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REFLECTIONS ON ESPIONAGE

By Harvey Klehr

I. Introduction

In 1995 the United States National Security Agency (NSA), the Central Intelligence Agency (CIA), and the Federal Bureau of Investigation (FBI) made public the story of a forty-year American intelligence operation code-named Venona. Shortly after the Nazi-Soviet Pact in 1939, American military intelligence had ordered companies that were sending and receiving coded cables overseas, such as Western Union, to turn over copies to the U.S. government. Hundreds of thousands of cables were sent or received by Soviet government bodies. Beginning in 1943, spurred by rumors and concerns that Stalin might conclude a separate peace with Hitler, the U.S. Army's cryptographic section began work trying to read these Russian cables. It had very limited success until 1946, by which time the Cold War was already underway. Some twenty-nine hundred cables dealing with Russian intelligence activities from 1942 to 1946 eventually were decrypted successfully in whole or in part as a result of Soviet technical errors in constructing and using "one-time pads" that American code-breakers were able to exploit. These cables implicated more than three hundred Americans as having been involved with Soviet intelligence services during World War II, a time when the United States and the USSR were allies.[1]

The Venona documents have sparked a renewed interest in issues of espionage, although in truth there has hardly been a time in the past fifty years that espionage has not generated public fascination, not only in the United States but also in Great Britain. One of the remarkable aspects of the response to Venona has been the effort by a number of people to defend westerners who spied for the Soviet Union. The moral status of spies and spying has been debated for a long time. In the twentieth century the advent of Communism and the willingness of so many citizens of democratic countries to spy on its behalf against their own nations gave this debate added urgency. That so many writers and intellectuals continue to see justifications for espionage against their own countries after the collapse of Communism warrants a new look at the connections between morality and espionage, connections that are illuminated by a more precise and nuanced view of the moral status of the spy. Justifying

[1] For a complete description, see John Haynes and Harvey Klehr, *Venona: Decoding Soviet Espionage in America* (New Haven, CT: Yale University Press, 1999).

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espionage directed against democracies is not easy, and the recent attempts to do so have not been successful.

Espionage is almost as ubiquitous a historical phenomenon as it is a reviled profession. Intelligence gathering and the use of spies have a long pedigree. The history of intelligence organizations has been traced back to the societies of ancient Egypt, Babylonia, Assyria, Persia, and the Hittite Empire.[2] In Homer's *Odyssey*, Odysseus disguises himself to infiltrate Troy. The ancient Greeks wrote at length about the variety of spies, distinguishing among fake deserters, merchants, neutrals, and those recruited from within an enemy's population.[3] English journalist Phillip Knightley has called spying the world's second oldest profession.[4]

While recognizing its necessity, commentators have also accepted its moral ambiguity. Spying requires deception and secrecy. Those who engage in it must violate a variety of laws and moral principles. A historian of ancient Greek espionage notes that spies who betray their fellow citizens "have always been perceived in the Western tradition as corrupt and corrupting."[5] But even those who spy for a democratic society must walk a fine moral line. Paul Seabury notes that in a democratic society practitioners of spying need to be "able to maintain their integrity while being liars and obfuscators."[6] An international law text written during the American Civil War quotes a commentator who noted:

> Spies are generally condemned to capital punishment, and not unjustly; since we have scarcely any other means of guarding against the mischief they may do us. For this reason, a man of honor, who would not expose himself to die by the hand of a common executioner, ever declines serving as a spy. He considers it beneath him, as seldom can be done without some kind of treachery.[7]

Democratic societies have always been troubled by the use of spies. It is not simply that democracies rely on public discussion and abhor secrecy. They also struggle with the moral compromises that are required by their own spying and the reprehensible characters of many spies. Popular modern spy novelist, John Le Carré, has one of his most memorable characters, Alex Leamas, angrily explain: "What do you think spies are;

[2] Francis Dvornik, *Origins of Intelligence Services: The Ancient Near East, Persia, Greece, Rome, Byzantium, the Arab Muslim Empires, the Mongol Empire, China, Muscovy* (New Brunswick, NJ: Rutgers University Press, 1974).

[3] Frank Russell, *Information Gathering in Classical Greece* (Ann Arbor: University of Michigan Press, 1999), 105.

[4] Phillip Knightley, *The Second Oldest Profession: Spies and Spying in the Twentieth Century* (London: A. Deutsch, 1986).

[5] Russell, *Information Gathering in Classical Greece*, 106.

[6] Paul Seabury in *Covert Action*, no. 4 of *Intelligence Requirements for the 1980s*, ed. Roy Godson (Washington, DC: National Strategy Information Center, 1981), 107.

[7] Henry Halleck, *International Law* (San Francisco: H. H. Bancroft & Co., 1861), 406.

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priests, saints and martyrs? They're a squalid procession of vain fools, traitors too; yes; pansies, sadists and drunkards, people who play cowboys and Indians to brighten their rotten lives."[8] And yet, democracies also admire the self-sacrifice that they imagine motivates some spies. The first popular spy novel written by an American, based on American history, and set in the American countryside was James Fenimore Cooper's *The Spy*. It is an account of Harvey Birch, a member of General Washington's espionage corps who pretends to be a British agent and, pledged to secrecy, nobly suffers the "ostracism and hatred" of his neighbors to his dying day.[9]

II. The Morality of Espionage

For almost as long as there have been spies there has been debate about the morality of espionage. In the Hebrew Bible the first mention of spies suggests how dangerous a false charge of espionage can be. It comes when Joseph's brothers arrive in Egypt to buy grain. Joseph, as governor, meets them, learns who they are, and, remembering their ill treatment of him, charges them with espionage: "You are spies, you have come to see the weakness of the land."[10] Despite their repeated, frantic denials, Joseph demands that they prove their bona fides by leaving one brother hostage, returning to Canaan, and bringing their youngest surviving brother, Benjamin, back to Egypt. Joseph repeatedly tests his brothers, plants false evidence against them, and deceives them as to his motives before revealing his true identity. Significantly, the first accusation of espionage in the Bible is a false charge, made for ulterior purposes. Just as significantly, its targets are themselves not blameless but harbor a guilty secret, making them vulnerable to manipulation.

The first account of actual espionage in the Bible is likewise revealing. It is a botched operation. God tells Moses to "send men to spy out the land of Canaan." He suggests that one prominent figure from each of the twelve tribes be selected; Moses tasks them to "see what the land is, and whether the people who dwell in it are strong or weak, whether they are few or many, and whether the land that they dwell in is good or bad, and whether the cities that they dwell in are camps or strongholds, and whether the land is rich or poor, and whether there is wood in it or not. Be of good courage, and bring some of the fruit of the land."[11]

[8] John Le Carré, *The Spy Who Came in From the Cold* (New York: Bantam Books, 1963), 210–11.

[9] James Fenimore Cooper, *The Spy: A Tale of the Neutral Ground* (New York: Hafner Pub. Co., 1960). The quotation is from the introduction by Warren S. Walker, 6.

[10] Gen. 42:6–17. The Oxford Annotated Bible, Revised Standard Version (New York: Oxford University Press, 1962).

[11] Num. 13:1–20.

