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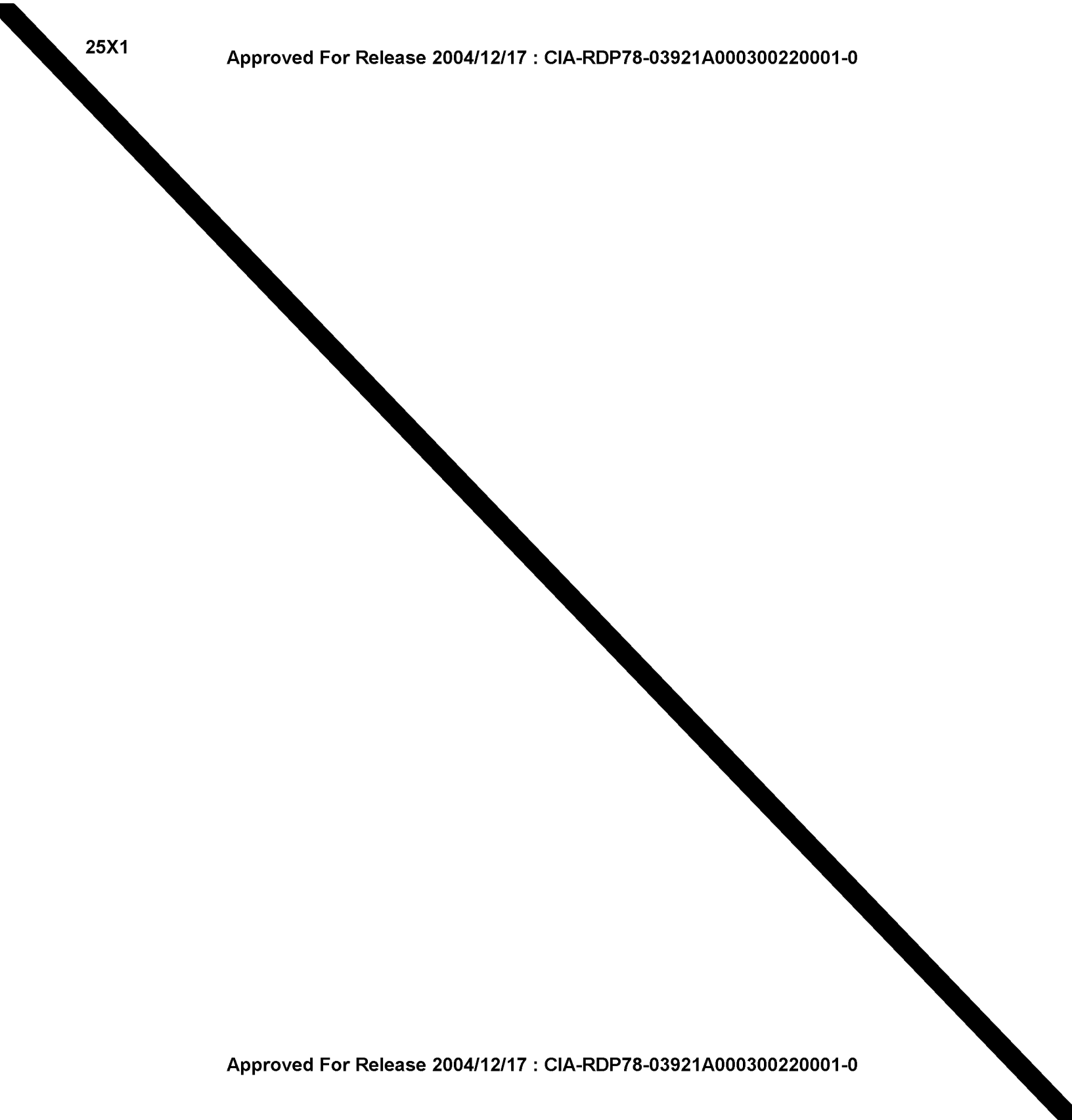

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An "ordinary citizen" appraises his participation in one "form of divination."

THE ROLE OF THE CONSULTANT IN INTELLIGENCE ESTIMATES

Joseph R. Strayer

Most consultants, at one time or another in their careers, wonder what excuse there is for their existence. They do not have continuing access to all the sources of information available to the intelligence community. They can spend only a few hours in pondering the significance of events which require days or weeks for proper analysis. Yet they are asked for advice about the most complicated problems and are expected to give their opinion on five minutes' notice. They wonder if the ritual of consultation has any more value than other forms of divination. They fear that they often seem naive and ignorant and they know that they can correct these deficiencies only by using up the time of intelligence officers who presumably have something better to do.

These feelings of guilt are made worse by the fact that the work is interesting and enjoyable. The problems are important, even if the consultant's opinion is not. However ignorant the consultant may be at the start of his career, he will find himself enlightened during his period of service. The intelligence community has not solved all its problems of style and organization but it usually succeeds in presenting essential facts in a clear, logical and compact form. There is no better way to get an education in world affairs than to act as a consultant. But these benefits only deepen the consultant's doubts. What does he give one-half so precious as what he receives?

For some kinds of consultant the answer is fairly easy. These are the men who have dined with dictators or haggled with desert sheikhs, who understand the mysteries of international finance or the intricacies of oriental politics. Such men have specialized knowledge and technical proficiency, they add to the pool of information and skill available to the intelligence

community instead of draining it. The need for this type of consultant is too obvious to require explanation; intelligence can always use expert knowledge of little-known areas or of highly technical problems.

But even these experts are often consulted on matters in which they have no special competence, and intelligence often recruits consultants who are not experts at all. They are ordinary, well-informed citizens, with some interest in foreign affairs. What special knowledge they may have is usually confined to Europe, an area on which practically everyone in Washington is an expert. It is to be hoped that they also have good sense and good judgment, but these qualities are certainly at least as common in the intelligence community as in any group of outsiders. What can such men contribute to the intelligence effort?

Since I belong to this group of consultants which has no particularly valuable expertise, my answer to this question may be somewhat self-serving. As far as I can see, the chief value of these consultants lies precisely in their lack of special knowledge. If nothing else, this makes them fairly representative of a large number of the consumers of intelligence products. Any text-book writer knows that it is fatal to ask an expert whether a particular chapter is clear and meaningful. Either he will read all his own knowledge into it and pass over loose organization and glaring omissions, or he will quarrel with every generalization and load it with unnecessary detail. The best critic of the first draft of a text-book is an intelligent person who has only a sophomore's knowledge of the field. In the same way, the best critic of an intelligence paper is probably the consultant who has only a general knowledge of the topic. If he misinterprets a key passage, if he is not convinced by the reasoning, if he feels that some essential information has been omitted, then the chances are that several consumers will have the same reactions.

For example, consultants have sometimes been troubled by the indiscriminate use of the terms "left" or "leftist." Since "leftist" can mean anything from a man who believes in universal suffrage to an ardent supporter of Communism it does not help very much to be told that the cabinet of country X has "four leftist members." Consultants have also been critical of the use of technical phrases in places where non-technical

language would be just as effective. Why say "has optimum capability" when all that is meant is "works best"? The war against vagueness and jargon must be fought by all members of the intelligence community, but consultants can sometimes be used as shock troops in the struggle.

Lack of precision is not the only reason why a paper may fail to be convincing. Sometimes the argument seems too precise, it places too much weight on logic and reasonableness. Consultants may not be expert but they have usually had enough experience to realize that human beings seldom solve their problems in a completely logical and sensible way. A nice example of this clash of logic and experience occurred a few years ago when the French Assembly was debating the ratification of the ill-fated EDC agreements. The first draft of a paper shown to a group of consultants predicted with some confidence that the agreements would be ratified. The arguments for this belief were strong. They were based on intensive investigation of the attitude of the government and the deputies and they were presented with impeccable logic. But some consultants distrusted the underlying assumption that the deputies would be reasonable and follow a policy of enlightened self-interest. They argued that these qualities are rare in any political group and especially in a French political group. Their opposition may have helped to make the final draft of the paper much less certain about ratification, even though it still leaned to the wrong side.

Criticism of style and logic is an essentially negative function. The consultant can also make some positive contributions. He should not hesitate to ask obvious and even silly questions. The greatest danger in intelligence work, as indeed in all intellectual activity, is that of falling into a repetitive routine. We all know of cases in which judgments have been repeated year after year simply because they were once sanctioned by the highest authority. It does no harm to reexamine what seems obvious or to question long-established generalizations. It was, I believe, a consultant who first queried the standard passage about the USSR being unwilling to conclude an Austrian State Treaty. It was another consultant who cast doubt on the cliché that Mohammedanism and Communism are fundamentally incompatible. On the other hand, certain consultants were demonstrably wrong when

they urged that there was a real possibility that the USSR would withdraw from East Germany in return for a neutralization of the reunited country. But their question at least forced the intelligence community to examine with greater care its basic assumptions about Soviet policy in Germany and so in the end to have greater confidence in its estimate that the USSR considered it essential to retain its hold on East Germany.

Most important of all, the consultant, simply because he stands a little farther away from the trees, can sometimes see the first signs of the storms which will destroy certain portions of the forest. The intelligence community, like any other group, must assume that there will be a certain amount of continuity in the phenomena with which it deals. If it did not do so, it could not function. If precedents mean nothing, if what a statesman does today has no bearing on what he does tomorrow, then it becomes impossible to make estimates. Some of the most valuable intelligence papers ever written — those projecting the future economic growth of the USSR — were based on the assumption that existing trends would continue. But, granting all this, quantum jumps do occur in human affairs. Sudden changes can overthrow precedents and distort trends. It is hard for anyone to foresee such changes; it is particularly hard for men who have spent years watching a certain pattern of conduct emerge and apparently stabilize itself. The worst failures of intelligence in recent years have been caused by this inability to anticipate the possibility of drastic change.

I am not suggesting that greater reliance on consultants could have prevented many, or indeed any, of these failures. Like most educated men, consultants tend to overestimate the element of continuity. But sometimes consultants do not know very well what it is that is supposed to continue. Because they have fewer old facts in their minds they are more receptive to the scattered new facts which indicate that a change is coming. I can remember two incidents which illustrate this point. The first came after the death of Stalin. Certainly no one could then have predicted the exact nature of the changes which would occur. But there was a tendency on the part of some members of the intelligence community to deny that *any* change would take place. Certain consultants, on the other hand — mostly those who knew little about the Soviet

Union — felt that drastic change was inevitable, that no one but Stalin could continue Stalin's system. Their arguments may have been weak, but their hunch was right. A little more willingness to look for signs of change in the months following Stalin's death might have prevented some poor estimates.

The other case was more recent. When the Gaillard government fell in France early this year, the generally accepted opinion was that this was merely another episode in the lamentable history of the Fourth Republic. Another weak government would be formed, which would limp along until replaced by an even weaker successor. Some consultants, however, felt that this was the last straw, that the French would no longer tolerate a system which made them politically impotent. In spite of their counsel, the possibility of a Gaullist regime was still being denied by some elements of the intelligence community almost up to the moment when de Gaulle took power.

One final moral: on both occasions the consultants deferred to the greater knowledge of the experts whom they were advising and did not press their point of view very strongly. This was an abnegation of their proper function. Dissent leads to questioning of established opinion, and only through questioning established opinion can we arrive at the imperfect knowledge which is all that intelligence can ever attain.

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The purloiner of scientific secrets pleads for patience, partnership, and better guidance.

THE COVERT COLLECTION OF SCIENTIFIC INFORMATION

Louise D. Omandere

This country, which has for over a hundred years led the world in technical development, is confronted by the very real possibility — some say probability — of falling behind in the scientific and technical race, and most dramatically in the contest for supremacy in space — in rockets and missiles, in earth satellite vehicles and manned space platforms, the emergent key elements of the power position of great nations. At this critical juncture it behooves this community to look to its performance in the field of scientific intelligence, to ask whether we are giving it sufficient emphasis, to review its processes and address ourselves to its problems.

This article is addressed to one aspect of scientific intelligence, perhaps its least prominent one, the clandestine collection of scientific and technical information. But covert collection cannot be considered in isolation from collection as a whole, nor collection in isolation from reporting, analysis and production; and we shall touch on all of these.

Pin-pointing the Covert Requirement

Let us begin with the first question the collector asks: "What shall I collect?" (Not *how*, but *what*. *How* is the second step.) Whence comes the answer to this question? Essentially from the analyst; the collector cannot determine which data among those available are critical and must be collected at no matter what risk unless he is informed by the man who day after day analyzes all available material in his particular field. The collector must rely on the analyst to direct him, and to a certain degree his success depends upon the aptness and precision of the requirements he is called upon to fill.

Particularly is this true in the field of scientific intelligence where frequently minute scientific data are crucial. A requirement which asks, "Tell us all you know about such-and-such a

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target or about research in such-and-such a field," is not calculated to develop the kind of intelligence information the analyst really needs. The intelligence officer running a scientific collection operation is no better equipped with this requirement than he was without it. Yet this is the type of requirement he most commonly receives.

Suppose, for example, that a field intelligence officer is running an operation against a target which comprises institutes in all the major basic sciences and in their military applications — a technical institute. (Lest it be assumed that such a target be purely hypothetical, it should be stated that there are several of this kind presently confronting the collector. One of them has, in addition to its general administrative set-up, the following military Divisions: Engineering, Artillery, Signal, Anti-Aircraft Artillery, Planning, and Experimental. It also has technical units as follows: War Technical Institute, Biology Department, Bacteriological Technical Unit, Meteorology Technical Unit, Security, Chemical Department, Textile and Material Laboratories, Radar and Radio Laboratories, Signal Corps Research and Storage, Explosives and Pyrotechnic Laboratory, and one unit the function of which is not known.) Faced with the necessity to collect information on such a target, where does the covert collector begin if he is armed only with a requirement for "all information available on the Target"?

Because such an institute would be vital to the scientific potential of the country in which it was located, its activities would be shrouded in secrecy. Even so, it would be next to impossible for some information on it not to get into semi-overt and overt channels. For example, if the institute were located in a city where service attachés are posted — and most of these institutes are so located — the attachés could undoubtedly report in some detail on the location, physical description, and physical security of the target. Except in highly classified military fields, there would probably also be local press releases concerning scientific developments at the institute.

More important is the wealth of information overtly derivable from the publications of any institute's staff. The amount of intelligence information on classified subjects obtainable by analysis of overt literature was recently put to the test by a highly sensitive U.S. installation which maintains rigid security

precautions. As an experiment, a scientist well qualified in one of the specialties of the installation but without knowledge of its work or that of its subcontractors was engaged to study the overt publications of personnel at the installation. Although classified research cannot be published and all publications of the installation's staff must be cleared by the appropriate scientific and military authorities, this expert was able after studying the overt material which he found on his own in the Library of Congress to determine the entire program of that installation, including its most highly classified aspects. With one minor exception, he reconstructed its total research, development and production program.

It is true that Americans in defense work are allowed to publish more freely than their Soviet Bloc counterparts. But even in Iron Curtain countries the complete muzzling of scientists has been found impossible. Restrictions on the publication of scientific information have been considerably relaxed in the Soviet Bloc since 1955, and particularly within the last two years, in recognition of the fact that science flourishes or dies to the degree that the exchange of ideas among scientists is encouraged or constricted, and in deference to scientists' need to publish in order to establish nationally and internationally their professional reputation.

Information on much of the work of our secret target's scientific staff would thus be readily available to the U.S. intelligence community through the Library of Congress, the Department of Commerce, and the community's own program for exploitation of foreign documents. Moreover, scientists from this target would inevitably be allowed to attend international congresses in their fields of specialty, and would probably be permitted to present scientific papers at such congresses. The exploitation of these congresses through the multiple machinery of overt collection would furnish additional information on scientific developments at the institute.

Asking the covert collector for "all available information" on this target, then, is asking him to collect information which can be gathered by the analyst from overt and semi-overt sources to which he has ready access. A thorough analysis of these overt data would limit the areas which required covert coverage and enable the clandestine collector to concentrate his efforts on the really covert aspects of the target. Only the

consumer can thus collate and analyze the overtly available information and levy a resultant meaningful requirement upon the collector.

We see, then, that the first step of collection — the What — rests in the hands of the analyst, and that only a sound, detailed and exclusively covert requirement will yield maximum results in the clandestine collection of information. Analysis of all the information at hand — overt, semi-overt and covert — and the levying of well-founded requirements to fill in its gaps constitute the first and basic step in the process of collection. Let us turn now to the next step in the process — the How.

The Man and His Methods

The covert collection of scientific information is fraught with many difficulties, more than any other field of intelligence. Special knowledge is required to understand the meaning of data in this field. The information most desperately needed by the scientific intelligence community is hidden deep within the folds of Soviet security in areas almost totally inaccessible to ordinary covert operations. In addition, certain highly critical scientific work can be carried on under the nose of the collector without the slightest risk of detection; biological warfare research is an example of such work. (BW is in fact the best form of do-it-yourself warfare. Enough pathogenic material can be manufactured in a camp kitchen in forty-eight hours to incapacitate a tremendous military installation. Dissemination of the material can be easily handled by one person who can drive through or even around the installation.)

The key individual in covert collection is the field intelligence officer, the "case officer" responsible for handling the agent — for contacting him, for maintaining the critically important rapport with him, for giving him instructions on what to do and how to do it, and for eliciting information from him according to prescribed requirements. The case officer is dependent upon his headquarters components, both in the field and in Washington, for support in maintaining the necessary relationships with his agent, for the formulation of information requirements tailored to the specific capability and location of the agent.

In some fields of intelligence — the political, economic and even military — the case officer with operational experience and an informed knowledge of current events can, if necessary, formulate his own requirements when he is unable to obtain them from the consumer. If, for example, he is suddenly faced with an opportunity to debrief an important source of information on military plans and does not have time to cable for requirements, he can do a creditable job on his own and develop most of the required information. In the scientific field, however, this is not possible. Unless he is a highly qualified scientist in precisely the same field as his agent-scientist, he cannot debrief him without appropriate requirements received from the consumer. A case officer trained in physics, for example, would be ignorant of the field of microbiology. Without appropriate requirements, tailored specifically for the microbiologist, he would be as helpless as the case officer who specialized in political or counterespionage operations. And even if he is a scientist in the proper field, he still needs statements of requirements in order to keep abreast of the changing gaps in substantive intelligence while conducting operations in the field.

The case officer is a species of its own, possessing generalist abilities and specialist skills. It is a rare scientist who has all the qualifications of a good case officer, and an even rarer one who has them and is also willing to forsake his scientific career for an anonymous one in intelligence. The ideal scientific and technical case officer is this rare individual. It is therefore usually necessary, in selecting a scientific case officer, to make a foregone choice between these two sets of qualifications, those of the case officer and those of the scientist: the former are indispensable to a successful operation in any field, including the scientific. A good case officer, with appropriate training and good requirements, can conduct a very successful operation in the scientific and technical field. A good scientist who is not adaptable to operations cannot.

Faced with the shortage of the ideal scientific case officer and the resultant necessity of using a layman, the collector must first overcome the difficulty caused by the layman's reluctance to deal with scientific material. An excellent case officer may shrink from a scientific operation simply because the language is totally foreign to him. In the political or even

economic field he is on familiar ground and is confident that if necessary he can fend for himself, but in the scientific field he feels lost. He cannot evaluate what he hears, and without guidance he does not know whether he has new and critical information, old and unwanted data, or mere fabrication. He also frequently feels at a great disadvantage in talking to his agent, who is highly learned in subjects of which he is himself totally ignorant and the basic principles of which he cannot understand. This reluctance to undertake scientific operations can be overcome by giving the case officer basic training in scientific principles and terminology and by interesting him in the importance of scientific and technical information.

We have said that the really critical scientific information needed by the United States is almost completely hidden in impregnable installations deep within the Soviet Union. Yet the collection of much-needed scientific intelligence information is not completely impossible. If we work at the primary targets from the periphery, we have a reasonable chance of success, of obtaining enough critical information to enable us at least to make educated guesses which may come satisfyingly close to an accurate estimate.

One of the potentially most fruitful sources of scientific intelligence information is the scientific congress. An international scientific congress or conference is the mecca of every scientist, and Soviet and Satellite scientists are attending these conferences in increasing numbers. Over one thousand such conferences, congresses, symposia and colloquia are held every year, providing for a substantial amount of intercourse among scientists of all nationalities. Many of the same scientists attend meetings of the same group held yearly or biennially.

In considering the scientific congress from the intelligence viewpoint, a clear distinction must be made between the congress as a source of positive information and as an operational arena. The positive information the congress yields is almost invariably overt. The scientific papers, the open floor discussions and the small seminar sessions are all easily covered through overt sources. Thus there is little need to expend the efforts of the clandestine collector at a scientific congress merely to collect positive intelligence information.

