4 Ethics in the recruiting and handling of espionage agents¹

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Introduction

Before delving into the topic of espionage specifically, I'll first indicate to the reader some of the terms, concepts and assumptions in ethics that will frame my analysis.

Among theories and principles of ethics, there is an important distinction between 1) those which consider only the consequences of alternative actions in determining whether those actions are morally right or wrong (i.e. *consequentialist* or *teleological*), 2) those which give moral weight to aspects of actions other than their consequences or in addition to them (i.e. *nonconsequentialist* or *deontological*) and 3) those which focus on motives and character traits rather than right or wrong actions. William Frankena in his classic book *Ethics* called the latter *aretaic* approaches, drawing on an ancient Greek concept of excellence of character (Frankena 1973).² While classifying an ethical claim one way or the other is never enough to prove or disprove it; grasping this tripartite classification framework can enable us fruitfully to examine all sorts of ethical claims and arguments, as well as avoid getting stuck in one category at the exclusion of the others, which can lead to serious mistakes in ethical judgement and deliberation.

I'm persuaded that there are several ethical principles that apply to all rational beings, whether or not they recognize them as such. These principles are objective in that sense, but *prima facie* rather than absolute, since none of them always overrides the others in cases of conflict.³ They include:

- 1 **Compassion:** concern for the well-being of others; avoiding inflicting suffering; preventing and alleviating others' suffering; meeting the needs of the most vulnerable; promoting others' happiness
- 2 **Fairness:** treating people the way they deserve to be treated, as having equal rights unless merit or need justifies special treatment or if their criminal acts cause them to forfeit such rights
- 3 **Respect** for individual autonomy; not manipulating rational people even for their own good
- 4 **Respect** for laws enacted by legitimate governing bodies
- 5 **Honesty:** not deceiving anyone who deserves to know the truth; not making promises that we don't intend to keep

- 6 **Courage** in opposing injustice, defending the innocent from harm etc.
- 7 **Integrity**: upholding our obligations in spite of personal inconvenience; keeping promises that we have freely made

We also accept particular responsibilities when we take on certain roles, which can qualify our fulfilment of those general ethical principles. If I marry and have kids, I implicitly accept responsibilities towards my family that are stronger than those of the average person towards them. If I am hired by a corporation, I implicitly agree to promote the interests of the company's owners (as well as other key "stakeholders"). If I'm a defence attorney, I incur strong obligations of confidentiality towards any client whom I agree to serve. If I'm a journalist, I have a special responsibility to establish the veracity of a story before reporting it as news. If I'm a soldier or police officer, I'm authorized to kill under certain circumstances, but I'm also expected to risk my life to save defenceless people. And if I'm an intelligence officer, I'm permitted and expected to lie when necessary to protect vital national secrets, including intelligence sources and methods.

Business and professional roles can create opportunities to fulfil a wide range of ethical obligations and ideals. Physicians and nurses can alleviate suffering, promote patients' health and respect their informed consent. Journalists can expose government corruption and improve democratic accountability. Lawyers can defend the poor and the wrongly accused from injustice or prosecute dangerous or callous criminals. Businesspeople can meet all kinds of human needs in efficient and imaginative ways, increasing our quality of life. And military and intelligence professionals can provide crucial elements of security for the lives, rights and well-being of their fellow citizens.

But ethical challenges can also arise in business and professional life, where the ethical choice is clear (or should be clear), but where there are personal incentives or organizational pressures to do otherwise. Corporate purchasing staff might be offered bribes to choose certain suppliers over others, undermining the objective judgement they owe to their companies. Physicians may be tempted to refer patients for unneeded tests or treatments if they have a financial stake in them. News organizations might emphasize celebrity scandals and shallow political controversies to entertain their audiences, instead of investing in careful investigative reporting that might actually serve the public good. And salespeople might feel pressure to mislead customers about their companies' products or services in order to meet sales quotas.

Business and professional life sometimes generates genuine ethical dilemmas as well, where multiple ethical principles conflict with one another. Medical treatments might extend the length or improve the quality of life for a patient with advanced dementia, but might also conflict with their previously stated wishes. Journalists might be subpoenaed to reveal the names of sources to whom they've promised confidentiality, or face imprisonment if they refuse. Defence lawyers might discover that their client is guilty of a horrendous crime but refuses to plead guilty. And corporate executives can face decisions that will harm employees and their families but may be necessary to avoid bankruptcy.

One of the more influential misconceptions to have arisen in Western political philosophy is the idea that ethical principles are not appropriate to apply to “statecraft” or international politics, as if in doing so one makes a kind of “category mistake”. Now, clearly it is important to make conceptual distinctions between transactions involving states and those involving individuals, but those distinctions do not necessarily mean that ethical considerations are irrelevant to international relations. An international treaty, for example, is different in many respects from a promise made between individual persons. A treaty that ceases to be beneficial to a country is not necessarily accorded the same legitimacy as a promise that ceases to be convenient to an individual promisor. Yet a treaty is a kind of promise, in that it demands of those who would annul it that they provide convincing justification for doing so. Even the idea of a state’s “national interest” – which might in fact serve as justification for breaking a treaty – itself bears moral weight, an implicit appeal to the rights and well-being of the state’s domestic citizens, though whether a state’s action is indeed in its national interest and whether that conclusively justifies that action are frequently controversial.⁴

Similarly, although society grants to the state the use of deadly force in its behalf, it does not thereby accede to all possible uses of that force. The proscription of cruelty and excessive violence is as relevant to the relations between states as it is to the interactions between persons.

Moreover, although US government⁵ employees – including intelligence officials – are bound to defend a particular Constitution, that Constitution is based upon certain *universal* principles – including the right of consent of the governed affirmed by the Declaration of Independence – which as such apply not only to US domestic citizens but also to the citizens of foreign countries, especially as the latter are affected by US government actions. Respect for the autonomy and consent of persons, whatever their nationality, implies that they not be coerced or deceived unless even weightier ethical principles are at risk.

Espionage and treason

Espionage conflicts with our normal condemnation of treason, since if treason is immoral then it can hardly be ethical to induce someone to commit treason by spying on their own government. Treason is considered morally suspect for both deontological and teleological reasons: it typically involves a betrayal of public trust and a basic obligation of citizenship; and it can expose the nation to subversion or military defeat by hostile states. In addition, covert action conflicts with our moral sensibility that rational adults and their government representatives ought not to be deceived or manipulated, that people generally deserve to be told the truth and allowed to manage their own affairs without paternalistic or hostile interference.

These normal ethical assumptions are challenged in some respects, however, when we explore the question, are there certain states, regimes or organizations which *do not deserve* the loyalty or honesty of their citizens or members? Consider organized crime, which often requires of its members’ rigid loyalty but

which clearly does not actually deserve such loyalty – hence the justification for the FBI and other law-enforcement agencies to penetrate and subvert them by means of informers and undercover agents.

But if treason and other dishonest acts against certain states can be justified, then we can begin also to see the potential justification of espionage and covert action carried out against those same states by *other* states, assuming that the latter are themselves legitimate and are pursuing just goals.⁶

This is a highly loaded assumption, however, since legitimate intelligence goals cannot justify any and all means. Many espionage and covert action techniques remain morally problematic despite their employment in the service of a worthy cause by a justified profession. It is apparent that to manipulate persons into becoming espionage agents, to employ coercive interrogation techniques, or to deceive foreign citizens via covert action, may infringe rights that cannot legitimately be infringed unless outweighed by more compelling ethical reasons. Although the concept of national interest implies the tacit consent of domestic citizens, it cannot unequivocally warrant coercive intelligence methods, in part because it cannot be assumed to satisfy the tacit or even hypothetical consent of foreign citizens.