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It takes this band of spies forty days to complete their mission. Upon their return they meet with Moses and Aaron and the entire Israelite population to report that the land of Canaan flows with milk and honey, but "the people who dwell in the land are strong, and the cities are fortified and very large." Despite the pleas of two of the spies that the Israelites forge ahead and conquer the land, the other ten insist that the task is hopeless, inciting the population to agitate for a return to Egypt. This first espionage mission ends in ignominious failure for the society. Commentators have argued that it was doomed from the start. Although God had already promised the land to the Israelites, their lack of faith in His word had led them to demand a group of spies to reconnoiter the territory. (In Deuteronomy 1:22, Moses reminds the Israelites that "all of you came near me and said, 'Let us send men before us, that they may explore the land for us, and bring us word again of the way by which we must go up and the cities into which we shall come.' " Angered, God told them through Moses to send out the spies "they pleased," but determined to punish the Jews.) After the debacle of their public report, God announces that the Israelites will be required to wander in the desert for forty years, one for each of the days "that you spied out the land." He further denies entry into the Promised Land to everyone over the age of twenty, with the exception of the two spies who had argued for the invasion, Caleb and Joshua, the latter of whom would actually lead that invasion years later.[12]

One intelligence analyst notes that this operation was doomed from the start. Those selected as spies were public figures; their names are provided in the Bible. Each one had significant political and military responsibilities that affected his evaluation of the information that he was gathering. The collected intelligence was openly discussed at a public meeting. Although no details are given of how they gathered their information, there is no indication that the spies spoke to anyone or did anything more than observe the inhabitants and their cities. All in all, the Israelites mounted an intelligence operation that lacked professionalism and violated a number of essential precautions. Having launched a risky venture, they paid a heavy price for its failure.[13]

Later espionage operations described in the Old Testament are far more successful. Moses sends out spies who wind up capturing Jazer.[14] More significantly, Joshua, a veteran of the earlier failure, recruits two anonymous spies, ordering them: "Go, observe the land and Jericho."[15] Arriv-

[12] Num. 13:21–31; and Deut. 1:22–38. Nehama Leibowitz, *Studies in Bamidbar (Numbers)*, trans. Aryeh Newman (Jerusalem: World Zionist Organization, 1980), 135–41.

[13] John M. Cardwell, "A Bible Lesson on Spying," *Studies in Intelligence* (Winter 1978), available on-line at http://www.parascope.com/ds/articles/ciaBibleStudyDoc.html [accessed in January 2003].

[14] Num. 21:32.

[15] Josh. 2.

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ing in Jericho, these unnamed men befriend a harlot named Rahab who is willing to hide them when the authorities learn of their presence and try to arrest them. In return for her help and insight into the public mood, they agree to spare her and her family during the coming battle. When they return, the spies report directly and confidentially to Joshua and note to him that even though Jericho is well fortified, its inhabitants fear the Israelites because of their previous military successes and the evidence of God's miracles. Joshua then promptly launches his successful attack on the city.

Other biblical stories describe spy operations ordered by David and Absalom.[16] In none of these stories does spying upon one's enemy incur any moral taint. There is, however, a clear contrast between the ingredients of a successful and an unsuccessful espionage mission. Joshua's anonymous spies never receive any credit for their actions. Their primary source is not some notable or upstanding citizen but a prostitute who, in return for her assistance in betraying her countrymen, is promised and receives protection. There is no suggestion that the spies somehow acted ignobly by concluding a deal with someone of ill repute. Unlike Moses' spies, who slipped in and out of enemy territory without being discovered, Joshua's operatives had to flee for their lives but still succeeded. As in another verse from the Hebrew Bible that explicitly mentions espionage, the spy is someone acting on behalf of his own people: in Judges, the tribe of Dan sends "five able men" to spy on a land that they intend to conquer.[17]

There is one notable exception to this positive portrayal of spies. Although she is not called a spy, Delilah, the Philistine woman who betrays Samson, acts much like one. Approached by Philistine leaders who ask her to "see wherein his great strength lies, and by what means we may overpower him," Delilah deceives her lover in return for money. Her first three efforts to learn his secrets fail, but she finally succeeds in wresting from him the secret of his strength, cuts his hair, and delivers him to the Philistines.[18]

The New Testament offers a more negative view of spies and espionage. In contrast to the Old Testament, where most espionage is carried out by Israelites responding to God's command to conquer the Promised Land, in the New Testament spies betray Jesus Christ.[19] In the one case, the Israelites are the beneficiaries of espionage; in the other Jesus is the victim. In the Gospel of Luke, for example, the scribes and high priests, anxious to discredit Jesus and to trick him into violating the law, "watched

[16] 1 Sam. 26:4; and 2 Sam. 15:10.
[17] Judg. 18:2.
[18] Judg. 16.
[19] One significant exception to this negative portrayal is Rahab, the woman who had aided Joshua's spies. In Heb. 11:31 she is praised: "By faith Rahab the harlot did not perish with those who were disobedient, because she had given friendly welcome to the spies."

him, and sent spies, who pretended to be sincere, that they might take hold of what he said, so as to deliver him up to the authority and jurisdiction of the governor." These spies ask Jesus if they should give tribute to Caesar, to which he cannily and notably replies, "Render to Caesar the things that are Caesar's, and to God the things that are God's."[20] Likewise offering a negative view of spies, in his Letter to the Galatians Paul warns against "false brethren secretly brought in, who slipped in to spy out our freedom which we have in Christ Jesus, that they might bring us into bondage."[21] The spy here is someone pretending to be loyal or a friend but actually serving the interests of the enemy. He is the agent provocateur, encouraging actions designed to discredit the cause that he ostensibly supports.

The archetype of the betrayer, the man who pretends to be a loyalist but who is secretly working for the opposition, is, of course, Judas. One of Christ's disciples, he is willing to betray his teacher and master for money. Bought by the high priests for thirty pieces of silver, he identifies Jesus to the soldiers by kissing him on the cheek. His reward proves empty, and he hangs himself. Judas gave his name to all the spies who sell out their friends and compatriots. Unlike Joshua and his spies, he is not a patriot sent behind enemy lines but a disciple betraying his own people.

Historically, the spy who betrays his friends, his country, or his people has been a mercenary. Delilah, Judas, and Benedict Arnold all were bought with cash payments. No doubt the moral revulsion evoked by spies is linked to the motives for pecuniary gain that has driven so many of them. Montesquieu expresses the sentiment in *The Spirit of the Laws* (1748) when he notes that "the trade of a spy might perhaps be tolerable were it practiced by honest men; but the necessary infamy of the person is sufficient to make us judge of the infamy of the thing."[22]

While some have been repulsed by the sordid motives that drive many spies, others have worried about the impact of spying on the moral health of the regime that employs them. Immanuel Kant warns that even in wartime, a state is "permitted to use any means of defense except those that would make its subjects unfit to be citizens." The first restraint he deduces from this rule is that "means of defense that are not permitted include using its own subjects as spies; using them or even foreigners, as assassins or poisoners . . . or using them merely to spread false reports—in a word, using such underhanded means as would destroy the trust required to establish a lasting peace in the future."[23] Kant seems to leave

[20] Luke 20:20. In Matt. 22:15 it is the Pharisees who send not spies, but some of their own disciples.

[21] Gal. 2:4.

[22] Charles de Secondat, baron de Montesquieu, *The Spirit of the Laws* (1748; reprint, trans. Thomas Nugent, New York: Hafner Press, 1949), 202.

[23] Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1991), 154.

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open the possibility of employing foreigners as spies, provided they neither lie nor cheat nor kill, although exactly how useful they would be if they were required to be honest about what they were up to is an open question. Spying for Kant is a dishonorable profession that taints those who acquiesce in its use. A life of deception taints not only the one doing the deceiving, but also those who connive in it.

Such high-minded idealism has always had to confront the realities of the world of nation-states. Justifications for spying have ranged from its usefulness to rulers to its acceptance in international law. Thomas Hobbes argues that it is "necessary to the defense of the city, first, that there be some who may, as near as may be, search into and discover the counsels and motions of all those who may prejudice it." For Hobbes this means that rulers require spies: "[T]hey who bear rule, can no more know what is necessary to be commanded for the defense of their subjects without spies, than those spiders" who learn by the movement of their webs' threads when danger threatens.[24]

Similarly, Machiavelli would not have felt that there was any moral dilemma in using spies. Although he never explicitly discusses espionage, Machiavelli not only accepts but also praises a ruler who uses whatever means are necessary to learn about the intentions and capabilities of his enemies, both foreign and domestic. (He does warn that conspiracies rarely succeed because they will usually be betrayed by some disgruntled conspirator.) He warns the leader and would-be leader not to assume that Christian virtues can result in a successful and well-ordered state. It is necessary, he asserts, to understand that "he who abandons what is done for what ought to be done, will rather learn to bring about his own ruin than his preservation. A man who wishes to make a profession of goodness in everything must necessarily come to grief among so many who are not good. Therefore it is necessary for a prince, who wishes to maintain himself, to learn how not to be good."[25] If the prince himself must be able to lie and deceive, to present himself as what he is not, how can such stratagems be avoided by those citizens or employees who serve his purposes?