As an operational arena, however, the congress can hardly be surpassed. For one thing, scientists of all nationalities, Bloc

and non-Bloc, can meet on common ground, in an atmosphere as free of political tension as can be found in present-day circumstances. For another, it is possible for the same scientist to reestablish, time after time, contact with his counterpart from behind the Curtain without being conspicuous in so doing. He can meet his counterparts not only on the conference floor and in closed sessions, but on social occasions as well. Particularly for Western scientists who have appropriate language qualifications, social intercourse with their Satellite colleagues is common and easily arranged. Through attendance at periodically recurring conferences, it is possible for Western scientists to meet their Satellite counterparts year after year, and it has become standard practice to correspond between meetings and to exchange reprints.

Over a period of time, sufficient rapport can often be established between Eastern and Western participants at these congresses to provide the basis for a clandestine operation, beginning, for example, with the introduction of a case officer to the target scientist for the purpose of recruitment. Once a Soviet Bloc scientist has agreed to work for the West, there will be little difficulty in maintaining subsequent communications. For, if the operation has been handled professionally and securely, the recruited scientist will within six months to a year be attending another conference, where he can be securely debriefed and rebriefed. Thus there is no necessity to attempt to lay on an elaborate secret writing method or code, which at best can yield only fragments of information and which is fraught with operational and security hazards. In short, what can be achieved through operations at international conferences is in fact penetrations of target installations within Bloc areas.

The greatest success so far achieved through this means has been the recruitment of Satellite scientists who travel to the USSR, sometimes for periodic short visits and occasionally for extended study or work, who can report on their observations and work within the Soviet Union when next they attend a conference in the West.

Inept or non-professional elicitation of Bloc scientists, however, has resulted in the discovery of these efforts by the opposition and the resultant loss of potentially valuable assets. Within recent months, the East German Government has an-

nounced in the press that GDR scientists would not be allowed to attend scientific congresses in West Germany because such congresses were so widely exploited by American intelligence. Thus, in order for the United States to derive maximum benefit from conference exploitation, our efforts in this field, both overt and covert, must be handled professionally and securely. These efforts and their security can be fortified by thorough coordination among the intelligence elements concerned. If the intelligence activity at scientific conferences were disclosed to Soviet intelligence, Soviet attendance at such conferences in the future would undoubtedly be curtailed and perhaps altogether prohibited. In that event a profitable long-range potential for covert collection of scientific information would disappear.

But if the program outlined above can be prosecuted in a well-planned manner for a period of time, the eventual penetration of the more important targets within the Soviet Union through scientists who have agreed to report on their activities becomes a realistic possibility.

Legal travelers are another source of scientific intelligence information. Western scientists have been allowed to tour wide areas of the Soviet Union and with the trained eye of the scientist can observe and report in accurate detail on the installations visited. While no really critical target can be adequately covered in this manner, still information of value which will contribute to the overall picture of Soviet scientific potential can be gathered. On a limited scale, Western scientists have been permitted to visit Soviet scientists in their homes. This enables the Westerner to collect information on the habits and attitudes of the Soviet scientist in his home atmosphere, his family attachments, hobbies and other characteristics, information which helps headquarters assess the scientist's potential with a view to future operations.

Even non-scientific legal travelers can be of considerable assistance when furnished simple collection techniques which can be applied with complete security, are non-compromising if discovered, but at the same time yield valuable and even critical scientific data. Such collection techniques can also be given to resident agents, legal or illegal travelers, and even couriers. While elaborate gadgetry and large black boxes are limited in their application to field operations, other more

simple techniques with a wide variety of applications can be used without considerable risk to the agent. Great caution should be exercised in the employment of any such techniques in order to avoid an exposure which would render them useless in the future, but properly handled they have a real potential for developing answers to presently unanswerable questions.

The inside spies are recruited from the discontented officials of the enemy.—Sun Tzu, *c.* 500 B.C.

SOVIET DEFECTOR MOTIVATION

John Debevoise

On the eve of the new year 1954, toward midnight, a chauffeur-driven Mercedes-Benz stopped midway on one of the Danube bridges in Vienna. A bulky, rather well-dressed individual with the wide bell-bottom trousers Soviet officials wear stepped out, dismissed the car, went to the rail, and was immediately lost in the chill fog which rose from the river. As the New Year dawned, headlines in Viennese newspapers announced that Soviet citizen Gregoriy Ryapolov had drowned himself in the Danube; his overcoat and jacket had been found near the bridge railing. He had been Director General of AEG Union, a USIA (Administration of Soviet Property in Austria) firm.

While the Viennese were reading this latest scandal of the Soviet occupation, Ryapolov himself was en route by air to the Defector Reception Center near Frankfurt am Main, accompanied by an American case officer. He had been "induced" to defect. His well-staged suicide had been planned in detail by his Austrian mistress, who accompanied him to freedom, and an American officer in touch with her. As planned, he was picked up by these two in another car after leaving a few articles of clothing on the bridge to indicate his suicide.

Transgressors in Trouble

In the early stages of Ryapolov's interrogation it became apparent that his defection was not ideologically motivated. He had been receptive to an inducement pitch only because he was in deep trouble: a whole shipment of AEG Union generators sent to the USSR had been found defective, and Ryapolov, as the head of the firm, was being investigated. His panic was the decisive "inducement." Ryapolov's case is illustrative generally of the entire defector inducement problem. A Soviet citizen usually has to be mired deep in difficulties before he will even consider defection. You *hear* of "ideological defectors," but when you deal with Soviets you seldom meet one.

Readers for whom inducement is a word charged with the hint of shadowy adventure deserve at this point a description of the routine process in its ordinary milieu. Every evening when the ice begins to melt in diplomatic cocktails around the world, a parallel thaw occurs in the ostensible personal relations between the assembled representatives of the USSR and Western diplomats. In this atmosphere of amiability take place the skirmishes of reconnaissance patrols in the great game of inducement — the probing of those charged with discovering which among the company is susceptible to subversion in some way or other for the purposes of the subverter.

The objective of the game for the players on both sides is ultimately to develop relations, if possible, to such a point of confidence that a private meeting can be held to discuss one or the other of two actions — recruitment in place or outright defection. Measured in terms of defections to the West from among the ranks of Soviet diplomacy, the results of these inducement attempts can, after more than a decade, be charitably described as slim. We seem to be successful only when, as with Ryapolov, our probings discover a human soul in terror, facing retribution for previous misdoings.

It can in fact be taken as a general rule that for Soviets a grievous transgression of one kind or another must precede and through anxiety precipitate defection. There have been all told quite a number of Soviet defections in various parts of the world since 1951, when record-keeping began and the U.S. defector program was formulated in NSCID 13 (now NSCID 4). Ivan Karpovich Permyakov, a Soviet Army private who defected on 18 April 1951, was the first to be handled under this Directive at the newly opened Defector Reception Center in Germany, 15 kilometers outside Frankfurt am Main. Since then 87 Soviet citizens have passed through the DRC, and elsewhere 60 others have defected to the West. Their motives have been varied, but uniformly they have been in trouble and needed to flee impending exposure or punishment for misdoing. The ancient impulse to migrate, to leave one land and settle in another in hope of better fortune, the old urge that emptied Europe of its malcontents and filled America, is not powerful enough at mid-twentieth-century to propel a Soviet citizen beyond his country's borders.

The getting out, for the vast bulk of residents of the USSR, is too difficult to permit thought of any kind of emigration. But there are factors beyond those of border guards, distance, and lack of means which act to deter defection. One of these is a complex of fears. A prospective defector has to consider what will happen to him if his attempt at defection fails. There are stiff penalties for attempting to leave the control of the authorities without their permission; what is simple emigration in the West is treason in the Communist system. The fear of failure and for self is broadened by the Soviet law that permits reprisals against blood relatives as penalty for defection. A Soviet citizen traveling or stationed in the West usually leaves some member of his family behind in the USSR. Such a person is, in blunt language, a hostage against whom reprisals may be taken if the Soviet defects. Not much is known of the extent to which this legal sanction is invoked, but its existence is undoubtedly a real deterrent.

Then most Soviets, even Muscovites, are provincial in the world sense. They have a fear of the unknown West that surpasses by far the 19th century U.S. country bumpkin's suspicions of the big city, a fear officially nurtured by indoctrination. They have been told that if they were to seek asylum in the West they would fall into the hands of imperialist intelligence officers who would wring information from them as juice is squeezed from an orange, and when their usefulness had ceased they would be cast back upon Soviet mercies, much as the rind of an orange is cast aside when the juice is gone.

The potential defector's doubts about his future in the West must be aggravated by the successes of the Soviet repatriation campaign and by the stories of some of the returnees concerning their treatment abroad. A "Committee for Return to the Homeland" in East Berlin carries on an aggressive campaign to encourage Soviets all over the world to return to the USSR. Many, many have taken advantage of this Committee's offer and have gone back. Many more will do so. Quite a few of these repatriates, coming from refugee centers in Europe, had constituted the hard core of the resettlement problem in that they were unacceptable outside the camps because of disease or mental instability. Others, coming from Central or South America, had never quite melded into a social structure which by and large is lacking a suitable middle class. You are either

a landlord or a peon in many parts of Latin America, and a good many of the Soviets resettled there never got used to their status as "white Indians." They were easily persuaded to repatriate, their fares paid all the way. No one seems to know precisely the reaction these returnees are producing within the USSR, but their presence by the hundreds all over the Soviet Union is certain to act as a deterrent to defection.

These universal physical and psychological barriers to defection are supplemented by certain specific influences, equally powerful, which act on particular groups. These further deterrents fall into two categories, those affecting the military and those applying to civilians.

Military Defections

Loyalty of the Soviet soldier to his oath and to his superiors acted as one of the gravest of his deterrents during ten years following the war when parts of the Soviet Army were in Austria, East Germany and East Berlin, contiguous to the borders of the free world. The strength of this loyalty was best illustrated in Vienna, where there were no barriers between occupation zones and access was open to all without hindrance. From the time early in 1951 when DRC was established until the withdrawal of Soviet troops from Austria in 1955 there were only 11 Soviet military defections in this area. This paucity of defection in relation to the number of Soviets who had the opportunity was explained away at the time by reasoning that Soviet personnel in Austria were already enjoying living conditions and social arrangements far better than they had known at home, and therefore had no need to defect. It was said that the Soviet soldier "had never had it so good." The test would come, said the experts, if and when there was ever a pull-out of the Soviet Armed Forces from Austria.

With the signing of the Austrian State Treaty came the long-awaited pull-out during the summer of 1955. Despite the fact (reported by a Soviet defector who had been a civilian employee of the Soviet Forces in Vienna) that no special precautions were taken to prevent defections from the withdrawing forces, Western preparations to receive the expected defector flood were wasted. Despite the lack of fences and guarded borders, despite the thousands of forbidden ties Soviet troops enjoyed with Austrian *Fraeulein,* despite substantial inducement efforts

of all kinds, not a single Soviet soldier requested asylum. The Soviet Army decamped its thousands. There were rumors that some of them had remained behind, but none ever appeared in defector channels. What was considered a riddle at that time appears in retrospect merely to illustrate the loyalty the Soviet has to his authorities and his homeland.

Although loyalty is thus apparently the strongest factor opposing defection among the largest group of Soviets ever allowed outside the USSR, some Soviet soldiers and officers have defected and others probably will. Since 1951, 11 Soviet officers and 33 enlisted men have deserted to the West. Only three of these, however, were more or less "ideologically motivated." Aleksander Smirnov, a re-enlisted sergeant, fell in love with one of the German girls employed by U.S. intelligence in an inducement project. She persuaded him to desert and delivered him into U.S. hands in Berlin in September 1954. Before that, a Junior Sergeant named Vladimir Vasil'yevich Murav'yev was persuaded to defect in place by the Gehlen Amt (now become the Bundes Nachtrichtendienst, the German Intelligence Service). He furnished various Soviet Army publications and reported on his unit's activities in Vienna, but in June 1954 was forced to seek asylum because a cache of documents he had stolen was found and an investigation was under way. He had been the battalion librarian and mail clerk, an ideal position for intelligence purposes. He ultimately was debriefed at the DRC and entered the United States Army as a Lodge Act alien enlistee in April 1956.

The case of this Junior Sergeant is coupled with that of a Junior Lieutenant as two high points in the defector program because of their comparative purity of motivation. Ivan Ovchinnikov, Junior Lieutenant with a Radio Intercept Regiment, told how he was embittered by the fate of his father, who was imprisoned by the regime in 1933 and released, blind and partially insane, to die in 1946. Having thus tasted the horrors of the regime, Ovchinnikov defected when he had an opportunity in Berlin.[1] A serious and thoughtful young man, he gave U.S. intelligence his ideas on deterrents to Soviet military defections. He pointed out the West's failure to provide a sub-

[1] Since this article went to press, Ovchinnikov has redefected to the USSR. — Editor.

stitute for the military way of life which some individuals — Soviet as well as Western — seem to crave, noting that there are no military formations of Soviet exiles.

Ovchinnikov may have been right. The Labor Service company units in Europe cannot be called military formations, although they offer the empty forms of the military mode of living — barracks, uniforms and a hierarchy of officers. Neither does the Lodge Act Alien Enlistment Program do the job adequately in that it does not place former Soviet soldiers in national units.

Loyalty in the Soviet Army and its effect as a deterrent to defection have been dealt with at some length because until recently the propinquity of the masses of troops to areas where they could defect has resulted in their forming the bulk of defection cases. It is important as well, however, to understand some of the factors in the motivation of Soviet civilians, especially in view of the current exchange programs which allow large numbers of Russians to tour and attend conferences outside the USSR every year.

Civilian Defections

After forty years of Communism, the people of the USSR and especially its elite are in a political sense completely the product of this environment. There have been no other political and economic influences exerted on those who are younger than fifty. Those who are older remember only vaguely an *ancien régime* in dissolution. The Russian writer Boris Pasternak deals with this phenomenon in his latest novel, "Dr. Zhivago," which was smuggled out of the USSR in manuscript and published in Italy early in 1958. His title character, speaking in 1917 after the October Revolution, says:

> I think too that Russia is destined to become the first Socialist State since the beginning of the world. When this comes to pass, the event will stun us for a long time, and after awakening we shall have lost half of our memories forever. We'll have forgotten what came first and what followed and we won't look for causes. The new order of things will be all around us and as familiar to us as the woods on the horizon or the clouds over our heads. There will be nothing else left.

Pasternak's observations reflect what has actually occurred. Since 1917 the monolithic state has produced in its citizens the nearest thing possible to what might be called a mono-

lithic attitude of mind. It has shielded them from all but one doctrine, given them but one way of life and one reading of history, economics, politics and sociology. The rest of the world has been pictured in caricature. Soviet society represents to its citizens, and the Communist Party to its members, their whole known world, the only place where they can work, have friends and find understanding.

The Communists fell heir to a cohesive force in taking over the citadel of "Holy Mother Russia": even emigrés whose families had been almost exterminated in the Revolution have been induced to return home or to cooperate with the Soviets in the name of Mother Russia. But to this inherited magnetic concept another has been added. The USSR is the home of the Communist philosophy — a latter-day lay religion offering its devotees a complete *Weltanschauung* lacking in the democracies, which harbor a diversity of competing world views and religions. Russian Communists are taught to look on the Western Lockean system as an outmoded creature of the 18th century, comparing poorly with the "modern" politico-economic philosophy fostered by Marx in the 19th century and revised by Lenin in the 20th.

The real progress made by the USSR under Communism appears in the eyes of its devotees to substantiate these teachings, and it has been observed that the rate of defection among Soviets varies with atmospheric conditions prevailing in the "climate of success" they are attempting to create for their system. From October 1957, when Sputnik I appeared in space, to date (August 1958) only three Soviet citizens have appeared in defector channels: one of these, strongly suspected of being an agent, has been "burned" and placed in a refugee camp; a second, after staying with the British for several months, was repatriated to the USSR; and the third, a paranoiac in serious trouble in his Embassy at the time of his defection, wavered for some time but finally elected to return to Soviet custody. During the three months prior to Sputnik I, the period in which the USSR announced its ICBM and stepped up its propaganda for negotiations and disarmament, there were *no* genuine Soviet defectors. Six Soviets who came into U.S. hands during this period have all turned out to be either proved agents or so highly suspect that they have had to be "burned" and disposed of in refugee camps.

It thus appears possible that the solid scientific achievements of the USSR, its economic gains, and its "peace" propaganda have now been sufficiently successful in convincing its citizens that Communism is indeed "the wave of the future" to have an effect on the foundering Soviet defector program.[2] The proof of this speculative explanation, of course, lies in the minds of individuals not available for questioning; but the fact remains that in previous years the flow of genuine defectors has been much greater (approximately 15 per year) and the number of Soviet agents smaller, while the number of individuals in trouble and therefore likely to defect should stay fairly constant year after year.

Defection is also probably discouraged by an impurity in the Communist system of which Djilas complains in his book *The New Class* — the emergence of an elite not foreseen in any of the writings that laid down the precepts of socialism and Communism. The intellectuals, scientists, managers, artists, writers, professors, and military and intelligence officers in the USSR have a far greater share in the good things of life than they would have in the West. Others can hope that they or their children will one day become members of this elite and enjoy an exalted position which they could never achieve in Western society.

There have been defectors from these elite groups. Names that come immediately to mind are those of Gregoriy Ryapolov, mentioned earlier; Anatoli Skochkov, a former USIA lawyer in Vienna who defected in a drunken fit of depression in 1954; Yuri Rastvorov, an ex-MVD officer who defected in Tokyo in 1955; MVD Lt. Colonel Gregoriy Stepanovich Burlutskiy, whose defection in 1953 set off the rumor that Beria had come over to the West.[3] All four, however, were in real trouble prior to defecting. Each, it is true, was dissatisfied with the restraints

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[2] The author does not imply, at a time when for example increasing myriads of East Germans are seeking asylum in the West, that the Satellite defection program is so "foundering." — Editor

[3] Burlutskiy was wearing a watch given him by Beria with the latter's name on it and a citation for his services in "pacifying and resettling" various minorities in the USSR. In Afghanistan, where Burlutskiy came out of the USSR, a journalist who couldn't read Russian was able to make out the word "Beria" and touched off the rumor heard round the world.

imposed by the regime, but it was his personal difficulties rather than political dissatisfaction which precipitated defection. There never has been a defection among top-rank or even lesser Soviet scientists to match that of Bruno Pontecorvo. Vladimir Petrov, who defected in Australia, changed his status from KGB officer to owner of a chicken farm. No matter what one may think of Soviet society, it is presumably pleasant to be at the top of it.

Semantics also play a role in obstructing the encouragement of defection. One of the greatest problems is discrepancies between Russian and Western usage in the meaning of specific key words in the realm of international affairs, discrepancies which have led to the loss of links with the Soviet people, a serious breakdown of oral and written communication. This nightmare of semantics has forced Western scholars to write articles explaining "How to Understand Communist Jargon." Any diplomat who has bargained with Soviet representatives recognizes the problem, and it arises in face-to-face negotiations in inducement too. Even with adequate translation, there are no real equivalents between our vocabulary and the Soviet in whole areas of words dealing with politics, sociology, and economics. This is the reason why much of our propaganda fails to make an impact within the USSR. A whole Soviet generation has been educated that certain old words have new meanings within the Communist frame of reference. In our propaganda we tend often to use these words in their Western sense, thus failing to speak the language of the audience. Defectors have pointed out that because of this lack of semantic exactness the Soviet audience sometimes regards our propaganda as unscientific and confused. Some of the most effective propaganda produced is written by Trotskyites and ex-members of the Party who understand Communist jargon and know how to use it.

The broad conclusions of this article coincide with what psychiatrists and psychoanalysts have said about defection. Enough experience has been garnered in the past five years to enable them to draw certain generalizations in this field, among which stands the statement that "ideological reasoning was practically never found at the basis of the decision to defect. Rather, much more often there was an impulsive discharge of accumulated tensions, and an eruption of intense emotional

needs which demanded satisfaction. . . . Defection is a traumatic experience which takes place at a time of personal crisis. . . ."

One can only add a footnote for use of the officer charged with the task of inducing the defection of Soviet officials. Take a leaf from the book of the case officer who brought in Ryapolov, and look for a Soviet up to his ears in troubles. Experience has shown that you are likeliest to be successful if you do.

Creating a happy humdrum life in America for defectors from Communism is an important but trying and sometimes impossible aftertask of their intelligence exploitation.