This is not to argue that, in a “zero-sum” conflict⁷ between the vital interests of domestic and foreign citizens, one cannot justify pursuing the former at the expense of the latter. On the contrary, duties to defend one’s country – as long as that country can plausibly be described as a constitutional democracy – can be justified on the basis of a theory of universal human rights (Gewirth 1988).

The point, however, is that the moral justification of coercive intelligence methods requires either a true zero-sum conflict – a situation which cannot simply be assumed to exist in every relation between enemies – or a credible appeal to foreign citizens’ *hypothetical consent* (in the absence of their expressed consent), meaning that one has good reason to believe that they would concur if they had relevant knowledge and deliberated in an unbiased fashion.⁸

Agent recruiting and handling

Organizations like the Central Intelligence Agency contribute to the formidable task of ascertaining the capabilities and intentions of foreign regimes and significant sub-state actors like terrorist cells. Much of the work of their analysts involves sifting through and evaluating public sources of information as well as data obtained by satellites and monitors of electronic transmissions. Such sources can by themselves elicit tremendously valuable intelligence, all the more so when disparate bits of information can be cross-referenced and pieced together by means of powerful computer systems and software.

But I think we have good reason to believe that espionage using human agents (HUMINT) remains an important intelligence tool, even now the only way in some cases to gain access to an enemy’s sensitive documents, conversations, intentions and plans.

In the efforts of a state’s intelligence service to recruit agents in foreign countries, it may have very specific offensive or defensive goals, or it may wish simply

to build “assets” – human sources of information and influence – for future use. Richard Bissell, CIA’s Deputy Director for Plans, 1958–62, testified before Congress in 1975:

It was the normal practice in the Agency and an important part of its mission to create various kinds of capability *long before there was any reason to be certain whether those would be used or where or how or for what purpose* [emphasis added]. The whole ongoing job of . . . a secret intelligence service of recruiting agents is of that character.

(Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities 1975, 186)⁹

The literature indicates that foreign citizens become espionage agents for a wide variety of personal reasons. Former clandestine service officer Joseph Smith indicated in his memoir that his trainers boiled down the categories of agents’ motivations to three: financial considerations, ideological convictions and coercion (Smith 1981, 114). Other writers have suggested a broader range of motives and situations enabling the recruiting and handling of agents: the lure of adventure, excitement and secrecy; ideology or sense of duty; desire for money; sexual and other blackmail; agents’ resentment and frustration regarding their overt careers or some combination of these (Felix [McCargar] 1988; 1963; Grodzins 1956; Blum 1972, chaps. 5–6; Cooper and Redlinger 1986, chap. 2; Pincher 1988; 1987).¹⁰

A more instructive approach for our purposes is to distinguish among techniques of agent recruitment and handling according to various *degrees of freedom of action*, although I will also explore ethical issues common to all uses of human agents.

Voluntary agents

Some agents, first of all, require little or no persuasion on the part of intelligence officers to engage in espionage on behalf of countries like the United States, although in the interest of “compartmentation” (the restriction of information to only those who can justify their “need to know” it) they may never be told how the information they provide is actually used. Some voluntary agents are motivated by the sheer excitement of spying and the promise of steady extra income. But many commit espionage out of a deep-seated antagonism towards their native regimes (Jacobs 1978; Smith 1981, 114–15).¹¹ This was true, for example, of a number of high-ranking Soviet military and KGB officials who either passed sensitive documents to the CIA or who defected when they no longer in good conscience could serve the Soviet regime.

One such agent, Pyotr Popov, a Soviet military intelligence officer, supplied valuable information to CIA during the 1950s largely out of repugnance towards the KGB’s treatment of Russian peasants (Hood 1982; 1983; Rositzke 1988, 67–9). Another Soviet defector-in-place, Oleg Penkovskiy, fearing that Khrushchev intended to launch a pre-emptive nuclear strike, provided US intelligence

with thousands of pages of Soviet military documents, including information on Soviet nuclear weapon capabilities that proved vital to President Kennedy's actions during the 1962 Cuban missile crisis (Penkovsky 1965).¹²

One of the more interesting viewpoints to emerge fairly consistently from the memoirs and other writings of former CIA personnel is that intelligence officers and their intermediaries occasionally develop close emotional ties to the agents they supervise (Felix [McCargar] 1988; Phillips 1982, chap. 4; Smith 1981; Copeland 1978, 129–30; Hood 1982; DeForest and Chanoff 1990) especially those agents who engage in espionage out of a sense of duty. For instance, Frank Wisner, CIA's Deputy Director for Operations 1951–58, reportedly suffered a nervous breakdown chiefly as a result of being ordered *not* to aid rebels resisting the Soviet crackdown in Hungary in 1956 (Powers 1979; Ranelagh 1987, 306–7).

It is not too far-fetched to believe that, in a state characterized by an oppressive political system, espionage intended to undermine that system's power and prestige can actually provide authentic hope to agents and dissident groups, and in this way can be ennobling rather than exploitative. Former CIA officer Harry Rositzke argued that although agents sent on missions against the Soviet Union in the late 1940s and early 1950s “knew from the beginning that the cards were stacked against them”, they were nonetheless “highly motivated”, having witnessed the effects of Soviet power in Eastern Europe, the Ukraine and the Baltic States (Rositzke 1988, 26–8).

However, espionage against one's government is considered treason in every part of the world, and if exposed frequently entails severe punishment for the agent. Both Popov and Penkovskiy, for example, were reportedly executed after their capture and interrogation by the KGB. Thus the fact that an agent is a volunteer does not thereby purge his or her CIA case officer of moral responsibility or liability.¹³

Former CIA officer Glenn Carle touched on several of these themes in his fascinating memoir:

The relationship a case officer . . . has with his “assets” – the men and women we recruited and convinced to commit treason, to provide us with classified information, often at the risk of their lives – is the most intense personal relationship in one's life. . . . Trust is critical, and we convince an asset to trust us with his life. Protecting your asset is a case officer's greatest responsibility. And we take that responsibility very seriously.

(Carle 2011, 76)

Similarly, former CIA officer Thomas Mulligan argued:

Our training, and the culture in the field, was that we had a moral responsibility to look to the welfare and the safety of our agents. And even the lousy agents – the fabricators, say – were scrupulously protected both during and after their relationship with the Agency. It is absolutely essential that any intelligence agency comport itself in this way, because if prospective agents

don't have confidence that they will be protected, they will not engage in espionage on our behalf.

(Thomas Mulligan, email message to the author, October 19, 2015)

Although witting agents usually have no illusions about the consequences of capture, their covert sponsors may ask them to accomplish tasks entailing greater risk than they're aware of or would agree to accept. Rositzke described how a nervous double agent was emboldened to meet with his KGB handler: the CIA polygraphed the agent, but then showed him a different graph than his own to convince him that he could successfully withstand a KGB debriefing (Rositzke 1988, 123–4).¹⁴ Pyotr Popov reportedly refused a request by over-eager US officials to organize “a small, tightly knit resistance group” of his military colleagues out of fear of the KGB's wholesale infiltration of society. In fact, Popov wouldn't even provide CIA with the names of anyone who might be a Soviet dissident, fearing that a failed attempt by CIA to recruit any of them could easily “blow back” on him (Hood 1982, 96–7).

