of the prisoners’ releases was the manner in which the U.S. secured them. While the Russians maintained that they released Powers as a good will gesture, he likely was swapped for a Russian spy being held in a U.S. prison. The release of the Cuban exiles unquestionably was the result of a \$53 million ransom in food and medical supplies paid to the Cuban government from various sources in America. Finally, the *Pueblo* crew’s release appears to have been the result of American diplomacy and an official apology to the North Koreans.<sup>160</sup> While certainly pleased by the release of the prisoners, many Americans could not help thinking that their government could and should take these same actions to secure the releases of Downey and Fecteau.

To this end, several American politicians and private citizens wrote to Washington officials demanding that Downey and Fecteau be given the same attention as the other prisoners. It was the release of the Cubans that appeared most promising to concerned Americans. Congressman Thomas Lane, for one, hoped that the Cuban

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<sup>160</sup> While Americans agreed to sign a confession, it was understood by both the Americans and the North Koreans that American officials would immediately repudiate it as “complete fabrication,” Clark Clifford with Richard Holbrooke, *Counsel to the President: A Memoir* (New York: Random House, 1991), 466-67.



example “offers hope that Communist China will be receptive to similar negotiations.”<sup>161</sup> Further, at the few press conferences in which Kennedy was forced to address Downey and Fecteau, it was usually in response to questions regarding a food-for-prisoners exchange with the Chinese. Unfortunately, as President Kennedy pointed out, the Chinese government had never requested such aid from the United States, meaning that an exchange offer was certainly not on the table. Kennedy’s unwillingness to exchange food for prisoners was not, however, simply due to the lack of Chinese initiative. In language reminiscent of Dulles several years earlier, Kennedy assured the public that even if the Chinese had made such an offer, the United States would likely pass since he was still soured by Downey and Fecteau’s unjust imprisonments.<sup>162</sup> Rejecting outright a proposal that had yet to be made, Kennedy’s statement reinforced the staying power of Dulles’s stubborn policy.

## V

In the 1960s, with almost no action from the Chinese or American governments, the only significant developments on the prisoner issue came in the form of private initiatives. Following her trip in 1958, Mary Downey, often accompanied by her son William, revisited John five more times before he was released. Despite the seriousness and unusual nature of the situation, Mrs. Downey’s trips to see John fell into a kind of routine. The Chinese allowed Mrs. Downey to visit with her son for several two-hour

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<sup>161</sup> Thomas Lane to Dean Rusk, 27 December 1962, 293.1111-Fecteau, Richard/12-2762, RG 59, China Files 1967-1969, Box 258.

<sup>162</sup> Kennedy was responding to a Peace Corps official’s question on the potential of sending food to the PRC. “Remarks at a Meeting with the Headquarters Staff of the Peace Corps,” 14 June 1962, *Public Papers of the President of the United States, John F. Kennedy*, 1962 (Washington, D.C.: Government Printing Office, 1963), 487-88.

sessions during her stay and she was able to bring gifts for John and Richard.<sup>163</sup> Her visits would usually bring her a sense of relief as she found her son in good shape and good spirits but, despite Chinese assurances that John's sentence could be shortened, Chinese officials consistently rejected her pleas for his release.<sup>164</sup>

As the frustrated Downeys were traveling to and from China, a college acquaintance of John Downey, Jerome Cohen, was also busy developing an ingenious strategy meant to secure his old friend's freedom. Since 1966, when Downey's imprisonment was the hot topic at Cohen's fifteenth year Yale reunion, Cohen had been actively involved in the case. At the reunion the class of 1951 selected Cohen, a legal scholar specializing in Asian law, to head any action on behalf of Downey's release.

Even before taking on this new responsibility, Cohen's profession forced him to spend a great deal of time corresponding and meeting with Chinese diplomats and government officials. With no official diplomatic relations between the United States and the PRC throughout Downey's imprisonment, however, Cohen frequently found himself in Ottawa meeting with China's Ambassador to Canada, Huang Hua. Throughout the two men's numerous discussions, on all aspects of Sino-American relations, Downey's case often made an appearance. In the course of these meetings,

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<sup>163</sup> Mrs. Downey mentioned that she brought cigars, cigarettes, and magazines for Fecteau but she was not able to see him. "U.S. Woman Visits Son in Peiping Jail," *New York Times*, 17 August 1960, 11.

<sup>164</sup> Examples of such assurances by the Chinese can be found in "Mrs. Downey Hopes China Will Free Son," *New York Times*, 26 August 1960, 2; Associated Press, "Mrs. Downey Home From China," *New York Times*, 27 August 1960, 3; Reuters, "Mrs. Downey Fails in Plea to Red China to Free Son," *New York Times*, 27 May 1962, 14; Associated Press, "China Said to Review Jailed American's Case," *New York Times*, 15 November 1971, 13.