DEFECTOR DISPOSAL (US)

Delmege Trimble

Perversities of human nature reach some kind of ultimate in the typical individual consigned to the Defector Reception Center (US). Problems of weaning an erring fellow-being from psychological and economic dependence multiply when the subject is an alien who, having deserted his own country for personal reasons, remains imbued with an ideology which discourages self-reliance. Before going into the workings of the Defector Exploitation, Rehabilitation, and Resettlement Program,[1] consider the "patient" of the Central Intelligence Agency's clinic in human relations:

Nervous strain grips the man in the new PX clothing recently arrived in the United States, probably from the Defector Reception Center (Germany). The furtiveness of his deep-set eyes and the lines that crease his Slavic face, from high cheek bones to square jaw, reveal the defector's guilt complexes and fears of the future. His americanization may have begun in a barber's chair where a pompadour was reduced to a crew cut, but his transformation into a worthwhile citizen of the West will be an involved process stretching into the indeterminate future.

No two domestic disposal cases, to be sure, are clinically the same, but this stocky man in his thirties is a composite representative of the defectors received in the US Center. Truculent, ambivalent, probably psychotic, and certainly convinced that he should be rewarded for slipping through the Iron Curtain, the typical defector displays mental gyrations which reveal a congenital problem personality. Almost invariably his escape has been motivated by personal rather than ideological reasons. This has been true without exception of defectors

[1] Set up under the original NSCID's 13 and 14, now incorporated into NSCID 4.

from the USSR; the exceptions occur among defectors from the Satellite countries, who may have fled in abhorrence of regimes forcibly imposed on their homelands. A Pole or a Rumanian is infinitely more cooperative than a Soviet defector, and his conversion is correspondingly simplified.

Defectors, it should be explained, constitute by definition only a relative handful of the half-million runaways from Communism who have been welcomed to the United States. The chief criterion used by the Interagency Defector Committee to determine whether an escapee is a defector in the sense of the NSCID is knowledgeability. Ex-officials from the Soviet Orbit, whether diplomatic or military, and almost all persons, regardless of status, from the USSR itself, are considered defectors, whereas a common soldier in the Polish Army whose intelligence potential is presumably low is normally labelled an escapee. It is thus apparent that even Satellite defectors have been identified, at least ostensibly or temporarily, with Communism.

Since a peculiarly egoistic and parasitic attitude of mind is required to dispose a middle-level bureaucrat or army officer to renounce the USSR, the chances are practically nil that he will become oriented in the West and self-supporting on his own initiative. He is a far cry from the young Communist intellectual who sparked the Hungarian revolt of October 1956 or the stolid man of the factories, inspired by Utopian ideals of a democratic workers' state, who took up the fight.

Defector Dumping: A Case Study

Defectors were first brought to the United States after World War II by federal agencies who had primary interest in exploiting them for positive foreign intelligence information. They were not men who could simply be returned to PW cages after being interrogated; yet little consideration was initially given the disposal problems involved. The practice of cutting defectors adrift on the American economy after their intelligence and propaganda values had been exhausted gave rise to inevitable difficulties such as those dramatized in the Pirogov-Barsov case, which demonstrated the need to set up an adequate program for disposing of defectors brought to this country.

In October 1948 Peter A. Pirogov, a Soviet pilot, and Anatoly Barsov, his navigator, had flown a MIG from the Ukraine to the US Zone of Austria. Their exploit was greeted with official and popular acclaim, and before long they were brought, amid continued wide publicity, to the United States. Here they were treated to a 10-day tour of Virginia, in accordance with their wishes to see the beauties they had heard extolled in propaganda broadcasts beamed to the USSR. After their intelligence debriefing they were furnished some financial aid until March 1949 and thereupon they were cut loose to shift for themselves. Without employment, funds, or knowledge of a foreign land, the pair drifted from one desperate situation to another. Barsov was hopelessly unadaptable and consoled himself with whiskey and domestic vodka. Demoralized, he finally contacted the Soviet Embassy in Washington and arranged to return to the USSR.

Cloak-and-dagger aspects of the situation were intensified when Barsov, acting on Soviet Embassy instruction, was trying to induce Pirogov to redefect. Pirogov reported these efforts to CIA representatives, who made arrangements to monitor a meeting between the two in a Washington restaurant. CIA agents were prepared to prevent any attempt at kidnapping Pirogov and to take advantage of the outside chance that Barsov might be persuaded to remain. But other US agents at the restaurant, independently assigned to the case, began a fracas before the discussions between the defectors had got under way, and in the ensuing confusion Barsov and Pirogov were spirited away in separate cabs by the two separate sets of Government representatives.

Barsov was returned to the USSR in 1950. The presumption that he was executed for his defection was confirmed by the onetime MVD agent Vladimir Petrov, who defected in Australia in April 1954. But in May 1957 the Soviet Foreign Ministry theatrically produced for foreign correspondents a live exhibit who was introduced as Anatoly Barsov, "shot by the American press." This demonstration was occasioned by the sceptical publicity given in the West to a purported letter from Barsov which Soviet Second Secretary Dimitri Mashkantsev used in trying to persuade Pirogov to return to the USSR. Steadfast in his refusal to return, Pirogov has nevertheless

maintained an attitude of querulous dissatisfaction with his treatment in the United States. He only recently has accepted employment as a Russian language instructor at a local university.

The Rehabilitation Program

It was to cope with mounting problems of rehabilitation and resettlement such as these that the Defector Reception Center (US) was instituted in 1951. Property was acquired and operations begun that same year. The primary purposes of this little-known program are a) to prevent redefection with its adverse propaganda effects, and b) to resettle the defectors and integrate them into the US economy so that they can provide for their own support.

Installing a defector in a job is relatively no great problem. The problem is to induce him to stay with the job and become a part of the community, overcoming his fear, doubt, false concepts, guilt complexes, loneliness, and language difficulties. The program attacks this problem in three stages:

1. If the defector's debriefing has not been completed overseas, he is further exploited for foreign intelligence upon his arrival at DRC (US).[2] During this exploitation he is also preconditioned for his eventual resettlement by being introduced to American traditions through visiting historic spots in the Washington area. Strenuous efforts are made to keep up his morale.
2. As soon as conveniently possible, he is taken to a safe house removed from the city's confusion and distracting influences, which are not conducive to a happy metamorphosis. Here, under close supervision, his rehabilitation is begun in earnest. This is a twin process, comprising psychological adjustment to restore the individual's mental equilibrium on the one hand, and "resocialization," that is reorientation for membership in a society different from any he has known, on the other.
3. When the rehabilitation process has been completed — in anywhere from a few months to four or five years — the defector is resettled. He is found suitable employment some-

[2] In some cases he may be placed under contract for a year or more, and even later his knowledge of Soviet affairs may be recurrently utilized in light of new developments.

where in the United States, and responsibility for him is transferred from the DRC to a field office in that area.

The ideal goal of the program, transformation of the defector into a useful and self-supporting member of the community, is not always achieved. One of the earliest showcase exhibits in defection occurred in the United States [3] when Oksana Kasenkina jumped from the third floor of the Soviet consulate in New York on 21 August 1948. Her legs, arms, and pelvis were broken in the leap to freedom that became a diplomatic incident when the Soviets sought to regain her custody. The proceeds from a book and series of magazine articles she wrote while convalescing, some $40,000, lasted her only a year, and in 1949 she became a CIA ward. Today, at the age of 61, her propaganda usefulness long since exhausted, she continues to be an expensive liability, staying alternately in Miami and a nursing home in Boston. She must be well cared for, if for no other reason, simply to prevent redefection. For in addition to her physical infirmities, Madame Kasenkina suffers from the psychosis that she is being pursued by Communist agents.

Defector Types and Motivations

Although no two cases are alike, certain generalizations can be drawn about the personalities and motivations of defectors. According to the Kluckhohn Report issued by the Center for International Studies, Massachusetts Institute for Technology, 55 percent of defectors sampled in a study were diagnosed as "severely maladjusted" and 20 percent showed "actual acute pathology." Even in those defectors who were relatively normal before, trauma may have been induced by guilt feelings over their betrayal of motherland and associates and by the difficulties of readjustment first to German and then to American environments. So it is that in nearly all of them patterns of fear, apathy, depression, resentment, and hostility are manifested in various orders and to varying degrees. The violent mood swings of defectors may be laid in part also to national characteristics: the Kluckhohn Report noted that such am-

[3] The Federal Bureau of Investigation has the immediate responsibility for defectors who are already in the United States when they request asylum. When the FBI has established their *bona fides* and released them, however, CIA may be requested to aid them in adjusting to life in America.

bivalence is more characteristic of Soviet man than of the Western European.

Defectors can usefully be classified into "primitive" and "complex" types and by grouping according to age. Young defectors in general need more help, but usually more can be accomplished with them than with the older ones whose psychology as individuals is more firmly set. Defector personalities cover the spectrum from self-evaluated "hero" and "adventurer" to outright screwball and crook. There is also the ambitious, prestige-disappointed man like Lt. Col. Yuri Rastvorov, Soviet second secretary in Japan, who decamped after the British Officers' Club distracted him from his intelligence mission.[4]

Defections are frequently an act of rebellion against Communist controls and regimentation after a taste of relative freedom in the West.[5] Occasionally defection is inspired by utter repugnance, as it was for Nikolai Khokhlov. Partly at his wife's instigation, this MVD captain revolted against his assignment to assassinate a NTS (Russian Solidarist Movement) leader in Frankfurt, Germany, in May 1954. He was brought to the United States for resettlement and after the first year became financially independent, earning money from magazine articles and the serialization in foreign papers of his book *In the Name of Conscience.* Not content to take life easy, he campaigned in a futile effort to save his family and then joined in the underground fight against Communism. An unsuccessful attempt against his life, attributed by some to Soviet agents, occurred in 1957 when he was on a trip from Paris to Frankfurt, where he was in contact with anti-Communist refugee organizations.

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[4] That he was a Beria man fearful of his future doubtless contributed to Rastvorov's defection. His failure in a mission and subsequent flight were in character with a psychological assessment of him made after his arrival in the United States. The conclusion that he is an egotistical dilettante who cracked when the going became rough has been borne out by persistent characteristics of his behavior during the course of efforts to resettle him.

[5] Material attractions in the Western world should not be overestimated. Very real deprivations and frustrations exist, of course, in the USSR and its Satellites, but the Refugee Interview Project concluded that most people's satisfactions in daily living are substantially greater than generally supposed.

Others have fled their homelands to escape reprisals, for example Josef Swiatlo, dreaded deputy chief of District 10 in the Polish Ministry of Public Security from 1948 until his defection on 5 December 1953, after the execution of Beria.

A spirit of adventure occasionally impels defection. After the Soviet tanker Tuapse, bound for Red China, was intercepted by the Chinese Nationalists in October 1955, 19 seamen jumped ship in Taiwan and sought asylum. Of the nine young sailors brought to the United States, four have remained.[6] Three of these are gainfully employed today, and the fourth is in school. A bill recently introduced in Congress would change their status from parolees to permanent alien residents. In the meantime, having been granted political asylum, they are responsibilities of CIA, although they are completely non-productive for intelligence purposes and as bad a headache at times as sailors on the beach can be.

Rehabilitation Procedures

In its initial approach to defectors brought to the United States for resettlement, the DRC (US) is friendly but frank about their future. In spelling out to them the steps involved, the Center emphasizes that successful resettlement depends upon their complete cooperation. No promises and no commitments are made that are not absolutely feasible. Equally explicitly the point is made that defectors are not regarded as "hirelings" or "traitors" but as persons who had the courage to leave a social order that was bad for their homelands. Yes, they are told, you have gone through hell, but now is the chance to play a part in a new and better existence.

Rehabilitation begins with the defector's assignment to a CIA case officer. For his initial period in this country, at least, it is esssential that each defector be assigned to a single case officer — a counselor whom he can come to trust and turn to on all matters. The designation of only one case officer, incidentally, short-circuits any inclination the defector may have to play off one counselor against another. The single counselor, for his part, will be able to get a fuller understanding of his ward's personality in order to help his readjustment and anticipate any danger of a breakdown or redefection. During

[6] Five returned to the USSR in fear of reprisals.

this period in Washington, the case officer in charge is responsible for securing transient housing for the defector, arranging his exploitation for foreign positive intelligence, maintaining his morale, and taking care of the many details connected with his presence in the United States.

Intensive individual assessments are meanwhile initiated by headquarters medical and psychiatric staffs to supplement the case histories prepared by intelligence officers abroad. Psychological or vocational aptitude studies are also made to determine the defector's employment qualifications. The goal here is to fit him into a stratum of society appropriate to his capabilities and earnings and to his status in the country he fled, and to give him an environment conducive to successful resettlement.

When the defector is transferred to a safe house, he begins the sometimes prolonged process of reorientation and adaptation to a new culture. Here he is introduced to US traditions and the everyday life of the average American citizen. He is shown the difference between the ideology of unlimited opportunity and that of the totalitarian state. He is disabused of the concept of extreme polarity between good and bad social phenomena which he has acquired from Communist indoctrination: American ways are not portrayed as perfect, but only better than those of Communist countries.[7] He is also taught the rudiments of the English language, enough to speak and read a little. He can gain some degree of fluency at a US naturalization school in the area where he is later resettled.

But formal schooling is not enough. If the primary purposes of DRC (US) are to be achieved, the defector's usual concepts of political government and daily existence must be drastically altered. The woes of the immigrant in the American melting pot are compounded by the thousands and one phobias peculiar to the defector.

The case officer's first — and, unfortunately, frequently continuing — problem is usually to decompress the defector while at the same time maintaining his morale. The usual defector has delusions of grandeur inspired by the old notion that US

[7] Successfully resettled defectors not infrequently continue for some time to accept many goals of the Soviet system even while rejecting the means and conditions created by the current regime.

streets are paved with gold and a distorted sense of self-importance in consequence of his initial exploitation and notoriety. These delusions may persist for years, especially among the many congenital misfits whose background and personality structure place them beyond the reach of most known techniques of vocational guidance. These individuals are interested above all in making considerable money with the least possible expenditure of energy. The world of work is far less stimulating to them than the world of make-believe which largely determines their attitude. They look to their benefactor to support them, and they seek devices to get the most possible out of him. In extreme case they resort to extortion and complain to Congressmen about their treatment, threaten to redefect, etc.

Infinite patience is required of a case officer during the process of spoon-feeding a charge who can't digest democracy in large doses. But once a minimum of confidence has been established the case officer adopts, whenever a defector becomes difficult, what is known as a "gruff paternalistic note." The usual defector has a grudging admiration for strong and arbitrary authority as the only safeguard against the excesses of the Russian nature. He will revolt from time to time against authority, but he nevertheless wants it and needs it until some progress has been made in his adjustment to American life. This authority, however, he must not think of as that of an elaborate hierarchy which holds him completely at its mercy, but rather as that of one person to whom he can also turn for guidance. In this relationship, and with an unequivocal system of rewards and punishment, he can come to recognize that as he behaves responsibly he will not be controlled with rigidity.

In his role of father confessor, the case officer can play a powerful part in promoting a defector's rehabilitation. In the eyes of his ward he becomes a reflection of America, illustrating its good aspects and mirroring in any flaws he displays its bad ones. Openminded discussions between them about US domestic issues and international perspectives should supplement the presentations of lecturers at the safe house, and may be more convincing.

The time required for rehabilitation varies with individuals from weeks to years. Quick acculturation is desired, of course,

in order to effect resettlement as soon as possible, with the objective of making the defector self-reliant and self-supporting. But one obdurate escapee has been taking the course for five years, and there is little hope of his ever graduating. At the other extreme stands a young Bulgarian defector, an electronics engineer, who promptly scanned *The New York Times* want ads upon his arrival at Idlewild Airport and today is filling a $150-a-week job in Boston while attending MIT in off hours. His behavior shows not only his individual character, but also the results of an excellent preconditioning at DRC (G).

A number of factors affect the rate at which a defector is able to learn how to adjust himself to his new environment, but the most universal of these is the degree of disparity between the American culture and what he has hitherto known. Just as immigrants from the UK and Scandanavia become assimilated more rapidly in the United States than those from Southern or Eastern Europe, so the adjustment process is more difficult for a defector who has been exposed to nothing but the Communist system in the USSR during his entire formative life than it is for a Czech who has spent only a few years under such a system.

Resettlement Procedures

After a defector has finished the rehabilitation process, there is the problem of obtaining employment for him. If he formerly had some trade or was, say, an electronics engineer in Poland, placing him may not be difficult. If not, he can often be given schooling or on-the-job training. But what's to be done with a hired murderer? He may have had a cushy job under Soviet bureacracy, but what sort of work is to be found for an ev-MVD or KGB agent in the US economy commensurate with his former status?

A difficult case short of this extreme was that of Milos Pacak, *chargé d'affaires* at the Czech Embassy in Rome, who defected in 1952 and was brought to the United States the following year. Besides what he was paid as inducement to defection, he had been promised employment in the United States commensurate with his background and abilities. But he could hardly be transplanted from his Communist diplomatic post to one in the Department of State, and he refused lesser employment proposals on the grounds that, although the jobs

were good, they were not up to his former position. So for two years he loafed, drunk and unshaven much of the time, and used blackmail to extend his Government subsidy. His story has a happy ending, however: his wife and son, who adapted well to American ways, in turn assisted in his rehabilitation, and he is currently employed doing language research at a university.

Defectors are sometimes given contracts with US Government agencies, but this measure is usually a temporary one; eventually they will have to find private employment. So suitable jobs are sought with the help of CIA's domestic field offices, which study the results of the defector's earlier aptitude tests, his background, training, and experience, and communicate with likely employers. Security factors in individual cases determine whether the approach to prospective employers should be made directly or through cleared cutouts. Whenever it is practical and clearances permit, employment and social service agencies and foreign nationality groups[8] are called into the job hunt.

Once prospective employment has been decided on, the field office in the area takes over and a single contact specialist replaces the case officer. The contact specialist assesses the defector's cover story from the standpoint of its plausibility in the eyes of the prospective employer. Next he briefs the defector about the firm or firms considering him and makes certain that he is presentable. He accompanies the applicant to interviews but participates only when necessary to rescue him from a break in his cover story or a lapse in his English.

[8] But the availability of suitable positions rather than the presence of ethnically similar groups dictates the selection of a geographic area for resettlement. Attempts to enlist the services of a previously resettled defector in resettling another have been anything but successful, and it has been found advisable to keep Soviet defectors separated in resettlement. Instead of working together, they are likely to regard their own kind with suspicion. A Soviet artillery major, a tank captain, and an infantry lieutenant working on the same Department of Defense project once got into a brawl when the captain insinuated that the bragging major had stolen his Hero of the Soviet Union medal from a corpse. An alerted CIA officer divested the broken-nosed major of a butcher knife, and the comrades were reassigned.

If the defector is hired, the contact specialist assists him in finding suitable housing conveniently located with respect to his new employment. He makes sure that the accommodations are not beyond the man's means and that the landlord is neither suspicious nor unscrupulous. He checks on whether the defector has enough money for immediate needs, appears presentable, has his alien registration card, and can fill out employee forms, such as designation of insurance beneficiary, in accordance with his cover story. He traces the route to and from work with his charge, and on his first day on the job takes him to lunch or meets him after work, discusses his reactions, boosts his morale, answers question, etc.

The contact specialist's responsibility is a lasting one. He gives continued friendship and guidance to the defector without allowing him to become so dependent that his development of self-sufficiency is inhibited. He keeps on the alert for any circumstances which may threaten the security of the case, and he keeps a reasonably detailed account of his man's integration into the community. He forwards periodic status reports to Washington, and in any emergency notifies headquarters immediately. If all goes well, the defector adjusts himself to American ways and after five years may apply for US citizenship.

It rarely goes so smoothly. Many resettled wards regard the acquisition of a television set and sporty car, regardless of their ability to keep up the payments, as a *sine qua non* of life in the United States. Many mix alcohol with gasoline and rout some case officer or contact specialist out of bed in the middle of the night to go bail for them. An obstreperous Finn is now serving 85 days in jail after a Minnesota court became wearied of his being taken off the hook; his latest escapade had hospitalized two deputy sheriffs in a head-on collision.

Despite constant nursemaiding, some resettlement cases must be turned back to DRC facilities for further rehabilitation. Some never are resettled, and an estimated 10 percent become permanent welfare charges. As General T. J. Betts once remarked, there is nothing more durable than a defector. But considering the material with which DRC (US) has to work, the countless man-hours and finesse that go into the program are highly effective.

A technician's personal story of his work in radio and photographic transmission of intelligence to the British service affords a glimpse of wartime espionage through foreign agent eyes.

REMINISCENCES OF A COMMUNICATIONS AGENT

Expatriate

During World War II, I was employed by the British intelligence service in one of the European countries which was at first neutral, then a German ally, and finally under German occupation. I had two concurrent jobs. One was to maintain radio communications with a base on the Mediterranean some 750 miles away. The other was to photograph intelligence reports, maps, and sketches and to conceal the films in inconspicuous objects which could be smuggled across the border.

Some of the techniques used in these operations were supplied by my superior and some were of my own devising. Although these procedures have now undoubtedly been antiquated by technical progress since the war, they should still hold some historical interest. Certainly some general principles of conduct which were important to me have continuing validity as precepts for the clandestine agent of today.

