

Frank Church

A 23
WASHINGTON POST 14 March 1977
Which Secrets Should Be Kept Secret?

STAT secrets. Can anyone keep a secret?

In the aftermath of The Washington Post's disclosure that the CIA for 20 years had been secretly paying King Hussein of Jordan sums adding up to millions of dollars, that was the question that Newsweek featured in its discussion of the Hussein affair. President Carter's reaction was, first, constructive—to stop the payments; second, defensive—to assert that there was nothing improper or illegal about them; and third—regressive, to reduce the number of people in the executive branch with access to information about covert operations and to suggest that a joint congressional committee on intelligence be formed to reduce access in Congress to such information. Adm. Stansfield Turner, the CIA director, volunteered that he might support criminal penalties for unauthorized disclosure and publication of national secrets, a position seemingly endorsed by several members of the Senate Intelligence Committee. Finally, the Secretary of State sought to detect a distinction between our payments to Hussein and the Korean CIA's alleged financing of U.S. political figures.

I suggest that the wrong question is being asked and the wrong remedies are being proposed. The right question is not whether anyone can keep a secret but, rather, what are the secrets that ought to be kept?

I suspect that if we examine this question we would find that, with very few exceptions, secrets that ought to be kept are being kept. For example, with the single exception of the book by Phillip Agee, a CIA defector who left the United States, there has been little or no disclosure of CIA sources or methods; or of the confidentiality of sensitive negotiations, such as preceded the partial test ban treaty, SALT I, and the release of the Pueblo crew. The practices that have been revealed are mainly those that should never have been approved or undertaken: the CIA's secret war in Laos, the subversion of a freely elected government in Chile, the prolonged and illegal mail openings in the United States, and the conspiracy to murder foreign leaders, to name a few.

The Hussein case is a classic illustration of the confusion that surrounds the issue. If slipping money to King Hussein wasn't "illegal or improper," as the President maintained after stopping the payments, why were the payments stopped? Why, indeed, did we run the risk of so embarrassing a revelation in the first place? The United States has openly extended economic assistance to Jordan for years. If we had to purchase the king's cooperation to get intelligence, why put him on the payroll of the CIA? Money is fungible: U.S. aid could readily release Jordanian funds, which the king could then use to furnish us intelligence. The explanation just won't wash.

Indeed, the whole operation won't wash. Throughout the many years of the Middle East crisis, Jordan has basically relied upon the

Sen. Church (D-Idaho) was chairman of the Senate Select Committee on Intelligence.

United States to ensure its sovereignty and, until recently, its economic viability. If intelligence collection was the objective, as claimed, it was in the king's own interest to share intelligence with the United States, and he should not have had to be paid for it. If, on the other hand, Hussein used the money for his personal needs, then the purpose as well as the means chosen was clearly improper. Nevertheless, the disclosure seems not to have harmed the king; the facts of geography and geopolitics appear to be working to fortify his position.

Why then the draconian response? Perhaps it reflects only the inexperience of a new administration abruptly confronted with the basic contradiction of official secrecy in an open society. If so, it is best that it happened early, before knee-jerk reactions become entrenched habit. The dynamic of an open society, by definition, works in favor of disclosure. A determined free press probes relentlessly to uncover dubious practices and, in the aftermath of Watergate, the automatic invocation of national security no longer suffices to hide dirty linen.

This is also a society in which all kinds of special interests—in and out of government—compete for resources and influence. They will "go public" with information whenever it