Cohen regularly brought up a “face saving” plan to expedite Downey’s release, a plan he would continue to press for until the Chinese eventually set Downey free.

Like others involved in the case, Cohen knew that Downey was a CIA agent; he clearly remembered representatives from the new agency “recruit[ing]” Downey several years after it had been established.<sup>165</sup> Cohen suggested to Huang that if the United States would simply admit this to China, the Chinese could release Downey without appearing weak. Though Cohen was the first American to advocate outright such an idea, the strategy was not new. Upon his return to the U.S, Steve Kiba had informed American officials that the Chinese would certainly welcome such an approach. Further, Cohen’s “face saving” plan was based on the same rationale as Hammarskjold’s proposal in 1955 to send the prisoners’ families to the PRC; both gave the Chinese a way to release the prisoners without losing credibility and strength on the international stage.

Huang regularly was noncommittal to Cohen’s proposal. Like Kiba, Huang was sure that the Chinese would accept such a deal, but the Ambassador held no authority to execute such a policy and thus he was not able to give Cohen any guarantees.<sup>166</sup> Cohen, as well, had no official affiliation with the American administrations of the 1960s and thus his initial proposal had no governmental backing. With high-level American and Chinese officials keeping their distance from Cohen’s strategy during the 1960s, the “face saving” scheme, like others before it, was unable to achieve its goal.

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<sup>165</sup> The details of Downey’s recruitment were very similar to those of other college students whom the CIA selected in the early years of the Cold War. CIA recruiters visited prestigious universities throughout the country recruiting bright young men seeking adventure. According to Jerome Cohen, out of the thirty Yale students interested in the job, the CIA accepted only six. Leary, *Perilous Missions*, 139; Breuer, *Shadow Warriors*, 216; Jerome Cohen interview, 2 December 2003.

<sup>166</sup> Cohen interview.

Regardless of its initial failure, Cohen's actions continued on the heels of what Mary and William Downey had begun years earlier, and in this way his initiative was significant. Further, when the Chinese finally released Downey in 1973, it was due to Nixon's admission that Downey and Fecteau had been working for the CIA when the Chinese had captured them two decades earlier. Thus, if nothing else, Cohen's meetings highlighted just how easy it would have been for American officials to secure Downey and Fecteau's releases earlier than they did. Had officials in the Eisenhower, Kennedy, or Johnson administrations simply acknowledged the truth regarding the two men's employment, the course of Downey and Fecteau's imprisonments might very well have worked out differently.

### Chapter 3: Clearing the Slate; 1969-1973

That John Downey and Richard Fecteau could never receive the government attention and action they required as long as Sino-American relations remained unfriendly reinforced how closely linked the prisoners' fates were to the Cold War as a whole. It made sense, therefore, that a true shift in American policy on the prisoners emerged only with the election of Richard Nixon and the commencement of Sino-American détente.<sup>167</sup> With Sino-Soviet tensions at a high point and American success in Vietnam being consistently frustrated, Chinese and American officials saw advantages to a more conciliatory relationship between their countries.<sup>168</sup> In the 1970s both nations' governments loosened restrictions on travel and trade, and Nixon provided the PRC with a degree of respect and legitimacy that previous presidents had intentionally and adamantly withheld. It was only in this unprecedented period of rapprochement that both countries could agree upon terms of release for the remaining American prisoners in China.<sup>169</sup>

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<sup>167</sup> In February 1972, in order to reinforce symbolically his commitment to Sino-American détente, Nixon, after stepping off his plane in China, "made a point of extending [his] hand" in order to shake Zhou Enlai's hand. Such a gesture was meant to placate Zhou, who had been insulted by Secretary Dulles at the Geneva Conference in 1954 when the Secretary refused to shake the Foreign Minister's hand. Richard Nixon, *The Memoirs of Richard Nixon* (New York: Grosset & Dunlap, 1978), 559.

<sup>168</sup> Nixon hoped to intimidate Hanoi officials into negotiating by increasing his cooperation with Beijing. Schaller, *United States and China in the Twentieth Century*, 179-84.