Machiavelli makes explicit throughout his writings that deceit, subterfuge, covert operations, and even political assassination are part of the arsenal that a ruler may have to employ. A successful ruler must "know well how to use both the beast and the man." To understand how to act as a beast, "he must imitate the fox and the lion, for the lion cannot protect himself from traps, and the fox cannot defend himself from wolves. One must therefore be a fox to recognize traps, and a lion to frighten wolves."[26]

[24] Thomas Hobbes, *De Cive* (Garden City, NJ: Anchor Books, 1972), 13:7.
[25] Niccoló Machiavelli, *The Prince and the Discourses* (New York: Random House, 1950), 56.
[26] Ibid., 64. In *Discourses*, bk. 3, chap. 6, Machiavelli treats at length of conspiracies and conspirators but these are not, strictly speaking, spies.

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One animal Machiavelli never mentions, however, is the mole, that creature of the underground that does its best work in the dark. It is no accident, as Marxists are wont to say, that Karl Marx was inordinately fond of the mole and that he himself was known as "the Old Mole." Marx compared the struggles of the working class to the burrowing of the mole, laboring out of sight in capitalist society until the moment when revolution erupts. The Old Mole's doctrines provided a heady rationale for hundreds of the twentieth century's most successful moles, who were able to burrow into positions of authority in capitalist societies and work to undermine them.[27]

Espionage per se is not illegal in international law. In the seventeenth century Hugo Grotius noted the paradox that it is perfectly legal for a state to dispatch or employ spies but also perfectly legal for the target state to punish spies if it catches them: "[T]he law of nations unquestionably permits the sending out of spies . . . yet if they are caught they are commonly treated with great cruelty. . . . If there are men who refuse to employ the aid of spies, when it is offered them, their refusal must be attributed to loftiness of mind and confidence in their own revealed resources, not to any idea of what is lawful or unlawful."[28] Virtually every country engages in espionage and understands that others do as well. It may well be illegal in every country (or at least in those with minimal standards of individual rights) to intercept private communications, but every country in the world encrypts and encodes its diplomatic and sensitive communications, recognizing that others will attempt to break into them, without protesting that some kind of violation of international law is occurring.

Although the United States has employed spies from the Revolutionary War onward, there has always been a strain in American life that has regarded spying with distaste. Part of the reason, no doubt, has been the belief that a healthy and vibrant democracy need have no fear of any enemy and has nothing to hide from one. In a similar vein, Pericles boasted that open, democratic Athens did not have to rely on subterfuge:

[27] Marx compared the communist revolution to a mole, paraphrasing Shakespeare's *Hamlet*, 1.5.162: "Well said, old mole!" Marx added:

> But the revolution is thoroughgoing. It is still traveling through purgatory. It does its work methodically. By December 2, 1851, it had completed half of its preparatory work; it is now completing the other half. First it perfected the parliamentary power in order to be able to overthrow it. Now that it has attained this, it perfects the executive power, reduces it to its purest expression, isolates it, sets it up against itself as the sole target, in order to concentrate all its forces of destruction against it. And when it has done this second half of its preliminary work, Europe will leap from its seat and exultantly exclaim: Well-grubbed old mole!

Karl Marx, *The Eighteenth Brumaire of Louis Bonaparte* (1851–1852; reprint, Moscow: Foreign Language Publishing House, 1983), 121.

[28] Hugo Grotius, *The Law of War and Peace* (1670), trans. Louise R. Loomis (New York: Walter J. Black, 1949), bk. III, chap. 4, p. 302.

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It was "an open city and do[es] not, by periodically expelling foreigners, keep them from seeing and learning things, lest some enemy benefit from what is open to his view. We trust less to our equipment and guile than to our personal courage in action."[29]

Another factor has been the belief that espionage is a dishonorable activity that runs counter to democratic values. Because it requires secrecy, it cannot be subject to the same demand for transparency that is usually made regarding political issues. It is difficult for representative bodies to exercise control and oversight. The methods and techniques of espionage often raise disturbing questions of propriety and legality. The individuals attracted to it or indoctrinated in its culture are often perceived as dangerous to democratic values. Consequently, many Americans have regarded espionage, particularly in peacetime, as a blight on our moral standards. Shortly after he was appointed Secretary of State in 1929 Henry Stimson received a series of decrypted diplomatic telegrams from the American Black Chamber, the office run by Herbert Yardley that had been successfully breaking foreign codes since 1919. Stimson "regarded it as a low, snooping activity, a sneaking, spying, keyhole-peering kind of dirty business, a violation of the principle of mutual trust upon which he conducted both his personal affairs and his foreign policy." As he later noted: "Gentlemen do not read each others' mail." His opposition led to the dissolution of the American Black Chamber.[30] Similarly, in October 1945 President Harry Truman disbanded the Office of Strategic Services (OSS), which had been created during World War II to serve as a national intelligence agency, amid fears that it could become an "American Gestapo." Concern with "dirty tricks" perpetrated by American security agencies prompted Congress to restrict what American spies could do following the Church Committee hearings in 1975 and in the 1990s led to rules that forbade the CIA from recruiting human rights violators as sources.

This distaste for the secret world of espionage, however, has generally given way, particularly in the twentieth century, to realistic concerns about national security. As Secretary of War in the 1940s Stimson overcame his scruples to allow extensive spying. The CIA was created in 1947 and the following year received authorization to conduct covert operations. Following the terrorist attack on America on September 11, 2001, earlier restrictions on CIA recruitment of unsavory characters were lifted. Even when elected officials have tried to limit or restrict the activities of intelligence agencies, few Americans have gainsaid the need for this country to spy on enemies, adversaries, potential enemies, and, even perhaps, friends. Employing spies is regarded as part of the necessary business of

[29] Thucydides, *The Peloponnesian War*, Walter Blanco and Jennifer T. Roberts, eds. (New York: Norton, 1998), 73.

[30] David Kahn, *The Codebreakers: The Story of Secret Writing* (New York: Scribners, 1996), 360.

governing. But if the need for the government to spy is widely recognized, Americans remain ambivalent about the people so employed and what they should be allowed to do. It is one thing to seek to ascertain the capabilities of a potential enemy, another to try to recruit a foreign politician to act in a certain way, and still another to bribe or coerce or threaten someone to obtain information.[31]

III. Varieties of Spies

In discussions about morality and espionage it is useful to recall that there are different types of spies. A country may employ its own nationals or citizens to obtain information about another country, or it may seek to use citizens of that other country to obtain information. Both types of recruits may be engaging in espionage and be labeled as spies, but their activities, behavior, and characters elicit very different evaluations.

Citizens of a country who spy for it are patriots. We may not approve of the country that they serve. We may deplore the tactics that they use or the methods that they employ to gather their information, but their actions are not much different than those of soldiers engaged in a particularly difficult or dangerous mission. Unlike soldiers they do not wear uniforms, and this difference may subject them to punishments from which soldiers are exempt under international law. Like Joshua, these spies are willing to go behind enemy lines to ferret out information that the enemy wishes to conceal.

There are actually two types of patriotic spies and international law treats them rather differently. Every modern intelligence agency employs the first type: officers or employees who recruit, supervise, and give orders to agents who obtain secrets. These officers are almost always citizens of the government that employs them and are loyal to its principles. Many of these men and women serve in diplomatic positions, often as minor functionaries or bureaucrats in an embassy or consulate, while their major task is to obtain secret information about the country to which they are posted. They have diplomatic immunity from arrest and punishment by their host government. In the modern world every state understands that such "spies" are a normal part of a country's diplomatic mission. If caught in the act of obtaining information from a source, they will be declared persona non grata and expelled. Such activities, however, are part and parcel of the normal relationship among nation-states. Even spies are protected by diplomatic immunity provided that they have the correct credentials. Under international law, even if some of the American diplomatic personnel who were held hostage by Iran in the late 1970s

[31] See, for example, David L. Perry, " 'Repugnant Philosophy': Ethics, Espionage, and Covert Action," *Journal of Conflict Studies* 15, no. 1 (1995): 92–115, for an effort to determine the moral limitations on espionage.