After the Germans had overrun my homeland and imprisoned me along with many others, I escaped and made my way to this country which was still neutral and where the people were traditionally well disposed toward my people. I wanted to avenge the ravaging of my homeland, within my small individual power, and to continue the struggle against its brutal occupier. Therefore, although I am not British nor a great admirer of the British, I entered their intelligence employ as the occupation most promising for fulfillment of this my purpose.

The work was dangerous, very dangerous after the Germans came in. Every person living in the city where I worked had

to be registered. Block managers and the superintendents of apartment houses were charged with seeing to this registration; they enforced it scrupulously, so that it was virtually impossible to live there without having a card in the file at police headquarters. A separate file was kept on foreigners. When the Germans came, one of their first acts was to take over this file, and they began arresting suspects on the very first day.

That I was not arrested I attribute to the virtue of my simple and partly genuine cover. I was actually a student at the polytechnic institute, and I remained by choice a very needy one. I found quarters in a servants' boarding house, a small room not opening on the hallway but directly off the kitchen, which fortunately had an outside entrance. Foreign students who lived in better quarters or could afford luxuries the Germans became curious about.

With respect to my radio work it is not the techniques I used but my lack of techniques and procedures for security that is noteworthy. I made the transmitter myself, and it was a good one for those days; but there was no way its frequency could be changed to throw anyone who might be suspicious of my traffic off the scent. I therefore limited my transmissions to two hours each.[1] I changed the location from which I made radio contact as often as I could, but I had to work in the city or its inner suburbs. Most of my transmitting, in fact, was done from a house only about 30 yards from one of the Gestapo offices.

Moreover, there was no securely established schedule for these radio contacts, and at the end of each transmission a time for making the next one had to be arranged. If the Germans had deciphered these arrangements they would have known when to look for me next. There was no kind of guard or even lookout during the transmission; I was always alone, with two pistols for protection.

Once when I was called upon to lend my transmitter to a friendly intelligence service in an emergency, I had an opportunity to observe the security precautions they took for their operators. They had the use of isolated buildings in the coun-

[1] Under the circumstances described a limitation to fifteen minutes would have been the proper precaution. — Editor

try for their radio contacts, and they kept five to eight armed guards around the house, lying in the grass at a distance of fifty yards or so, all during the transmission. On one occasion, they recalled, the Germans had come raiding, but the guards held them off while the operator escaped with his equipment.

Unfortunately, my superiors were not willing to furnish this kind of protection, and the work of transmitting was consequently quite enervating. I was compensated and heartened, however, whenever the American bombers would come over and destroy some enemy airfield and I knew that my efforts had helped make the raid possible.

In my photographic work I felt less exposed, if scarcely at ease. The Germans usually made their house raids and arrests either between six and eight in the morning or between ten in the evening and midnight, so the hours between one and six a.m. were comparatively safe. Once every two weeks or so there would be an accumulation of material for photographic forwarding and a courier, witting or unwitting, to take it out of the country. My superior would bring me this material after midnight. I would get to work on it by one o'clock and finish by about five. Then I could get an hour's sleep before meeting my superior at six to deliver the product.

The material consisted of typewritten intelligence reports, maps locating bombing targets, sketches of military installations, layout plans of airfields and refineries, etc. The language was usually French, sometimes German, never English to point to the identity of the service. Some of the reports were enciphered. Usually there would be 30 to 40 pages of typing and three to five maps or plans; but once there were 80 typed pages and 40 sketches, a substantial quantity of incriminating paper in my little room. The sketches required quite a bit of preliminary work before photographing. They had been made by agents employed at the installations they pictured, and they needed some cleaning up and a calculation of the proper enlargement ratio to keep their scale true. An accompanying report would usually refer to the sketch and give further data on the plant or airfield, such as precise location, whether surface or underground, number of planes, troops, fuel tanks, etc.

I used a Leica camera with a 24x36 mm (1"x1½") frame, usually without the close-up attachment. I laid the original materials out on the floor and fixed the camera perpendicular to them. It could accommodate six typed sheets in one frame, but usually only one of the large sketches at a time. I shot each frame three times, to get two negative copies to keep in reserve. This part of the work was done under the greatest tension, with the material spread out all over the room. Whenever the gate opened, I stopped and listened to the footsteps on the stairs which told me what floor the late comer was heading for. If he stopped climbing at my floor, I frantically tried to get things out of sight. The Gestapo did make arrests in this boarding house, but never came to my room.

The next job was developing the film. (I had often considered lightening my work by sending out undeveloped film, which would also have been less dangerous for the courier; but I wanted to check the developed negatives to be sure they were good, and I was reluctant to risk the damage in transit to which undeveloped film is liable. I therefore never tried it.) After washing off the fixer solution I rinsed the film in alcohol to hasten its drying, and then immediately checked the legibility of the photographed texts with a special magnifying glass. When I was satisfied that the negatives were all good I could start burning the originals in the kitchen stove next to my room.

By the time I had disposed of the original papers, the film would be dry. Taking a strip of a dozen frames at a time, I placed it emulsion side down on a sheet of plate glass and wiped the back with a piece of cotton dipped in acetone until the heavy celluloid was dissolved and only the thin emulsion remained. I now cut the emulsion strips into individual frames and separated the negatives which were to be sent out from the two copies to be kept in reserve against the possibility of loss in transit. The reserve copies I put in a match box or wrapped in a paper. I tied this tiny package on the end of a string and suspended it through a hole in the wall under the kitchen sink, sealing the hole afterward so the end of the string was not visible. It would be only through the unluckiest of coincidences that this cache would be discovered.

I then returned to the negatives to be dispatched. You recall that there were six pages of typing on each frame. These I cut apart, so that each page of the original report was now represented by a wafer of emulsion less than a quarter-inch square, and very thin. Stacked together in page sequence, 40 pages would be less than an eighth of an inch thick. When packaged for the courier the stack was usually rolled into a pellet the size of a small pea.

How the film was packaged depended on whether the courier was witting or unwitting and how he would cross the border. One of the unwitting couriers was a German — and a Nazi Party member — who traveled on business to Switzerland and Turkey. For him I once concealed the film in the lining of a lady's compact which my superior asked him to carry as a gift to a friend in Ankara. A sentimental letter accompanying the compact secretly instructed her what to do with it.

For witting couriers who were not likely to be suspected a good place of concealment was the heel of a shoe. Safer, however, was a pack of cigarettes. I would open a new pack, being careful not to leave any evidence of tampering, take a cigarette from the middle of it, remove half the tobacco, insert the film pellet, repack the tobacco, and reseal the pack so that it looked fresh from the factory. The report might possibly be lost, but there was little chance that it would be discovered.

But it was best not to use the same method repeatedly. One variation I used was the flashlight battery. I took apart the middle cell of a three-cell battery, replaced part of the contents with my film pellet, and resealed the cell. This cell would be dead, so I substituted a lamp rated at two volts for the original rated at three and a half in order to avoid any suspicion arising from a weak light.

When word was received by radio that the report had arrived, I would recover the two reserve copies from under the kitchen sink and burn them, so as to be left briefly without any compromising material on hand. The reports, as a matter of fact, always got through, and I was praised for my packaging. There were never even any complaints that passages were illegible.

I should like to emphasize again, in conclusion, that my success was due in large measure to the fact that I always lived

in very humble circumstances. None of my friends and acquaintances could have imagined that I was doing intelligence work. The landlady thought me a poor and simple student. I stipulated to my employers that I should be paid only enough to subsist on from month to month, for an agent who spends freely, shows that he has money, or frequents expensive places is not a secure agent.

A review of legal precedents for protecting sensitive information from disclosure in the courts and Congress, with particular reference to Central Intelligence privileges.

EXECUTIVE PRIVILEGE IN THE FIELD OF INTELLIGENCE

Lawrence R. Houston

Recent agitation in congressional and newspaper circles against "secrecy in government" has focused attention on information security measures in the Executive Branch. The courts, too, have declared in recent months that information used by the government in preparing criminal prosecutions and even some administrative proceedings must be divulged, at least in part, as "one of the fundamentals of fair play." [1] In this atmosphere, the intelligence officer may reflect on the risk he runs of being caught between the upper and nether millstones of congressional or court demands on the one hand and the intelligence organization's requirement for secrecy on the other.

Actually, the problem of demands for the disclosure of information which the government considers confidential is not a new one, as can be seen from the history of the Executive Branch's struggles to withhold information from the courts and Congress. The Executive has based itself in these struggles on the doctrine of the separation of powers among the three branches of government, which holds that no one of the branches shall encroach upon the others.

The Separation of Powers

Demands for the disclosure of information held by the Executive have been made by the courts and by the Congress since the early days of the republic. On the other hand, the very First Congress recognized, more than a year prior to the ratifi-

[1] *Communist Party v Subversive Activities Control Board;* U.S. Court of Appeals, District of Columbia Circuit, decided 9 January 1958.

cation of the Bill of Rights, that some of the information held by the Executive ought not to be divulged. An act passed on 1 July 1790 concerning "the means of intercourse between the United States and foreign nations" provided for the settlement of certain expenditures which in the judgment of the President should not be made public.[2] During his first term of office President Washington, anxious to maintain close relations with Congress, on several occasions passed information to the Congress with the warning that it not be publicized. In a special message dated 12 January 1790, for example, he wrote:

> I conceive that an unreserved but a confidential communication of all the papers relative to the recent negotiations with some of the Southern Tribes of Indians is indispensibly requisite for the information of Congress. I am persuaded that they will effectually prevent either transcripts or publications of all such circumstances as might be injurious to the public interests.[3]

Two years later, in March 1792, a House resolution empowered a committee "to call for such persons, papers, and records as may be necessary to assist their inquiries" into Executive Branch actions with respect to a military expedition under Major General St. Clair. The president did not question the authority of the House, but wished to be careful in the matter because of the precedent it might set. He discussed the problem with his cabinet, and they came to the conclusion:

> First, that the House was an inquest and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit and ought to refuse those the disclosure of which would injure the public: Consequently were to exercise a discretion. Fourth, that neither the committee nor the House had a right to call on the Head of a Department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President.[4]

By 1794 President Washington, then in his second term, began to show less liberality in divulging information to Congress, for on 26 February of that year he sent a message to the Senate stating that "after an examination of [certain corre-

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[2] Richardson, *Messages and Papers of the Presidents*, 2283.

[3] 1 *id.* 63.

[4] Writings of Thomas Jefferson, 303–305.

spondence] I directed copies and translations to be made *except* in those particulars which, in my judgment, for public consideration, ought not be communicated." [5] Two years later, on 30 March 1796, he transmitted to the House his famous refusal to divulge certain information requested by the House in connection with the Jay Treaty. In this treaty, many people believed, the young republic did not get enough concessions from the British, and the Federalists who supported it had become the target of popular resentment. Washington replied as follows to a House resolution:

> I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right . . . The matter of foreign negotiations requires caution, and their success must often depend on secrecy; and even when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions which may have been proposed or contemplated would be extremely impolitic.

Pointing out that he had been a member of the general convention and therefore "knew the principles on which the Constitution was formed," Washington concluded that since "it is essential to the due administration of the government that the boundaries fixed by the Constitution between the different Departments should be preserved, a just regard to the Constitution and to the duty of my office under all circumstances of this case forbids the compliance with your request." [6]

Thus during Washington's administration the doctrine of the separation of powers came to provide the basis for executive privilege in withholding information. This doctrine, not specifically enunciated in the Constitution, emerged from decisions taken on specific political situations which arose during the first years of the republic, as the same men who wrote the Constitution interpreted it in such ways as they thought promoted its intended ends. In this way it was established that the Executive Branch of the Government has within its control certain types of executive documents which the Legislature cannot dislodge no matter how great the demand. The Executive Branch can be asked for documents, but should exercise

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[5] 1 Richardson, *op. cit. supra,* note 2, 144. Italics supplied.

[6] 1 *id.* 186.

discretion as to whether their release would serve a public good or be contrary to the public interest.

The Judiciary also recognized, as early as 1803, the independence of the Executive Branch and its ability to control its own affairs. Chief Justice Marshall wrote: "The province of the court is, solely, to decide on the rights of individuals, not to inquire how the Executive, or executive officers, perform duties in which they have a discretion. Questions in this nature political, or which are, by the Constitution and laws, submitted to the Executive, can never be made in this court." [7]

It is notable that this executive privilege was applied in the congressional cases cited above to the President's responsibility for foreign affairs. Under the Continental Congress, the Department of Foreign Affairs had been almost completely subject to congressional direction. Every member of the Congress was entitled to see all records of the Department, including secret matters. But after the Constitution was written, and pursuant to its grand design based on the separation of powers, Congress in 1789 subordinated the Department of Foreign Affairs to the Executive Branch and provided that its Secretary should have custody and charge of all records and papers in the Department. In 1816 the Senate Foreign Relations Committee declared that the "President is the Constitutional representative of the United States with regard to foreign matters" and that the nature of transactions with foreign nations "requires caution and success frequently depends on secrecy and dispatch."

Precedent in Intelligence Cases

Intelligence activities, intimately linked with foreign policy, played their part in the evolution of the Executive Branch's position on disclosure of information. In 1801 Congress interested itself in the expenditures of various Executive Departments and instituted an inquiry "as to the unauthorized disbursement of public funds." In reply to charges that the War Department expended funds for secret service not authorized by law, Oliver Wolcott (Comptroller of the United States 1791–1795; Secretary of the Treasury 1795–1800) gave a clear exposition of the accounting requirements of intelligence which is applicable today:

[7] *Marbury v Madison,* 1 Cranch 137 (1803).

> I never doubted for one instant that such expenditures were lawful, and that the principle should now be questioned has excited a degree of astonishment in my mind at least equal to the "surprise" of the Committee.
>
> Is it then seriously asserted that in the War and Navy Departments — establishments which from their nature presuppose an actual or probable state of *war*, which are designed to protect our country against *enemies* — that the precise *object* of every expenditure must be *published*? Upon what principle are our Generals and Commanders to be deprived of powers which are sanctioned by universal usage and expressly recognized as lawful by all writers of the Law of Nations? If one of our Naval Commanders now in the Mediterranean should expend a few hundred dollars for intelligence respecting the force of his enemy or the measures meditated by him, ought the present Administration to disallow the charge, or publish the source from which the intelligence was derived? Is it not equivalent to a publication to leave in a public office of accounts a document explaining all circumstances relating to a payment? Ought the truth be concealed by allowing fictitious accounts? Could a more effectual mode of preventing abuses be devised than to establish it as a rule that all confidential expenditures should be ascertained to the satisfaction of the Chief Magistrate of our country, that his express sanction should be obtained, and that the amount of all such expenditures should be referred to a *distinct account* in the Public Records? [8]

The statute referred to in the debates was an Act of Congress passed on 9 February 1793 which gave the President authority, if the public interest required, to account for money drawn from the Treasury for the purpose of "intercourse with foreign nations" simply by his own certification or that of the Secretary of State. Actually, this statute reaffirmed the similar legislation of 1790 providing for the settlement of certain expenditures which, in the judgment of the President, ought not be made public.[9] The substance of these Acts was revived and continued in later legislation, and President Polk utilized it in 1846 in refusing to accede to a House resolution requesting an accounting of Daniel Webster's expenses as Secretary of State in the previous administration.

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[8] *Control of Federal Expenditures*, A Documentary History 1775–1894, Institute for Government Record of the Brookings Institution, pp. 329–330. Punctuation modernized.

[9] Richardson, *supra*, note 2.

In 1842 Webster had negotiated an agreement with the British representative, Lord Ashburton, on the long-disputed boundary of Maine. To make the treaty more palatable to the public and enhance its chances of ratification in the Senate, Webster had spent money out of "secret service funds" to carry on favorable propaganda in the religious press of Maine. Senator Benton termed this practice a "shame and an injury . . . a solemn bamboozlement." A Congressional investigation followed, during the course of which the request was levied upon President Polk.

President Polk based his refusal to comply on the statutes which gave the President discretionary authority to withhold details on how money was spent. He supported his predecessor's determination that the expenditure should not be made public, asserting that if not "a matter of strict duty, it would certainly be a safe general rule that this should not be done." In his message to Congress he acknowledged the "strong and correct public feeling throughout the country against secrecy of any kind in the administration of the Government" but argued that "emergencies may arise in which it becomes absolutely necessary for the public safety or public good to make expenditures the very object of which would be defeated by publicity." He pointed out as an example that in time of war or impending danger it may be necessary to "employ individuals for the purpose of obtaining information or rendering other important services who could never be prevailed upon to act if they had the least apprehension that their names or their agency would in any contingency be divulged." [10]

The non-disclosure of information relating to intelligence was tested rather vigorously in several instances during the Civil War, and these tests established a strong precedent in favor of the inviolability of intelligence activities. Brigadier General G. M. Dodge, who conducted a number of intelligence activities in the West with considerable results, became the object of relentless criticism for his financing methods. He refused obdurately to break the confidence of his agents by revealing names and amounts paid, and when he was denied the funds necessary for these activities, he had to raise the money for his agents by confiscating cotton crops in the South

[10] 5 Richardson, *op. cit. supra,* note 2, 2281.

and selling them at public auction. Three years after the end of the War, when War Department auditors discovered that General Dodge had paid spies for Grant's and Sherman's armies, they peremptorily ordered him to make an accounting of the exact sums. Receipts and vouchers signed by spies who lived in the South were obviously difficult to obtain, and furthermore the names of the agents, for their own security, could not be disclosed. As a result, when the War Department closed Dodge's secret service accounts 21 years after the war, they were apparently still without a receipt for every dollar spent.[11]

A leading legal decision governing the privilege of the Executive Branch to withhold intelligence also had its genesis in the Civil War. In July 1861 William A. Loyd entered into a contract with President Lincoln under which he proceeded "within the rebel lines and remained during the entire war." He collected intelligence information all during the war and transmitted it directly to the President. At the end of the war he was reimbursed his expenses, but did not get any of the $200-per-month salary for which the contract called. After Loyd's death a suit was brought by his administrator against the Government to collect the salary Lincoln had contracted to pay him.

The case was finally decided by the Supreme Court in 1876, and the claim was denied. Mr Justice Field set forth in his opinion a position on secrecy in intelligence matters which is still being followed today. He wrote that Loyd was engaged in secret service, "the information sought was to be obtained clandestinely," and "the employment and the service were to be equally concealed." The Government and the employee "must have understood that the lips of the other were to be forever sealed respecting the relation of either to the matter." Were the conditions of such secret contracts to be divulged, embarrassment and compromise of the Government in its public duties and consequent injury to the public would result, or furthermore the person or the character of the agent might be injured or endangered. The secrecy which such contracts impose "is implied in all secret employments of the Government in time of war, or upon matters affecting foreign relations," and precludes any action for their enforcement. "The pub-

[11] Perkins, J. R., *Trails, Rails and War,* Bobbs-Merrill (1929).

licity produced by an action would itself be a breach of a contract of that kind and thus defeat a recovery." [12]

The pattern of executive privilege as applied to withholding information on intelligence activities was determined by the resolution of these situations which occurred from the first years of the Republic through the Civil War. Decisions in later cases utilized the precedents which had here been established. In 1948 the Supreme Court, deciding a case concerning an application for an overseas air route, reaffirmed that "the President, both as Commander-in-Chief and as the nation's organ for foreign affairs, has available intelligence services whose reports are not and ought not be published to the world," and defined its own position on cases involving secret information:

> It would be intolerable that courts, without the relevant information, should review and perhaps nullify actions of the Executive taken on information properly held secret. Nor can courts sit in camera in order to be taken into executive confidences . . . The very nature of executive decisions as to foreign policy is political, not judicial.[13]

Intelligence information is recognized by the three branches of Government as of special importance because of its connection with foreign affairs and military security.

Authorities for CIA Information Controls

As an Executive agency CIA partakes of the privileges accorded generally to the Executive Branch with respect to withholding information, privileges ultimately dependent on the separation of powers doctrine. In addition, Congress has specifically recognized the secrecy essential in the operation of Central Intelligence by providing in the National Security Act of 1947 that the Director "shall be responsible for protecting intelligence sources and methods from unauthorized disclosure." In the Central Intelligence Act of 1949, noting again this responsibility of the Director, Congress exempted the Agency from any law which requires the disclosure of the organization, functions, names, official titles, salaries, or num-

[12] *Totten Adm'r v United States;* 92 US 105 (1876).

[13] *Chicago and Southern Airlines, Inc. v Waterman Steamship Corporation;* 33 US 103 (1948).

bers of personnel employed. Other statutes exempt the Agency from requirements to file certain information reports.

