

The Covert Presidency

By Anthony Lewis

BOSTON, Jan. 18—Those interested in the game of opinion-molding will have noticed the signs. Suddenly we read warnings that our leaders' hands will be tied, our foreign policy crippled, our enemies given a free run. A campaign is on to block reform in government—this time of the Central Intelligence Agency.

A Washington column that used to predict doom unless William E. Simon had his way three times before breakfast now sees disaster if Congress exercises meaningful oversight of the C.I.A. Time magazine publishes a ringing call for continued covert actions by the C.I.A., coupling with it an interview of C.I.A. Director William E. Colby so tame that it might have been written by his press agent.

What is going on is an attempt to rehabilitate the C.I.A., in the public mind, after the uncovering of its secret abuses and crimes. The reason for the campaign is not obscure. Congress will shortly be considering proposals to regulate the agency. Powerful forces in favor of the status quo are trying to rouse support on the crucial issue: covert operations.

Mr. Colby is of course entitled to argue the case for continued covert actions by the C.I.A., and supporters in the press to agree. But it is important to recognize the issue for what it is, and that is something much more fundamental to our society

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than the particular shape of an intelligence agency.

Consider the recent disclosure that President Ford directed the C.I.A. to pass \$6 million to non-Communist political parties in Italy. The White House press secretary, Ron Nessen, said Mr. Ford was "angry" at the leak and thought such reports "undermine our capability to carry out our foreign policy."

By the phrase "our foreign policy" Mr. Nessen evidently meant the policy chosen, in secret, by the President and his Secretary of State. For the decision to subsidize Italian politicians had not been approved by Congress, and there is not the slightest chance that it would be approved if put to a vote.

In essence, then, we are talking about the covert power of the President. When the C. I. A. has a standing covert capability, with thousands of employees and millions of unaccountable dollars to put it into operation, the effect is to let the President make and execute policy for this country without the ordinary constraints of the Constitution — without public knowledge, without debate, without the limiting Congressional power of the purse.

We have learned enough about the dangers of uncontrolled power in this country lately so that its advocates should have a heavy burden of proof. In some ultimate test—say the seizure of nuclear weapons by a terrorist group — most of us would say that a President should be able to move quickly and covertly. But that is a very long way from approving a standing covert capability that Presidents can use whenever convenient.

Reasonable people, even those who disagree about the C.I.A.'s role in covert operations, would probably agree that a number of conditions should be fulfilled before a President goes to that dangerous, potentially embarrassing, technique.

1. The policy aim should have a broad consensus of approval in this country.

2. The need should be urgent, vital to our national security.

3. There should be no less risky means available to achieve the end.

4. The operation should not be so large that it really makes foreign policy—and is likely to become known.

There is no consensus in this country, and certainly not among informed persons, that the United States should be subsidizing the tired anti-Communist politicians who are at such a dead end in Italy. It is not a desperate post-war situation there, and the Italian politicians are well able to support themselves. If they cannot succeed, they probably have their own corruption to blame — and United States money is not likely to help.

The other covert operation currently in controversy, in Angola, defies the final caution. It represents a weighty foreign policy decision, involving the United States in a new area of the world. The argument against taking that kind of decision in secret is one not only of Constitutional law but of practical experience. Our large adventures begun in secret have proved disasters: in Vietnam, Cuba, Chile.

Senator Frank Church has said that his intelligence committee will propose a requirement that covert plans be submitted to a new Congressional group before action, with an implicit opportunity for the oversight committee to say no. The White House-C.I.A. campaign is designed to head off that modest constraint. I think Congress's intelligence investigators will be derelict if they do not impose severe statutory limits on covert capability and the occasions for its use, in addition to legislative oversight.