Occasionally the desire to ensure the safety of agents can conflict with wider diplomatic objectives. Witness these excerpts from a *New York Times* article:

Two or three undercover agents believed to be working for Israel in a Syrian-based terrorist group were unmasked and killed . . . not long after the United States gave the Damascus Government information about terrorist activities in the country. . . . Officials said the Administration argued that Mr. Assad should be given an unusually detailed briefing about the actions of Syrian-based terrorists to impress upon him the weight of the evidence against his Government. Intelligence officials are said to have warned that such a briefing would put undercover agents and methods of gathering information at risk. “It was quite an argument”, said one official who has been informed of the debate. “The intelligence guys finally told them, ‘O.K., but the blood will be on your hands if something happens.’” Undercover penetrations of terrorist groups are among the most difficult tasks in all espionage, and so the losses of agents are viewed as especially grave.

(Wines 1991)

Agents working against tyrannical organizations have an especially compelling ethical claim to have their clandestine activities very closely guarded by their CIA handlers.

Some voluntary agents, though, have apparently been regarded as “expendable” in the interest of maintaining plausible deniability and the secrecy of intelligence operations and methods (DeForest and Chanoff 1990; Felix [McCargar] 1988, 107). James McCargar, a former operations officer, asserted that some American agents were gratuitously slandered by CIA upon their termination or “disposal” as agents, presumably to render them less credible should they attempt to publicize their former espionage work (Felix [McCargar] 1988, 62–3).¹⁵

British journalist Tom Mangold learned through extensive research into the long tenure of James Angleton as CIA's head of counterintelligence that a number

of *bona fide* Soviet defectors and other CIA agents were grossly mistreated – some even betrayed to the KGB – due to Angleton’s sloppy homework, paranoia and damaging reliance on the bizarre, self-serving opinions of one particular Soviet defector, Anatoliy Golitsyn. To the agency’s credit, following Angleton’s forced retirement it made efforts to compensate some of the agents (and CIA officers) who had unjustly suffered as a result of Angleton’s and Golitsyn’s suspicions (Mangold 1991).

Other issues attending the use of voluntary agents were illustrated in the statement of a character in John le Carré’s novel, *The Little Drummer Girl*, regarding a request from the character’s supervisor to penetrate a terrorist organization:

I’ll find you an agent. I’ll train him, help him trail his coat, gain attention in the right places, feed him to the opposition. . . . And you know the first thing they’ll do? . . . They’ll invite him to authenticate himself. To go shoot a bank guard or an American soldier. Or bomb a restaurant. . . . Terrorist organizations don’t carry passengers. . . . They don’t have secretaries, typists, coding clerks, or any of the people who would normally make natural agents without being on the front line. They require a special kind of penetration. You want to crack the terror target these days . . . you practically have to build yourself your own terrorist first.

(le Carré [Cornwell] 1984, 242)

Former CIA officer James Olson confirms that le Carré’s fictional scenario reflects real life: “Terrorists test one another by blood. No terrorist is fully trusted by the rest of the group until he or she has been directly involved in the planning or execution of a deadly terrorist attack” (Olson 2006, 108).¹⁶ This illustrates a troubling moral dilemma in demanding or condoning the moral corruption of agents to occur in the interest of exposing the members and sponsors of the target organization, an issue also faced domestically by the FBI in using undercover agents and informers against organized crime. (Later in this chapter I’ll also consider the deadly risks to innocent third parties that are often posed by such relationships.)

The CIA has also been criticized for building up the hopes of agents beyond what the US Government really intended to support. McCargar stated that US intelligence developed a cooperative relationship with an unnamed Eastern European monarchist group (probably Albanian), deceiving them into believing that the restoration of the monarchy was intended by the United States (it was not) in order to benefit from the “considerable intelligence” the group provided (Felix [McCargar] 1988, 112–13). John Ranelagh accused the United States of a “cold ruthlessness” in supporting partisans in postwar Ukraine and elsewhere when it had no intention to commit its military forces to save them from being annihilated (Ranelagh 1987, 137, 226–8, 287, 302–9).¹⁷ And historian John Prados similarly assessed CIA support for Tibetan rebels in the 1950s–1960s:

From the beginning Washington knew that Tibet could never be more than a large-scale harassment of the People’s Republic of China. To achieve this the

CIA promised liberation to the Tibetans, caught up in their hopes and dreams, who suffered prolonged agony in this war.

(Prados 2006, 203)¹⁸

US culpability has been mitigated, however, in regard to certain covert operations in Poland, Albania and Cuba, where US long-term objectives were defeated by the compromise of its operations and communications by enemy intelligence. US officials were unaware, for example, that British intelligence officers Kim Philby and George Blake were actually Soviet agents (moles) who would succeed in betraying numerous espionage and covert action projects and cause the deaths of hundreds of Western agents (Pincher 1988, 24).¹⁹ The temptation to exploit voluntary agents for Realpolitik purposes must be considered as a plausible moral risk, though.

Other espionage agents are not entirely voluntary, raising a number of additional ethical concerns.

Deception and coercion in agent recruitment

When the CIA is unable to obtain voluntary agents, it sometimes “recruits” them, so to speak, through *deception*. In some cases, people who wouldn’t willingly work for the CIA are made unwittingly to do exactly that by passing information to a trusted friend or associate who happens to be in CIA employ but who presents himself as one with loyalties more congenial to the person being duped (Copeland 1978, 125–9; Felix [McCargar] 1988, 112). This method is sometimes called “false-flag” recruitment (Olson 2006, 55–6; Phillips 1982, 263–4; Epstein 1989, 89, 182–3),²⁰ since the recruiter claims to be someone he’s not. It’s essentially a con game, wherein one first ascertains the potential agent’s basic loyalties and core values in order to concoct a scheme to persuade him to provide sensitive information without upsetting his conscience or arousing his suspicions.

British spy Miles Copeland suggested in his Cold-War-era memoir, “If the prospective agent hates Americans”, for example, the recruiter “can tell him he is acting in behalf of the French – or the British, the Soviets, or some Senator or crusading newspaperman”, whatever his conscience is assessed as most likely to tolerate (Copeland 1978, 128–9).²¹ David Phillips, a former CIA officer, attested that “there are unsuspecting zealots around the world who are managed and paid as spies; they sell their countries’ secrets believing all the while they are helping ‘the good guys’” (Phillips 1982, 264).

Note that one’s opponent can also play this game; here’s Phillips again:

A Soviet KGB officer . . . might pose as a right-wing American in approaching a conservative U.S. government employee. He would attempt to persuade the American to report on the inner workings of his agency or department “to help my patriotic organization to be sure the Commies aren’t infiltrating our institutions”.

(Phillips 1982, 264)²²

Another example of deceptive recruitment was described by former CIA counterintelligence officer William Johnson:

Once . . . we found the KGB using a false Israeli flag; that is, pretending to represent the Israeli Service in recruiting Jewish refugees who had access to Allied secrets. At first, the recruited agents were asked to provide information from Allied files on Nazi war criminals, and then they were blackmailed to give Allied military information.

(Johnson 1986, 81)

More recently, former CIA officer James Olson published several fascinating and realistic examples of deception in agent recruitment, from classic false-flag approaches to scenarios in which CIA officers and their intermediaries operate for long periods of time under the cover of nongovernmental jobs in business, journalism and non-profit organizations (Olson 2006, 52–6, 72–6, 87–93, 194–7).²³ Presumably, credible cover jobs could enable CIA officers to recruit some agents via false-flag techniques.