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were CIA officers, the Iranians were obligated not to arrest and punish them.

The second type of patriotic spy is a citizen of one country who lives under cover in another country to spy on it; these spies are at greater hazard and in a more morally ambiguous position than the first type. While spies with diplomatic immunity are perceived to be serving the interests of their government, merely disguising their espionage work, the undercover spy, or agent in place, pretends to be a normal inhabitant of the country that he is seeking to undermine. He must disguise not only his job but also his loyalties. Many of the fictional and true-life heroes of popular espionage lore fall into this category. Since international law provides that a spy captured behind enemy lines is subject to the death penalty, such espionage carried on in wartime requires considerable bravery and a willingness to take enormous risks. No American spy better symbolized this than Nathan Hale, hung by the British in 1776, a statue of whom adorns the CIA's Langley, Virginia, headquarters. Whether or not he ever uttered the famous phrase that is attributed to him, regretting he had but one life to give to his country, Hale's willingness to spy even though it was considered a dishonorable task for a gentleman and a graduate of Yale College, reflected a recognition that loyalty to one's country sometimes requires personal sacrifices.[32] James Fenimore Cooper's fictional spy, Harvey Birch, likewise linked valor and personal sacrifice as essential elements in the success of the Revolutionary War and the creation of a nation.

Americans have admired and honored spies who are willing to risk their lives to provide vital information about America's enemies. Nor are Americans alone. Every country has its mythic heroes who disguise their identities to blend in with the enemy and ferret out his secrets. Even when these spies have been adversaries, Americans have had a grudging admiration for their exploits. No nation used more "illegals" than the Soviet Union. Living under false identities in America, England, occupied France during World War II, and other nations throughout the world, such agents did not enjoy diplomatic immunity. "Illegals," however, shared with KGB and GRU officers assigned to embassy positions an allegiance to the Soviet Union.[33]

Not all "illegals" were Soviet citizens. A number of dedicated Communists had enlisted in the intelligence service of the Communist International, or Comintern, in the 1920s and shifted over to Soviet intelligence

[32] See, for example, William Ordway Partridge, *Nathan Hale, the Ideal Patriot: A Study of Character* (New York: Funk & Wagnalls Co., 1902).

[33] A word on nomenclature. The USSR's main foreign intelligence organization, commonly known in the West as the KGB, used a variety of names from its origins as the Cheka shortly after the Russian Revolution. For simplicity, I have used KGB throughout this essay to refer to its various incarnations. The GRU, or military intelligence, is a separate organization that often had a fierce bureaucratic rivalry with the KGB.

work late in the decade or in the 1930s. Regarding themselves as soldiers in an international army, such people were among the most effective and romanticized KGB and GRU officers. Multilingual, at home in working-class bars and corporate boardrooms, cultured and dedicated, many of them lived lives that were stranger than fiction. Their actions, activities, and fates mirror the moral ambiguities and horrors of the twentieth century.

Theodore Mally, a one-time seminarian studying for the priesthood in Hungary, was drafted into the army of the Austro-Hungarian Empire and taken prisoner in World War I. The Bolsheviks converted him to Communism in a prisoner-of-war camp. Assigned to the Cheka, the USSR's first internal security agency, he grew disillusioned with the internal repression that accompanied the collectivization drives of the 1920s, and secured a transfer to foreign intelligence. His longest assignment was to Great Britain; in 1935 he became the illegal resident for the KGB in London, where he oversaw the early espionage work of the "Cambridge spies," Kim Philby, Donald Maclean, Anthony Blunt, and Guy Burgess. In 1937, at the height of Stalin's purge of the Soviet intelligence services, Mally was recalled to Moscow. Responding to a friend who pleaded with him not to go back to certain death, he noted that "he could be killed abroad as well as in Moscow" and that "it would be better for him to meet his fate in the cellars of the Lubyanka." He was shot in 1938. Today his portrait hangs in a "History Room" honoring heroes of the Soviet intelligence service at the headquarters of the Russian intelligence service (SVR).[34]

Léopold Trepper, a Polish Jew, immigrated in the 1920s to Palestine, where he joined the Communist Party. Sent to France to work among Jewish immigrants, he later moved to Moscow for training in Comintern schools. Disillusioned by the purges of the 1930s that swallowed up hundreds of his old friends, he joined Soviet intelligence to better fight Nazism. As head of the "Red Orchestra," a huge Communist spy network, he operated under cover as a raincoat manufacturer in Paris and Brussels until he was arrested by the Gestapo. Trepper built a continent-wide circle of agents, used innocent people as fronts for his activities, betrayed a number of his agents in order to save others, pretended to cooperate with the Germans while feeding them false information, and managed to escape and remain in hiding until World War II ended. Upon returning to the Soviet Union in 1945 he was jailed as a traitor, rehabilitated after nine years, and reunited with his family. They returned to Poland, where he assumed a position within the decimated Jewish community. Appalled by the upsurge of anti-Semitism in 1967, he launched a campaign to be allowed to immigrate to Israel. For years the Communist authorities harassed him before finally allowing him to leave Poland in 1973.[35]

[34] William Duff, *A Time For Spies: Theodore Stephanovich Mally and the Era of the Great Illegals* (Nashville, TN: Vanderbilt University Press, 1999), 156.

[35] See Léopold Trepper, *The Great Game: Memoirs of the Spy Hitler Couldn't Silence* (New York: McGraw-Hill, 1977); and Gilles Perrault, *The Red Orchestra*, trans. Peter Wiles (New York: Simon & Schuster, 1969).

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The Soviets used illegals like Mally and Trepper because they had the sophistication and skills to blend in with their surroundings. They, in turn, served the Soviet Union because they were convinced that its triumph would advance the cause of humanity. In the service of that cause they willingly risked their lives and sought to subvert and weaken enemies of the Soviet Union. While their unhappy fates were partially linked to suspicions that as foreigners and, in Trepper's case, as a Jew, they were inherently suspicious, under Stalin even native-born intelligence officers were frequent victims of waves of purges that swept through the intelligence agencies. Part of the admiration for their exploits, no doubt, is connected to the punishment to which they were subjected by the regime that they had so loyally served.

The Soviets used "illegals" as spies in the United States because they knew that American counterintelligence agencies carefully watched and monitored the activities of Soviet diplomatic personnel in order to detect their involvement with espionage. Although the KGB station chief in the United States during much of World War II, Vasili Zubilin, nominally a Second Secretary in the Soviet consulate in New York, was able to evade surveillance at times and meet with agents, it was a time-consuming process and not always successful. For example, one FBI bug planted in the home of an American Communist official in California in 1944 overheard Zubilin offering money in return for the use of a group of sources.[36]

The illegals, however, were unknown to the FBI. At the same time that Zubilin was being followed, Ishak Akmerhov was living under an assumed name in Baltimore, Maryland, posing as a fur merchant. Akmerhov was a Tatar and a veteran KGB officer who had served illegally in the United States in the 1930s and returned illegally in the early 1940s. He supervised a number of spies who were able to meet with him and turn over material that they had filched from the government offices in which they worked. Akmerhov sent 59 rolls of microfilm to Moscow in 1942, 211 in 1943, 600 in 1944, and 1,896 in 1945.[37] He returned to Moscow in 1946, received a decoration, and continued to work for the KGB until his retirement. Not until after he left the United States did American counterintelligence learn about his activities.

Soviet citizens arrested in the United States for spying might not enjoy diplomatic immunity, but their status was different from American spies. In 1957, for example, the FBI arrested a man known as Rudolph Abel. His real name was William Fischer. Born in Great Britain to a Russian émigré family that returned to Soviet Russia when he was a young boy, Abel was later recruited into the KGB. In 1948 he entered the United States on a false passport, and then lived quietly in New York, posing as an artist,

[36] See Haynes and Klehr, *Venona*, 230–31.

