Comments & Responses

Intelligence Reform

Not long ago, during one of the many terrorism alerts we have endured in Washington, it was made clear that even on matters related to the terrorist threat to the U.S. homeland, our intelligence agencies still refuse to share information. Two important intelligence agencies had different assessments concerning the seriousness of a particular terrorist threat. These differing assessments came about not because of different tradecraft or aggressive alternative analysis, but because one of the agencies did not have access to all the relevant information concerning that threat.

Unfortunately, this situation is not unique. The examples sound like this: Two intelligence agencies, both working on terrorism, will not share intelligence information with each other, even though both agencies are made up of patriotic Americans with the same top secret clearances. This failure to share is glossed over with arguments about security and "need to know", but it mostly comes down to petty bureaucratic politics.

Over the years, the intelligence community has evolved into a system of "have" and "have not" agencies. The agencies that collect the intelligence "have" the intelligence, and the agencies that perform mostly analysis "have not." The intelligence collection agencies enjoy significant clout in our government through their control over the flow of information.

Key terrorism analysts in our intelligence agencies must be given access to every single piece of relevant intelligence data concerning threats to the homeland. When analysts have uneven access to information, policymakers can't tell whether two analysts disagree because one of them has done a better job of sorting through the information, or if they disagree because one just doesn't have access to an important piece of information.

To make matters worse, analysts in the "have not" agencies often don't know what they don't know. What this means is that these analysts often don't even know the right questions to ask in seeking out information because they don't know that the information exists. The intelligence community is not a "level playing field" when it comes to information access.

Another illustration of this sad state of affairs is the National Counterterrorism Center (NCTC). If you visit the intelligence watch center, and look under one of the analysts' desks, you will find an amazing collection of ten or more computers, each with a different connection back to one of our intelligence agencies. In 2005 this bailing-wire solution is the only way we can bring together our vast holdings of intelligence data.

Why is it that this strange arrangement exists? Why don't our intelligence agencies work off of one system in which a properly cleared intelligence analyst can instantly search the data holdings of the entire intelligence community from a single computer?

Simply put, we have this arrangement because knowledge is power. Absent some outside pressure, bureaucracies usually only share valuable information when there is something in it for them. Accordingly, every time the 15 different intelligence agencies have met over the last decade or more to discuss intelligence-sharing, they work

for 15 different bosses, and no one person is in charge to force them to make the compromises necessary to link our intelligence networks.

Those with top secret clearances at one intelligence agency can't imagine how those with top secret clearances at another intelligence agency could possibly be trusted to protect their precious intelligence data, so the networks and databases never get connected.

We count on the analysts at the NCTC to detect terrorist threats to the homeland. It is preposterous that those analysts have to toggle between ten to 15 different computers to find what they need. They should have instant access to every piece of data the intelligence community collects through a single search on a single computer. We need to change the way business is done.

And as bizarre and inefficient as that arrangement at the NCTC is, I'm afraid that's not the worst of it. At least the NCTC's terrorism analysts have access to the relevant computer networks.

If you are a terrorism analyst who works outside the NCTC, you don't get access to all of those different computer networks. And for other targets that are no less important, like North Korea, China or the proliferation of nuclear weapons, none of the analysts, no matter where they work, has access to all the intelligence data we collect on those targets.

If we are to move toward an intelligence community where all analysts, no matter what they work on or where they work, have the full benefit of every relevant piece of data the intelligence community collects, we must reject the concept of "information-sharing" in favor of what I call "information access."

I believe that information-sharing is a limited idea that falsely implies that the data collector is also the data owner. The concept of information-sharing relies on collectors to push information to those analysts who they deem need it. We need new thinking on this issue. While we must continue to protect intelligence sources and methods, cleared analysts with a need to know should be able to use a single computer to pull information from all intelligence databases, without waiting for any one agency to deem them worthy.

This is a challenging proposition. I can assure you that the intelligence collection agencies will not greet such efforts with much enthusiasm. Even with the intelligence failures of 9/11 and Iraq hanging over us, and the staggering willful inability to share information associated with those failures, achieving a free flow of intelligence information over a single computer network has still proved elusive.

It is my hope that Director Negroponte, as our first director of national intelligence, will be able to provide the leadership and, if necessary, a kick in the pants to get our collection agencies to finally perfect the concept of information access. If we are to achieve information access, Director Negroponte is going to have to break rice bowls and step on more than a few toes along the way. I have made it clear to him that he will have my unwavering support every step of the way.

Today's intelligence community is mired in a system in which knowledge is power and the agency you work in can be more important than the strength of your analysis. The closer we move to information access, however, the closer we will move toward a more level playing field for intelligence. Once all analysts, regardless of where they work, have true access to the information they need, the intelligence community will be better able to provide actionable intelligence to both policymakers and warfighters.

The intelligence failures associated with September 11 and the Iraq WMD assessments have been important catalysts for change. Much work, however, remains to be done. The next time the congressional leadership receives an emergency brief on a possible or probable threat to the homeland with the U.S. Capitol in the crosshairs, we must make sure that the analysis at least represents a consensus within the intelligence community. As chairman of the Senate Intelligence Committee, I look forward to the challenge of continuing that work.

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Realism is Right

Last year, in delivering a lecture on the centenary of Hans Morgenthau's birth at the BMW Stiftung Herbert Quandt, I addressed the question of what position Morgenthau would have taken on the Iraq War. (The full text is available at www.opendemocracy.net)

I think that Hans Morgenthau, who some four decades ago made the realist case against escalation in Vietnam using arguments similar to those realists employed in the run-up to the Iraq War, would have opposed that war as well if he had been alive.