A false-flag recruitment is odd from a moral perspective, since in one respect the agents thus engaged willingly provide sensitive information, probably knowing that they would be punished if their activities were exposed. But of course the voluntary nature of such action is only superficial, since if the agents knew to whom the information was actually being passed they would most likely not provide it.

Copeland asserted that agents recruited under false-flag premises might be treated more leniently than fully witting agents if caught by their own country's police or counterintelligence agency, if they sincerely believe that they've only provided information to an investigative journalist, for example (Copeland 1978, 106–7). One doubts, though, whether such a story would be believed.

But Copeland also related a more plausible illustration of how a false-flag scenario can be attractive to an intelligence agency. Apparently a CIA official in Prague in 1956 used one of his agents, a Soviet colonel, to organize a network of agents in Czech industries. These agents were told that they were to monitor Czech scientific establishments to detect instances in which the Czechs were concealing their inventions and their progress from the Soviets, and that this information would be forwarded to “a special section of the KGB”. In reality what they unwittingly provided – to the CIA – were details of Czech-Soviet exchanges of secret scientific information (Copeland 1978, 68–9).²⁴ Note that amid the somewhat comic tone to this case is an element of coercion: the Czech agents would have taken as deadly serious the fiction that the *KGB* was demanding their cooperation!

Two other general types of coercive recruitment have been mentioned in the literature.²⁵ In some cases, knowledge of an agent's potentially embarrassing or patently illegal activities is used to extort espionage service. Prospective agents might be confronted with proof of their past crimes and blackmailed into working as spies in exchange for their covert employer keeping such evidence from their own country's police. As former CIA officer Joseph Smith indicated, in many

cases the local police would already be aware of such crimes but would cooperate with CIA in not referring them for prosecution (Smith 1981, 115). Since this method closely resembles that of the FBI in coercing criminals into becoming informers, it might be regarded as less objectionable than some other methods of agent recruitment, though, as I'll argue later, there are ethical concerns regarding the agent's society that should not be ignored.

In other cases, embarrassing situations might be created for previously innocent potential agents, and the threat of exposure used to extort their compliance. One technique regarded by some writers as most effective, and which can be used in combination with a false-flag approach, is where an agent's conscience is "stretched" by the recruiter's careful counselling to gradually allow actions that he or she would previously have found unacceptable. Typically the recruiter develops a friendship or another ostensibly trustworthy relationship with someone who has access to sensitive information. Casual requests for seemingly innocuous data evolve subtly to more obviously illegal assignments, until the agent either makes a conscious decision to remain an informant, or continues out of fear of exposure (Copeland 1978, 127–8). Cooper and Redlinger suggested in *Making Spies*:

Those cultivating the spy will press favors upon him, without, in the initial stages, asking for anything in return. This is clearly a matter in which sensibilities must be catered to in order to avoid giving offense or having one's motives suspect. Reciprocity obliges most people to respond in kind; the trick is to escalate the exchange to the point where a more compromising engagement can be undertaken.

(Cooper and Redlinger 1986, 108)²⁶

Espionage activity that is initiated in a deceptive manner can thus at some point take on more obviously coercive characteristics. James Angleton reportedly described this method as "incremental entrapment in a subtle web of irresistible compromises" (Epstein 1989, 180).²⁷

The degree to which CIA employs blatantly coercive methods in its agent recruitment and handling²⁸ has been a topic of contention among former CIA officers. Arthur Jacobs argued that "there is rarely to be found any effective means of exercising absolute control [over an agent], even by such lurid devices as blackmail, exposure of offensive relationships or personal habits of the source" (Jacobs 1978).²⁹ James McCargar agreed, stressing that since the case officer is dependent upon the actions of the agent, this naturally inhibits the degree to which an agent can be dominated: "To this extent every agent is a free agent". He also argued that "compulsion is a very limited technique", since the agent thus "is in no frame of mind to exploit his own skills or possibilities to the fullest" (Felix [McCargar] 1988, 51, 56).³⁰ James Olson stated, "CIA case officers are taught during their training that blackmail rarely works and therefore should generally be avoided. This rationale, however, is more practical than moral" (Olson 2006, 49). Indeed, Jacobs, McCargar and Olson did not imply that coercive methods would be morally objectionable *if* they were *effective*.

But if CIA officials actually concluded that absolute control over an agent was impossible, this was not for lack of trying. For at least two decades the agency funded extensive experiments using mind-altering drugs, electroshock, hypnosis, sensory deprivation, and other techniques in an elusive quest to find foolproof ways to manipulate agents. Some of the motivation behind these efforts lay in fears that the Soviet Union and China had developed technical “brainwashing” methods that needed to be understood and countered by US intelligence. But sadly little consideration was given to the rights of the largely unwitting human subjects of CIA mind-control experiments (Marks 1979; 1991).

Even if agents cannot be completely controlled by their covert supervisors, it may be inferred that espionage agents almost by definition are regarded by their sponsors first as means to the end of collecting intelligence. The full range of habits, beliefs, virtues and vices making up the character of an individual agent are to the prudent espionage officer merely helps or hindrances to the production of useful intelligence for his or her superiors (Cooper and Redlinger 1986, 10, 19).

Of course, instrumentalist relationships are common to a wide variety of human endeavours, business negotiations being perhaps the most obvious. We have come to expect and tolerate such relationships (though perhaps not without regret) as a necessary concomitant of modern society. It is therefore the element of crude manipulation that can apparently be present in espionage which elicits our heightened ethical scrutiny.

William Hood wrote that an element of control is not simply desirable but imperative in agent recruitment:

No espionage service can tolerate the merest whiff of independence or reserve on the part of an agent. . . . With a new agent, the case officer’s first task is to maneuver him into a position where there is nothing that he can hold back – not the slightest scrap of information nor the most intimate detail of his personal life. Until this level of control has been achieved, the spy cannot be said to have been fully recruited.

(Hood 1982, 29)³¹

James Angleton, Hood’s former boss in counterintelligence, apparently held a similar view, according to Edward Epstein:

Whereas money, sex, ideology, and ambition provide the means for compromising targets, the lever used to convert a man into a mole tends to be blackmail. . . . Whatever lure is used, the point of the sting is to make it impossible for the recruit to explain his activities to his superiors. He is compromised, not so much by his original indiscretion, but for failing to report it.

(Epstein 1989, 183)

Note that Angleton here was referring to a special type of agent, the “mole” or penetration agent within an enemy’s intelligence service. Not all espionage agents would necessarily be compromised by failing to report certain activities to their employer, but an intelligence officer would (Olson 2006, 46–9).³²

E Drexel Godfrey Jr, a former CIA analyst, strongly criticized CIA methods of recruiting agents, stating that CIA officers are “painstakingly trained in techniques that will convert an acquaintance into a submissive tool . . . shred away his resistance and deflate his sense of self-worth” (Godfrey Jr. 1978, 631).³³ Somewhat less dramatically, James Olson claimed, “Case officers are trained to exploit other people’s weaknesses to draw them into espionage” (Olson 2006, 25).

Miles Copeland, expressing a more sanguine view, asserted that CIA uses coercion in agent recruitment “only when there is a good chance of converting it into positive motivation”:

As quickly as possible, the principal [an intermediary between officer and agent] must enable the agent to deceive himself into believing that he would have become an agent even had he not been caught with his pants down, and that what he is doing is justifiable on its own merits”.

