

MISUNDERSTANDING SECRECY

by E. Howard Hunt

After the capture and sentencing of that extraordinary espionage figure Col. "Rudolf Abel," the Soviet government, which had sent Colonel Abel to America as chief of the New York GRU* *rezidentura*, contributed to his legal expenses and paid for the storage and return of his personal effects, albeit by circuitous means. Abel's family in the Soviet Union was cared for, and, one must assume, his salary and allowances were continued during his imprisonment in the Atlanta Penitentiary. When the Soviet Union captured U-2 pilot and CIA employee Francis Gary Powers, it tendered him in exchange for Colonel Abel, who was allowed to go home.

The United States government—through the Central Intelligence Agency—paid Powers' salary and living allowances during his confinement in the U.S.S.R.; it also relocated his family and saw to their welfare until and after his release.

When CIA agents Richard Fecteau and John Downey were

* Military intelligence.

captured in Communist China in the early Fifties, the United States government not only continued their salaries and allowances, but made extraordinary high-level efforts to secure their release through such Third World leaders as President Sukarno of Indonesia. As former CIA Director Richard Helms acknowledged, Downey returned to the United States to collect twenty years' accrued salary and related benefits.

Implicit—and often explicit—in the relationship between a clandestine intelligence agent and his employer is a form of social contract which says very simply that in the event of the agent's capture his employer will care for his family and exert every possible means to obtain his freedom. Were this tradition not well understood, employing powers would be hard-pressed to find competent, well-motivated, and reliable agents to carry out their covert missions.

It was this time-honored understanding that for a time buoyed the hopes of the seven

men who were indicted—and in two cases tried—for surreptitious entry into Democratic National Headquarters at the Watergate. That their attorneys' fees were partially paid, that family living allowances were provided—and that these support funds were delivered by clandestine means—was to be expected. The official sponsors of their project were an Attorney General, John Mitchell; a Presidential counsel, John Dean; and a former White House aide, Jeb Stuart Magruder, whose authority for ordering the Gemstone operation was never questioned by those who carried it out.

The White House request to the Central Intelligence Agency to provide clandestine support to the seven indicted men—a request the CIA declined—clearly indicates a perception at the Haldeman-Ehrlichman level of the appropriateness of clandestine support. As time passed, however, the burden of providing moneys was assumed by less sophisticated personnel, and the defendants' urgent requests for overdue support began to be

interpreted as threats, i.e., "blackmail."

Here the principle of *mens rea* is all-important, for, although the Watergate Seven sought no more than what they believed their normal due, John Dean, and perhaps President Nixon as well, misconstrued the situation, perceived it in the most discreditable terms, and apparently based their actions on a totally false premise.

The Watergate Seven had known, since October 1972 or before that, regardless of the outcome of their trial, they would be granted immunity and forced to testify before the Watergate grand jury. Thus, there was no question of buying silence, of suppressing the truth with "hush money."

The Watergate Seven understood the tradition of clandestine support.

Tragically for the nation, not all the President's men were equally aware. □

E. Howard Hunt's latest book, Under Cover: Memoirs of an American Secret Agent, will be published this winter.

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