More important would be his observations on where we are now in Iraq. Realists tend to believe that the most powerful political ideology on the face of the earth is nationalism, not democracy. President Bush and his neoconservative allies largely ignore nationalism. It is simply not part of their discourse.

Realists, by contrast, think that nationalism usually makes it terribly costly to invade and occupy countries in areas like the Middle East. People in the developing world believe fervently in self-determination, which is the essence of nationalism, and they do not like Americans or Europeans running their lives.

Nationalism can quickly turn liberators into occupiers, who then face a major insurrection. The Israelis, for example, invaded Lebanon in 1982 and were at first greeted as liberators. But they overstayed their welcome and generated an insurgency that drove them out of Lebanon 18 years later.

Morgenthau understood that if the United States committed large-scale military forces to Vietnam, it would face a major-league insurgency that would be extremely difficult to beat. It is natural to conclude that he would have understood that this same basic logic applied to Iraq and thus would have opposed the Iraq War as fiercely as he opposed the war in Vietnam.

Hans Morgenthau was an ardent critic of the American effort to democratize Vietnam in the late 1950s and early 1960s. Morgenthau was not opposed to making Vietnam democratic. He just thought that Vietnam was not ready for democracy and that American efforts to impose it on that country would ultimately fail, regardless of U.S. intentions.

Realists are often accused of disliking democracy and even of being anti-democratic. This is a bogus charge. Every realist I know would be thrilled to see Iraq turned into a thriving democracy. Realists, however, are well aware of the difficulty of spreading democracy, especially by military means. They also understand that even if the enterprise is successful, that is no guarantee that peace will break out. Democracies as well as non-democracies like having nuclear deterrents, and both kinds of states support terrorism when it suits their interests.

Neoconservatives and realists have two very different theories of international politics, which were reflected in their opposing views on the wisdom of invading and occupying Iraq. Actually, the war itself has been a strong test of the two theories. We have been able to see which side's predictions were correct. It seems clear that Iraq has turned into a debacle for the United States, which is powerful evidence—at least for me—that the realists were right and the neoconservatives were wrong.

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Debating the Red Cross

In "Double-Red-Crossed" (Spring 2005), Lee A. Casey and David B. Rivkin, Jr. challenge the effectiveness of the work of the International Committee of the Red Cross (ICRC), particularly in relation to the United States.

First, in relation to the applicability of international humanitarian law, the United States and the ICRC enjoy a healthy debate and open dialogue. Both the United States and the ICRC are inevitably bound by and have the deepest respect for the rule of law. The ICRC has been mandated by the community of nations to monitor the application of

international humanitarian law and, indeed, will do its utmost to honor its responsibility in the interests of the persons the law is designed to protect.

"Double-Red-Crossed" fails to do justice to the ICRC's public and confidential efforts in favor of U.S. POWs captured after World War II. Even a cursory glance at its publicly accessible archives reveals that the ICRC actively sought access to American POWs throughout, among others, the Korean, Vietnamese and Iraqi conflicts. That these efforts, as in other contexts, did not result in full access to persons deprived of their liberty reflects the overall authority of states to comply with their understanding of the rules of law and their political will. The ICRC's efforts undoubtedly pale when compared to the suffering endured by American POWs and their families. But they were not negligible.

Over 12,000 ICRC staff strive to provide protection and assistance to vulnerable populations affected by armed conflict around the world. As President Bush stressed when he met with ICRC President Jakob Kellenberger in February, the humanitarian values the ICRC stands for have long been consistent with the objectives of U.S. national and foreign policy.

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CASEY & RIVKIN respond: In its response to our essay, the ICRC asserts that we failed "to do justice to the ICRC's public and confidential efforts in favour of U.S. prisoners of war captured after World War II." The ICRC further suggests that "even a cursory glance at its publicly accessible archives reveals that the ICRC actively sought access to American POWs throughout, among others, the Korean, Vietnamese and Iraqi conflicts." The ICRC does not, however, give any detail to support this claim. Unfortunately, this is typical of that organization's assertions in this area—its claims are broad, but the detail is wanting.

In fact, having given rather more than a "cursory glance" at the public record, including ICRC materials and others, we have been unable to identify any systematic efforts, during the post-World War II period, by the ICRC to ensure that Americans received the legal rights to which they are entitled under either the Geneva Conventions or customary international law. The ICRC, in the person of its president, did seek to visit three American servicemen who were captured during the 1999 war with Yugoslavia. However, as we heard the story, the ICRC took this action only after receiving complaints from U.S. officials because of its initial inaction.

In any case, we assume that there were isolated ICRC efforts to visit American POWs in Korea, Vietnam and Iraq; we never suggested otherwise. What is very clear, however, is that the ICRC never undertook the type of determined, public campaign on behalf of captured Americans that it has launched for the benefit of the enemy combatants detained at Guantanamo Bay and elsewhere in the War on Terror. Assuming that the ICRC failed, as it claims, to ameliorate the conditions of captured Americans, especially in Korea and Vietnam, because of "the overall authority of states to comply with their understanding of the rules of law and their political will", a truly "impartial" organization would have attempted to change the policies of North Korea, North Vietnam and Iraq, just as it has attempted to change the policies of the United States. The ICRC simply fails that critical test.