(Copeland 1978, 150–1)

Moreover, Copeland said, the agent must be persuaded that the government employing him in espionage regards his safety as more important than any particular piece of information he might forward:

Maintaining such an attitude might occasionally mean passing up some item of tremendous importance, but in the long run it pays off because it keeps the agent feeling safe and happy and maintains his productivity over a long period of years.

(Copeland 1978, 130)

Another former CIA official, Howard Stone, admitted that CIA often recruits agents by bribery or blackmail. But believing that such methods often produce unreliable agents who only pretend to have access to important information, he hoped that CIA would try instead “to win over prominent foreign officials of sound moral character” (Ignatius 1979).³⁴ And former CIA operations officer Thomas Mulligan told me in 2015:

When I went through [CIA] training . . . there was a strict policy prohibition on using coercion, blackmail, or sexual exploitation in recruitment operations. . . . And I have no doubt that any case officer who relied on those tactics would be promptly disciplined and recalled from the field. I believe that part of the motivation for such a prohibition was moral, but of course there is a practical reason as well: If you’re running an agent on those grounds, you cannot expect the slightest bit of loyalty from him. . . . The best [officer]-agent relationships are grounded in mutual respect and a shared sense that the work being done together is important. Of course the [officer] must maintain control over the relationship. But that is fully compatible with the agent having a measure of autonomy.

(Thomas Mulligan, email message to author, October 19, 2015)³⁵

Another former CIA officer who served many years in Latin America told me in 1991 that *none* of his agent relations were based on blackmail or other coercion. He believed like Howard Stone that such methods invariably produced “servile” and unreliable agents who “don’t exercise good judgment”. In contrast, this officer said that his agents “produced for me because they knew I was reliable and they could count on me in a pinch. They would and did risk their lives for me”. He added, though, that different methods might be necessary in totalitarian countries where the stakes and pressures were greater (confidential interview with author, Autumn 1991). Hence, it seems likely that a CIA officer having qualms about deceptive or coercive recruiting methods would simply not be assigned to such countries, or would not remain there very long at least in an agent-recruiting capacity.

The disparate opinions expressed in the literature, supplemented by my interviews with former intelligence officers, lead me to believe that the degree of deception or coercion employed in agent recruitment and handling is a function of three factors: 1) the individual officer’s skills, personality and scruples; 2) pressure on the officer to obtain information (i.e. faster and more of it in a crisis) and 3) the frequency of “walk-in” or voluntary agents, which if plentiful reduce the need for deception or coercion to obtain needed information.

Of course, deception and coercion are morally suspect ways of treating rational adults, since they infringe their *prima facie* rights to privacy and freedom. On the face of it, it would seem ludicrous to think that a person could rationally will to be coerced into performing espionage, especially since there is theoretically no escape from the threat of blackmail. This recognition could lead persons to condemn coercive recruitment methods out of hand.

In cases where prospective agents’ prior perpetration of crimes mitigates their right to be free from *retributive* coercion, the issue of their consent loses some of its force. But this cannot be said to provide a “blank check” to a secret recruiter to coerce a criminal to engage in espionage.

However, if we imagine a prospective agent who works in a sensitive capacity for the government of a manifestly *tyrannical* state, there is another sense in which, since that government itself can’t rationally be willed by its oppressed citizens, neither can service to that government in ways that maintain its tyrannical nature be justified. But given the fact that opportunities to persuade citizens and government officials in tyrannical states that they ought to commit treason are sometimes quite limited, the potential justification of coerced recruitment of agents to achieve this becomes clearer.

Coercive recruitment of agents within a tyrannical state becomes even more acceptable as that state’s threat to other countries becomes more grave or imminent. The philosopher Sissela Bok claimed that “whenever it is right to resist an assault by force, it must then be allowable to do so by guile” (Bok 1989, 144); by extension, espionage can serve as an effective way to prevent a tyranny from launching an aggressive war or intimidating its neighbours. And the same would hold for espionage against terrorist organizations: especially since the 9–11 attacks, Americans are likely to support vigorous CIA efforts to penetrate such organizations with spies.³⁶

We need to be aware, though, of other moral implications of the relationship between an intelligence officer, his or her intermediary and the agent. Consider the following scenario:

An illustration

Imagine that a CIA officer, using both overt and covert sources of information, identifies a particular foreign citizen as one who probably has access or could obtain access to sensitive information desired by the US Government.³⁷ The prospective agent's movements are then monitored to discern any personal habits or foibles (like a gambling addiction) which could be exploited in the future.

Already, then, an issue of the prospective agent's right to privacy is raised. Law-abiding citizens of a democratic country would likely be outraged to find themselves being surveilled in this manner. Citizens of a police state might be less surprised and more apathetic, having experienced their rights violated on a regular basis. But this fact would not be enough in itself to justify an additional infringement: the burden of moral justification would rest with the intelligence agency conducting the surveillance.

A next step in this hypothetical scenario might be for the intelligence officer to arrange for an intermediary to meet the prospective agent in a familiar setting. The intermediary himself might be similar to the agent in terms of ethnicity and class so that their meeting would seem perfectly natural to the agent and others.³⁸

From this point the intermediary (guided by the intelligence officer) would take one or more of a variety of approaches, many of which were noted earlier in this chapter. If the prospect voices opinions critical of his government or sympathetic to the United States, a straightforward "pitch" might be made to work for US intelligence, though precautions would need to be taken to ensure that the individual was not planted by an opposing intelligence service. At least this approach entails little deception of the agent by the intermediary.

If the prospect were deemed unlikely to become a spy voluntarily, but has a history of criminal activity, or simply a personal habit that if exposed would be objectionable to his superiors or family, a "sting" could be set up to coerce his cooperation. We can even imagine a second intermediary telling the prospect that the first intermediary had been detained for questioning on suspicious activities possibly involving the prospect himself, and that the latter would be prudent to cooperate with the second intermediary. This variation on a "good cop/bad cop" routine would of course be entirely fictional. But it might be enough to induce the prospect to steal sensitive data or plant bugging devices, activities which would generate their own grounds for blackmail.

If the prospective agent were perceived to be immune to blackmail yet unlikely to volunteer to serve US intelligence, the intermediary might create a false-flag scenario, requesting increasingly sensitive information in return for seemingly innocuous favours or in the interest of serving some cause agreeable to the prospect. A false-flag approach in theory might be maintained indefinitely, but once the agent begins to provide secret data, the intermediary is able to suggest unpleasant consequences at any sign of the agent's reluctance or resistance.

Even if we acknowledge that these travesties of friendship might be justified under certain conditions, such as the tyrannical or threatening nature of the target state or terrorist organization, two additional concerns arise. First, we can imagine how the ability to recruit an agent coercively could easily generate its own imperative apart from the perceived value or gravity of the data he or she could credibly provide. In other words, the fact that the pool of prospective agents is theoretically very large could lead to coercive manipulation as a practice unconstrained by any consideration of proportionality. Recall Richard Bissell's statement that the CIA typically recruits agents "long before there [is] any reason to be certain whether [they] would be used or where or how or for what purpose" (Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities 1975, 186).

