

Jury Reaches No Verdict in George Trial

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A federal jury deliberated for seven hours yesterday without reaching a verdict in the criminal trial of Clair E. George, the ex-CIA spy chief charged with covering up the Iran-contra affair.

The jury, which is being sequestered, is scheduled to enter

its third day of deliberations today.

George, who headed the CIA's worldwide spy operations from 1984 to 1987, has pleaded not guilty to three counts of obstructing Congress and a federal grand jury and six counts of perjury and false statements.

Where the Truth Lies Among Spies

George Trial Reanimates Inner Debate of Espionage

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"And ye shall know the truth, and the truth shall make you free."

—Inscription in the CIA lobby

Alan Fiers squirmed on the witness stand. Here he was, accusing his friend Clair George, once chief of the CIA's clandestine service, of lying to Congress. But now Fiers was facing pointed questions about his own truthfulness.

Fiers had pleaded guilty to withholding information from Congress, he was reminded by George's defense lawyer Richard Hibey. Didn't that mean Fiers had lied?

No, Fiers replied. What he had said was only *not factual*. "It was not a true statement," he said.

"It was, therefore, a lie," Hibey concluded. "It was not a true statement," Fiers repeated.

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Ben Forgey's Cityscape column will resume.

On Spying and Lying

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Hibey snapped at him, "Do you have difficulty with the word 'lie'?"

Fiers wasn't the only one. If any theme has emerged during the month-long trial over George's role in the Iran-contra affair—a case now in the hands of a federal jury—it is that truth can be elusive in the intelligence business. Regardless of the verdict—regardless of whether George lied in a legal sense—his trial has been a disconcerting journey through the maze where CIA operatives live and work, where you can learn to lie in the name of freedom and where truth can be obscured behind a mass of "top secret" and "eyes only" designations.

In this culture of official lying and deception for the greater good, no individual seems to emerge unscathed.

There was Fiers, the hulking ex-Marine, breaking down in tears as he was forced to testify against his former colleague and describe in agonizing detail his own lies and deceptions. And George, enraged at what he saw as false allegations, slamming down his fist, yelling at the prosecutor, trying to convince the jury that he had not lied.

In those two shattered figures was the embodiment of what Brandeis philosophy professor Sissela Bok calls the "hidden costs" of official lying—the long-term toll on institutions and society—and what spy novelist John le Carre depicts as the steep price that officers themselves must pay.

Said one former intelligence officer: "We do not like the concept of

lies. We like to use euphemisms like withholding, slanting or canting the truth to make it fit the circumstances. We're into cover stories and plausible denial and those sorts of things. There's a tremendous difference between lying, which is a base, defiling act in the intelligence world, and creative truth—the manipulation of words and ideas to outsiders.

"That's why I think you saw this emotional release" from both men, the officer said. "Because you suddenly got into their holiest of holies."

Bok, the author of the books "Lying" and "Secrets," said she once asked a top CIA official if there was a single, inviolable rule in the CIA. It caught him off guard, she says, and after some thought he said, "Never lie to a superior."

He explained to Bok that most young officers were not that good at lying, that they had to be trained so they could successfully carry out clandestine work.

"But when it comes to lying in the organization and especially to superiors, you mustn't do it," the official said, adding, "We don't want you to be so good at lying that we can't detect it ourselves."

George and Fiers spent their careers on the secret side of the CIA, a world of moral ambiguity where deception is allowed and misrepresentation and subterfuge can be a means to an end. Their assignments were often risky—George served in Beirut during the Lebanese civil war; Fiers was also in the Middle East—and by all accounts each acquitted himself well.

To survive in such a world takes a strong moral compass, said Victoria



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Clair George: In the world of spies, what are the limits to deception?

Toensing, a former Justice Department official who worked closely with George in counterterrorism operations in the mid-1980s. "You have to develop an inner set of values or you won't be able to function."

Toensing believes George possessed that quality. He knew where the lines were drawn. George, 62, tried to convince the jury of this, and could barely contain his anger while testifying. "I did not lie," he told the jury. "There was no intention on my part to lie," he said later. And still later: "I was not lying. I was in error. It was a mistake."

He evinced no guilt, for he didn't feel any. He became so combative with the prosecutor, interrupting him, yelling into the microphone, that the judge finally gaveled him down—"Mr. George!"—and ordered him to let the prosecutor finish his

questions.

Fiers, 53, was a different story.

By Fiers's own account, he violated every rule in the book: lying to Congress, deceiving his superiors such as George. He talked about being "technically accurate but specifically evasive," of having "three tiers" of memory, of feeling that if he didn't tell someone something, it was like it "never" happened.