<sup>169</sup> In addition to Downey and Fecteau, the Chinese were also holding Major Philip E. Smith of the Air Force, Lieutenant Commander Robert J. Flynn of the Navy, and Mary Ann Harbert, an American civilian. Smith was shot down and captured by the Chinese in 1965, as was Flynn in 1967. Both men had been fleeing from North Vietnamese fighter jets when they crossed into the PRC. Harbert's yacht had accidentally crossed into Chinese water when the Chinese captured her in 1968. The Chinese released Harbert in December 1971 along with Richard Fecteau, and released Smith and Flynn on March 15,

## I

Throughout 1971 and early 1972, in light of Nixon's coming trip to the PRC in February 1972, politicians and private citizens bombarded the President with letters urging Nixon to work out a release for Downey and Fecteau during his visit. Like earlier correspondence to the Eisenhower administration, these letters expressed personal sympathy with the two prisoners and a strong desire to see their return to the U.S. They differed significantly, however, in their lack of inflammatory accusations – so common in earlier letters – which blamed the Chinese alone for the imprisonments.

What occupied most of the letters instead was praise for Nixon's proposed trip as a step toward world peace. In this way, some saw negotiations on the release of the two prisoners, also, as a step toward this eventual international harmony. As Connecticut Congresswoman Ella Grasso noted in a letter to Nixon, the release of Downey and Fecteau "would serve as a beacon of hope and a symbol of trust both to people of our country and throughout the world."<sup>170</sup> The contrast between Grasso's letter and that of Connecticut Congressman Thomas Dodd in 1954, in which Dodd insisted that the United States "move beyond...diplomatic protest" if Downey and Fecteau were not released, is

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1973. Footnote to "Press Conference Remarks," *Public Papers of the President of the United States, Richard Nixon, 1973* (Washington, D.C.: United States Government Printing Office, 1975), 63 (hereinafter *PPRN*, and year); Henry Tanner, "Senator Scott Foresees Vietnam Pullout by May," *New York Times*, 19 July 1971, 1, 10; R. W. Apple, Jr., "U.S. and China Will Soon Set Up Offices in Capitals for Liaison; Peking to Free Two Americans," *New York Times*, 23 February 1973, 1, 15; Associated Press, "Chinese Release Fecteau but Keep Downey in Prison," *New York Times*, 13 December 1971, 1, 25.

<sup>170</sup> Ella Grasso to Richard Nixon, 19 July 1971, TR24C034-2, Nixon Presidential Material, White House Central Files (hereinafter WHCF), Trip Files, Box 58.

striking.<sup>171</sup> Change was also apparent in Nixon's responses to the letters. In his replies Nixon, like Dulles before him, acknowledged the problem and made clear his determination to secure the release of the men. Differing from the Secretary of State, however, Nixon made clear that if he pursued the prisoner issue during his February trip, the men's releases, not the punishment of PRC officials, would be his main concern.<sup>172</sup> Clearly, American politicians had rearranged their priorities in accordance with Sino-American détente, now placing the releases of the two Americans above (or squarely within the new) Cold War politics. If securing the freedom of Downey and Fecteau were merely a political tactic to better Sino-American relations or simply a side effect of détente, at least American Cold War policy in the 1970s was compatible with ending the Americans' imprisonments.

More significant than Nixon's correspondence, American officials were inching toward a total admission of guilt in the prisoner affair. Helping it on this path was Downey's college acquaintance, Jerome Cohen. Still set on securing Downey's release, Cohen continued to push his "face saving" plan on anyone who would listen. He had struggled in this quest throughout the 1960s (only Chinese Ambassador to Canada, Huang Hua, listened extensively), but in summer 1971 Cohen found a willing ear when he addressed the Senate Foreign Relations Committee. As a legal expert on the PRC Cohen, along with two other China experts, testified to Senator William Fulbright's committee on current Sino-American relations.<sup>173</sup> During his address, Cohen delved into

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<sup>171</sup> Dodd to Eisenhower, 30 November 1954, 611.95A241/11-3054, RG 59, North Korea Files 1950-1954, Box 2886.

<sup>172</sup> Nixon to Francis W. Sargent, 8 October 1971, TR24 JL3 C034-2, Nixon Presidential Material, WHCF, Trip Files, Box 59.

<sup>173</sup> Barbara Tuchman and Arthur Galston testified along with Cohen.

the still unresolved case of Downey and Fecteau. Cohen's testimony was very blunt; he informed the Senator that the truth of the case was very much as the Chinese had been alleging since November 1954. Seeing the facts of the case as "rather clear," Cohen could not understand why the United States government had not confessed years earlier. Using the notable *Pueblo* incident of 1968 as an example, Cohen noted that even though that situation involved a "more ambiguous...violation of international law," American officials quickly had made both an "apology and confession."<sup>174</sup>