Pursuant to the Director's task of safeguarding intelligence information, Agency regulations governing the release of information serve notice upon employees that unauthorized disclosure is a criminal and an administrative offense. A criminal prosecution for unauthorized disclosure can be instituted against an employee under several statutes, including the Espionage Laws, or administrative sanctions including discharge can be applied against him.

Central Intelligence is also subject to the provision of Executive Order 10501 that "classified defense information shall not be disseminated outside the Executive Branch except under conditions and through channels authorized by the head of the disseminating department or agency." This provision, although it has never been tested in the courts, gives the Director added support in controlling the release of information to the courts and Congress as well as to the public. He can and will upon request release information of no security significance to the courts or Congress; he can exercise discretion in the release of information produced by and concerning the CIA; but there are limitations on his authority over information originating in other departments, joint interagency documents, and personnel security information. If the decision whether to comply with a demand for information cannot be made at the Director's level, it is referred to the National Security Council.

CIA's position vis-a-vis the courts and Congress is unique beside that of other agencies, because of the recognized secrecy and sensitivity and the connection with foreign affairs possessed by the information with which the Agency deals. This position has been tested on several occasions.

Intelligence and the Courts

The secrecy of intelligence employment which the Supreme Court recognized in the Totten case on the Loyd-Lincoln contract over eighty years ago is basically unchanged today. The difficulties encountered in the courts by a person claiming pay for secret work allegedly performed for the Government were illustrated in the Gratton Booth Tucker case in 1954. Tucker alleged that he had performed services "under conditions of utmost secrecy, in line of duty, under the supervision of agents

of the United States Secret Service and of the C.I.D. of the Armed Services and Department of Justice, FBI and of the Central Intelligence Agency." He claimed that from 1942 to 1947 he contributed his services voluntarily and "without thought of compensation in anticriminal and counterespionage activities in Mexico and behind the lines in Germany," and that in 1950 he was assigned to Korea. For all this he brought suit against the United States in the Court of Claims, seeking payment of $50,000 annually for the years he worked and of $10,000 as expenses. On the very basis of these allegations, and without going into the matter any further, the court refused recovery, citing the Totten case as authority.[14]

Another aspect of the Government's privilege not to disclose state secrets in open court was decided several years ago by the Supreme Court in the Reynolds case. This was a suit for damages brought against the Government by the widows of three civilian observers who were killed in the crash of a military plane on which they were testing secret electronic equipment. The Air Force refused to divulge certain information which the widows thought necessary to their case, stating that the matter was privileged against disclosure pursuant to Air Force regulations prohibiting that reports be made available to persons "outside the authorized chain of command." The Air Force then made a formal claim of privilege, affirming that "the aircraft in question, together with the personnel on board, were engaged in a highly secret mission of the Air Force." An affidavit by the Air Force Judge Advocate General asserted further that the material could not be furnished "without seriously hampering national security." The Supreme Court accepted the Air Force argument, saying that "even the most compelling necessity cannot overcome the claim of privilege if the court is ultimately satisfied that military secrets are at stake." And these Air Force statements had been sufficient to satisfy the court of the military secret involved.[15]

The privilege of withholding national security information from the courts has been subject to some limitation. One case, *U.S. v Jarvinen*,[16] illustrates that this executive privilege is not

[14] *Gratton Booth Tucker v United States;* 127 Ct. Cl. 477 (1954).

[15] *United States v Reynolds;* 345 US 1 (1952).

[16] *United States v Jarvinen;* Dist. Ct. Western District of Washington, Northern Div. (1952).

judicially inviolable. Jarvinen was a casual informant in the United States who gave information in 1952 to CIA and later to the FBI that Owen Lattimore had booked passage to the USSR. He later informed CIA that he had fabricated the whole story. Soon thereafter Jarvinen was indicted for making false statements to government agencies. At the trial a CIA employee called to testify by the Department of Justice prosecutor was directed by CIA not to answer. The witness' claim of privilege was not accepted, however, and when he refused the court's order to answer he was held in contempt and sentenced to fifteen days in jail. He was pardoned by the President.

The CIA argument had been based on the provision of the CIA Act of 1949 that the Director "shall be responsible for protecting intelligence sources and methods from unauthorized disclosure" and on Executive Order 10290, then in effect, which limited dissemination of classified security information. The court had reservations about the substantive merits of the privilege, and the widespread publicity emanating from the case apparently vitiated the claim of need to protect sources and methods. It was the further opinion of the court that in a criminal prosecution the Government must choose either to present all the pertinent information, regardless of its sensitivity, or to risk dismissal of the case by not presenting any sensitive information at all.

There have been several instances of indirect Agency participation in court cases, usually when employees have been requested to furnish documents or testify on behalf of the Government or private parties. In recent cases in which other Government agencies have participated there has been a cooperation between them and Central Intelligence representatives which was lacking in the Jarvinen case, and little difficulty has been encountered with respect to the privilege of withholding classified information. A good example is the Justice Department's prosecution of the case against Petersen,[17] an employee of the National Security Agency who had passed NSA documents to the Dutch. The Justice Department needed to present classified information to the court in order to substantiate its case, but the Director of Central Intelligence advised, in

[17] *United States v Petersen* (E. D. Va. Criminal No. 3049, January 4, 1955).

the interest of security, that a particular document not be used. The Justice Department accepted this recommendation and succeeded in convicting Petersen on other evidence.

CIA and Congress

CIA's record of cooperation with congressional committees has on the whole been satisfactory. The Agency certainly recognizes that Congress has a legitimate interest in some intelligence information and obviously a better claim on it than say the private citizen who needs it for purposes of litigation. Although, under the separation of powers doctrine, intelligence gathering and production is an executive function and the responsibility of the Executive Branch, the Congress does have responsibilities in the foreign affairs field. It is, moreover, the appropriating authority for Agency funds, and indiscriminate withholding of information could not only result in a poorly informed Congress but also jeopardize the good will the Agency enjoys with it. Within the bounds of security, therefore, CIA has attempted conscientiously to fulfill requests from Congress proper to the legislative function. And Congress, for its part, has so far respected CIA's decision to withhold information or produce it only in closed session with the understanding that it is not to be released.

If summoned by a subpoena to testify before a Congressional Committee, all CIA employees, including the Director, are required to appear or be held in contempt of Congress. There are few instances, however, in which an employee has been subpoenaed to testify involuntarily, and no documents have ever been released to Congress without the Director's approval. In most cases it has been as a matter of form or at Agency request that an employee's testimony has been called for and a subpoena served. In only two instances situations have arisen which led to strained relations between the Agency and congressional committees. When Agency testimony was desired by the Senate Internal Security Committee concerning the security status of John Paton Davies, CIA successfully requested several delays in the hearings on security grounds. And in 1954, while the Senate Committee on Government Operations was considering inquiring as to certain facts relating to the security status of an Agency employee, counsel for the Committee and the General Counsel of CIA agreed on the

legitimate interests of the Agency and the Committee. The employee was never questioned by the Committee.

No court cases have defined an employee's rights to withhold from Congress information which has been classified and the divulgence of which could work harm to this country's intelligence program. Such a case could theoretically arise through testing a Congressional contempt citation in a habeas corpus proceeding, but it is unlikely that such a test will be made. The employee could use an order from the Director as a basis for not testifying, and the Director's judgment has always been respected by the Congress when he has decided he cannot reveal certain information. Because the information which CIA has is so clearly within the purview of the Executive Branch, this Agency has a much stronger legal basis for refusal than other departments have.

If Congress should persist, there would of course have to be eventual Presidential support for continued refusal to give information. Such support was tendered, outside the intelligence and foreign fields, in 1909 when Theodore Roosevelt withstood a Senate resolution calling for certain papers in the Bureau of Corporations concerned with the absorption by U.S. Steel of another corporation. Roosevelt informed the Senate that he had obtained personal possession of the papers it desired but that the Senate could get them only by impeachment. "Some of these facts which they [the Senate] want," he declared, "for what purpose I hardly know, were given to the Government under the Seal of Secrecy and cannot be divulged, and I will see to it that the word of this Government to the individual is kept sacred." [18]

Generally, there has been a spirit of cooperation between the Legislative and Executive Branches. In those cases where a conflict has occurred, and the Executive has refused to divulge information requested even in the strongest terms by the Legislature, the decision of the Executive has prevailed. The Constitution has been in existence for over 170 years and under it 34 Presidents and 85 Congresses have forged a strong interpretation of the separation of powers. In the field of foreign affairs intelligence, the Director of Central Intelligence, acting

[18] *The Letters of Archie Butt, Personal Aide to President Roosevelt;* by Abbott, pp. 305–06.

under the constitutional powers of the Executive Branch of Government together with powers granted by statute, can withhold such information as he believes is in the best interests of the United States. If a showdown were to occur, however, the issue is between the President and Congress as to whether classified information should be divulged against the wishes of the Director, who is responsible for the protection of sources and methods. Historical precedent in similar situations appears to favor the President.

A recent article in STUDIES *provokes here a second attempt to sort out a tangled concept.*

A DEFINITION OF INTELLIGENCE

Martin T. Bimfort

Formulating a brief definition of so broad a term as intelligence is like making a microscopic portrait of a continent, and the product of this effort is likely to have less value than the process of arriving at it, the reexamination of our own thinking as we seek to pinpoint the essentials of the concept. Yet misunderstandings within and without the intelligence community often result from incompatible understandings of the meaning of the word *intelligence.* Moreover, the assignment and coordination of functions, responsibilities, and relationships among the members of the community must rest upon an agreed interpretation of this word in the laws and directives which govern our work.

Definitions carefully formulated by intelligence experts do exist, but all seem deficient in one respect or another; the concept remains as sprawling and thorny as a briar patch. Each expert tends to view the term through the spectacles of his specialty. Military intelligence officers speak of enemies and areas of operation, defining *operation* as a military action or the carrying out of a military mission. The collectors of information are inclined to regard its further processing as a kind of frosting, a matter of arrangement and decoration. The agent handlers tend to lose sight of the end in the wildwood of the means. The producers of finished intelligence, cutting their cloth far from the smell of sheep dip, are likely to disregard both the raw materials and the methods by which they are obtained. Like the services within the intelligence community, these specialists within services need common definitions as bridges toward unanimity.

A definition recently proposed by R. A. Random [1] is here compared with three others. After discussing them we shall, with human temerity, propose yet another.

[1] Intelligence as a Science," *Studies in Intelligence,* Vol. 2, No. 2 (Spring 1958), page 76.

1. Webster's *Unabridged* (1956)

   "Intelligence. 5. The obtaining or dispensing of information, particularly secret information; also, the persons engaged in obtaining information; secret service."

2. *Dictionary of United States Military Terms for Joint Usage* (Revision of February 1957)

   "Intelligence — the product resulting from the collection, evaluation, analysis, integration, and interpretation of all available information which concerns one or more aspects of foreign nations or of areas of operation and which is immediately or potentially significant to planning."

3. *A Training Handbook*

   "Intelligence=The product resulting from the collection, evaluation, collation, interpretation, [and] analysis of all available information concerning the intentions, capabilities and objectives of other countries which are significant to a government's development and execution of plans, policies, decisions, and courses of action."

4. *Mr. Random*

   "Intelligence is the official, secret collection and processing of information on foreign countries to aid in formulating and implementing foreign policy, and the conduct of covert activities abroad to facilitate the implementation of foreign policy."

Definitions 2 and 3 consider intelligence solely a product. Definitions 1 and 4 recognize that intelligence is also a process, but they contain other inadequacies. All four omit counterintelligence, a deficiency which is like that entailed in explaining an automobile in terms of its motor without reference to its bumpers or brakes.

Webster's definition is clearly not exclusive enough for our purposes. There is much obtaining and dispensing of information, even secret information, which has nothing to do with intelligence as we use the term. The second and third definitions list whole series of overlapping concepts in an effort to include everything, yet exclude the essential concept of process. With Webster, they likewise ignore not only counterintelligence but also political action and covert propaganda, although

these activities are conducted by intelligence organizations in accordance with directives based on law.

Mr. Random's definition avoids all but one of these pitfalls, but has weaknesses of its own. First, in the phrase "the official, secret collection and processing of information on foreign countries," the adjective *official* is proper to the processing of intelligence but not always applicable to its collection. The acquisition of intelligence is normally performed for a government, but the act of acquisition is sometimes highly unofficial. Secondly, although secrecy is critical to intelligence, it is not a universal attribute. There is overt reporting by representatives abroad, overt processing of overt materials, overt disclosure of finished intelligence. Thirdly, intelligence is not confined to information on foreign countries; witness FBI reports on the CPUSA. This last difficulty can be solved, if the term *agent* is understood to mean any person or group who serves the interests of a foreign state, by adding the words "and their agents" after "foreign countries."

Mr. Random states the purpose of intelligence as "to aid in formulating and implementing foreign policy." But intelligence may aid in determining domestic policies for national security as well: the inauguration of a program for civil defense, for example, or stepping up the national development of space satellites.

The final element in the fourth definition, "the conduct of covert activities abroad to facilitate the implementation of foreign policy," comes close to the mark. It should be made clear, however, that "covert" as here used does not mean "secret," in the sense that the activities are hidden, but rather "non-attributable," in that the government's responsibility for these activities is not disclosed.

The omission of counterintelligence from the fourth definition, as from the others, is the more surprising in that counterintelligence is a part of intelligence not in an architectural but in an organic sense. The counterintelligence elements of the intelligence bloodstream are the white corpuscles and antibodies. It is true that our emerging definition has taken some informational aspects of counterintelligence into account by including "information on foreign countries *and their agents,*" but we must also cover the aggressive and defensive measures

which intelligence takes to protect its activities and products. Adding this element to our definition, we rest our case on a triad (positive intelligence, political action, counterintelligence) with threefold application (to process, to product, to agency).

Intelligence is the collecting and processing of that information about foreign countries and their agents which is needed by a government for its foreign policy and for national security, the conduct of non-attributable activities abroad to facilitate the implementation of foreign policy, and the protection of both process and product, as well as persons and organizations concerned with these, against unauthorized disclosure.

CRITIQUES OF SOME RECENT BOOKS ON INTELLIGENCE

CENTRAL INTELLIGENCE AND NATIONAL SECURITY. By *H. H. Ransom.* (Cambridge: Harvard University Press. 1958. Pp. 272. $4.50)

This is the best study that has been written on the development, organization, and problems of the US intelligence business. The author declares that his goal is "to describe contemporary central intelligence insofar as this can be done from nonsecret sources." This goal he has admirably attained; it is remarkable indeed how much can be learned from "nonsecret" sources if they are industriously and skillfully used. The tone of the book is throughout temperate and scholarly. The reader will find an excellent brief discussion of what intelligence is, and of how it is supposed to operate. He will find good summary accounts of the history, functions, and present organization of all the IAC member agencies, and of CIA itself. Curious outsiders will learn a good deal that is new to them, and students in CIA training courses will find this an excellent textbook.

To a great — perhaps excessive — degree the story centers about National Intelligence Estimates. Partly, no doubt, this is because the existence of these estimates and the general manner of their production is no secret. But partly it is because the author entertains the highest notion of their significance. "No development in American governmental institutions in recent years is more important than the evolution of the mechanism for producing the National Intelligence Estimate," he says. This mechanism is accurately and quite fully described. And there is much explanation of why successful policies can only be made on the basis of good information and sound estimates.

But the author runs into trouble when he attempts to say how good National Intelligence Estimates really are. Even if he had been given all the texts of all the estimates he would not have found it easy to arrive at a judgment of their validity.

As it is, the best he can do is to quote people like Admiral Radford, who says that we always overestimate the strength and capabilities of the Soviets, and other people like Joseph Alsop, who says that we always underestimate them. The reader will not be much wiser after such quotations; indeed he may well wonder why Alsop should be cited at all as an authority on the subject.

Then the author worries about the dangers of "intelligence by committee" — the perils of a watered-down consensus. He fears that there may not be enough weight given to variant opinions. "On the most important of questions," says he, "is likely to be found the greatest variety of dissenting views." This is a commonly held notion, which the present reviewer believes to be false. The fact is that there is not often much difference of opinion in the intelligence community on "the most important of questions" — it is on the less important that argument is most apt to be sharp. Indeed, most of the time devoted to coordinating the text of Estimates is spent in adjusting relatively minor matters of emphasis, phraseology, and the like. When there are firmly held differences of view on a truly important question, nobody desires to minimize the matter or to suppress a dissent by watering down the collective judgment.

A great deal hangs on the confidence and firmness with which an intelligence estimate is rendered, whether as a consensus or as a dissent. If a firm judgment is given, it may be sufficient by itself to determine US policy. But intelligence estimators would be irresponsible if they gave a firm judgment when the evidence did not warrant it. They would in effect be making a policy decision in the guise of intelligence, and they ought not to do this. It seems to me that the author of this book, along with others who decry the "watering down" of intelligence estimates, misses this point. He gives intelligence estimators no credit for honest doubts, or for decent intellectual humility in the face of insufficient evidence. He is clear, however, in his caution that intelligence estimators must base their differing opinions strictly on the evidence, and not upon extraneous political or budgetary considerations.

The author's discussion of the relationship between intelligence and policy is always interesting, and sometimes downright alarming. Policy-making, says he, is a dynamic process,

and a key element in it is the information available. The man or group controlling information thus to a degree controls policy. If knowledge is power, he remarks, CIA through an increasing efficiency has come to play a major role in national security policy.

He goes yet further. CIA, he says, will probably increase its influence, simply because increasing centralization of power and of function is more or less inevitable in the modern age. At some time or other the policy-making elements in the Executive and Legislative branches of the government may reach an impasse. When that day comes it may be that CIA will constitute a "third force" within the Executive Branch, and successfully espouse its own foreign-military policy. This horrendous prospect disturbs the author a little, and is one reason why he favors the appointment of a Congressional Committee to oversee the operations of CIA in the way suggested by Senator Mansfield.

Despite these fears, the author sketches out a considerable extension in the traditional activities of intelligence. Too little attention has been given, he says, to the discovery of factors by which the United States may influence the future. There has been too little Basic Research, and too much accumulation of facts. "The whole intelligence enterprise tends to focus upon the filling of a vast warehouse of encyclopedic data." And again, "too little regard is shown generally to theory, reasoning, or the inductive method." Be it so, but an increasing mastery of these methods, and an increasing weight of product from them, might in the long run make CIA virtually an arbiter of policy. Myself, I doubt that we shall ever be wise enough to reach that position on the "most important questions."

The foregoing observations are directed to some points raised in the last chapter of the book under consideration. Primarily the book is descriptive, not argumentative; it deals with the intelligence mechanism as it exists, and eschews theory. There is an excellent apparatus of footnotes, and a lengthy critical bibliography. Altogether this is a major work in our field, and one to be warmly welcomed.

ABBOT SMITH

C. I. A. By *Joachim Joesten.* (Munich: Isar. 1958. Pp. 192. DM 12.80.)

Two distinct and somewhat ill-fitting Parts make up this book by the German-born U.S. journalist Joesten, and the less valuable of the two has imposed its title upon the composite. Part II, "[Episodes] from the Duel between the [Soviet and U.S.] Clandestine Services," is devoted almost entirely to the story of two Soviet spy rings in the United States, the one centered on Jack Soble and the one headed by Colonel Abel. These stories the author puts together from public sources, chiefly the indictments against the principals and their own published testimony and statements.

In this Part Joesten adheres, if somewhat loosely, to his documentary sources, employing literary license mainly to endow his characters with personality and play them through his pages with dramatic finesse. The reader feels he has got personally acquainted with Martha Dodd Stern, Jack and Myra Soble, George and Jane Foster Zlatowski, the ignoble hero Boris Morros, Colonel Rudolph Abel, the degenerate Reino Hayhanen, Sgt. Roy Rhodes, and their supporting casts — at least he has got acquainted with the Joesten characters representing them — and finds himself emotionally involved in their adventures. There is probably not another so readable account of these two espionage nets extant.

To these stories of Soviet spying Joesten adds a weak afterbalance in a chapter on Soviet public exposure of U.S. spies, and finally he describes, by way of wry comic epilogue, the battle fought among U.S. agents over the defectors Barsov and Pirogov at "The Three Musketeers" restaurant in Washington. Part II logically includes also the book's *Vorspiel,* staging the scene in which USAF Captain French "lost the biggest gamble of his life" when his flier offering the Soviet Embassy nuclear weapons data found its way to the FBI.