An additional concern arising out of this discussion has to do with the fact that intelligence officers and their intermediaries must be trained to manipulate persons in calculated ways (though some likely have greater native ability in this skill than others). This recognition is shocking and disturbing to citizens in democracies, even though we are aware that other vital professions like the police and military must by necessity train their recruits in other unpleasant skills in order to be effective against criminals and enemy soldiers. Our concern in part is that such training may reinforce or result in the moral corruption of the trainee.³⁹

Comparisons with covert action

Some writers have noted some interesting similarities and differences between espionage and covert action.

Harry Rositzke argued that the kind of agent manipulation that frequently occurs in espionage and counterespionage operations may not apply to some types of covert action. Covert financial support for a political leader or dissident, for example, need not entail his or her coercion since it serves his or her interests (Rositzke 1988, 185–6). James McCargar expressed a similar opinion:

In a political operation the case officer must have arrived at a clear and workable accommodation of interests with the agent. Control by the case officer there must be, but not duplicity. The purposes of case officer and agent must have been presented with the maximum permissible clarity, and then a reconciliation of conflicts and limitations negotiated. In brief, the outstanding characteristic of the political case officer-agent relationship is that it must be an alliance, not a utilization of the agent by the case officer, as often occurs in intelligence.

(Felix [McCargar] 1988, 144–5)

But the fact that this state of affairs applied for a time to CIA relations with Panamanian dictator Manuel Noriega (Kempe 1989), among others, indicates that Rositzke's and McCargar's points do not dispel moral concern for the wider context of covert action. In other words, knowing that a covert action coincides with

the interests of particular foreign nationals is not sufficient to justify it ethically, since covert action may involve the violation of rights that ought to override those interests.

It is also likely that an intelligence officer would seek to “vet” (test the authenticity of) an agent of covert influence against the evidence supplied by informers or espionage agents, hence the need to use some method of agent recruitment and handling having one or more of the attendant moral concerns previously identified.

Since the “product” of a covert action agent is in some respects public (unlike the typical product of an espionage agent), it is perhaps more difficult to *deceive* a covert action agent than an espionage agent as to the real intentions of his or her secret employers. One can more easily imagine, though, a potential agent (such as a newspaper reporter or editorialist) being *coerced* through blackmail or other threats into engaging in covert action. Such considerations provide further qualification, then, to Rositzke’s and McCargar’s assertions of the voluntary participation of those agents.

Wider societal concerns

Another set of moral issues has to do with the subtle effects upon a society in which duplicity is engendered by espionage. The logical and practical extension of the relentless nurture of duplicity is either a Hobbesian state of nature or a totalitarian system where basic reciprocal trust between persons is utterly subverted.⁴⁰ Although it is unlikely that an intelligence agency by itself could produce this result in a foreign country (without an army of occupation or police powers to support it, that is), the fact remains that espionage has morally significant effects beyond those experienced by the agent alone. For example, feeding or exploiting an agent’s biases, fears or ideology in order to enhance his or her espionage productivity may contribute in some small way to wider social, ethnic or even international conflicts – to a greater extent if the agent is or becomes an influential leader. Undoubtedly many ethnic and religious animosities with ancient roots will continue to exist for generations, with or without the added variable of American espionage. But intentionally contributing additional fuel to old hatreds is irresponsible.

Of course, CIA agents no doubt can sometimes be recruited among persons with broader vision who seek to counteract violent hatred and those who would inflame it. Ideally the infiltrators of terrorist groups would do so out of repugnance towards their violence, and not because of blackmail or other coercion. Many infiltrators, though, would never be able to bring themselves knowingly to work for the CIA, hence the tactical advantage of a false-flag approach.

In penetrating a terrorist organization, though, a tension can arise between preserving innocent lives and maintaining intelligence sources. US intelligence reportedly had curious liaison contacts with PLO officials Abu Hassan (Ali Hassan Salameh) and Abu Iyad (Salah Khalaf), both of whom had planned Black September’s massacre of Israeli athletes at the 1972 Olympic Games in Munich, but

who apparently made a deal to protect Americans overseas from terrorist attacks in order to enhance PLO prestige with the United States (Ignatius 1983; Woodward 1987, 244–5; Randal 1991).⁴¹ The implication here is that PLO attacks on non-Americans would *not* encounter direct opposition by US intelligence. West German intelligence apparently had as an agent a Jordanian explosives expert who belonged to the group later blamed for the December 1988 bombing of a Pan Am jet over Lockerbie, Scotland, in which 270 people died (Engelberg 1989; Raviv and Melman 1990, 424–7).⁴² It's possible that the Germans did not exercise sufficient control over the agent, or that they waited too long to prevent the bombing, or that the agent simply didn't inform them of that particular plan. These examples suggest that in developing potentially productive intelligence relationships with members of terrorist organizations, a coldly utilitarian calculus would entail insufficient consideration of the rights and well-being of many innocent third parties.

Consider also the obstruction of justice involved in sheltering criminals who agree to become agents. An extreme example of the questionable moral nature of such relationships was the recruitment by US intelligence of a number of Nazi war criminals to engage in espionage and covert operations against the Soviet Union (Simpson 1988, chaps. 8–12).⁴³ Christopher Simpson quoted Harry Rositzke as telling him in a 1985 interview: "It was a visceral business of using any bastard as long as he was anti-Communist . . . [and] the eagerness or desire to enlist collaborators meant that sure, you didn't look at their credentials too closely" (Simpson 1988, 159). Simpson argued, however, that US intelligence actually did know about the war-crimes "credentials" of many of its post-war recruits, as did the British, French and Soviets, who also employed suspected and proven war criminals in intelligence roles (Simpson 1988, 73).⁴⁴ Simpson further showed that this practice became risky to US intelligence as well, when ex-Nazis threatened to publicize US covert operations in which they had participated unless the United States helped them to escape abroad to avoid prosecution for their wartime atrocities (Simpson 1988, 175).⁴⁵

In hindsight at least, it seems obvious that espionage and covert actions relying upon violent criminals as intelligence assets⁴⁶ bear a strong burden of moral justification, chiefly since the victims of their crimes cannot be assumed to give tacit consent to their shelter from prosecution, but also because they can pose a threat to the societies in which they are secretly sheltered.⁴⁷ Furthermore, in cases where perpetrators of mass murder (or even ordinary murder!) have sought refuge in intelligence work, it is difficult to see how the practice could be justified at all, even under the pressures that CIA officers felt in the early post-war years to quickly develop an underground network in the event of war with the Soviet Union.⁴⁸

To the Agency's credit, in 1995 under its Director John Deutch several guidelines were established to screen potential foreign agents regarding their involvement in human-rights abuses and criminal activities (Risen 1995).⁴⁹ Some clandestine service officers resented that change and became highly risk-averse in agent recruitment (Olson 2006, 84–5). But their reaction was misplaced, in my view: the new policy represented genuine moral progress.

Summing up

Let us now review the main ethical strengths and weaknesses of the espionage methods that have been described.

The use of human agents – voluntary and non-voluntary – is intended to provide information believed to be unobtainable through other methods. The risks inherent in all espionage activities suggest, though, that for the sake of the agent alone, efforts should be made to determine before the agent is recruited that the information needed cannot be ascertained by less problematic methods. In addition, since after an agent is recruited the agent-officer relationship takes on a life and momentum of its own, care must be taken to avoid situations where innocent third parties would be harmed or justice obstructed in the interest of preserving the agent's identity and continued service.