The solution, as Cohen saw it, was for American officials to carry out his "face-saving" plan. He explained that the 1970s were "a very different era" in regard to Sino-American relations, and if the United States government would both "admit that the facts are as stated by the Chinese" and display "regret for the whole incident," it was likely that the Chinese would release the prisoners.<sup>175</sup> Senator Fulbright's response to Cohen's address, while not remarkable, was significant in its distinction from earlier official statements. There was no mechanical return, on Fulbright's part, to the official story prevalent in the 1950s and 1960s. Further, there was no resort to the ambiguity, brevity, or deceit proposed in the 1954 McConaughy memorandum. While the senator appeared somewhat unfamiliar with the details of the Downey-Fecteau case, he seemed more than willing to use any strategy necessary to hasten the prisoners' releases. Fulbright

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<sup>174</sup> Testimony of Jerome A. Cohen, 25 June 1971, Hearings Before the Committee on Foreign Relations, United States Senate, 92<sup>nd</sup> Congress, 1<sup>st</sup> Session, *United States Relations with the People's Republic of China* (Washington: Government Printing Office, 1972), 153.

<sup>175</sup> *Ibid.*



concluded his dialogue by assuring Cohen that he would recommend the “face-saving” plan to the State Department.<sup>176</sup>

In addition to Cohen’s testimony, secret meetings between Nixon’s National Security Adviser Henry Kissinger and Foreign Minister Zhou Enlai in summer 1971 foreshadowed significant change in American policy on the prisoners. Beginning in July, the talks were a means of commencing a diplomatic and civil relationship between the two countries, and while the main objective of the meetings was to resolve, or at least discuss, the Taiwan issue, Zhou and Kissinger exchanged words on the remaining American prisoners in China. During the talks, Kissinger’s demeanor was humble and he repeatedly made clear that the American government no longer maintained that the imprisonments had been a violation of international law; releasing Downey, Fecteau, and the other Americans would be “a favor,” and “an act of mercy.”<sup>177</sup> This new approach was reminiscent of private attempts, made a decade earlier, which stressed the importance of compassion and not necessarily justice. Further, by stressing that the Chinese had never violated international law by imprisoning the Americans, Kissinger was rapidly moving toward total admission of guilt.

America’s new approach to the prisoner issue seemed to pay off immediately; in December 1971, two months before Nixon departed for the PRC, the Chinese released forty-four year old Richard Fecteau, after the American had served seventeen years of his twenty-year sentence. In addition, the Chinese announced they had commuted John

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<sup>176</sup> Ibid.,154.

<sup>177</sup> Memo on “U.S. Prisoners of War,” 11 October 1971, Nixon Presidential Material, NSC Files, Box 1034.

Downey's sentence to five remaining years, placing his expected release late in 1976.<sup>178</sup> The Chinese action marked the first positive development in the prisoner affair since the Chinese had released John Arnold's crew in summer 1955. Unlike the American response at that time, however, Nixon officials recognized the 1971 release and commutation as a "good-will gesture" on the part of the Chinese.<sup>179</sup>

The excited atmosphere surrounding both Sino-American détente in general and progress on the prisoner issue in particular, could easily blind one to the fact that Washington officials in the early 1970s had not yet abandoned completely the policy of prior decades. The Chinese decisions to release Fecteau three years early and to reduce Downey's life sentence signified, for the most part, Sino-American détente, not total American disclosure of the truth about the prisoners. While Fulbright's response to Cohen and Kissinger's private comments to Zhou were large steps forward, newspapers, government memoranda, and Washington officials in the early 1970s still referred to Downey and Fecteau as "civilian Army employees," and their fateful mission as a "routine flight from Korea to Japan." The State Department, as well, "still refused to concede" that Downey and Fecteau had been CIA employees.<sup>180</sup> Even Nixon's correspondence on the prisoner issue – while lacking the adamant rejection of guilt that had characterized earlier government documents – in no way professed America's culpability.

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<sup>178</sup> "A Present From Zhou," *Newsweek*, 27 December 1971.

<sup>179</sup> "Chinese Release Fecteau but Keep Downey in Prison," *New York Times*, 13 December 1971, 1, 25.

<sup>180</sup> Associated Press, "U.S. Won't Concede Or Deny Fecteau Was on Spy Mission," *Washington Post*, 15 December 1971, 27.

## II

Fortunately for Downey, these remnants of decades past faded fast. In addition to reviewing Cohen's "face saving" plan, the State Department had, by 1971, "modified" its own response to questions surrounding Downey and Fecteau's employment in the CIA from one of adamant denial to one of dispassionate silence. Still not admitting outright the men's guilt, officials insisted they would "no longer deny the charges" either.<sup>181</sup> While this taciturn response could hardly be taken as admission, the modified approach was, nonetheless, a refreshing shift from the hostile and overly defensive policy of Secretary Dulles.