Part I, which gives the book its title, purports likewise to rest on open documentary sources, or at least public information, in its description of CIA's organization and activities; but here Joesten has either used his sources too uncritically or embroidered on them too freely. Interwoven into a generally sound synthesis of what is publicly known about the Agency are extravagances and misinformation like the following:

> The most minor CIA official gets a salary which would look like a golden dream come true to the best paid of freelance journalists. . . .
>
> CIA has a language school at its disposal . . . [where] hundreds of young men and women sit . . . learning little-known Soviet languages like Azerbaidzhani. . . . Beginners learn in six to eight weeks to read *Pravda* fluently and monitor Radio Moscow. . . . Compulsory for all [new CIA employees] is the Russian language and in addition one other Soviet Bloc language. . . .
>
> It can be stated without exaggeration that any person who is in any way in the public eye in any country today is under CIA surveillance. . . . All his activities, the good and bad aspects of his character, his financial involvements, the company he keeps, his sex life, his habits (especially drink and drugs) — everything is down in his file. . . .
>
> By and large . . . the daily CIA report to the President is based chiefly on information from secret agents in the adversary's territory, while the much more comprehensive weekly and monthly reports contain predominantly material . . . distilled from newspapers, periodicals, books, radio broadcasts, etc. . . . The Office of National Estimates issues a weekly review of the U.S. international political and strategic position . . . wherein the development of American nuclear might is weighed against the country's vulnerabilities. . . .
>
> Within the CIA Operations Branch is a special section . . . called by the initiated the "Department of Dirty Tricks." In the usual abbreviation of this name, DDT, lies an unintentional but nevertheless neat pun. . . .
>
> "AWD," as the chief is called orally and in writing by his subordinates, . . . is not easily upset and almost never makes a public statement. . . . He called together 500 of his main supervisors and declared, "Anyone who gives McCarthy any information will be dismissed on the spot." . . .
>
> If a CIA employee has an accident, no ordinary doctor can be called, nor can the injured man be put into a hospital to which the general public has access. . . . If he dies, no coroner's examination can be made, no death certificate can be issued, and no burial in an ordinary cemetery can take place. . . .

Joesten's book was criticized for German readers on 22 May of this year by another journalist, the Washington correspondent of the Hamburg *Die Welt,* Herbert von Borch, as "amateurish" and written with a "cheap sensationalism" which misrepresented the facts about CIA operations. Von Borch's heavy-handed attack was apparently inspired, however, not so

much by misrepresentations like those cited above as by the central theme which serves to integrate Joesten's two dissimilar Parts — namely, that the necessary secrecy of intelligence operations creates an unchecked center of power in the U.S. Government which poses a potential threat to Western democracy.

Joesten bolsters this warning with authorities — Senator Mansfield's "If secrecy becomes inviolate, it will lead to abuse"; the *New York Times*' "As things stand now, CIA is in practice above the law. . . . No one in Congress knows whether . . . it is in the process of establishing a bureaucratic world government, . . . whether it perhaps arrogates to itself the determination of U.S. foreign policy"; Senator Morse's declaration that the organization in its present form is incompatible with the U.S. constitution; Senator Mansfield's fear that "the whole system [of checks and balances] may break down and the door be opened wide to tyranny." [1]

Joesten himself realizes that his warning may be misinterpreted. He writes in a postscript:

> One should not conclude from the fact that the American clandestine services now show an ominous similarity with the Russian ones that the United States and the Soviet Union are spiritual twins.. . . America remains, in spite of its all too frequently evident blemishes, . . . a country in which the freedom and dignity of the individual is guaranteed by its constitution. . . .
>
> But. . . the showdown with the East must be held in the ideological arena. I have indicated to what extent the United States . . . has taken up the weapons of the cold war. The reader . . . can see how dangerous these weapons . . . could become if ever the essence of the contest lost its ideological character. . . . Every war is a thing of evil, including the "cold" war, a craft which may easily get out of hand. . . .

PHILIP K. EDWARDS

BURMA DROP. By *John Beamish.* (London: Elek Books *and* Toronto: Ryerson. 1958. Pp. 222. 16/–.)

This autobiographical account of espionage and guerrilla activity in the Japanese-held Burma jungles is unfolded by its

[1] All citations in this paragraph are retranslations out of Joesten's German rendering.

Anglo-Burmese author in a cultured British prose sometimes incongruous with the dashing, adventure-happy flavor which it has in common with other tales of OSS exploits around the world. As a matter of fact Beamish, presumably out of respect for his secrecy oath, delicately avoids implicating the OSS in the Burmese operations he details. He gives his employer as British Force 136, describes his fellow-agents as though they were all British, and acknowledges the existence of American operations only in picturing his chance encounter with a colorful lone Texan whose extravagant personal equipment was suggestive of the White Knight's mad miscellany.

This reticence with respect to his true employer prevents him from telling the reader that his first mission, to which he devotes about half his book, was one of the two or three early successes which convinced General Stilwell and local Army headquarters that OSS Detachment 101 deserved full support and a fair share of the scarce means and materiel available in the theater. The ten-man party with which Lt. Beamish made his first parachute drop, in February 1943, blew up bridges in the Myitkyina area along the Japanese supply route from Mandalay and then spent several months investigating conditions in northern Burma and sending back intelligence reports by radio before making its way to Fort Hertz via the Triangle.

Beamish, the records indicate, did leave Detachment 101 after this mission, in mid-1943, and the other two missions he describes were presumably carried out under the auspices of Force 136, whose operations were more or less coordinated with those of the OSS. At any rate these two later assignments of the author coincide in character with the two emergent phases of Detachment 101's developing activity — during most of 1944 a concentration on the gathering of intelligence by espionage teams, and in 1945 the organization and direction of guerrilla warfare with irregular forces, largely Kachin, which came to number as many as 10,000. Beamish' second mission was devoted to determining the vulnerability of the ferries along the Salween boundary between Japanese- and Chinese-held territory and to assessing the strength of local defense forces and possibilities for guerrilla recruitment. The active guerrilla warfare phase of operations began for him in January 1945 when he was parachuted down to a guerrilla center being organized near Lashio. Highlights of this mission were the res-

cue of a Shan chief, along with some sixty members of his household, from Japanese internment, and the routing of Japanese regulars attacking an airstrip.

Burma Drop illustrates authentically the tradecraft of jungle operations; but the reader will probably remember it best for the author's love of his green Burmese forests, his warm affection for the Kachins, his nostalgia for the timber camp and its elephants who courageously "lifted" the refugees of 1941 into Assam, and his melancholy acquiescence to the passing of a gracious colonial era.[1]

RICHARD K. SHABASON

[1] Another member of Detachment 101 is the author of a new novel about the OSS in Burma — Dean Brelis' *The Mission* (New York: Random. 1958. $3.50). Brelis' story is fictitious and contains little tradecraft, but in terms of human experience and appreciation of the Kachins his book is a more moving one than *Burma Drop*.

COUNTERINTELLIGENCE FOR NATIONAL SECURITY

In 1949 Sherman Kent introduced a triplicate framework within which to consider the subject of intelligence — *i.e.*, as *knowledge*, as *activity*, and as *organization*.[1] This article will proceed within that framework to discuss counterintelligence, a field of intelligence.

Inevitably it sounds a bit illogical to call counterintelligence a type of intelligence, for we aboriginally think of intelligence as knowledge, and counterintelligence as an activity or organization acting against forces seeking such knowledge. Yet members of the intelligence community will agree that we must produce counterintelligence information (knowledge) as well as take counterintelligence measures (activity) and devote personnel to these duties (organization). This threefold parallel view of counterintelligence gives it a unity which obviates the use of a number of makeshift terms invented in the past for some of its aspects.

Counterintelligence as Knowledge

Counterintelligence is the knowledge needed for "the protection and preservation of the military, economic, and productive strength of the United States, including the security of the Government in domestic and foreign affairs, against or from espionage, sabotage, subversion and all other [similar] illegal acts designed to weaken or destroy the United States." [2]

Since the "military, economic, and productive strength of the United States" is linked with the security of many far-flung installations and may be affected by activities originating almost anywhere in the world, the amount of counterintelligence information needed is vast, and it must be produced both within the United States and in all the foreign areas to which U.S. interests extend. Kent dichotomized counterintel-

[1] *Strategic Intelligence* (Princeton, 1949), page ix.

[2] From the definition of "national security" proposed in the *Report of the Commission on Government Security* (Washington, D. C. 1957), pp. 48–49.

ligence by location, as *security intelligence — domestic* and *security intelligence — foreign;* [3] but since essentially the same type of counterintelligence information may be required from Little Rock as from Okinawa, Iceland, Spain, or West Germany, and since it is produced domestically and abroad in the same way, a division by geographical source does not seem useful for conceptual purposes.

Counterintelligence as Activity

The activity of counterintelligence is the production of knowledge, and as with all intelligence, this knowledge is not produced for the counterintelligence organization itself (except as parts of it are instrumental in the further production of knowledge [4]) but ultimately for others — the prosecutors, legislators, commanders, and executives who are responsible for administering security measures. We should clearly distinguish between counterintelligence activities and security measures, for there is a tendency to treat them with unjustified synonymity. Security measures are defensive devices applied by the executive as protection against the things which counterintelligence seeks knowledge of.[5] They relate directly to the item to be secured, denying or inhibiting access to particular information, material or areas. A representative grouping of types of security measures follows:

Information Control	Physical Security	Area Control
Security clearances	Fences	Restricted areas
Locking containers	Lighting	Curfews
Security education	Guard systems	Checkpoints
Document accountability	Alarms	Border and frontier control
Censorship	Badges and passes	
Camouflage		

[3] *Op. cit.*, pp. 210–211.

[4] These parts are indicated in such statements as, "The FBI conducts two types of security investigations — one to uncover admissible evidence to be used in the prosecution of an individual or group in federal court, the other for intelligence purposes only." (Whitehead, *The FBI Story*, New York, 1956, p. 339.)

[5] "Security measures — measures taken by a command to protect itself from espionage, observation, sabotage, annoyance, or surprise" — *Dictionary of U.S. Military Terms for Joint Usage.*

Security measures may be taken on the basis of counterintelligence knowledge, but the function of the counterintelligence activity proper is simply the production of knowledge — knowledge concerning the plans, operations, and capabilities of organizations intent upon subversive activities. "Subversive activities" is used here for convenience in a broad sense, to include espionage, sabotage, and related actions.

These activities are defined in our federal statutes. Chapter 115, Title 18, U.S. Code, "Treason, Sedition, and Subversive Activities," describes certain crimes, such as seditious conspiracy, which constitute subversive activity in the sense that they aim at the overthrow of the government. Other statutes particularize espionage as a number of activities including even gross negligence in the handling of national defense information. However, the essence of espionage as a practical threat to our national security is revealed by major U.S. court cases to lie in the clandestine and illegal collection of secret information on behalf of another country. The counterintelligence organization has little or no control over the vast amount of information available to foreign countries through legitimate overt sources.

Sabotage is described in our statutes as the willful destruction or defective production of war or national-defense mamateriel.[6] It can embrace the work of cranks or vandals disassociated from any foreign or revolutionary power, but as a practical threat to national security, sabotage is a clandestine and illegal activity on behalf of a foreign country which, unlike espionage, is likely to be limited to periods of actual or threatened armed hostilities.

Certain kinds of activity, however, which are not made criminal by law are nevertheless objectives of counterintelligence. Subversive elements may and do operate under a blanket of constitutionality in their effort to weaken the fundamental loyalties that are the real support of a government of law. To what extent this legal subversion, designed to disaffect the citizenry from its government, must be tolerated for the sake of preserving individual freedoms is the province of the legislative and judicial experts in constitutional law. But the counterintelligence organization counters this legal sub-

[6] See Title 18, U.S.C., Chapter 105.

version as well as criminally subversive activity in that it seeks to produce knowledge of the details of both.

Counterintelligence knowledge may fail to support action before the courts for any of a number of reasons — the provisions of the Statute of Limitations, technical defects in the statutes, the inadvisability of exposing confidential informants or techniques, or because the subversive activity has not progressed sufficiently toward its intended end to constitute a crime. If it is not judicially competent, this knowledge may still be used profitably by counterintelligence as a lead to further investigation, by the executive as the basis for new security measures, or by the legislature in blocking loopholes in the law.

Our description of counterintelligence activity has included the traditional elements of counterespionage, countersabotage, and countersubversion.[7] The list of particulars might be extended by adding countersedition and countertreason, for example, as other subdivisions of counterintelligence activity. But these divisions are rather artificial ones, for the processes by which knowledge of espionage, sabotage, sedition, treason, subversion, etc. is secured are all the same.

The identification of subversive activities, that is the production of counterintelligence knowledge, is carried out in three overlapping phases — detection, or the recognition of some actual or apparent evidence of subversive activity; investigation, or finding out more about this evidence; and research and analysis, which puts the information into such order that some use may be made of it. The techniques of investigation and research have been written of at great length, but three groups of detection techniques are worth noting here.

The first of these may be characterized as surveillance, understood in a broad sense to include the screening of refugees, the monitoring of communications, personnel investigations, and the scrutiny of the press or other news media (for detection, not for censorship). It also includes observation of known subversive outlets and the use of informants wherever they may be productive.

[7] Farago uses exceptional nomenclature in an attempt to distinguish between security and counterintelligence measures. He groups security intelligence, counterintelligence, and counterespionage as activities under the general heading of negative intelligence. (Ladislas Farago, *War of Wits,* New York, 1954, p. 271.)

Another technique of detection is, surprisingly, publicity. Through publicity the loyal citizenry is made aware of the danger of subversive activities, is taught ways to recognize them, and learns the identity of counterintelligence agencies to which it may turn. Defection programs make use of the publicity device, and immunity statutes assist its effectiveness. Prudence is of course required in the exercise of this technique.

A third method in detection is liaison, through which counterintelligence agencies are afforded each other's cooperation and that of other public and private agencies in order to maximize their range of observation for evidence of subversive activity or legal subversion.

The use of these techniques and the whole process of identifying subversive activity must be guided by an analysis of previous efforts. Detection, investigation, and research and analysis are mutually supporting processes. If they are to be effective, they must also be continuing processes, and carried out by skilled personnel.

Counterintelligence as Organization

As organization, counterintelligence consists of the personnel, along with their organized skills and methods and their organized files of data, engaged in these processes that produce counterintelligence knowledge. Since counterintelligence measures must be continuing in order to be effective, there must be a permanency of being for the counterintelligence organization and a background of continuity in its files and in the experience of its field and headquarters personnel.

Ideally, the field personnel should all be skilled in all counterintelligence techniques and fluent in half a dozen languages as well. What is not always fully appreciated is that the counterintelligence expertise is more critical than the language facility. A language weakness can be compensated for, but professional counterintelligence ability is indispensable.

In practice, individual field personnel are likely to be expert in only one or a few of the techniques required, for instance liaison. Others may be expert in research and analysis, the ability to clarify, organize, and make significant the reports of the investigators. Investigators may be specialists in interrogation, shadowing, or the use of technical equipment. These experts, like highly skilled persons anywhere, are likely to be

sensitive and at times temperamental; and supervisory counterintelligence personnel must have the developed professional skill to direct and nurture the talents of their subordinates.

Security and counterintelligence measures are never popular, not even during a hot war. "Whither so much counterintelligence?" and "What price national security?" will be continuing questions. Such questions can be answered by the counterintelligence organizations, in the last analysis, only by the clarity and dispassionate professionalism with which they compile the knowledge necessary for "the protection and preservation of the military, economic, and productive strength of the United States." A high quality in this product will encourage public recognition and the cooperation of loyal citizens, provide incentives for legislation and grounds for judicial action, and guide the executive in the establishment of security measures.

THE MAIL FROM BUDAPEST

This story of pre-war espionage and counterespionage has been summarized from records originating in Czechoslovakia and acquired by American intelligence after World War II. It has all the qualities of a classic except one: it is nearly unknown. It is our purpose here to pull it out, with its still useful lessons, from the shadows of the past.

In 1936 the international situation of Czechoslovakia was worsening steadily. Hostile neighbors stood upon her borders. Three million Sudeten Germans, helped by Hitler, were preparing for armed revolt. Austria was weak, Poland cool toward the CSR, and Hungary antagonistic. Czechoslovak counterintelligence had its hands full.

In the spring of that year Colonel Ujszaszy had been the Hungarian Military Attaché in Prague for two years. The routine surveillance by Czech counterintelligence of all military attachés of hostile countries had until then revealed nothing startling about the colonel. A bachelor, he lived in a villa in Vorechovka, an exclusive residential section of Prague. His hostess and mistress was a young Hungarian beauty. His car was driven by a Hungarian chauffeur. Observation reports pictured him as an easy-going *bon vivant*. His ambition and devotion to duty were not of the flaming variety; their matchflickers went out at the first puff of pleasure. You might have called him a wine-woman-and-song man but that his record did not indicate a taste for music.

His only staff employee was a non-commissioned officer named Kovacs, who shared his superior's tastes: he was a regular visitor at night clubs and various boudoirs. The Czechs now began to work on this man. An intelligence officer struck up an acquaintance with him in a night club and began the slow work of cultivation. During the first two months it was learned only that Kovacs had a wife and two children at home and that he spent money too freely. One evening, however, when the darkening night was as soft with spring as Kovacs was with drink, his Czech friend tried to draw him out about his daily work.

"Work?" repeated Kovacs, looking as though he had found a fly in his glass. "There's almost nothing to do, except buy

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some stamps for the colonel every other Friday. Don't know what he wants with Czech stamps. He's probably writing love letters."

The Post's Appointed Rounds

Czech intelligence grew curious about these stamps. It knew that the diplomatic courier from Budapest arrived in Prague every other Friday, a fact which might well be more than coincidental. It decided to test the hypothesis that letters brought by the courier were mailed by the Hungarian attaché to addresses inside Czechoslovakia, possibly to agents of Hungarian intelligence.

The obvious thing to do was to intercept any such letters, but here the Czech service ran into a legal wall. The secrecy of private correspondence in time of peace was guaranteed by law in the Czechoslovak Republic. It was necessary to obtain the consent and cooperation of the highest postal authorities. The fact that the ostensible sender was an accredited diplomat did not make the problem easier. Reluctantly the Czech service decided to take into its confidence the Director General of the Central Office of Post and Telegraphs, the equivalent of the U.S. Postmaster General.

This gentleman listened coldly at first. But when a senior intelligence officer unfolded the story of manifest danger to the country, he agreed in the end that national security would have to take precedence over national law. He insisted that the first interception be conducted with extreme care, because this illegal act, necessary to determine whether the letters were innocent or not, would be the basis for all that might follow. He also laid down the following stipulations: (1) the letters were to be picked up only from the box or boxes into which they were dropped; (2) the interception had to take place immediately after the letters were posted; (3) no postal employee would be involved in such a flagrant violation of postal regulations. The postal director agreed to provide a postman's uniform and a master key which fitted all mail boxes in the country, and he did not demur when he was told that the results of the operation, if successful, could not be divulged to him.

Meanwhile the chief of Czech counterintelligence was considering the many ways in which Colonel Ujszaszy could post

his mail. He could drop them into the box nearest his embassy. He could scatter them in boxes all over Prague. He could mail them in the countryside, from various remote areas. He might have an accomplice — his mistress, for example — post part or all of the letters. And they could be mailed at any time, on any date. Yet it was essential, in order to prevent suspicion on the part of the addressees, to recover, process, and remail them on the same day and from the same mailbox. The best of the Czech experts would have to be available for opening, photographing, testing for secret writing, and re-sealing.

To cover all contingencies the following orders were issued:

(1) The Hungarian courier, upon his arrival at the Central (Wilson) Railroad Station on the following Friday, was to be placed under surveillance. The Czechs already knew that he invariably travelled from station to embassy in a diplomatic car, but they were taking no chances. He would be followed to the embassy. Surveillance would continue if he deviated from the established pattern.

(2) Beginning that same afternoon, a special squad of handpicked surveillants, with two cars at their disposal, was to watch Colonel Ujszaszy's every move. Here too the Czechs showed professional caution. The train which the courier had taken heretofore would not arrive until just before Friday midnight, but there was always the chance that he would appear early this time. There was also little chance that the letters would be mailed until the next day: in Czechoslovakia, as in the rest of continental Europe, Saturday was a working day, and Ujszaszy would not need to beat the weekend. Just the same . . .

(3) Lighter surveillance was to be maintained for the mistress, the chauffeur, and even for the non-com, Kovacs. Of course it was improbable that Kovacs, in blurting out the story of the stamps, would have concealed the related chore of mailing the letters. But the Czechs were aware that it is usually the improbable that wrecks well-planned operations.

(4) The squad watching Ujszaszy was to keep in close touch with the "postman," who was to approach the box, if possible, even before the letters were mailed, in order to estimate the number of envelopes to be picked up. Members of the surveil-

lance squad would, of course, take all precautions against drawing the attention of the Hungarian attaché.

The courier arrived the next Friday, on schedule. The official automobile picked him up and delivered him at the embassy, on schedule. He stayed there overnight, as usual. Colonel Ujszaszy, smartly turned out, attended a social function that night, as usual. The following morning, keeping to his normal pattern, he showed up about ten o'clock for work at the embassy. And just after eleven he emerged, carrying in his left hand a packet of letters estimated by the watchers as numbering seven to ten. With firm military bearing, looking straight ahead, he crossed the street and dropped his letters in the nearest box. His duty done, he wheeled about and returned to the embassy.