[37] Christopher Andrew and Vasili Mitrokhin, *The Sword and the Shield: The Mitrokhin Archive and the Secret History of the KGB* (New York: Basic Books, 1999), 111, 118, and 129.

while running several agents, including Ted Hall and Morris and Lona Cohen (discussed below).

Abel, who had left his wife and children in the Soviet Union, was arrested in 1957 after his assistant, a Soviet illegal with a severe drinking problem, turned himself in to U.S. authorities. At the subsequent trial, Abel's defense lawyer attempted to discredit this man, Reino Hayhanen, by noting that "he entered the United States on false papers . . . he has lived here every day only by lying about his true identity, about his background, about every facet of his everyday life . . . he was trained abroad in what his 'cover' should be here, meaning that he was trained in the art of deception. He was trained to lie. In short, assuming that what the government says is true, this man is literally a professional liar."[38] The jury found the argument unpersuasive because it described Abel as much as Hayhanen. Every illegal has to be a professional liar. After serving several years in prison, Fischer was exchanged for Francis Gary Powers, pilot of the U-2 spy plane that had been shot down over the Soviet Union in 1960. Abel earned the grudging admiration of his American captors for his professionalism, dedication, and discipline.

If the first category of spies consists of those who serve their country or adopted nation, the second is comprised of those who betray it. Beginning with Benedict Arnold, Americans have been harshly unforgiving of those citizens who have provided enemies with America's secrets or turned on their own country to serve another. Even when a spy's employer has been a country with which America is friendly, both the public and the government have reacted with fury. When Jonathan Pollard was arrested in 1985 for spying for Israel, an ally of the United States, the Justice Department sought and received one of the harshest punishments ever for peacetime espionage, despite Pollard's claim that he never intended to harm the United States.[39]

The citizen who spies for another country violates one of the most basic clauses of the democratic social contract; by his actions he threatens the ties that bind a country of individuals together. Having freely consented to become a citizen or choosing to remain one despite the option of leaving, an American is regarded as a traitor (in fact if not in law) if he or she places loyalty to another country above loyalty to America. The sense of betrayal is relevant in a way that it is not if the spy is a resident alien or other kind of noncitizen. (Only in recent years has the issue of dual citizenship and dual loyalty become a complicating factor.) While a noncitizen resident in America is expected to obey American laws, only a citizen owes loyalty to the nation.

[38] Louise Bernikow, *Abel* (New York: Trident Press, 1970), 155.

[39] Wolf Blitzer, *Territory of Lies: The Exclusive Story of Jonathan Jay Pollard, the American Who Spied on His Country for Israel and How He Was Betrayed* (New York: Harper & Row, 1989).

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The disdain in which such spies are held is linked to the motives that most have for spying. Like Judas or Benedict Arnold, most are not very admirable people. In recent years, virtually every American citizen charged with and convicted of espionage has spied for base motives. Aldrich Ames, a CIA officer arrested in 1994 for spying for the Soviet Union and providing information to the KGB that led to the deaths of at least ten Soviets who were cooperating with American intelligence, was greedy. He sold to the Soviets, in return for direct payments of $2 million to support a lavish life style, the names of more than two dozen "human assets," as well as information compromising CIA officers and covert operations.[40] John Walker, Jr., who had recruited his own son, brother, and best friend to spy for the Soviet Union, likewise had no ideological ax to grind. Arrested in 1985, this retired Navy man and a one-time member of the Ku Klux Klan had supplied the Soviets with highly classified communications and encryption information over a seventeen-year span, simply for money.[41] Robert Hanssen, an FBI counterintelligence agent who received a life sentence in May 2002 for spying for the Soviet Union and then Russia, from 1985 until his arrest in February 2001, appears to have been motivated by a desire to demonstrate that he could outsmart people whom he regarded as his intellectual inferiors.[42]

It is usually human weaknesses that lead people to turn on their own countries, even when those countries have despicable regimes. For example, Reino Hayhanen, Rudolph Abel's assistant who betrayed him, was no devotee of democracy. Hayhanen had just been recalled to Moscow because his drinking was interfering with his work. He turned himself in to the American embassy in Paris rather than face demotion and punishment in Moscow. By all accounts, he was far less impressive a human being than Abel, even though the latter faithfully served an unpalatable regime.

The three hundred or so Americans exposed by the Venona decryptions were not, with possibly an exception or two, spies for such base reasons as ego, money, or avoiding disgrace. Not all of the people revealed in the decryptions, in fact, were conventional spies, stealing secrets and turning them over to another government. Some were talent spotters, identifying potential recruits for Soviet intelligence; others were couriers, ferrying information from a spy to a KGB officer; others operated safe houses where KGB officers could meet their sources; and still others performed various kinds of support work that enabled the spy rings to flourish.

[40] David Wise, *Nightmover: How Aldrich Ames Sold the CIA to the KGB for $4.6 Million* (New York: HarperCollins, 1995).

[41] Pete Earley, *Family of Spies: Inside the John Walker Spy Ring* (New York: Bantam Books, 1988).

[42] Elaine Shannon and Ann Blackman, *The Spy Next Door: The Extraordinary Secret Life of Robert Philip Hanssen, the Most Damaging FBI Agent in U.S. History* (Boston: Little, Brown, & Co., 2002).

Many of these people incurred expenses and were reimbursed. A few were supported full-time to enable them to work exclusively for Soviet intelligence. During this period only a tiny handful of Soviet spies, however, were bought and paid for. KGB records shown to an American historian identify one particularly remarkable mercenary spy, Congressman Samuel Dickstein, a New York Democrat, whose chief claim to fame is that he introduced the resolution that created in 1938 the first Special Committee on Un-American Activities, known as the Dies Committee. Code-named Crook, demonstrating that the KGB had a sense of humor, Dickstein hoped to use the Committee to develop information on Nazi activities in America that he could then turn over to the Soviets for money. History sometimes takes ironic turns, but few more devilish than this. The KGB aided and abetted the creation of what would become the symbol of anticommunism in America: the House Committee on Un-American Activities. Eventually concluding that Dickstein's information was not worth what they were paying him, the KGB dropped him from its roster, and he moved from the House of Representatives to a New York judgeship.[43]

IV. Justifying Espionage

Most of the Americans who spied for the Soviet Union in the 1930s and 1940s did not do so for money. A few received bonuses or expenses but virtually all of them spied because of ideological enthusiasm. They were Communists or Communist sympathizers, committed to the Soviet Union. In the Venona decryptions, the KGB's code name for American Communists was "Fellow Countrymen." And for many spies, the Soviet Union was, if not their native land, a second homeland, more deserving of loyalty than the land of their citizenship.

Three examples are representative of these ideological spies. Nathan Gregory Silvermaster, a government economist and leader of a productive spy ring that included Harry Dexter White, an assistant secretary of the U.S. Treasury, first volunteered his services to Soviet intelligence after the Nazi attack on the USSR. Upon being awarded a medal for his work, Silvermaster told his Soviet controller, Ishak Akmerhov, that "his work for us is the one good thing he has done in his life."[44] Philip Jaffe was a wealthy, pro-Communist, greeting-card manufacturer, editor of a left-wing magazine (*Amerasia*), and an aspiring Soviet spy. In 1945 an FBI wiretap overheard Jaffe explain that a real radical had to be prepared to defend the Soviet Union at all times: "I would say that the first test of a real radical is, do you trust the Soviet Union through thick and thin, regardless of what anybody says? It's the workers' government, the one

[43] Allan Weinstein and Alexander Vasiliev, *The Haunted Wood* (New York: Random House, 1999), 140–50.

[44] Venona 1635 KGB New York to Moscow. November 21, 1944.