Even more remarkable was Nixon's statement on January 31, 1973, in which he admitted for the first time that there was some connection between the CIA and Downey and Fecteau's 1952 mission. Asked by a reporter about the possible release of Downey from the Chinese prison, Nixon responded that Downey's was a "different case" since it "involves a C.I.A. agent." Nixon further commented that any release of Downey must be up to the Chinese, and "bellicose statements" emanating from Washington would not help "in getting his release."<sup>182</sup> Despite the monumental importance of Nixon's statement, the comment was still not a straightforward or comprehensive acknowledgement of Downey and Fecteau's employment in the CIA and was certainly not an admission to Washington's complicity in and cover-up of their espionage activities. While most newspapers took the President's statement to be a complete admission to Downey and Fecteau's involvement in the CIA, his indirectness led one New England newspaper to question whether Nixon's response had been intended, or

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<sup>181</sup> Ibid.

<sup>182</sup> Nixon, "Press Conference Remarks," 31 January 1973, *PPRN* 1973, 62-63.

merely “a slip of the tongue.”<sup>183</sup> Further, the brevity of Nixon’s response raised the possibility that he had not been intending to make a prepared, definitive statement regarding Downey’s employment.<sup>184</sup>

Any thoughts that Nixon’s press conference statement had been unintended or intentionally vague were made moot in the following weeks. Following the news conference, Nixon made no attempt to deny his implication of a Downey-CIA link. Furthermore, one *New York Times* article possibly misinterpreted Nixon’s response on Downey’s employment; the article reported that Nixon “conceded...that [Downey] was an agent of the C.I.A.”<sup>185</sup> As the transcript makes clear, Nixon made no such clear-cut statement. In light of the fact that there was no backlash on the part of the Nixon administration against the *Times*, however, it appears that the disparity between the newspaper report and Nixon’s actual statement was one of semantics, not fundamental differences.

Cohen’s testimony to Fulbright’s committee, Kissinger’s talks with Zhou, the slight shift in State Department policy, and Nixon’s admission all showed that American priorities had changed; no longer was making the Chinese look like international enemies of greater or equal importance than securing the release of the remaining Americans. Further, as U.S. and PRC officials continued their efforts to secure a hospitable relationship with each other, it became casually accepted that the CIA had employed John

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<sup>183</sup> Robert Waters, “Nixon’s Reference to Downey – A Slip or a Message to China?,” *Hartford Courant*, 10 February 1973.

<sup>184</sup> This possibility was amplified due to Nixon’s error when discussing Downey’s prison sentence. When discussing China’s commutation of Downey’s sentence, Nixon incorrectly stated that Downey’s sentence had originally been thirty years. Nixon, “Press Conference Remarks,” 31 January 1973, *PPRN* 1973, 63.

<sup>185</sup> Apple, “U.S. and China Will Soon Set Up Offices in Capitals for Liaison; Peking to Free Two Americans,” *New York Times*, 23 February 1973, 1, 15.

Downey (and by implication Richard Fecteau), and had orchestrated the doomed 1952 mission – two facts that the Chinese and numerous Americans had known since the 1950s.<sup>186</sup> By 1973 national newspapers, which had previously been careful to preface Downey and Fecteau’s involvement in the CIA with phrases such as “according to the Chinese,” and “allegedly” now explicitly described Downey as “an agent of the Central Intelligence Agency,” and a “C.I.A. prisoner.”<sup>187</sup> Clearly, United States officials and the American public had accepted the actuality of Downey and Fecteau as CIA agents and were ready to use that concession to secure Downey’s release.

### III

While Sino-American détente and constructive efforts within Washington and Beijing made Downey’s release inevitable, it was the ailing health of Downey’s mother in March 1973 that supposedly served as the main impetus for immediate action. With the help of Governor Thomas J. Meskill of Connecticut, a boyhood friend of Downey, Nixon worked out an agreement with the Chinese to hasten Downey’s release. In light of

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<sup>186</sup> In addition to Secretary of State Dulles, top CIA officials certainly knew of the prisoners’ guilt as well. CIA Director Richard Helms, testifying before the Senate Committee on Presidential Campaign Activities in 1973 used Downey and Fecteau as examples of how the CIA dealt with agents captured abroad. He explained that during their imprisonments “their salaries were paid just as though they were on our rolls, so when they came out they had quite a tidy piece of money to take care of them for whatever period of time they wanted to use it for.” Testimony of Richard Helms, “Hearings Before the Select Committee on Presidential Campaign Activities of the United States Senate,” 93<sup>rd</sup> Congress, 1<sup>st</sup> Session, *Presidential Campaign Activities of 1972* (Washington, D.C.: U.S. Government Printing Office, 1973), 3277.