The postman, on the other hand, slouched a little under the weight of his bag, because it was already eleven o'clock. He opened the box with his key, picked up the top twelve letters, and trudged off.

At headquarters it was quickly established that four of the twelve letters were the innocent correspondence of local citizens. But each of the remaining eight oysters, when opened, held its pearl; each was addressed to a Hungarian agent on Czech territory. Even Colonel Ujszaszy, the Czechs reasoned, would not be so incredibly careless with agent correspondence. It followed, then, that he did not know the contents, that he received the letters sealed and posted them without opening. It was also evident that Budapest had provided him with no instructions in the art of mailing letters, or else he had ignored complicated orders concerning what seemed, after all, a perfectly simple, straightforward matter.

The letters were checked for secret writing, photographed, and resealed. The mailman again serviced the box; and at the next appointed time its contents, including the twelve letters so briefly missing, went to the post office.

Surveillance of Ujszaszy and Co. was continued for three more days. No more letters were mailed.

The photographs of the eight letters were examined closely. It was immediately apparent that they were part of a correspondence that had continued for a long time. The addressees were scattered throughout Bohemia, Moravia, and Slovakia.

The subject-matter included acknowledgements of reports received, new instructions for communications channels from an agent's base, firm reminders of unfulfilled assignments, and, ironically, security instructions and safety warnings for the agents. One letter contained a considerable sum of money, of which more later.

Now how to be sure that the Budapest goose kept those golden eggs rolling along? The Hungarian headquarters might revamp its channels to and from its agents in the CSR, by-passing Colonel Ujszaszy. Any such change, fortunately, would become apparent within two weeks. Barring contingencies, however, the continuity and duration of this source would depend upon the discretion of Czech tactics in lifting the letters and exploiting their contents. It was therefore obvious that no agent of the Hungarians could be arrested except on solid evidence unrelated to the Budapest correspondence.

Prudence and Impatience at the Snare

The highest and most difficult art in counterintelligence is knowing how to wait. The Czechs service was good at it. Orders went out that all persons mentioned in the intercepted letters were to be placed under surveillance. The search was not to be confined to indications of espionage; just as important was the uncovering of other illegal activities which would furnish an independent basis for arrest. The Czechs realized that the most important agents probably would not maintain communications through the military attaché in Prague, but would have direct channels to Budapest. It was therefore necessary to follow the eight recipients with care and patience in an effort to learn the identities of bigger fish mentioned in the letters by cover names, or not at all.

This prudent plan was nearly ruined at the outset. The Chief of the General Staff wanted to be informed promptly of the results of the operation, and on the evening of the same Saturday summoned an elderly, senior intelligence official to report. The latter produced the photographic copies of the letters. After the first shock, the general beamed. "Now you can arrest every last one of them!" he exulted. Told, however, of the plan to render the spies harmless without compromising the source of the information, he allowed himself to be persuaded. Then he began to flip through the photographs. Suddenly he stiff-

ened. He held out the letter which had contained a sizeable sum in cash, a letter addressed to one Josef Skladal in Prague.

"Is this Staff Captain Skladal?" he demanded.

"Yes, sir." The intelligence officer had already done his homework.

"But I know him personally," said the General.

The intelligence officer knew this fact too. Skladal was assigned to the staff of the First Army. He worked on mobilization plans. He had never been under suspicion, and his superiors described him as an efficient, devoted, and promising officer.

"He must be arrested immediately!" ordered the General. "I shall not tolerate an enemy spy in so delicate an assignment. We could never recover from the damage that he could do. I want him locked up in one hour's time."

"But then, sir, we should lose our chance to catch the others, some of them probably more important than Skladal."

"Arrest him."

"Sir, could he not be transferred to a less important assignment, a routine job, so that we can prepare the action on other grounds?"

"Arrest him."

"Yes, sir. But if we just——"

"Arrest him now! And bear this in mind in the future. There is always a category of suspects that must be arrested right away. I wish to be informed of every such case immediately. That is all."

Fortunately, the incriminating letter would not reach Skladal before Monday. Feverish efforts to find some legitimate basis for a house-search — careful examination of all possible files, questions asked of Skladal's friends by other acquaintances over the week-end, a twenty-four hour surveillance — were all fruitless. But there was no alternative. The major who entered Skladal's apartment shortly after eight on Monday morning produced a search warrant and prayerfully began his quest. Although he immediately recognized the letter on the desk as that which had been in his hands on Saturday, he paid it no attention. His search was aimed at other evidence, and it was successful. Three other letters from Budapest were found, as

well as a large sum in Hungarian pengoes and Italian lira for which Skladal could give no satisfactory explanation.

The traitorous captain hesitated for a short while after his arrest, but soon made a full confession. He had betrayed to the Hungarians everything he could put his hands on, including several important communications concerning Czech mobilization plans. Painfully he explained that his wife's beauty was matched only by her extravagance. He was told that suspicion had indeed arisen about him because he and his wife had lived beyond their means. This precaution, however, was unnecessary: Captain Skladal never came to trial. Some days after his arrest he hanged himself in his cell.

There remained the possibility that Budapest might change its procedures after Skladal's arrest and suicide not because it suspected that the attaché channel had been compromised but just as a matter of general principle. It was therefore with great relief that inconspicuous surveillants saw the dapper Colonel Ujszaszy emerge from the Hungarian Embassy, two weeks after his last appearance, promptly at eleven a.m. and march across the street, eight letters in his left hand. In fact, the entire incredible performance remained unchanged for two years. Fifty-three times the Czechs picked up the post every second Saturday from the same mailbox. Once the Hungarian colonel was ten minutes late for his entrance on scene with the letters, frightening the Czechs quite badly with this radical departure. But the aberration was not repeated.

The Catch

During those two years, summer of 1936 to summer of 1938, the Czechs arrested 253 Hungarian agents without tipping their hand. All categories were picked up: sub-sources, sources, couriers, cut-outs, bird-dogs, letter-drops, W/T operators, and the rest. Some were important and others were comparatively insignificant, but all were dangerous. Yet some were allowed to remain free, under close observation; these were agents whose main task it was to report on the course of Czechoslovak mobilization and the movement of troops. They were all arrested later in 1938, the day before mobilization was proclaimed. The accumulation of letters had provided a wealth of detail about these spies. Czech intelligence knew their names and addresses, their targets and assignments, their communications

inside and outside the CSR, the extent to which Budapest was pleased or dissatisfied with their work. The base for which each worked was known: Miskolcz, Komarom, Budapest, Jaeger, and outpost Vienna. For many even the amount of pay was determined.

The Hungarians had introduced secret ink for the protection of their major assets. But this ink, always the same, could be brought out readily by an ordinary developer or by ultra-violet. Every agent was provided with this same ink and with its developer. The process was so unsophisticated that the Czechs would have worried about provocation or a saturation operation had not the information derived from surveillance and arrests set their minds at ease. And the secret ink and developer, in turn, greatly facilitated arrest, for the search of the agent's quarters never failed to unearth both, and the effect of the discovery was usually so shattering that confession followed quickly.

Nine secret Hungarian transmitters were pinpointed on Czech soil. Armed with information from arrests and surveillance, the Czechs moved in on the six of these which were used for peacetime reporting. They seized the codes and operating instructions for each set, doubled each W/T operator, and kept the Hungarian cryptographers busy decoding well-planned deception material. The remaining three sets, which had orders to maintain silence until mobilization, were not picked up until the political tension reached its peak.

Of the two hundred and fifty-three agents some were especially dangerous for Czechoslovakia:

Lt. Colonel Opocensky was a general staff officer of exceptional ability. After fulfilling a very important assignment in the First Section of the General Staff, the section dealing with organizational matters, he became Chief of Staff of the Fifth Infantry Division in Ceske Budejovice. He was a personal friend of the chief of Czechoslovak military intelligence. He had served in the Serbian Army in World War I and had been known ever since as a brave soldier and profound patriot. The Czech General Staff, rocked by his arrest, remembered uneasily the case of Colonel Alfred Redl, the treasonable Austrian counterintelligence chief who committed suicide after his exposure shortly before World War I.

Lt. Col. Opocensky had not been compromised by Col. Ujszaszy's letters. Budapest had communicated with him directly, by courier. The courier, a stranger, was spotted in conversation with Opocensky, and after a quick preliminary check was picked up for questioning. Though he said nothing about Opocensky, he did confess that he worked for the Hungarian service. Czechoslovak counterintelligence then planned a full surveillance of the lieutenant colonel, but again the Chief of the General Staff intervened with an order for immediate arrest. Opocensky explained his single contact with the courier plausibly, but while the interrogation was going on Czech counterintelligence beavers were at the old job of mining the files. Among the books they examined was one kept by the duty officer, in which anyone who entered the General Staff building during off-duty hours had to sign his name, the time of entry, and the time of departure. The interrogator himself knew that in 1936 Opocensky had visited his office one Saturday evening and spent more than an hour there. There was no corresponding entry in the register. Skillful exploitation of this slender lead finally elicited from Opocensky the admission that he had been an agent of the Hungarians for more than two years. Soon thereafter, and before the interrogation was concluded, he died of a heart attack. The cause of his treason was established, however, before his death: he had been deeply in debt.[1]

Lt. Colonel Josef Kukla had worked for the Hungarian service for five years before his arrest. He had been recruited while stationed in a Slovak garrison in Banska Bystrica. The damage which he did to his country was far less than that done by Opocensky, because Kukla's highest post, deputy commander of the First Cavalry Regiment in Terezin, had not enabled him to become privy to major secrets. In consequence his correspondence from Budapest had passed through Colonel Ujszaszy. As in the other cases, Czech intelligence carefully prepared independent evidence through surveillance before moving in to

[1] A year after Opocensky's death a member of a surveillance squad rushed into headquarters, white-faced, to report that he had seen Opocensky clamly strolling down a Prague street at high noon. The squad captain eyed him coldly, unable to decide whether the report was born of dementia praecox or demon rum. But a quick check of the files showed that Opocensky had had an identical twin.

arrest him, but it turned out that these collateral facts were not needed: Kukla confessed promptly and fully. In return the Czech service told him how to preserve his pension for his wife and three children. He followed the advice and committed suicide before his trial.

Antonin Medricky, who lived in Sternberg, Moravia, was a wealthy man, much respected in his home town for both his charity and his cash. He too was uncovered through the Ujszaszy intercept program. But Czech counterintelligence, having prepared the case carefully, ran into an unexpected barricade: police cooperation was essential because Medricky was a civilian, and the local police stoutly refused to believe that so upstanding a citizen could be a spy. When this difficulty was finally surmounted and Medricky was tried, he was sentenced to twenty-five years in prison. Not long thereafter, however, when the Germans occupied Czechoslovakia, Medricky the Magnificent was freed and undoubtedly served his liberators well.

Other cases can be capsuled by the dozens: the drunkard Burda, for example, who was useful to the Hungarians because he served as a non-commissioned officer in a border-guard battalion. Or the former Austrian, Captain Stoces, who held one of the three radio transmitters that were supposed to go on the air when war started. Both were hanged. But today's reader of these files is likely to find the repetitive tales of treason less interesting than the precision with which the Czechs exploited the patterned regularity of procedure adopted by Hungarian naiveté. Then abruptly, in the regular simplicity of these patterns, a jagged gash was torn.

Epilogue

In the late summer of 1938 the beautiful young mistress of Colonel Ujszaszy was found dead in his villa — murdered. The colonel, confronted with this delicate situation, made a straightforward decision: he consulted the chief of Czech counterintelligence. The latter managed to call off the police, a simple matter because those involved were Hungarians and because Ujszaszy was on the diplomatic list. This episode gave the Czechs a hold on a hostile attaché which should have afforded them monumental opportunities. But how could Ujszaszy possibly serve them better than at present? Forcing

him to serve as a witting accomplice would have been a sure way to destroy the valuable operation in being.

While the Czechs were wracking their brains over this problem, Ujszaszy and Kovacs were recalled from Prague. Kovacs was recruited by the Czechs before he left. Ujszaszy, for his arduous and subtle labors, was suitably rewarded by a grateful government. He was made the G–2, Chief of the Second Section of the Hungarian General Staff.

The colonel's successor in Prague was a Major Somogyi, and the Czech counterintelligence operatives discovered soon after his arrival, to their grumbling dismay, that they would have to start earning their salaries. Major Somogyi left the embassy at unexpected times, drove his own car, and dropped the letters one by one in widely spaced and constantly changing mail boxes, some of them far outside the city. He also checked for signs of surveillance. His conduct was so circumspect that the rueful Czechs concluded that, unlike Ujszaszy, he had never been trained by the Hungarian intelligence service. The intercept operation became so complicated that efficiency dropped sharply, and the number of letters recovered grew smaller and smaller.

The dwindling operation was soon overtaken by history. The situation of Czechoslovakia turned from critical to tragic. Hitler screamed his demands for the incorporation of the Sudetenland into the Third Reich. Chamberlain went to Munich in Operation Umbrella. The Germans moved in. Life went on under the shadow of the Gestapo; and when the Communist secret police, after a brief interregnum, replaced the Gestapo in 1948, they put their trainees to studying the story of the Mail from Budapest, that they might derive instruction from the blunders of the one side and the skills of the other.

THE GREATER BARRIER

Among the practitioners of the Intelligence Arts there are few who will be surprised when the mechanical translation of languages leaves the laboratory and becomes operational. Indeed, this breakthrough of the foreign language barrier is so close upon us that some of our forward-looking administrative assistants should be working now on appropriate staff studies — "The Redistribution of No-Longer-Necessary Personnel," for example.

It is not the purpose of this paper to analyze the vast intelligence implications of the availability of mechanical translation, but one cannot contemplate the subject even in passing without catching a glimpse of the inevitable extrapolation of its techniques as it progresses from bulky machines and visual translation to pocket-size portables and instantaneous audible translation. The foreign language barrier, once breached, will be utterly shattered; foreign language competence will become largely academic and archival, and the foreign language specialist will join the buggy whip and the piston-driven aircraft engine as a relic of yesteryear.

There are, of course, those cynics who doubt the operational practicability of mechanical translation. One of them recently published a probably spurious account of a laboratory performance of the translation mechanism. According to the story, the laboratory scientist had selected for the trial run — to take its place in history alongside "What hath God wrought?" and "Come here, Watson, I want you" — the sentence, "The spirit is willing, but the flesh is weak." The machine, the source reports, hummed for a few seconds and produced a foreign language statement to the effect that "the liquor is agreeable, but the meat is insipid."

We scarcely need remind these doubting Thomases of all the great new ideas at which their spiritual ancestors laughed. Mechanical translation will come. The handwriting is on the wall — and it matters not in what language.

Perhaps, then, the time is upon us when we should face and begin to penetrate a barrier even greater than that of foreign languages — the English language barrier.

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The Invisible Curtain

The perceptive reader will have noted the duality of our verb — "face and begin to penetrate." The implication is, and is intended to be, that we have a dual mission: we must first face the English language barrier before we can begin to penetrate it. For it is in facing it and recognizing that it does, in truth, exist that we become conscious of how formidable this Barrier is.

Our first reaction to the proposition that the English language is an imperfect tool of communication is one of tolerant dismissal of the preposterous. We point to the vast treasury of literature in the language. We mention a few of the great masters — Chaucer, Shakespeare, Conrad, O'Neill, Wolfe, Spillane. We may even quote a sentence or two to demonstrate the capability of the language to convey great meaning with few words — "The time is out of joint," for example. And this reaction would be quite proper if we were discussing the English language as an instrument of evocation. It is indeed an evocative language. Only music, perhaps, has greater powers of empathy. But how good is the language as a precision tool in communication? How well does it do the job that is the basic one in the intelligence business — the ordering, reporting, analyzing, and interpreting of information?

To provide an oversimplified illustration of the problem, let us meet ourselves on our own ground. The reporter who ascribed the lament that "the time is out of joint" to a certain source also ascribed to him the admonition — addressed to an attractive young lady — to "get thee to a nunnery." Now most readers would interpret that exhortation as the compassionate solicitude of a sensitive young man, acutely aware of the out-of-jointness of the times, the rottenness of his environment, and the duplicity of humankind, for the welfare of his beloved, anxious that she seek sanctuary in some unsullied cloister. The student of Elizabethan semantics, however, knows that in the language of the day the word "nunnery" was commonly used to refer to a bawdy house and the young man was in effect telling the young lady to go jump in the lake — a piece of advice which, you will remember, she took.

We shall not belabor the point. Let the reader accept for the moment an at least eminently defensible proposition: in

the English language it is extremely difficult to use words in contextual sequence which mean to all people precisely what the user intended them to mean; it is extremely difficult to use the language so that it cannot be misunderstood; the language, therefore, is an imperfect tool of expression and constitutes a Barrier to communication.

Granting the existence of the Barrier, we may be inclined to dismiss it as one of life's inevitabilities — like death, taxes, and power lawnmowers. These things we have always with us; we get along with them as best we can, and it is folly to fight them. Now this attitude of resigned complacency may be acceptable in most walks of life. It may be a firm enough foundation on which to base the equanimity that satisfies most of us as a substitute for a real coming-to-terms with life. But is it acceptable in the intelligence business? Can we admit the existence of the Barrier and then do nothing about it? Consider for a moment just a few phases of our business in which we bruise ourselves against the Barrier.

Behind the Curtain

Take first the most critical end-product of intelligence, its predictive conclusions. By the very nature of their subject-matter these conclusions must be qualified ones; they are guesses supported in varying degrees by information of varying accuracy supplied by sources of varying reliability. And the guesses themselves are made by men of varying perceptivity. In lieu of more explicit language, we call these guesses "estimates." Estimates of future situations are useful only when coupled with indications of the degree of certainty attached to their predictions, and this predictive certainty is expressed in qualifiers. It follows, then, that an estimate is useful only to the extent that it is precisely qualified.

Now, what tools do we have to work with to make these precise qualifications? Well, we have the words "probable," "possible," "likely," "certain," and their antonymic forms; we may qualify these qualifiers with the words "very," "slightly," "surely," "almost," "highly"; we have the phrases "it is believed that," "it is concluded that," "the available evidence indicates that," and a dozen others. These, then, are the tools; and considering the importance of the job that has to be done with them, they are very dull tools indeed.

For example, let us consider "possible" and "probable." Our estimate is to the effect that "it is *possible* that A (a substantive element) will B (a predicative element)" or that "it is *probable* that A will B." Just how much information has been communicated? Practically anything is *possible*; and how probable is *probable*? In order to make these expressions meaningful, we have to set up a mathematical scale of possibility-probability: *possible* means less than a 50–50 likelihood that A will B, and *probable* means more than a 50–50 likelihood that A will B. By the addition of the qualifying words that qualify the qualifiers — barely, slightly, highly, certainly — and the assignment of values to these, we can calibrate our scale down, perhaps, to units of tens. But thus we have left the realm of language and sought succor in mathematics in order to arrive at the crudest kind of precision.

Now let us consider "the available evidence indicates that . . ." — often the only honest thing an intelligence analyst can say about an estimate. Even though his statement is buttressed by meticulous documentation, his communication has been approximate rather than precise. Like the history pupil's generalization that "Queen Elizabeth was the Virgin Queen of England; as a Queen she was a great success," the analyst's statement contains implications of inadequacy. The word "available" suggests, of course, that probably there is a large body of evidence not available, evidence that may or may not "indicate that . . ." The word "indicates" may have a flavor of certainty, like "shows," or carry an odor of doubt, like "suggests." In short, the limitations of the language prevent the analyst from communicating that fine balance of scholarly honesty and intuitive conviction which underlies the estimate.

Now we still might plead for tolerance of the Barrier on the grounds that the estimative phase of intelligence is inherently precarious, that no tool of communication could be devised which would probe the shadowy recesses that lurk behind the intelligence estimate, that perhaps it is better left imprecise. But such a plea is stilled by even a cursory glance at the language in action in virtually any other phase of our business.

Consider the fitness report. The Barrier is so formidable here that again we have been forced to seek the aid of mathematics. And even with digital assistance we cannot avoid

inadvertent damnation or beatification. Consider chain-of-command memoranda. An Assistant Director informed a Division Chief that he was "forwarding the following papers . . . which may render themselves to the fulfillment of the concept described in the referenced memorandum" — not only a lofty flight against the Barrier but a resounding proclamation of its existence. Consider the compounding of confusion that is the inevitable result of any attempt to define and use the word "capability," an attempt that must always end with Humpty Dumpty's assertion that "it means just what I choose it to mean — neither more nor less."