Recruiting voluntary agents has the advantage of involving no deception about the identity and general motives of the recruiter. Furthermore, a just cause can be served by intelligence officers and voluntary agents working together to undermine an unjust regime. But such agents usually deserve not to be deceived about the risks involved in the operations they are asked to carry out. Nor should the fact that their work is secret tempt their handlers to treat them as expendable, to allow them callously to be sacrificed to Realpolitik or the shifting winds of diplomacy.

The chief advantage of employing a false-flag approach or blackmail in certain situations is that intelligence-gathering objectives can be pursued even where foreign citizens are highly unlikely to serve voluntarily as CIA agents. But such methods raise very difficult ethical questions. False-flag methods by definition deceive the agent as to the identity of the recruiter, and thus hide from the agent the full risks inherent in his or her tasks as well as their true purposes. Blackmail is blatant coercion. It is difficult enough to justify against known criminals; all the more so when it arises out of the calculated entrapment of a previously innocent person who merely happens to have probable access to sensitive information desired by the CIA. Finally, to the extent that false-flag and blackmail tactics seek to "stretch" the agent's conscience, they can result in the moral corruption of the agent in addition to his or her victimization.

These primarily deontological and aretaic concerns about espionage are challenged, though, by the consequentialist reply that if one rules out an espionage source or method, one may thereby eliminate the possibility of knowing certain kinds of vital information. It's not difficult to construct hypothetical cases in which having particular information about the intentions of a tyrannical regime or a terrorist cell could mean the difference between life and death for many people, cases which would therefore question the validity of strict prohibitions on deceptive and coercive intelligence methods or the use of criminals as agents. Clandestine collection of intelligence using human agents will remain vital in penetrating hostile intelligence agencies (counterespionage), in monitoring the existence, movements, proliferation and elimination of weapons of mass destruction, and in monitoring and subverting international terrorism and narcotics trafficking.

An additional point needs to be made, however, concerning the meaning of moral justification in the present context. To say that a decision or action is morally justified does mean at least that it is morally permissible, and may also imply that it's the right or best decision or action, all things considered. But it does not necessarily mean that the outcome from such a decision is unequivocally good. It may be, for example, that coercive recruitment of an agent can be morally justified in a particular situation, given the dire consequences of not having the information that he or she can provide, say, plus a lack of morally acceptable alternatives. But since coercion involves an infringement of the agent's freedom and conceivably other basic rights, the external good that may result from the recruitment cannot do away with the fact that the agent – a human person with values, emotions, hopes and dreams, not merely an abstract “source”, “asset” or “penetration” – suffers real harm or is otherwise wronged in the process.

Notes

- 1 I'm grateful to Mitt Regan and Seumas Miller for allowing me to present this paper at a conference they hosted in June 2019 at St. Cross College, University of Oxford. The topic of ethics in espionage first drew my sustained attention back in 1985 in connection with my Ph.D. dissertation in Ethics and Society at the University of Chicago Divinity School. During the past three decades I've had several opportunities to publish my reflections on ethical issues in intelligence operations. Although many of the ends and means of intelligence collection have changed significantly in recent years, I'm persuaded that my earlier conclusions have held up surprisingly well, so I hope that my readers will forgive me for repeating many of my previous points in this essay. My doctoral dissertation was entitled *Covert Action: An Exploration of the Ethical Issues*, but contained a chapter on espionage. Some ideas from that treatise were later published as “‘Repugnant Philosophy’: Ethics, Espionage and Covert Action”, which was reprinted in *Ethics of Spying: A Reader for the Intelligence Professional*. Revised and expanded versions of my arguments subsequently appeared in my book *Partly Cloudy: Ethics in War, Espionage, Covert Action, and Interrogation* (Perry 1993; 1995; 2006; 2009; 2016; Goldman 2006).
- 2 I also follow Frankena in using “teleological” as equivalent to “consequentialist”, but recognize that some philosophers use “teleological” as a synonym of virtue ethics, which Frankena labels “aretaic”. See, for example Orend (2006).
- 3 Here I'm indebted to W. David Ross, an important twentieth-century British philosopher, who proposed in *The Right and the Good* a mixed/pluralistic ethical theory that regarded *prima facie* consequentialist, nonconsequentialist and aretaic concerns as important to consider in making moral decisions (Ross 1930). For more of my perspectives on ethical reasoning, see the Chapter 1 of my book *Partly Cloudy*.
- 4 Similar points were made by John Langan in Langan (1983).
- 5 Although I mostly reflect a US perspective in this essay, I presume that most of the issues that I explore bear on the intelligence operations of other democracies as well.
- 6 Michael Walzer similarly argued in *Just and Unjust Wars*, “a state (or government) established against the will of its own people, ruling violently, may well forfeit its right to defend itself against a foreign invasion” (Walzer 1977, 82).
- 7 A “zero-sum” conflict is one in which one side's gain unavoidably results in the other side's loss.
- 8 Similar distinctions among types of consent were made in Gewirth (1986), Vandever (1986) and Hampton (1993). Former CIA case officer Thomas Mulligan claimed (in

an email message to me on October 19, 2015) that my limiting criteria here (zero-sum conflict or hypothetical consent) are too narrow, and would preclude the US from spying on allies like Germany, for example, which he supports. That's an intriguing counterexample, but I stand by my approach.

- 9 Bissell's statement has some rather alarming ethical implications which will be discussed later in this article.
- 10 McCargar asserted that in the vast majority of cases the motives of agents are mixed (Felix 1988, 61). Henry Crumpton narrates several "sanitized" stories of agents he recruited in Africa whose motives to spy were diverse (Crumpton 2012, chap. 3).
- 11 See also Blum (1972, chap. 6) for support of the contention that defectors to the US (as opposed to defectors from) tend to be motivated more by ideological factors than financial inducements.
- 12 See also Rositzke (1988, 69–71), Powers (1979, 127, 205) and Ranelagh (1987, 400–2).
- 13 James Olson identified George Kisevalter as the CIA case officer who handled both Popov and Penkovsky, adding that "he was deeply attached emotionally to his two agents and had never gotten over their tragic ends" (Olson 2006, 232).
- 14 Olson asks hypothetically whether South Korean agents about to be sent by the CIA into North Korea should be told that every previous mission had failed (Olson 2006, 138–9).
- 15 Felix [McCargar], *Secret War*, 62–63. McCargar regarded that practice as "inept" but didn't specifically call it unethical.
- 16 Similar claims were made by Phillips (1982, 331–2) and Marx (1988, 144) and a former CIA officer in a Fall 1991 confidential interview.
- 17 See also Prados (2006, chaps. 2–4) and Powers (1979, 44, 403). On the Hungarian uprising of 1956, see Ambrose (1981, 235–40).
- 18 Prados acknowledges elsewhere in Chapter 10 that Tibetan partisans achieved some impressive tactical victories against the People's Liberation Army before eventually (and inevitably) being overwhelmed.
- 19 On Albania, see Bethell (1984).
- 20 Phillips preceded his description of false-flag recruitment with this interesting comment: "Most intelligence officers who set out to persuade someone to become a traitor have to reach an accommodation of some sort with the code of ethics and morality they have inherited or adopted. Sometimes dirty tricks are involved in the recruiting of spies" (Phillips 1982, 263). Olson claims, "Both the CIA and FBI are very adept at false flag operations" (Olson 2006, 56).
- 21 Copeland also asserted that "*most* spies really don't know which espionage service they are working for" (Copeland 1978, 129)! But that claim was judged to be ridiculous by three former CIA officers in separate confidential interviews with me.
- 22 Ibid.
- 23 According to *New York Times* reporter Mark Mazzetti, beginning in the 1970s "the CIA implemented a policy of not recruiting American journalists, clergy, or Peace Corps volunteers to spy for the agency, all of which had been routine up to that time", but that those rules "were not cast in stone", and were loosened significantly in counter-terrorism efforts after the 9–11 attacks (Mazzetti 2013, 282).
- 24 Copeland didn't actually use the term false flag, preferring to call unwitting agents "Willies" (Copeland 1978, 24). Another former CIA officer told me in a confidential interview that Copeland could not have had knowledge of the story of the Soviet colonel in Prague.
- 25 Until recently I had seen no evidence that the CIA ever imitated the tactic of the Mafia, KGB or Viet Cong of threatening to kill persons or their families if they didn't agree to cooperate. Former CIA officer B Hugh Tovar in a letter to me dated February 25, 1992 said that any CIA officer who made such a threat "would have been fired outright". But violent threats allegedly made to CIA detainees after 9–11 were noted in *The Senate*

Intelligence Committee Report on Torture (Senate Select Committee on Intelligence 2014, 6).

