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Part 4/24/73 *The CIA and 'Morally Hazardous' Duty*

Stephen S. Rosenfeld's article "Honor of Old-School Boys" [op-ed, April 7] touches on American ethics but fails to take account of the complexity of the issue. I agree that, when Congress and the press hold them up for public scrutiny, "people who do security work have a special personal need to have their 'honor' avowed and confirmed" but not, as Rosenfeld suggests, to save their "blurred... moral... bearings."

Reinhold Niebuhr in his book "The Irony of American History" says:

"Our idealists are divided between those who would renounce the responsibilities of power for the sake of preserving the purity of our souls and those who are ready to cover every ambiguity of good and evil in our actions by the frantic insistence that any measure taken in a good cause must be unequivocally virtuous. We take and must continue to take morally hazardous actions to preserve our civilization."

Like Rosenfeld and many Americans I am an idealist and respect the law, but I join Niebuhr in believing that, when preserving the state is at issue, rather than remain "unequivocally virtuous," the chief of state should consider and may "take morally hazardous actions." Roman *summum bonum* recognized the right of leaders to take actions where law was unclear or lacking or to break the law when, in their view, the interests of the state were obviously

and importantly served. The same need led Nathan Hale to say "every kind of service, necessary to the public good, becomes honorable by being necessary."

Had we practiced some "morally hazardous" espionage prior to Dec. 7, 1941, we would have uncovered Japan's intention to attack Pearl Harbor and reduced the damage we received. This failure and other World War II lessons in survival led Congress through the Defense Act of 1947 to authorize a clandestine service administered within the CIA. Its mission put the United States in the "morally hazardous" business of espionage and counterespionage. (We considered our instructions to be: Go swimming but don't get wet; conduct a service but don't raise moral questions.) Successive administrations, as they endeavored to cope with seemingly intractable problems in the post-war world, called on the service increasingly. By the 1950s administrations had stepped onto the exceedingly "morally hazardous" terrain of covert political actions. Leaders and those down the command line conducting secret operations weighed and made uncomfortable choices between "unequivocally virtuous" and "morally hazardous" actions. I share [former CIA director William] Colby's observation that the level of honor in the service was high, yet Rosenfeld's "tangle of history" chronicles "terrible abuses" as well as "honorable acts." The service's responsibility is heavy for, as [Richard] Helms says, "The nation must to a degree take it on faith."

Apart from the competence of the service to judge moral risks, the numerous demands—in my view excessive demands—placed on it in the 1950s and 1960s made inevitable the surfacing for public review and consideration the circumstances and degree to which the service should be employed as an instrument of foreign policy.

In the situation described by Rosenfeld, Helms took no pride "in feeling himself above the law." As a former di-

rector of CIA, part of whose responsibilities had been supervising the clandestine service, Helms neither wanted to lie to Congress nor betray the trust the executive expects from directors to keep secret things secret. Some withholding of secret executive business in the unrelated circumstances of his confirmation as ambassador seems as good a course as any former security official could steer when caught between legislature and executive. A risk was present, but at the time could be seen as modest compared to other judgment of risk in which Helms regularly participated.

When the cloak is removed from the clandestine service, directors and their colleagues expect a net confirmation of their "honor" rather than criminal proceedings as acknowledgement for the morally hazardous decisions in their career they have quietly endeavored to make responsibly.

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