<sup>187</sup> Such labels can be found in Apple, “U.S. and China Will Soon Set Up Offices in Capitals for Liaison; Peking to Free Two Americans,” *New York Times*, 23 February 1973, 1, 15; “China to Free Downey of the C.I.A. Monday,” *New York Times*, 10 March 1973, 1; and Lawrence Fellows, “Peking’s 20-Year C.I.A. Prisoner: John Thomas Downey,” *New York Times*, 10 March 1973, 10.

Mary Downey's health, Foreign Minister Zhou promised to release John Downey, now forty-two, on March 12, 1973.<sup>188</sup> The Nixon administration welcomed the announcement with celebration, and Washington officials rightfully recognized the Chinese for their integral role in the release.

Regardless of the cover story, however, Mrs. Downey's health was not the true reason for John's release; claiming that it was cast the Chinese as a philanthropic people and allowed American officials to sidestep, yet again, the ugly political reasons behind Downey's twenty-year imprisonment in the first place. The actual decision to release John Downey had come before his mother fell ill, during additional Zhou-Kissinger talks in February 1973. At that time Zhou made it clear to Kissinger that while Downey would certainly be freed, his release "would be expedited" if the Americans were to give the Chinese "a compassionate reason" to do so. Such a reason emerged one month later with Mrs. Downey's failing health.<sup>189</sup> But Kissinger and Zhou both knew that the true reason behind the release was Nixon's admission that Downey and Fecteau were indeed CIA agents – a concession that, unlike Mrs. Downey's failing health, could have easily come twenty years earlier.

Whatever China's actual reason for the release, on March 12 a "smiling" John Thomas Downey crossed over the Chinese border into Hong Kong. Newspapers reported him to be "in good shape" and he appeared thrilled and appreciative regarding his release. From Hong Kong, Downey flew to Clark Air Force Base in the Philippines, where his brother William greeted him. Together the two brothers then flew to Hartford,

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<sup>188</sup> In addition to releasing Downey, Zhou promised to release Major Smith and Lieutenant Commander Flynn on March 15, 1973. United Press International, "China to Free Downey of the C.I.A. Monday," *New York Times*, 10 March 1973, 1.

<sup>189</sup> Henry Kissinger, *Years of Upheaval* (Boston: Little, Brown and Company, 1982), 70.

Connecticut to spend time with their critically ill mother.<sup>190</sup> With the release, Kissinger later commented, Beijing and Washington had cleared “the slate at last of the human legacies of the period of hostility between” the two nations.<sup>191</sup>

Upon their returns, both Richard Fecteau and John Downey attempted to live normal lives, acknowledging their pasts but looking toward their futures. Fecteau rejoined the CIA, where he remained until 1976. The next year he accepted an offer to work as the assistant athletic director at his alma mater, Boston University, a job he kept for twelve years.<sup>192</sup> In 1973 Downey retired from the CIA and applied to law school, twenty-two years after graduating from college. With the assistance of his friend, Jerome Cohen, now a professor of law at Harvard, Downey entered Harvard Law School and upon graduation joined a small law firm in Connecticut.<sup>193</sup> Starting in 1978 he tried his luck at politics, running unsuccessfully for the lieutenant governorship and a seat in the U.S. Senate. In 1987, following his failed political bids, Governor William O’Neill of Connecticut appointed Downey a state court judge, a position he holds to this day.<sup>194</sup>

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<sup>190</sup> “Downey, Released By China, Crosses Hong Kong Border,” *New York Times*, 12 March 1973, 9; Henry S. Bradsher, “Free After 20 Years,” *Evening Star and Daily News* (Washington, D.C), 12 March 1973, 1.

<sup>191</sup> Kissinger, *Years of Upheaval*, 70.

<sup>192</sup> Daniel, “Former POW Finds Freedom by Making Peace With Past,” *Boston Globe*, 11 July 1999, 1; Bill Peterson, “Making Up For 20 ½ Lost Years,” *Washington Post*, 19 July 1978, 1, 11.

<sup>193</sup> According to Cohen, he recommended Downey’s admission on the friendly understanding that once a year, Downey would discuss his twenty-year ordeal with Cohen and law students. Cohen interview.

<sup>194</sup> Peterson, “Making Up For 20 ½ Lost Years,” *Washington Post*, 19 July 1978, 1, 11; Richard Madden, “Former C.I.A. Agent May Seek Weicker’s Seat in U.S. Senate,” *New York Times*, 15 April 1981, B-2.

## Conclusion

In an effort to move past the divisive prisoner issue, or at least to lessen its volatility, the Chinese government, in September 1983, invited Downey to visit the PRC in what would be his first visit to the country since his return to the United States. The Chinese intended the trip as a good-will gesture and Downey took it as such, adding that he “felt no bitterness” toward Chinese at that time, nor had he ever felt bitterness toward them throughout the ordeal.<sup>195</sup> Aside from the “good will” aspect of the trip, Downey’s visit allowed him to speak with Chinese officials and gain a better understanding of the details surrounding his capture and imprisonment.