As the Iran-contra cover-up progressed, Fiers resolved to keep his silence: He wasn't going to be the first CIA officer to tell Congress the truth as long as others higher than he were not doing so, he has said. But Fiers acknowledged that it became harder and harder for him to keep all his lies straight.

"I kind of envisioned an artichoke in my mind. I would let some of the truth go, and then I would expand it further and try to keep it consistent. I was going to try to manage my way through, by revealing a little bit of it at a time as we went forward."

"It's relativism gone rampant," said one ex-officer of Fiers's testi-

spent 12 years in CIA operations and is today the only admitted former CIA officer in Congress.

"I think this is a tragedy being played out. It's a little bit like "Death of a Salesman" in some ways," said Goss. "We're dealing with human nature here, being asked to do things in an imperfect world using imperfect tools. There are no exact lines in the sand."

Most CIA officers live a kind of lie—they may claim they work for the State Department, can't tell their family what they do at the office. They use operational aliases (Fiers was "Cliff"). They may pretend to like someone they are trying to recruit; they may play to an agent's ego, telling him the president will read the material he procures. Information is highly restricted on a basis of "need to know." "I don't think anybody in the agency thinks of it as lying," says one officer. Says another: "In 25 years I don't ever recall sitting around with a bunch of case officers talking about lying."

Fiers's real betrayal, his former colleagues say, was not so much the decision to testify against George as in keeping secrets from him. "We had a saying," one of Fiers's former colleagues said. "Operational activities stop when you cross the threshold of the office. We don't run operations against each other."

Many CIA veterans interviewed recently said they believe George when he testifies he was cut out of most of what Fiers did, often for then-director William Casey. Throughout the intelligence community, where the case is being discussed endlessly, many are aghast at his prosecution, feeling "there but for the grace of God go I." They see Fiers as an extreme example of the officer who crossed the line. One says he committed "the unpardonable error of an intelligence officer—he became a zealot. . . . He lost all balance."

"I think what you are seeing in the courtroom is a singular situation, close to being unique," said former officer John Horton. "It really comes down to Casey's use of the agency politically to carry out what he thought were the administration's

goals. You had the professional intelligence officer torn between loyalty to the director and to the agency." Horton himself quit in 1984 rather than follow an order from Casey to tailor an intelligence estimate to fit a White House position.

But the prosecution asserts that George willfully orchestrated a cover-up, did not intend to tell the truth. "He lived in a world where he thought he *owned* the secrets," Craig Gillen told the jury. "He apparently forgot this is a democracy, and the United States does not belong to Clair George."

Gillen, who told the jury in opening arguments last month that "his is a case about truth," closed this week with: "When I say truth, I don't mean half-baked truth. I don't mean half-spilled truth. I don't mean someone trying to be cute. . . . Can there be no truth at all?"

In John le Carre's post-Cold War spy novel "The Secret Pilgrim," legendary spy chief George Smiley dines with a group of young officers, who gather round his feet for his sage advice. He describes their "future role as agent runners" and the

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mony. "What's the truth? What's a lie? Everything can be explained away in one way or another, so nothing is ever a lie and nothing is ever the truth."

But Fiers's lawyer says his client "is a profoundly moral man. Whatever strategic or tactical statements he may have had to make on behalf of his country in the course of his duties were made for just that purpose," said Stanley S. Arkin.

"The very craft or art of intelligence-gathering sometimes does involve our people, as moral as they may be individually, in conduct which is not always truthful," Arkin said. "But I'd say this is a general thing in the world of politics, of statecraft, of business, the professions. Even ordinary relationships such as marriage, friends and family—all involve, more or less, areas and occasions when people don't speak the literal truth. That's just the way life is."

"I have tremendous sympathy for both Mr. Fiers and Mr. George," said Rep. Porter Goss (R-Fla.), who

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traditional parts they would play—mentor, shepherd, parent, befriender, prop and marriage counselor, pardoner, entertainer and protector—“as the man or woman who has the gift of treating the outrageous premise as an everyday affair and so becomes his agent’s partner in illusion.”

That hadn’t changed, Smiley said. But he also “warned them of the death of their own natures that could result from the manipulation of their fellow men, and the truncation of their natural feeling.

“By being all things to all spies, one does rather run the risk of becoming nothing to oneself,” he confessed sadly. “Please don’t ever imagine you’ll be unscathed by the methods you use. The end may justify the means—if it wasn’t supposed to, I dare say you wouldn’t be here. But there’s a price to pay, and the price does tend to be oneself. Easy to sell one’s soul at your age. Harder later.”

Indeed, when Alan Fiers broke down weeping as he testified against Clair George, none of his former colleagues seemed too surprised.