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shining star in the whole damned world and you got to defend that with your last drop of blood."[45] In late 1948 or early 1949, Julius Rosenberg told his brother-in-law David Greenglass, whom he had recruited for atomic espionage when the latter served at Los Alamos during World War II, that "we've got to be like soldiers. It doesn't matter if Stalin is sending his troops to be killed. What difference does it make as long as the victory is ours?"[46]

This vicarious identification with the Soviet Union had several sources. Many of the spies or their parents had been born in Russia. A visceral Russian loyalty animated them. Many were Jews who believed that the Soviet Union had abolished the anti-Semitism that had driven their families to America. Most were convinced that the USSR was building a shining new egalitarian society that would usher in the kingdom of heaven on earth. Others saw Stalin as the great bulwark against fascism and were filled with admiration for the heroism and sacrifice of the Russian people in standing up to Hitler.

Harry Gold was not a Communist, but scarred by exposure to American anti-Semitism and convinced that the USSR was embarked on a noble economic experiment, he agreed to provide industrial secrets to the KGB and then to work as a courier for Los Alamos physicist Klaus Fuchs and Army sergeant David Greenglass. Morris Cohen was a New York high-school football star who attended Mississippi A&M College. He joined the Communist Party of the United States (CPUSA) in 1935, and two years later he enlisted in the International Brigades to fight the Franco forces in Spain. Wounded in battle, he volunteered for special assignments and soon entered a select Soviet school in Barcelona to train intelligence operatives. "[T]he Soviet comrades," he later told an interviewer, "suggested that fighting against fascism could be advanced by going into [their] Service. . . . So I said to the comrades: 'Yes.' "[47]

Cohen did not reveal his espionage activities to his wife, fellow-Communist Lona Petka, until after they were married. She was initially horrified and accused him of treason, but Morris explained to her that "if I betrayed America for money, or if I had betrayed the party or my convictions, that would have been a different thing since I would have betrayed the ideas which made up my credo."[48] Lona was persuaded and herself became a courier for a Soviet spy ring that smuggled atomic secrets out of Los Alamos. The Cohens quietly dropped out of sight and left the United States as members of Julius Rosenberg's spy ring were

[45] To the Director from SAC Guy Hottel; June 14, 1945; FBI File 100–267360–531, Box 120, Folder 6, Philip Jaffe Papers, Emory University.

[46] Ronald Radosh and Joyce Milton, *The Rosenberg File: A Search for the Truth* (New York: Holt, Rinehart & Winston, 1983), 73.

[47] Joseph Albright and Marcia Kunstel, *Bombshell: The Secret Story of America's Unknown Atomic Spy Conspiracy* (New York: Times Books, 1997), 32.

[48] Ibid., 48.

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being arrested in 1950. They themselves were arrested in 1961 in Great Britain, where they had been posing as rare-book dealers, using the identities of a deceased couple, Peter and Helen Kroger, while working for Soviet intelligence. In 1967, they were exchanged for a British academic falsely accused of espionage by the Soviets. This is the only known case of the USSR repatriating spies who were not Soviet citizens, although they both later received Soviet citizenship and died in Russia.

One of the Cohens' espionage contacts while they were in the United States was Theodore Hall, who offered yet another high-minded motive for committing espionage. One of the major surprises of the Venona documents was the revelation that Hall, a young, Harvard-educated physicist, had been an important Soviet spy at Los Alamos during the development of the atomic bomb. Hall had graduated from Harvard College in 1944 when he was only eighteen years old. He was immediately recruited by the Manhattan Project and dispatched to New Mexico, where he did work on the physics of implosion. Returning home on leave in October, he told his college roommate, Saville Sax, like Hall a fervent young Communist, the nature of his work. They agreed that the Soviet Union should be informed. Sax meandered around New York looking for a KGB officer and was eventually led to Sergey Kurnakov, a Russian journalist who worked for Soviet intelligence. Kurnakov met with Hall and found him to be "politically developed," but asked nonetheless why he was willing to turn over American secrets. Hall responded, according to Kurnakov's report to Moscow, that "there is no country except for the Soviet Union which could be entrusted with such a terrible thing." He worried that after the war the United States might blackmail the Soviet Union if the U.S. had a monopoly on atomic weapons.[49]

When his espionage activities were disclosed in 1995, Hall was living in retirement in Great Britain. Although the FBI had investigated and questioned Hall in the 1940s and 1950s, it had never been able to gather enough evidence to indict or to try him. As a matter of policy the government had determined never to use in court any Venona material. So, even though the government knew he had been an important Soviet atomic spy, it would not indict him unless it could develop other admissible evidence that demonstrated his guilt. No American scientist turned over more significant information about the atomic bomb than Hall. (Klaus Fuchs, who was convicted of atomic espionage by the British in 1950, was not an American, but a German-born British physicist who had worked and spied at Los Alamos. Robert Oppenheimer, director of Los Alamos during the war, has been accused of being a Soviet source. His relationship with Soviet intelligence is still not entirely clear, although recent

[49] Weinstein and Vasiliev, *The Haunted Wood*, 196.

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evidence suggests that he did cooperate with the KGB. If true, this would demote Hall to the second most important American atomic spy.)[50]

After release of the Venona material exposing him, Hall was unapologetic about his actions. He explained that "during 1944 I was worried about the dangers of an American monopoly of nuclear weapons if there should be a postwar depression" because it might encourage a fascist America to launch a nuclear war. While admitting that he had been mistaken about "the nature of the Soviet state," he still believed that he had contributed to world peace by ensuring a nuclear balance of terror. "I still think that brash youth had the right end of the stick. I am no longer that person; but I am by no means ashamed of him."[51] After his death in 1999 Hall's wife, Joan, was more vehement, defending his "humanitarian act." His daughter praised his espionage and called for a new generation of scientists "who dare to come forward as he did."[52]

There is a clear difference between explaining the motives that led people to betray their country and justifying that betrayal. That Ted Hall believed the United States would become a fascist country after World War II and that the Soviet Union needed to be able to protect itself may explain why he gave the KGB vital defense information. It hardly justifies his act, as the Hall family seems to believe. In any case, the justifications for their actions offered by the spies themselves must be taken with a large dose of skepticism. By his own admission Ted Hall, who was in the Army at Los Alamos, violated his oath of allegiance, to say nothing of the fact that he lied to and deceived his coworkers, security officials, FBI interrogators, and numerous other people about his actions over the years. Documentary evidence also demonstrates that Hall's belated justification for his treachery, that he wanted to contribute to a nuclear balance of terror, is an ex post facto rationalization. His explanation to Kurnakov in 1944 suggests that he was providing atomic information to the Soviet Union because he had more faith in Stalin's Russia than he did in the United States. It was, he thought, the only country that could be trusted with such information. In addition, Hall did more than give the KGB data while the war was raging. He remained in touch with Soviet intelligence after he left Los Alamos in 1946 and helped it recruit at least two other atomic scientists over the next few years.

Despite his daughter's portrait of Hall as a courageous dissenter, he did not "come forward" to protest American policies that he opposed or thought dangerous. He never "took credit" for what he had done; he only

[50] On Oppenheimer see Jerrold and Leona Schecter, *Sacred Secrets: How Soviet Intelligence Operations Changed American History* (Washington, DC: Brassey's, 2002), 50.

[51] Albright and Kunstel, *Bombshell*, 288–89.

[52] Joan and Ruth Hall, interviewed in "Family of Spies," *Secrets, Lies, and Atomic Spies*, a NOVA television production (Boston, MA: WGBH Educational Foundation, 2002). Transcript available on-line at http://www.pbs.org/wgbh/nova/venona/fami_joanhall.html.

admitted his espionage after he was publicly exposed by Venona material released fifty years after his actions. Hall, in fact, had an opportunity to come forward and to take credit for enabling the USSR to construct an atomic bomb. Shortly before the Rosenbergs' execution, Hall, consumed by guilt, suggested to his KGB controller that he should go to the authorities. Since in sentencing them to death, the judge had blamed the Rosenbergs for giving the Russians "the secret of the atomic bomb," Hall thought that confessing his own, far more important role in atomic espionage might save them from their fate. The Russian disagreed. So did his wife to whom he had confessed his espionage activities before they were married. Faced with this moral dilemma, Ted Hall did nothing. On the day of the Rosenbergs' execution, the Halls drove past Sing Sing prison on their way to a dinner party. They were distressed.[53]

The emotional loyalty of children to their parents should also not blind us to the costs that spies impose on their families. Since 1975, the Rosenberg children have attempted to rehabilitate their parents' reputations, charging in books, articles, interviews, and documentaries that they had been framed and persecuted by a corrupt and vengeful government.[54] Even the Venona decryptions and the revelations of the Rosenbergs' one-time KGB controller, Alexander Feklisov, in his autobiography and in film interviews, about Julius's key role in espionage, have elicited only their grudging admission that Julius might have been a low-level spy.[55] What these now-adult offspring have been unable to confront is that their parents, who could have saved their lives by confessing to espionage, chose to become martyrs and consciously made their children orphans rather than admit what they had done.