While the Chinese appeared to be reaching out to the U.S. in regard to the still-lingering prisoner issue, American officials seemed content reverting to a policy reminiscent of decades past. This can be seen most clearly in the events of June 25, 1998, when CIA Director George Tenet hailed both Downey and Fecteau as heroes, implicitly vilifying the Chinese in the process. In a private ceremony, Tenet called the men “True legends,” and presented them with the Director’s Medal for their “heroism...during those dark days of captivity.”<sup>196</sup> The medal of recognition was certainly not an apology to the two Americans for being sacrificed for twenty years for the sake of Cold War politics. Nor did the ceremony acknowledge the integral role of the

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<sup>195</sup> Richard L. Madden, “Ex-Prisoner to See China, by Invitation,” *New York Times*, 28 August 1983, 41; Downey quoted in Associated Press, “Ex-C.I.A. Man Accuses Dulles,” *New York Times*, 6 September 1983, 11.

<sup>196</sup> Associated Press, “With Curious Timing, CIA Honors Spies Who Survived Chinese Prisons; ‘True Legends’ Actually Won Their Freedom in the ‘70s After Nixon’s Visit,” *St. Louis Post-Dispatch*, 5 July 1998, B6



Chinese, specifically Foreign Minister Zhou Enlai, in the eventual releases of Downey and Fecteau. In fact, Tenet mocked the Chinese legal system and referred to the PRC pejoratively as “Red China.” Similarly, in response to the award one congressman arrogantly noted it was “This Nation [the United States]” that “ultimately did not fail [Downey and Fecteau]” and it was “we [again the U.S.],” that “finally obtained the release of Dick Fecteau....[and] Jack Downey.”<sup>197</sup>

Further, in his speech Tenet distorted the truth surrounding the case, recreating events so as to get around Washington’s guilt in the affair. He insisted that Mary Downey’s health was “the basis for [John’s] eventual release,” (a fabrication that Kissinger had debunked sixteen years earlier in his memoirs), and implied – with the word “ambush” – that the Chinese alone were responsible for Downey and Fecteau’s doomed mission.<sup>198</sup> United States officials, in bestowing this honor unto Downey and Fecteau thus proved to have successfully sidestepped one of the persistently unresolved issues of the case. While American officials had by now unequivocally conceded that Downey and Fecteau were CIA agents,<sup>199</sup> there still had been no admission of Washington’s well-organized, twenty-year cover-up of that fact and the disastrously

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<sup>197</sup> Congressman Porter J. Goss, *Congressional Record – House*, June 19, 1998, Volume 144, Part 9, 2d Session, 13021-13022.

<sup>198</sup> Tenet summarized Downey and Fecteau’s mission: “to swoop down and snatch out our imperiled agent. It is the story of an ambush – of a crash landing – and of capture.” “Remarks of the Director of Central Intelligence George Tenet on Presentation of the Director’s Medal to John T. ‘Jack’ Downey and Richard G. Fecteau,” in CIA Press Release, 25 June 1998, from the Central Intelligence Agency website, <[www.cia.gov](http://www.cia.gov)>, accessed 16 June 2004.

<sup>199</sup> Years before the CIA ceremony, during the Senate Watergate hearings, CIA Director Richard Helms commented that it was “now public knowledge that Mr. Downey and Mr. Fecteau were working for the CIA.” Helms testimony before Select Committee on Presidential Campaign Activities of the United States Senate, 93<sup>rd</sup> Congress, 1<sup>st</sup> Session, p. 3277.

prolonging effect it had on the two men's imprisonments. Judging from the CIA ceremony, moreover, American officials were not moving toward that type of concession in the future.

## II

As the events in recent years attest, the twenty-one year ordeal, though technically over, lingers on. While President Nixon's January 1973 press conference statement had resolved some of the case's major issues – including the true nature of Downey and Fecteau's employment – other questions of the case remained unanswered. Why had Downey and Fecteau's releases come two decades after their initial imprisonments? Why had American government officials refused to admit for twenty years that Downey and Fecteau had been employees of the CIA when it was clear high-level officials knew they were? And after such an admission had been made, why had American officials still refused to admit that Washington's cover-up had most definitely prolonged the imprisonments of Downey and Fecteau? Finally, why did American policy seem to take precedence over Downey and Fecteau's individual freedoms?

