

FOREIGN INTELLIGENCE OR INTELLIGENCE?

Adlai E. Stevenson III

The debate over the National Security Agency's cyber surveillance and collection of telephone records should lead to a better balance between rights of privacy and requirements of foreign intelligence though some sound recommendations of the President's Review Commission have been deferred or rejected, most recently the recommendation for putting NSA under civilian leadership and separating it from the military's cyber command. Whatever its outcome, the debate fails to acknowledge inherent deficiencies and risks in "foreign intelligence" and the transcendent role of foreign policy in defense of national interests. Important fundamentals which shape national security policy will be unaddressed and unchanged.

Effective Congressional oversight and control of the military intelligence complex is something of an oxymoron based on my experience which includes service as a member of the Senate Intelligence Committee and Chairman of its Subcommittee on the Collection and Production of Intelligence. NSA and CIA directors reported to me in secret. Members of Congress don't know what they don't know, what to ask and can't disclose what they are told in secret. Although the Foreign Intelligence Surveillance Court may now have a Privacy and Civil Liberties Advocate, a potentially sound reform, that Advocate will be similarly handicapped.

Meanwhile, as a result of current policies, U.S. technology companies are damaged and forced to move operations out of the U.S while indignant foreign governments take counter measures against them. The financial costs of the complex, including its tens if not hundreds of thousands of private contractors, are murky but remain somewhere in excess of \$70 billion annually. A new international commission is being organized to give the protection of privacy a multinational dimension.

But I detect in this ferment little attention to the role and function of foreign intelligence, its inherent limitations and the need for intelligence of a cerebral sort. Faulty intelligence contributed to the U.S. decision to invade Iraq and to Colin Powell's embarrassing defense of that invasion before the UN Security Council. A rudimentary familiarity with Iraq and its region was enough to foretell the consequences of our invasion.

Predictions of "spectacular acts of destruction and disruption," an "international terrorist scene" and proposals for preventing terrorism go back to my introduction of the Comprehensive Counter Terrorism Act of 1979 following a year long study by the Subcommittee on the Collection and Production of Intelligence. The study was prompted by the election of the Likud to power in Israel, its repudiation of "autonomy" for Palestinians and the effective neutralization of Egypt at Camp David. Trailing Israeli troops into the West Bank and Golan Heights of Syria in 1967, seeing

and hearing, evidence of what would later become known as ethnic cleansing produced real intelligence for me. Some 500,000 Israel settlers now occupy East Jerusalem and the West Bank in defiance of the 4th Geneva convention, more in the Golan Heights of Syria. As long as the U.S. subsidized Israel and indirectly its settlements policy in East Jerusalem and the West Bank, Americans would, I feared, be vulnerable to terrorism, an ancient tactic. That risk grew with the first Gulf War and the stationing of U.S. troops, viewed as infidels, in Kuwait and Saudi Arabia which became principal sources of militant jihadists. Predictions of terrorism and measures to avoid it required no foreign intelligence. Intelligence of a more cerebral sort was required.

Foreign intelligence tends to support the foreign policies of those who seek it, as illustrated in Colin Powell's support for the invasion of Iraq. Carl Von Clausewitz, the Prussian General, said intelligence was a "lie." Intelligence collection priorities are often determined by policy makers, the "consumers". Often, foreign intelligence is tailored to fit the preconceptions of policy makers. Intelligence is often flawed. Leaks are endemic; those which compromise "sources and methods" can be fatal to the sources. Cyber surveillance and meta data collection create new opportunities for disinformation, misinformation and incrimination of the innocent. The agencies of the intelligence community (including the FBI) have conflicting and overlapping missions, lack effective "central" responsibility and are overwhelmed by masses of intelligence, much of it technical, which requires "production" and assessment often without the necessary regional specialists and linguists.

