

Postmortem On Terrorist Trial

THIS COLUMN, for want of a better term, might be called a postmortem. It offers a few thoughts about an event that, as far as most of us are concerned, is over.

In a general sense, this is about the five-week trial of three Cuban exiles convicted in Washington of taking part in the assassination of former Chilean diplomat Orlando Letelier. The one-time Chilean ambassador to the United States and a young co-worker died violently when a bomb ripped through his car as he drove to work downtown in Washington.

The enormity of that crime shocked Washington. *The Washington Post* described that killing as the most brazen act of political terrorism ever to occur in the nation's capital.

This week the three anti-Castro Cubans were convicted for their roles as the "hit men" for the Chilean secret police (DINA). That is history.

I would guess that few readers saw that conviction as very unusual. After all, it was a simple case of justice: a man who happened to have been a diplomat is murdered; his killers are caught, brought to trial, and found guilty.

We take such things for granted. Perhaps we shouldn't.

Until Thursday morning — the day after the convictions — I looked at the verdict in much the same way. What changed my perspective and brought on this post-mortem, was the front pages of many newspapers that morning.

On the same front page, many papers reported both the convictions in the Letelier assassination and the murder of Adolph Dubs, U.S. ambassador to Afghanistan.

There is a certain irony in that. Nowhere in the stories about Dubs' murder was there a promise from the Afghanistan government that the responsible persons would be brought to justice. I doubt that the State Department expects them to be.

Yet in the streets of our capital, when a former ambassador from an unfriendly regime dies, the fact that his killers are convicted causes few raised eyebrows. We have come to expect that.

But perhaps we should stop and ask why the killers of a former ambassador here were hounded until convicted and why there is so little hope that the killers of our ambassador won't be known.

The difference, I suggest, is the American people's sense of moral outrage. The Justice Department in general and the FBI in particular reflected that outrage in investigating the killing. They were not going to tolerate any terrorism in Washington, D.C. That's all there was to it.

For two years, the FBI tromped with hob-nailed boots over diplomatic sensitivities that our State Department feared to offend. The FBI traced the conspiracy back through the Cuban hired goons to the doorstep of Chile's military junta — a junta the CIA had helped put into power.

The interesting thing about the investigation is that, at several junctures along the way, the FBI could have chosen a less diplomatically dangerous path that would still have let them bring someone to justice.

For example, when the FBI got



**OUR MAN
IN WASHINGTON**
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its key witness in the case, the American-born DINA agent Michael Townley, it could easily have charged him with murder and won a conviction.

Only a few days after Townley was brought back to the United States for questioning, the FBI in Miami arrested two of the Cubans who would later be charged in the killing. By making a deal with the Cubans, the FBI doubtless could have laid the Letelier murder on Townley and closed the case. Indeed, there was subtle pressure on them to do that.

But the problem with such a strategy, the FBI realized, was that while the Cubans could give them a Townley conviction, only Townley could get them to the real culprit — DINA. Under a different Administration (after all, Nixon helped set up the Chilean junta) matters might have ended there; the FBI agents might have been asked to back off and avoid offending an ally.

But the FBI outrage was so great, nobody dared to suggest that.

A controversial plea-bargaining agreement was struck with Townley letting him plead guilty to a lesser crime. In return last week, Townley's testimony was instrumental in convicting the Cubans.

Efforts continue to extradite these DINA officers who, Townley testified, ordered him on the assassination mission.

In retrospect, as *The Washington Post* editorialized, the convictions are "an amazing beating of the odds against any likelihood that the combined and cumbersome American systems of justice, intelligence, and diplomacy could or would pursue the killers across national boundaries and eventually into court."

But there is a further irony in the story that redounds to the FBI's credit. Their relentless investigation was done to make justice work on behalf of Orlando Letelier.

And who was Letelier? A former ambassador, yes, but an ambassador from the Marxist government of the late Chilean President Salvador Allende. It was a government the United States considered so hostile that it directed the CIA to "destabilize" it.

Letelier, who lived in Washington in exile, worked for the Institute for Policy Studies — an operation now commonly called a "leftist think tank."

But only a few years ago it was called something much worse than that. The institute was suspected of harboring avowed Communists. The FBI kept the Institute under surveillance and, many people suspected, probably tapped its phones and read its mail.

Perhaps the fact that this same FBI worked so hard to solve Letelier's murder is an indication that the bureau has freed itself of its Red-baiting image.

As far as terrorism is concerned, we should be outraged more often.