Suggesting one answer to these questions in a letter to Henry Kissinger following Downey's release, South Carolina resident Dorothy Moore commented that it was "just too bad" that Nixon and Kissinger had not occupied the White House twenty years earlier. She believed that had history played out in that way, Downey and Fecteau would have never remained in Chinese prison so long.<sup>200</sup> Her comment, surely representative of many Americans' sense of gratitude toward the President and his administration, to some

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<sup>200</sup> Dorothy Moore to Kissinger, 12 March 1973, POL 27-7 KORN-US, RG 59, North Korea Files 1970-1973, Box 2423.

extent gives too much credit to Nixon and too sharply criticizes Eisenhower officials. Had Nixon been president and Kissinger National Security Advisor in 1954, the outcome of the Downey-Fecteau case would not necessarily have been different. (After all, Nixon had been Vice President under Eisenhower). The power of the Cold War on American officials was incredibly strong, and the continuation of Dulles's policies by the Kennedy and Johnson administrations is surely evidence of this.

This leads to another possible explanation of the prisoner affair. The Cold War, specifically in its effects on Sino-American relations, appears to be the simplest way of comprehending Downey and Fecteau's imprisonments. Such an explanation, while not comforting, successfully explains the shift from hostile American protest of the Chinese charges in the 1950s to talk of Sino-American cooperation and full disclosure in the 1970s. Clearly, Washington officials' knowledge of Downey and Fecteau's involvement with the CIA did not increase drastically during those twenty years, nor did the guilt or innocence of the men themselves change. Thus, one could look to outside influences – the Cold War – to explain the shift in policy.

Again, however, blaming the Cold War does not provide a satisfying conclusion to the ordeal. While there is no doubt that the Chinese capture and imprisonment of Downey and Fecteau, the American refusal to admit fault in the affair, and the eventual releases of the two men were all carried out by individuals with Cold War mentalities, one must find fault with these individuals, not the abstract ideas they espoused. Furthermore, the fact that opportunities to end the prisoner affair did emerge throughout the 1950s is further evidence that blaming the Cold War is not sufficient.

John Downey appeared to have the answer in 1983, following his return from China. During his stay in China Downey had learned the entire story behind his capture and imprisonment, and he was shocked to discover that he “could have been free 16 years earlier,” referring to Zhou’s newsmen-prisoner exchange offer. Downey understood Secretary of State Dulles’s role in rejecting that particular offer and realized that the Secretary’s zealous anticommunism and rigid moralism had clearly motivated his ineffective actions. Frustrated, Downey regretted that he could not “confront” the late Secretary of State to discuss his and Fecteau’s unnecessary imprisonments.<sup>201</sup> Downey’s analysis seems accurate; one must look to Secretary of State John Foster Dulles to understand fully the complex and disappointing course of the prisoner affair. It was Dulles who had immediately lashed out against the Chinese for the “trumped up” charges of espionage. It was Dulles who had refused to distribute passports to the prisoners’ families in 1955, insisting that the Chinese were an irrational, evil people who could not be trusted. It was Dulles who had refused Zhou’s offer to release the prisoners if the United States would send American newsmen to the PRC, by far the best opportunity to that point to secure the releases of Downey and Fecteau. Finally, it was Dulles who set the precedent for American policy on the prisoner issue, making it risky for future Democratic presidents to change course. It was Dulles, the man, who had done all these things.

As Downey likely recognized, the Secretary’s extraordinary animosity toward the Chinese Communists and communism in general, combined with his tendency toward oversimplification and exaggeration, precluded him from cooperating with the Chinese.

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<sup>201</sup> Associated Press, “Ex-C.I.A. Man Accuses Dulles,” *New York Times*, 6 September 1983, 11.

A moralist to the end, Dulles consistently saw the Downey-Fecteau case as a fight between good and evil, between right and wrong, and thus compromise was never a realistic possibility. Further, Dulles's strong allegiance to the conservative China Lobby and McCarthyites in Washington gave his moral revulsion to the Chinese a degree of political legitimacy.<sup>202</sup> While these characteristics may have been common among American officials during the 1950s, as Secretary of State (and one with the unflinching trust of the president), Dulles's personality had extraordinary influence on American policy and action.

Thus it was the unlucky, but not coincidental, fate of John Downey and Richard Fecteau to be imprisoned for two decades after flying covertly over China at the height of the Cold War, with a stubborn, anticommunist, anti-Chinese figure serving as the American Secretary of State. The event tells a great deal both about the lengths American officials were willing to go to maintain their military and political course in the Cold War, and the lengths they were willing to go to conceal that course of action from the public in order to preserve international and domestic strength and legitimacy.

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<sup>202</sup> Richard H. Immerman, *John Foster Dulles: Piety, Pragmatism, and Power in U.S. Foreign Policy* (Wilmington, Delaware: SR Books, 1999), 44; Chang, *Friends and Enemies*, 144.

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