When I was leading the investigation of the intelligence failure in Iran in the late 70's, I was told by the CIA director that the Agency had no Farsi speaking analysts, and I learned, visiting CIA Station Chiefs in the middle east and eastern Europe clandestinely, that their operating directives were focused on the Soviet Union's activities - the preoccupation of the consumers. The Shah of Iran assured me that the unrest in Iran was owing to communists instigated by the Soviet Union. The U.S. relied on the Shah's agency, Savak, for intelligence on Iran. Foreign agencies focus on the priorities of their consumers. Our brave station chiefs were forced to neglect tremors beneath their feet.

My official report to the Senate in 1978 foresaw the fall of the Shah of Iran and the fall of President Sadat in Egypt - the CIA did not. The U.S. relied on Mossad, the Israeli intelligence agency, for intelligence on Iran and Iraq. We received faulty intelligence - or was it faulty? These agencies may have achieved their purpose, drawing the U.S. into Iran and Iraq - quicksands of a post World War I construct of tribes, sects, ethnicities and foreign interests carved by Europeans from the carcass of the Ottoman Empire.

Our foreign policy failures and dilemmas reflect failures of a cerebral sort of intelligence, including a lack of experience in the real world away from Washington,

its arm chair polemicists and ideological think tanks - little experience in military ground forces where you learn to expect the unexpected. Policy has been driven by ideologues, militarists and amateurs, including Members of Congress little noted nowadays for real world experience. The Israeli lobby could sabotage the Iran negotiations in Congress with threats of more sanctions against Iran though The Lobby may for once have over reached. Sanctions are usually counter productive. Iran's development of centrifuges and accumulation of enriched uranium was accelerated by sanctions.

Terrorism is not a phenomenon of recent origin. Gavrilo Princip, the Serb nationalist who assassinated the Austro - Hungarian Arch Duke in 1918. did not expect to bring down the Empire. Politically motivated terrorists are fanatics, not fools. They expect a reaction. The empire obliged with an ultimatum which triggered world War 1 and its own demise. Nineteen men armed with box cutters did not expect to bring all America down. Only America can do that. Attacking America was a tactic for Osama Bin Laden. The U.S. reacted by attacking Afghanistan and his enemy, the secular Baathist regime of Saddam Hussein, the same regime aided by the U.S. when it was using chemical weapons against Iran.

Cyber surveillance and meta data collection are part of the continuing reaction to 9/11 with few, if any, terrorists to show for it and near universal condemnation. The U.S. is widely perceived as waging war against Islam, against Shias as well as Sunnis, on the ground, with drones, and by proxy in Palestine, from the Persian Gulf to Central Asia. Friendly nations, notably Brazil and Germany resent our intrusions, and what have they wrought?

The debate will lead to needed reforms, but it will not change the limited and often obscuring nature of what we call foreign intelligence. There is no substitute for the pragmatic, cerebral intelligence of policy makers derived from an understanding of history and experience in the real world - and the courage to act on it. Foreign intelligence is no substitute for foreign policy.

The hour is late in Palestine, Pakistan, Syria and Afghanistan. The Taliban may be resurgent as the Americans and allies retreat in Afghanistan. In Syria, Palestine and Iran the Obama Administration led by Secretary of State Kerry is trying to give diplomacy a chance. It may not be too late. Talks with Iran on its nuclear program are proceeding. It has a new and seemingly pragmatic President. Israel and militants in Syria handicap the Geneva talks on Syria by preventing Iran's participation. But Secretary Kerry and Lakhdar Brahimi, the UN envoy, are trying there also to give diplomacy a chance. Pressures mount on Israel as it isolates itself in the world. Secretary Kerry doesn't need foreign intelligence. He - and diplomacy - need support.

Adlai E. Stevenson III is former member of the U.S. Senate Intelligence Committee, Chairman of the Adlai Stevenson Center on Democracy, Marine Corps veteran,

author, lawyer, financial intermediary and long time non governmental official in many East Asia and Middle East venues.