Spying the Land

Having established the existence of the Barrier and having — reluctantly, perhaps — admitted that something should be done about it, the next phase of our mission should be doing something about it. But let us not be hasty. Let us not attack so formidable a foe without careful reconnaissance. The actual penetration of the Barrier is a massive task; an impetuous frontal attack might lead us into the familiar fatuousness of the Carnegiens, who simply obscure the Barrier with a cloud of sound swirled about by calesthenic agitation, or into the folly of the plain-words, plain-letters pedants, who counsel blindness to the Barrier and restriction to the parochial borders of our current verbal competence.

Our first cautious step in reconnaissance might be the determination of the point at which the Barrier should be attacked. In the intelligence business the major medium of communication is written English. Oral communication is important, of course, but it is definitely a secondary medium, and virtually every oral communication emerges from, passes through, or enters into written form. Oral communication, moreover, is not language alone. It is language supported by the substantial crutch of audio-visual aids — aids that range from the rising inflection and the raised eyebrow to the blackboard and the animated flow chart. It is in written communication that we must rely wholly upon the language; it is here that the inadequacy of the tool is most apparent; it is here that the Barrier must be attacked.

Now perhaps the next step in our reconnaissance is an appraisal — agonizing, if you like the cliché — of some of the factors in our past failures to achieve a breakthrough. Obviously there are a host of these factors, and within the scope of this paper we can do little more than identify some of the major ones.

First of all, certainly, is the factor of self-exculpation. Those of us who admit and lament the inadequacy of written English are confident that we are not the ones for whom the bell tolls. Our defenses are manifold — and manifestly shallow. We are well educated, we say, with our tendency to equate writing ability and education. Actually, there is little relationship between them. One can — and many do — acquire two or three academic degrees without ever having mastered even the rudiments of effective written language communication. Some of us base our defense on pragmatism: we have got along in life quite well with our ability to write; therefore that ability must be of a rather high order. With equal logic we could claim competence in electronics on the basis of having used radios successfully. Individually, of course, we have different degrees of culpability, but there is a difference in degree only. None of us is without sin.

A second significant factor is the Literary Bent. Most of us, when we put pencil to paper or fingers to typewriter, are infused with the compulsion to create literature — to relegate communication to a secondary role and to feature the elegant phrase and the meaningful metaphor. In its mildest manifestation the Literary Bent makes us write "inception" when we mean "beginning," "terminal" when we mean "last," and "penultimate" when we mean "next-to-last." As the Bent becomes stronger, instead of "joining," "finishing," and "separating" things, we "marry," "consummate," and "divorce" them; the Freudian overtones no doubt lend sophistication to the language. In its most purulent form the Literary Bent leads us into juicy phrases such as these, which prosaic editors have culled from the finished drafts of intelligence reports:

Gone were the halcyon days of loose talk about the mighty upsurge in the output of consumer goods . . .

The veil of secrecy is so thickly meshed in the Iron Curtain . . .

The New Lands was a virgin area pregnant with possibilities for development.

Still another factor is the vaunted Viability of our language — its ability to grow, to change, to adjust itself to the needs of the times, to cast off the grammarian's chains and take flight into new spheres. This Viability, incidentally, has been rediscovered with tiresome regularity by bright young university instructors who write Sunday Supplement articles which advise us that we should not hesitate to judiciously split an infinitive should we choose to and that a preposition is not a bad thing to end a sentence with and that there is no real need to end a sentence anyway until we have said everything that seems to be related to the idea that we are concerned with.

Now this linguistic chameleonism is all very well when we are concerned with the evocative power of the language, but it wreaks havoc with communication. We hold no brief for slavish conformity to the dicta of the grammarians; we split infinitives at times, we end some sentences with prepositions, and we begin some sentences with coordinating conjunctions. But we feel that unilateral and indiscriminate departure from accepted patterns defeats the purpose of language. Too often the relationship between writer and reader becomes a game of "what's my meaning?" A decade or two ago the word "since" meant *since* and the word "while" meant *while*; now, "since" may mean either *since* or *because* and "while" may mean either *while* or *although* — depending on the writer's intention, an intention often determined only by a brisk deciphering exercise. Examples of this take-your-choice kind of diction are literally legion (the word "literally" here means literally, not figuratively) and the language game has just about reached the point at which the writer should provide parenthetic guidance — "Since (meaning because) the ore body lies under (meaning beneath) over (meaning more than) 160 feet of overburden (in this term, over means above [meaning on top of (referring to position in space)]) and is under (meaning less than) 6 percent metallic content, it is not too (meaning very) profitable to exploit."

Self-exculpation, the Literary Bent, and the Viability of the language are a few of the many factors that adversely affect our capability to penetrate the Barrier. The reconnaissance should be exhaustive, and it must be if we are to begin our attack with any degree of confidence in the outcome.

It is at this point, perhaps, that the strategist should retire and leave the field to the tactician. And surely, with the very life of the intelligence business at stake, the tactician who has plotted the destruction of the foreign language barrier will rise to this greater challenge posed by the English language.

COMMUNICATION TO THE EDITORS

Dear Sirs:

The rather iffy article on the origin and consequences of Antietam that appeared in the Winter 1958 issue of *Studies* merits some comment. In their haste to turn the Confederate tide at Sharpsburg, its authors have fallen into significant errors of fact and interpretation. Several basic facts were not quite as they presented them; certainly, the consequences of Antietam were at once both minimized and overstated.

It is fair to say that the discovery of Special Orders 191 brought on the battle at Antietam Creek if this means it got McClellan out of his camp chair and onto his horse. To that extent, at least, the finding of the lost order was an intelligence coup. The authors, unfortunately, have little to say about — although they do hint at — the effect of earlier, false intelligence reports on the outcome of this battle.[1] Antietam demonstrated the damage that can be done by false intelligence, even long after it is reported.

McClellan's intelligence chief, Allan Pinkerton, had earlier convinced him that Lee's forces greatly outnumbered the Army of the Potomac. Perhaps this false intelligence played in some way on a fatal flaw in McClellan's character. In any case, it had permitted General J. B. Magruder's song-and-dance on the road to Richmond during the earlier Peninsula campaign, when the lines before the Confederate capital were held by Magruder's drum-beating, bugle-blowing companies marching around and about to raise clouds of dust, while Lee shifted the bulk of his forces to McClellan's flank. Bemused by his intelligence service, McClellan saw these play-actors as a vast army.

[1] The authors' original manuscript, before it was cut for publication in the *Studies* at the editors' request, did in fact touch on these intelligence failures, referring to the "120,000 seasoned troops which Pinkerton reported to be under Lee's command" and noting that "Lee's soldiers tended to straggle, and Lee never could count effectively at any given moment on more than 75 percent of his total listed force. . . ." — Editor

McClellan's deliberate movement across South Mountain and his slow deployment along Antietam Creek on 16 September show this same fatal psychology at work. Instead of the divisions that peopled McClellan's imagination on 16 September, his host faced not more than 18,000 men, poorly equipped in everything save courage. McClellan simply waited around while Jackson came in from Harper's Ferry. On the following day, the Army of the Potomac paid the bloody price that is sometimes demanded by poor intelligence, and threw away an opportunity to win a decisive victory.

Meanwhile, what of Lee? Several days earlier the Army of Northern Virginia in its turn had been misled by false information: a report that a Union column was advancing south from Chambersburg. Lee's scattered force were further dispersed by the dispatch of Longstreet to hold Hagerstown in the face of this imaginary threat. News of McClellan's unexpected advance beyond Frederick — brought in by J. E. B. Stuart — forced Lee to quick decisions. He moved D. H. Hill back to South Mountain, ordered all units to concentrate at Sharpsburg and urged the quick reduction of Harper's Ferry. Lee's plan at the moment called for retreating his army across the Potomac without giving battle. Only the fall of Harper's Ferry on 15 September and the prospect of rapid concentration of his scattered units decided Lee to make a stand. The final decision to fight at Antietam, therefore, was made by Lee alone.[2] He was not cornered against the river and forced to fight.

The authors seem to be wrong also in their belief that Lee was spurred to action by knowledge that McClellan had found Special Orders 191. Tradition has it, to be sure, that a citizen of Frederick reported the discovery to Stuart, who passed the information at once to Lee. But the fact is, according to Douglas S. Freeman, the foremost authority on Lee's military career,

[2] The full version of *Lost Order, Lost Cause* stands in oblique agreement with this last sentence: "Lee's limitations in numbers of men and quantity and quality of equipment were not so great as to encourage him to jettison his original plans. Strategic considerations still remained in favor of the South. . . ." It also takes into consideration one of Mr. Rondeau's later points: "Lee's limitations lay in the bare feet and empty stomachs of his troops. . . . Daily marches of 15 miles on hard, gravelly Maryland roads with a diet of green corn and green apples. . . ." — Editor

that Lee knew nothing of his loss until the publication months later of McClellan's report on the battle (*R. E. Lee,* II, 369, note 72).[3] Lee, then, made his decisions in the light of the situation as he saw it, and without knowledge that his order had been lost. That romantic document has had more effect on later generations of scholars than upon the course of events at Antietam.

It is not, in my opinion, correct to consider Antietam an unqualified Union victory. It was, rather, a stalemate. Lee remained on the field, a whole day after the battle, awaiting McClellan's attack. McClellan, in his turn, apparently expected Lee to take the offensive. The retreat across the Potomac resulted from Southern shortage of men and supplies, and from the necessities of maneuver. An army which inflicted on its adversary casualties equal to one-half of its own strength, stayed a day on the battlefield, and then quickly stamped out a timid effort at pursuit was not "sent reeling back into Virginia." The men who went back across the river may have damned "My Maryland," but they did not consider themselves defeated.

Your authors have likewise misinterpreted the significance of Antietam. It was not the high noon of the Confederacy. The Confederate invasion of the North and the Southern cause were doomed to ultimate failure for reasons more prosaic than Yankee gallantry at Sharpsburg. As early as September 1862 the basic cause of the ultimate Southern defeat was foreshadowed in the appearance of the Army of Northern Virginia as it crossed the Potomac: tattered, shoeless men, hungry horses, broken wagons, inadequate artillery. The only neat thing about these storied "tatterdemalions" was their gleaming muskets. On 16 September, while McClellan deployed along

[3] Since this letter went to press the writers of *Lost Order, Lost Cause* have called my attention to Douglas Freeman's later conclusion that, during the night of 13–14 September, Stuart had notified Lee of the Federal discovery of S.O. 191 (Freeman, *Lee's Lieutenants,* II, appendix I). I appreciate their correction of my oversight. Lee's knowledge of his loss, however, beyond possibly giving greater urgency to his decisions, seems to have played little part in subsequent events. He made his decision for a stand in Maryland, nevertheless. McClellan and his commanders must bear the responsibility for failure to exploit their intelligence find. — J. R.

Antietam Creek, Lee himself rode down the line to caution his artillery against wasting shells in aimless bombardments. Northern industrial strength, coupled with the blockade of Southern ports (the effects of which were already visible), and later Northern ravaging expeditions brought about ultimate Southern defeat. Antietam, Gettysburg and Vicksburg were not themselves decisive battles, but rather reflected the true cause of growing Southern weakness.

Southern straggling must also be considered in any audit of the books of the first invasion campaign. Thousands of Southern troops did not approve of an invasion of the Union; they had enlisted only to defend their homes. They voted against the campaign simply by remaining behind the river. Other thousands fell out because they could not march on the stone roads of Maryland without shoes. Hard Maryland roads were a major reason for the failure of the first invasion. An army that numbered 53,000 after Second Bull Run could muster less than 40,000 on the Antietam a few weeks later. It is interesting also that the high command of the Army of the Potomac seemed never to take into consideration the mass Southern straggling, at least in Maryland, which must have been evident to many Union sympathizers. Wasn't this, too, a failure of intelligence?

I agree that the Army of Northern Virginia failed to arouse great sympathy among invaded Marylanders. This failure, I think, had three causes: the tattered condition of Lee's army, the route of invasion, and the Union occupation of Maryland. Certainly, many a Marylander must have had second thoughts about joining this ragged horde (a victory for the blockade). The facts of geography dictated that the Army of Northern Virginia should invade Maryland precisely where Union sentiment was strongest. If the invasion could have been mounted to the south and east, its reception might have been different. Demonstrations of such Southern sentiment as existed in Western Maryland were undoubtedly inhibited by fear of future Union reprisals, a factor that Lee himself recognized in his dealings with the inhabitants.

Although not the decisive military conflict that your authors claim it to be, Antietam did play a significant intelligence role. It served as a backdrop for Lincoln's masterpiece of psycholog-

ical warfare: the Emancipation Proclamation. For that reason alone, the war was never the same after this battle had been fought. As Bruce Catton puts it, Antietam sounded forth the bugle that never called retreat. It was, if you will, the psychological watershed of the war. Therein, I think, lies its grip on American imagination.

WE SPIED . . .

We have spied very few new books worthy of note in this issue: the summer months are usually slow ones for publishers. The exception, to which we are devoting this column, is entitled *They Spied On England.*[1] Title notwithstanding, spies and espionage are a minor element in this book based on the war diary of Maj. Gen. Erwin von Lahousen, the Austrian intelligence officer who was brought into German military intelligence after the German-Austrian *anschluss* and became chief of the Abwehr's Section II. Section II was responsible for sabotage operations, and the misleading title arises from the authors' habit of equating "saboteur" with "spy," writing for example, ". . . where the submarines which had been detailed to take the *spies* to America were berthed. There the *saboteurs* were accommodated in a small dockside hotel. [Emphasis supplied.]"

Although it is thus devoted primarily to the operations of saboteurs who occasionally engaged also in the reporting of information, the book does include at least one case-history in the field of espionage. The authors have supplemented their main source, the 400 typed foolscap pages of General von Lahousen's diary covering the war years 1939 to 1943, by interviewing many of the persons involved in the events it describes.

General von Lahousen was close to Admiral Canaris, the head of the Abwehr, and must have been aware of Canaris' connections with those engaged in the plot against Hitler. The book cites the evidence pointing to Von Lahousen as the man who supplied (from English stock he had seized) the bomb fuses used in two of the attempts on Hitler's life, evidence similar to that brought out by Gisevius [2] in discussing the unsuccessful 1943 plant in Hitler's airplane. After hearing Von Lahousen's testimony for the Allied prosecution at the Nuremburg trials, according to the authors, Göring, in the dock, exclaimed, "That's another of those we forgot to hang, Ribbentrop!"

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[1] By Charles Wighton and Gunter Peis. (London: Odhams Press Ltd., 1958. 320 pp. 18s.) Also under title *Hitler's Spies and Saboteurs.* (New York: Henry Holt & Co., 1958. $3.95)

[2] *To The Bitter End,* pp. 468–9.

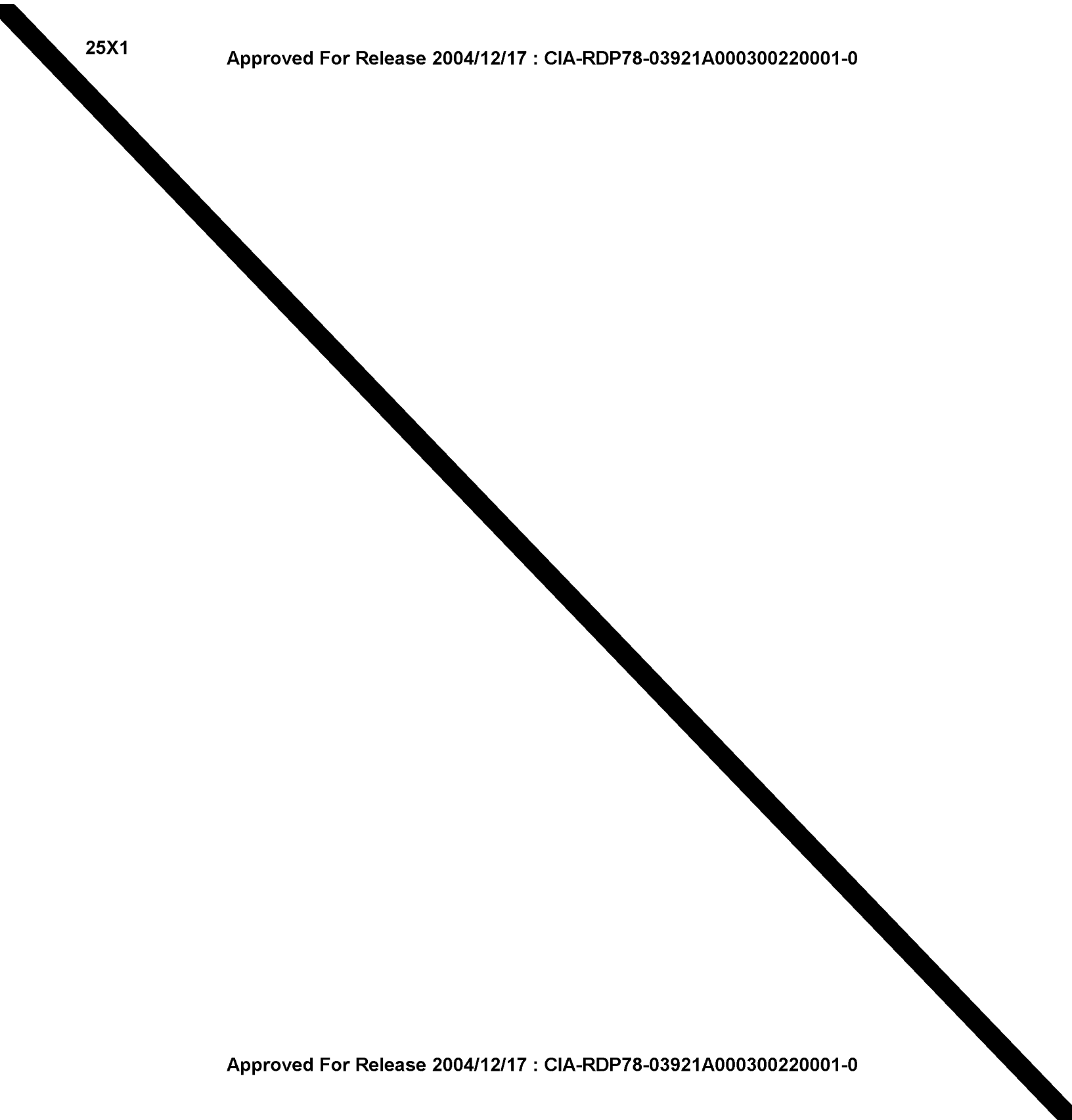
They Spied on England describes several of Section II's particular operations, including one not covered by that unfortunate title. This was the submarine landing of saboteurs in the United States, four on the Florida coast and four on Long Island, where George Dasch promptly turned himself over to the FBI and blew the whole operation. A chapter on the Nazi attempts to utilize the Irish Republican Army and other dissident Irishmen to stir up trouble for the British traces the Abwehr's growing disenchantment with this project: the Irish kept asking for arms and supplies but concentrated on advancing their own cause without regard to German interests. The story of the Welsh spy Arthur Owens illustrates the similar Nazi effort to exploit the fanaticism of Welsh nationalists. "Johnny," as Owens was known to the Abwehr, carried on successful espionage until his nerves gave way and destroyed his usefulness in 1941. The sabotage and paramilitary activities of the South African Olympic boxer, Robey Leibbrandt, are detailed in another chapter. The 1936 Olympic Games in Berlin had convinced this extreme Afrikaner nationalist that Nazi life was the life for him, and about a year after winning the South African heavyweight championship he returned to Germany to be trained for sabotage activities in the dominion. The German Foreign Ministry was also interested in him; it looked upon him as potential *führer* of a South African fifth column. His operations were successful for a time, his defiance and evasion of the South African police becoming a public scandal, but in the end his movement was penetrated by an agent of the government and he was captured. He was not released from prison until after the Malan government came to power in 1948.

The book devotes a good deal of attention to tradecraft, especially recruiting, training, and cover; the authors believe, in particular, that the problem of cover was not thoroughly thought through by the Abwehr. The kind of cover used was often appropriate enough, but the Abwehr was not always careful to provide backstopping or to brief the agent in sufficient detail to withstand interrogation. It is pointed out that in one case when the German agents were forced to live their cover for a short time before undertaking their mission, British interrogation officials were never able to crack them. The British remained suspicious of these men and kept them in-

terned for the duration, but at least their lives were saved. Another episode of interest from the tradecraft point of view is the story of two Norwegians infiltrated into England. Just as the Abwehr was on the point of sending them out, a Norwegian infiltration agent of the British service fell into its hands. From the information gained through this lucky catch, the Abwehr was able to launch successfully a sabotage penetration which otherwise would probably have ended in failure.

The access the authors had to Von Lahousen's diaries and their elaboration of the material make this book an interesting addition to the literature of intelligence operations.

Articles and book reviews on the following pages are printed without classification and without identification of the writers, for the convenience of readers who may wish to detach them from the classified body of the *Studies*.



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