'Loyal to Her Friends, Family And Country'

McCarthy Era Victim Posthumously Cleared

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By Cindy Loose
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Beatrice "Bibi" Braude won back her reputation yesterday, nearly nine years after her death and 43 years after she was fired in a spasm of anti-communist hysteria best known as the legacy of Sen. Joseph R. McCarthy.

A judge in the U.S. Court of Federal Claims ruled that during what he called a "dark era in American history," Braude was accused unfairly of disloyalty, fired unjustly from the United States Information Agency and blacklisted as a security risk merely because of the "political beliefs of a few casual, social acquaintances."

Braude's posthumous victory brings vindication not only for her but also for thousands of innocent

BEATRICE 'BIBI' BRAUDE
. . . died in 1988 at age 75

Americans accused and blacklisted in the 1950s, said her pro bono attorney, Christopher Sipes, of Covington & Burling. Yesterday's decision, he added, is an important page in the annals of U.S. history.

"The court of the United States has said it recognizes that this conduct is out of bounds," Sipes said. "It tells the government it must acknowledge its wrongs and pay for them."

Most of the government officials who persecuted Braude are, like

See BRAUDE, A12, Col. 1

Blacklisted Woman Is Posthumously Cleared

BRAUDE, From A1

her, long dead. But the government will have to pay damages, the amount of which will be negotiated by attorneys for both sides. Her family intends to donate the money to Hunter College, where Braude received one of her three degrees.

Family and friends who doggedly pursued Braude's cause after her death in 1988 were most gratified by a section of Judge Roger B. Andewelt's 20-page opinion in which he said the evidence shows that Braude "cared about others deeply and was loyal to her friends, family and country."

"It is so wonderful to hear those words; I'd like to think that she knows about them," said Braude's niece, Erica Braude. "It's what we were after: to have someone acknowledge that she was a regular loyal American and that she was treated shamefully by the United States government."

Braude would be overjoyed by the decision, said longtime friend Miriam Raff, of Bethesda. "I think everyone should be overjoyed; not just her friends, but all of us."

Braude arrived in Washington at a time when the city was a magnet for the nation's best and brightest. With a master's degree in French and fluency in German, Italian and Spanish, she quickly landed a government job. After a stint as a cultural affairs officer in Paris, Braude transferred to the newly formed USIA.

In 1951, like many civil servants at that time, Braude was subjected to an investigation by the State Department's Loyalty Security Board. The board looked into what she called "rare, casual, innocuous" contacts that she had with two women suspected of being sympathetic to communist doctrine. She described herself to the board as a generally apolitical person who had become an "anti-communist" based on her firsthand knowledge of communist terror while working for the State Department in Europe.

The board determined that there was "no reasonable doubt as to your loyalty to the United States government." Two years later, however, she was fired—for budgetary reasons, she was told.

But when she was turned down repeatedly for other jobs, year after year, she realized that she had been blacklisted. She began to compile evidence but gained compelling information only after her government files were opened in 1975.

A lawsuit she subsequently filed bounced around the courts for years, until the U.S. Court of Claims ruled that the statute of limitations had run out. She then persuaded her senators to introduce a bill ordering the claims court to decide the case. She was still fighting when she died of brain cancer at 75.

At her posthumous hearing in November, Justice Department lawyers argued that because witnesses to her treatment were dead or unavailable, there was inadequate proof of blacklisting. She might have failed in her job search, they said, because she was older than 40 and a woman.

Because the laws of the time allowed for and approved Braude's treatment, Andewelt wrote in his opinion yesterday, Braude's estate has no legal claim. However, he added, her blacklisting allows for an "equitable claim" based on tort law, which recognizes moral wrongdoing. The judge ordered the parties in the lawsuit to try to agree before April 9 on an amount to be paid to Braude's estate.