In the wake of the Venona revelations other commentators have adduced a variety of additional justifications for the espionage committed by American citizens during this era. For decades, defenders of spies such as Alger Hiss, Harry Dexter White, or the Rosenbergs based their arguments on the innocence of their subjects. They were not spies but had been framed. Cold War tensions, a repressive and corrupt FBI, and a coterie of liars and perjurers had resulted in a series of miscarriages of justice. Patriotic Americans, guilty of nothing more than progressive sympathies, had been tarred and, in the case of the Rosenbergs, murdered after falsely being accused of espionage. There was, in other words, no need to justify espionage because none had taken place. But, it turns out that documentary evidence from multiple sources demon-

[53] Albright and Kunstel, *Bombshell*, 240.

[54] See, most notably, Robert and Michael Meeropol, *We Are Your Sons: The Legacy of Ethel and Julius Rosenberg* (Boston: Houghton Mifflin, 1975). The Rosenberg children were adopted and their last names were changed.

[55] Alexander Feklisov and Sergei Kostin, *The Man Behind the Rosenbergs*, trans. Catherine Dop (New York: Enigma Books, 2001); and Robert and Michael Meeropol, interviewed in "Family of Spies," *Secrets, Lies, and Atomic Spies*; transcript available on-line at http://www.pbs.org/wgbh/nova/venona/fami_meeropol.html.

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strates that Hiss, the Rosenbergs, and White, among many others, did cooperate with Soviet intelligence. This evidence has led to a number of efforts to minimize, rationalize, or justify espionage.

The most famous rationale used to justify espionage comes from a remark by British novelist and essayist E. M. Forster. Anthony Blunt, eminent art historian and pillar of the British art world, when he was publicly exposed as a Soviet spy in 1979, quoted Forster's remark of 1939: "[I]f I had to choose between betraying my country and betraying my friend, I hope I should have the guts to betray my country."[56] Blunt was being rather unfair to Forster. Taken in context, Forster's remark was a condemnation of not only patriotism, but Communism as well. Immediately before making his choice between friend and country, Forster noted: "[P]ersonal relations are despised today. They are regarded as bourgeois luxuries, as products of a time of fair weather which is now past, and we are urged to get rid of them, and to dedicate ourselves to some movement or cause instead. I hate the idea of causes." And just after defending personal relationships—that bourgeois affectation—Forster defended democracy as "less hateful than other contemporary forms of government" because of its assumption that the individual is the basic unit of society.[57]

Blunt's rationale is, in any case, not very persuasive. Far more than Great Britain, which was a real country inhabited by real people with real institutions, communism was an ideal vision. A spy like Blunt did more than betray an abstraction like the state. For a cause, he also betrayed family and friends and coworkers, who believed him to be what he was not—a loyal citizen and an honest man. The number of relatives and friends he betrayed dwarfed the handful of fellow spies and Communists whom he protected in the name of loyalty.

Several historians have recently suggested that those Communists who spied out of idealism were premature citizens of a global world. Notions of patriotism that stress loyalty to a single nation are, they believe, either outmoded or inappropriate to understanding ideological espionage. Ellen Schrecker, author of several books on McCarthyism, and former editor of *Academe*, the journal of the American Association of University Professors, has conceded that American Communists spied for the Soviet Union, but asks "were these activities so awful?" She notes that "it is important to realize that as Communists these people did not subscribe to traditional forms of patriotism; they were internationalists whose political allegiances transcended national boundaries. They thought they were 'building . . . a better world for the masses,' not betraying their country."[58]

[56] Miranda Carter, *Anthony Blunt: His Lives* (New York: Farrar, Straus, & Giroux, 2001), 178.

[57] E. M. Forster, *Two Cheers for Democracy* (New York: Harcourt, Brace & Co., 1951), 68–69.

[58] Ellen Schrecker, *Many Are the Crimes: McCarthyism in America* (Boston: Little, Brown & Co., 1998), 178–79, 188.

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Likewise, Bruce Craig, director of the National Coordinating Committee for the Promotion of History, attempting to justify Harry White's espionage, has linked it to Franklin Roosevelt's policy of friendship with the Soviet Union: "In his [White's] mind he could justify transmitting oral information to the NKVD . . . and, based on the assumption the information he was providing did not harm American interests, he was willing to give his handlers his personal opinions and observations on the future course of American politics." Peering retroactively into White's mind, Craig judges that "he probably believed that by answering questions posed by representatives of the Soviet underground he would be able to provide America's present and future friend with an insider's view of the American bureaucracy and thereby advance the goal of Soviet/American partnership." For Craig, "in the final analysis White's loyalties transcended any that he might have felt for his ancestral homeland of mother Russia or for the country of his birth."[59]

Craig ignores inconvenient facts. White did more than provide answers to innocuous questions about the bureaucracy or his personal views: one Venona cable shows White providing a KGB agent with the details of America's negotiating position at the first United Nations conference in San Francisco. He also had worked for Soviet intelligence since 1936, well before there was any "partnership" with the USSR. And while "his ancestral homeland" of Russia knew about his loyalty, or lack thereof, the United States, his country of birth, did not know about his loyalty to Communist Russia. Like Schrecker's transcendence, Craig's is asymmetrical.

The Soviet Union's American spies did not provide information to some mythical transcendent authority or some nonexistent world government but to the intelligence services of a foreign country. It is true that the United States and the Soviet Union were allies when much—but not all—of the espionage revealed by Venona took place. The USSR had suffered greatly resisting Nazism. Ted Hall argued that it therefore deserved to receive any information that would be of use to it. Robert Meeropol, son of the Rosenbergs, thinks that atomic scientists like Fuchs and Hall were simply "sharing information with their Soviet counterparts." While some people regard such activities as spying, others, like Meeropol, think of them simply as acts of "international cooperation."[60] Likewise, Victor Navasky, former editor of *The Nation*, has contended: "There were a lot of exchanges of information among people of good will, many of whom were Marxists, some of whom were Communists, some of whom were critical of US governmental policy and most of whom were patriots."[61]

[59] Bruce Craig, " 'Treasonable Doubt': The Harry Dexter White Case" (Ph.D. diss., American University, 1999), 581, 585–86, and 588.

[60] Robert and Michael Meeropol, "Family of Spies," *Secrets, Lies, and Atomic Spies*.

[61] Victor Navasky, "Cold War Ghosts," *The Nation*, July 16, 2001. As cited on-line at http://www.thenation.com/doc.mhtml?i=20010716&s=navasky.

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Such arguments substitute the individual judgment of a single citizen for the legal authority of a democratic government. If Franklin Roosevelt had decided to share atomic information with Joseph Stalin, then it might have been a wise or a stupid policy decision, but Roosevelt was legally authorized to do so. He was answerable to the people of the United States. If Ted Hall had moral qualms about building an atomic bomb, then he was free to leave Los Alamos; at least one prominent scientist, Joseph Rothblatt, did. If Hall believed that classified scientific information should have been shared with Russian scientists, then he might have argued for such a policy. However, neither the law nor his fellow citizens authorized Hall to give sensitive information to anybody he chose, much less an intelligence officer of another country. And Hall did not ask anyone's permission. He did not choose to renounce his American citizenship after the war ended and move to the USSR to help it build an atomic bomb. Most tellingly, the information about the atomic bomb had nothing to do with helping the Soviet Union fight Germany, nor did all of the details about American diplomatic and military matters that these spies gave to the KGB. Most of the information was useful in helping undermine American interests or advance Soviet interests in the postwar world. Even if the spies believed that they were advancing the cause of Communism in the United States, their chosen means provided a direct benefit only to the Soviet Union. In fact, their spying required them to avoid participation in above-ground Communist activities for fear that FBI agents monitoring the Communist Party might stumble over espionage activities.

