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Management and Oversight of Intelligence Agencies

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MANAGEMENT AND OVERSIGHT OF INTELLIGENCE AGENCIES

I. Objective

To discuss the challenges of controlling the intelligence system in a democracy, and to highlight the dangers to democratic consolidation arising from the past intrusion of intelligence agencies into broad areas of the state and society.

II. Lecture Outline

A. The Role Of Intelligence Organizations Within Democracies

Intelligence organizations perform essential functions in a democracy – informing the government of what it needs to know about external and internal threats.

1. What is intelligence?
 - a) *As process*: it is the means by which governments request, collect, analyze, and disseminate certain types of required information.
 - b) *As product*: it is the product of these processes, i.e., the analyses.
 - c) *As organization*: it is the agencies that carry out its functions.
2. Functions of intelligence:
 - a) Collection – including all clandestine and open sources.
 - b) Analysis – including marketing the product to leaders.
 - c) Counterintelligence – the main function of intelligence in many countries.
 - d) Covert Operations – ranges from propaganda to paramilitary activities.
3. The Intelligence Cycle:
 - a) Planning and Direction
 - b) Collection
 - c) Processing
 - d) Analysis and Production
 - e) Dissemination

B. Sources Of Poor Intelligence/State Relations

Clash of two cultures, one democratic, and the other secretive. All governments, especially democratic ones, live in a paradoxical relationship with their intelligence agencies: they are deeply suspicious of them, but often appear powerless to reform them. As a consequence, governments often prefer to keep intelligence agencies marginalized, under funded, and “mediocre.” However, this approach inhibits the development of mature intelligence/state relations, and virtually guarantees a dysfunctional relationship between a government and its

intelligence agencies that may threaten political stability. Several questions should be posed to regarding the relationship between the state and intelligence agencies:

1. Is there a clear legal framework to guide the activities of intelligence agencies?
2. Are the main producers and consumers of intelligence military or civilian?
3. What is the bureaucratic organization: to who are the intelligence agencies accountable?
 - a) Is there a concept of an intelligence community: military intelligence agencies, law enforcement, and ministry of foreign affairs, security intelligence? How do they interface?
 - b) Is counterintelligence separate from the collectors?
 - c) Are covert operations and analysis done by the same agency?
 - d) Is there executive oversight?
 - e) Is there legislative oversight?
4. Who has access to the information produced? When?

C. Problems in Reforming Intelligence Agencies.

Intelligence agencies are difficult to control because of their secretive nature and their bureaucratic organization.

1. The personal and organizational characteristics of intelligence agencies can result in impunity and negate accountability.
2. The behavioral and attitudinal characteristics of intelligence officers may lead them to subvert restraints.
3. Fear of jeopardizing national survival can impede reform efforts. Governments must minimize the sources of mistrust with intelligence agencies. Specifically, they must work to make intelligence agencies efficient, to integrate them into the decision-making process so that they can perform their primary function – inform policy. However, for this process to be successful, intelligence agencies must be contained within strict limits of their mission. This requires that they be held accountable to democratic institutions.
4. There is little incentive for politicians to demand strict democratic control of intelligence services – no constituency.

D. What Can Be Done About This?

Ensure that a clear distinction between politics and intelligence is maintained. Prevent the blurring of boundaries between intelligence, policy and personal ambition in the political culture.

1. Define the mission: to inform policy, preferably on national security issues.
1. Recruitment: civilian-run agencies free of partisan control.

2. Bureaucratic structure: intelligence agencies must be accountable, and clear lines of authority must be established.
 - a) Democratic control – legislative oversight and control of the budget.
 - b) Executive direction – create an executive agency clearing house where intelligence from all sources is integrated into policy recommendations made available to chief executive (US National Security Council as example).
 - c) Multiple advocacies – competitive intelligence organizations that offer multiple channels of information.
3. In emerging democracies, particularly those where security intelligence agencies predominated, particular tasks need to be undertaken to assert control over intelligence agencies:
 - a) Interest civilians in, and properly prepare them for, work and control of the intelligence organization.
 - b) Generate a public debate on the role of intelligence in democracies so that the population can assess the proper role of intelligence agencies in their country.
 - c) Create a formal selection and education process that emphasizes expertise, corporateness, and professionalism to prepare intelligence officers for their responsibilities to the state.

III. Conclusion:

What intelligence agencies crave is influence. They want to be listened to. The best way to insure healthy state/intelligence relations is to integrate intelligence agencies into the decision-making process so that they can perform their primary function – inform policy. Intelligence agencies must remain accountable and confined to their professional role - to create an intelligence culture compatible with democratic values. Intelligence activities must be continually reviewed to ensure they are legally sound, morally defensible, and consistent with legitimate national security needs.

Reading:

Thomas C. Bruneau, "Controlling Intelligence in New Democracies," *International Journal of Intelligence and Counterintelligence*, Vol. 14, No. 3 (2001), pp. 323-341.