- 26 Cooper and Redlinger, *Making Spies*, 108.
- 27 It is not actually clear whether those were Angleton's words or Epstein's only. Epstein conducted numerous interviews with Angleton before the latter's death in 1987.
- 28 Examples of coercion applied on informers by US federal and local law enforcement agencies are provided in Marx (1974, 414–15).
- 29 The ineffectiveness of blackmail in agent recruiting was also suggested by former CIA director William Colby in an interview with me on September 14, 1991.
- 30 I had the privilege of interviewing Jacobs and McCargar together circa 1991.
- 31 But Thomas Mulligan in his October 19, 2015 email message to me characterized Hood's claims as "ludicrous".
- 32 Olson, *Fair Play*, 46–49, imagines a Cuban intelligence officer working undercover at the United Nations who is discovered by US intelligence to be engaging in frequent homosexual encounters, which if exposed would at least get him fired and sent home. Should his cooperation be sought by means of a threat to expose his behaviour (Olson 2006, 46–9)? Olson claims (115), "The CIA and FBI do not use sexual entrapment for recruitment purposes", but that it's still widely used today by other nations' intelligence agencies (Olson 2006, 115).
- 33 But Thomas Mulligan in his October 19, 2015 email message to me flatly denied that Godfrey's claim about CIA training was accurate.
- 34 Ignatius offered his own opinion that agents recruited by the CIA "can be a rather scurvy lot" (Ignatius 1979). Incidentally, John Prados claims that Howard Stone was involved in the 1953 coup against Mossadegh in Iran and an unsuccessful coup attempt in Syria in 1957 (Prados 2006, 164).
- 35 Thomas Mulligan, email message to the author, October 19, 2015.
- 36 Craig Whitlock indicated that the CIA and its allied intelligence services had virtually no success in infiltrating human agents into Al-Qaeda or recruiting existing members to be informers (Whitlock 2008).
- 37 A CIA process of identifying potentially valuable agents by carefully compiling and cross-checking information files was described in DeForest and Chanoff (1990).
- 38 I have seen no evidence that the CIA ever kidnaps prospective agents, even in a false-flag scenario where its intermediaries could pretend to be the secret police of the agent's own country. That of course would be a highly "unnatural" way to contact a prospect. But note that this is distinct from cases of secret kidnappings or renditions of terrorist suspects for interrogation and incarceration.
- 39 I explored in depth several ethical issues in intelligence interrogation in Chapter 11 of my book *Partly Cloudy* (Perry 2016). See also my article, "Some Unsettling Ethical Reflections on Interrogation" (Perry 2010), and my book reviews of Sanford Levinson, ed., *Torture: A Collection* (Perry 2005), and Michael Skerker, *An Ethics of Interrogation* (Perry 2011).
- 40 On the all-too-real "mass atomization" of Soviet society, see Hannah Arendt, *The Origins of Totalitarianism* (Arendt 1973, chap. 10).
- 41 Both men were assassinated, Salameh in 1979 by Israeli intelligence and Khalaf in 1991 by Abu Nidal's rival Palestinian group.
- 42 Dan Raviv and Yossi Melman suggested that the Israelis had actually infiltrated the group implicated in the bombing and had warned the West Germans in advance. The Germans arrested 16 suspects but released 14 of them within two weeks. The bombing occurred six weeks after that (Raviv and Melman 1990, 424–7).
- 43 The only major drawback I find in Simpson's analysis is his sanguine view of post-war Soviet capabilities and intentions. Perhaps that resulted in part from his inordinate reliance (evident in many of his footnotes) upon the opinions of disaffected former CIA analyst Victor Marchetti. But Simpson also exhibited a more general affection for revisionist views of the Cold War.

- 44 Rositzke mentioned that ethnic Russians, Balts, Ukrainians, Armenians and Georgians were recruited as agents for missions against the Soviet Union. He stressed their justified resentment against Soviet oppression, but didn't discuss how Nazi collaborators identified among them were handled (Rositzke 1988, 27–8, 166–73).
- 45 Simpson noted Miles Copeland's role in arranging for ex-Nazis to be brought to Cairo to serve as advisers to President Nasser's intelligence service (Simpson 1988, 251–2). In Copeland's memoir, he justified that project by claiming that the smuggled Germans were all bumbling and stupid – that is it was really a joke on Nasser – and that Mossad (Israeli foreign intelligence) used Nazis, too – implying that if the victims of Nazi crimes can justify such action, why should the U.S. deny itself useful assets? – both highly questionable and self-serving claims (Copeland 1978, 181).
- 46 Former CIA officer Justin O'Donnell told a Senate committee that he refused to accept an assignment from his boss Richard Bissell in 1960 to assassinate Congolese leader Patrice Lumumba. But O'Donnell nonetheless recruited a criminal whom he trusted (albeit “not a man of many scruples”) to assist him in the Congo; that same criminal was involved in scouting potential assassins for the CIA to use elsewhere under its “executive action” capability (Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities 1975, 38–43, 181–7). That testimony was attributed in the Senate report to “Michael Mulroney”, who was later identified as Justin O'Donnell by John Prados in Prados (2006, 276). For allegations of CIA uses of organized crime figures, see McCoy (1972).
- 47 A notable case in which these concerns were implicitly affirmed was the US Drug Enforcement Agency's rejection of a Colombian drug cartel's offer to spy on leftist guerrillas in exchange for amnesty (Isikoff 1988).
- 48 Simpson quoted Franklin Lindsay, who in the early 1950s oversaw CIA paramilitary operations in Eastern Europe that apparently involved some former Nazi collaborators:

You have to remember that in those days even men such as George Kennan believed that there was a fifty-fifty chance of war with the Soviets within six months. . . . We were under tremendous pressure to do something, do anything to prepare for war.

(Simpson 1988, 159–60)

Rositzke reported that during a heated meeting at the Pentagon in 1949, an Army colonel banged his fist on the table and shouted, “I want an agent with a radio on every goddamn airfield between Berlin and the Urals.” That was, of course, before the advent of U-2 and satellite reconnaissance (Rositzke 1988, 21).

- 49 A year later the Intelligence Advisory Board reported that since 1984,

several CIA assets were credibly alleged to have ordered, planned or participated in serious human rights violations such as assassination, extrajudicial execution, torture or kidnapping while they were assets – and that the CIA was contemporaneously aware of many of the allegations.

(Associated Press 1996)

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