Another justification offered by apologists or the spies themselves for having committed espionage is that the spies actually assisted the United States. Hall hinted at this in his belated admission, maintaining that the information enabled the Soviet Union to resist American hegemony and thus benefited the cause of world peace and, ultimately, America. Historian Athan Theoharis has similarly argued: "American spies may have aimed to further Soviet interests and betray their own nation, but the effect of their actions compromised neither long-term nor immediate U.S. security interests." In fact, argues Theoharis, the theft of American secrets was actually in America's interests: "[T]he information about U.S. industrial productivity and military strength provided by the Silvermaster group—the numbers being overwhelming—might have deterred Soviet officials from pursuing an aggressive negotiating strategy."[62]

Like several other attempts to excuse espionage, this one fails to meet minimal tests of accuracy about the facts. A great deal of the information that was passed on to the USSR in the 1940s remains unknown because the Venona decryptions largely deal with tradecraft and not the actual espionage "take" that was shipped to Moscow in diplomatic pouches.

[62] Athan Theoharis, *Chasing Spies: How the FBI Failed in Counterintelligence but Promoted the Politics of McCarthyism in the Cold War Years* (Chicago, IL: Ivan R. Dee, 2002), 16–17.

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Much of the data that was sent to the USSR by American spies enabled it to develop nuclear bombs, radar, jet engines, proximity fuses, and other high-tech weapons. Science and technology espionage saved the USSR billions of rubles over the years and enabled it to maintain military parity with the West.[63] Other information enabled the Soviet Union to know in advance American negotiating tactics at such sensitive meetings as Yalta and the United Nations conference in San Francisco. The claim that such espionage prevented World War III is far less credible than the assertion that by strengthening the Soviet Union it prolonged and worsened the Cold War.

V. Conclusion

All countries spy. Since the United States has engaged in espionage, how can its government or citizens become indignant or mount a moral high horse about Soviet espionage? Theoharis writes:

> Nor was it particularly unusual that Soviet agents operating in the United States during World War II recruited ideologically driven sources. Both U.S. and Soviet intelligence operatives paid the sources they recruited, and both also looked for recruits who for ideological reasons were willing to betray their country's secrets—whether they were committed American Communists and Communist sympathizers (for the Soviets) or disaffected Soviet Communists (for the United States).[64]

There are numerous flaws in this comparison, beginning with the inconvenient fact that neither the United States nor Britain aggressively spied on their Soviet ally during World War II. Trying to read Soviet coded cables was a passive kind of spying far less intrusive than the use of hundreds of active American agents recruited by Soviet intelligence. In fact, when key Soviet agents Kim Philby, Guy Burgess, and Donald Maclean reported to the KGB that Great Britain had suspended efforts to spy on the USSR during World War II, Stalin concluded that they must be lying and were most likely double agents. He could not believe that any capitalist government would forgo the opportunity to spy on the Soviet Union; after all, his regime had mounted an extraordinarily large espionage assault on the United States and Britain precisely when they were allies. As a result of Stalin's incredulity, for several years the KGB seri-

[63] Andrew and Mitrokhin, *The Sword and the Shield*, 216–20.
[64] Theoharis, *Chasing Spies*, 237–38.

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ously believed that its most well-placed British spies were feeding it disinformation.[65]

Theoharis also implies that the nature of the regime for which one works is irrelevant. Is a disaffected Soviet citizen who spies for America because he believes in democracy the moral equivalent of a disaffected American citizen who spies for Russia because he thinks that America is a bourgeois dictatorship and Stalin's USSR a real democracy? Both may "legally" be put to death by the regimes that they betray, but the regimes themselves are not morally equivalent. In any kind of moral calculus, the regime that a spy serves is relevant. Spying for an ally, like the Soviet Union during World War II, is morally and legally different from spying for an enemy such as Nazi Germany. But there is also a moral difference between spying for a democracy and spying for a totalitarian regime.

Just as the regime that one serves must be taken into account in any moral calculus, so must the regime one betrays. Many of the spies exposed by Venona had taken explicit oaths of allegiance to the United States, either when they became naturalized citizens, or when they joined the armed forces or entered government service. They had agreed to security restrictions. They lived in a democratic country with laws that prohibited them from transmitting secret or sensitive information to any unauthorized person. Lauchlin Currie, a Harvard-trained economist, was a Canadian who became a naturalized American citizen in 1934, the same year that he went to work for the U.S. Treasury Department. In 1939 Whittaker Chambers, a one-time Soviet spy who exposed Alger Hiss, told a State Department official that Currie had assisted a Soviet espionage ring. Currie is identified in Venona as being an important Soviet source while serving as a presidential assistant and administrator of the Foreign Economic Administration. Currie chose to become an American citizen and chose to work for the American government. He did not turn over confidential information to other American allies but only to the Soviet Union. When he appeared before the House Committee on Un-American Activities after being named as a spy by Chambers and by Elizabeth Bentley (another defector from Soviet intelligence), Currie lied under oath. He then moved to Colombia and eventually became a citizen of that country. His allegiance to the United States may have been fleeting, but it was in force when he turned over confidential information to the KGB.[66]

All of these spies betrayed their country, but virtually none renounced his American citizenship or the privileges it provided. (Currie is one of

[65] Nigel West and Oleg Tsarev, *The Crown Jewels: The British Secrets at the Heart of the KGB Archives* (London: HarperCollins, 1998), 159–68.

[66] On Currie, see Haynes and Klehr, *Venona*, 145–50. Roger Sandilands, a protégé of Currie and a British academic, has denied that Currie was a spy. See Roger Sandilands, "Guilt by Association? Lauchlin Currie's Alleged Involvement with Washington Economists in Soviet Espionage," *History of Political Economy* 32, no. 3 (2000): 473–515.

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the few exceptions.) When a number of these spies were subpoenaed before congressional committees, they exercised their rights under the Fifth Amendment to refuse to answer and were not punished. Most of the American citizens identified in the Venona decryptions were never prosecuted because the government could not develop additional corroborating evidence and did not want to publicly divulge the Venona project. Despite unequivocal evidence of their guilt contained in Venona decryptions, the American legal system protected them from summary arrest and conviction. Some lost government jobs or suffered public humiliation or scorn, but otherwise they escaped the legal consequences of their actions. The American legal system and its constitutional protections that they worked so zealously to subvert spared them.

To be a spy is to engage in deception and lying. Even if spying does not directly involve betrayal, it requires encouraging others to betray their country. It may lead to preying on human weakness and greed. Yet, the gentlemanly view that spying is always dishonorable is both naïve and dangerous. Whether deception and betrayal are justified cannot be determined in the abstract. Some regimes are so odious that remaining loyal to them taints an individual. Some enemies are so dangerous that their defeat transcends other reservations. Some motives that lead to betrayal are base and dishonorable, but others may be admirable. Good regimes and good motives may not, of course, always coincide. That many Americans who spied for the Soviets were idealists does not compensate for their betrayal of American secrets. German Communists who spied for the Soviet Union during World War II were in a very different situation. By the same token, Soviet citizens who betrayed their country because they believed in democracy surely merit a different evaluation than Americans who chose to spy on behalf of the Soviet Union. Perhaps E. M. Forster got it wrong when he denigrated the value of causes and insisted on remaining loyal to his friend. There are countries whose values are worth defending, even if that defense sometimes requires betraying one's friend or other unpalatable deeds. Some causes are not worth betraying either friend or country: Communism was one of these causes.

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