

## **INTELLIGENCE AND US NATIONAL SECURITY**

Fall 2017

Political Science 339-01 Maybank 316

MWF 1000 – 1050

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### **Course Description and Objectives**

This course examines secret intelligence and its institutions in the context of democratic society, focusing on the United State but with some select attention to other countries. The course will survey intelligence structures, processes, and issues with special reference to the dilemmas of secret information and covert practices in open societies and to the political and bureaucratic context of intelligence and its activities.

Students will understand and be able to explain the role of intelligence in the national security policy process. They will analyze the value and effectiveness of intelligence reform in response to intelligence community performance failures. They will examine domestic intelligence in depth, developing an individual evaluation of the tradeoffs between personal privacy and prerogatives and national security capacity. Students will also analyze the politics of intelligence in liberal democracies, becoming able to articulate the issues underpinning government and societal positions on intelligence and to lay out their own calculations in terms of the dilemmas, conflicts, or outcomes we see in various countries, particularly the US. Students will also examine and evaluate intelligence methods, in terms of ethics and effectiveness.

**IMPORTANT:** An additional focus of the course will be to stimulate students' critical thinking and analytic skills. Although I likely will lecture for parts of every class meeting, I will also look for significant student participation via the expression of varied points of view backed by fact, cogent reasoning, or historical precedent—not unsubstantiated opinion. Moreover, I will look for this same critical approach in the writing assignments. The goals of this course are not simply to equip students with an informed understanding of the mission of intelligence agencies and how they accomplish that mission, but also to increase students' analytic capabilities and their quality of writing.

### **REQUIREMENTS**

- Students will be expected to attend class regularly, and to participate in class discussions and exercises, particularly the Torture Memo Debate, as well as to volunteer to take the lead in representing the thinking of your group during various class breakout sessions. Participation will represent 10 percent of your grade.

- There will be a 50 minute in class examination in late September, which will represent 20 percent of your grade.
- Mid-way through the course you will be required to write up your analysis of two recently declassified documents that discuss the performance of the CIA and its Director in the years immediately preceding the September 2001 terrorist attacks on the US. **This is a challenging assignment** that calls on you to weigh the CIA Inspector General’s critique of CIA efforts in effectively uncovering and evaluating the danger the Al Qaeda organization posed to the US at home and abroad and, crucially, convincing senior US policymakers of the lethality and imminence of the danger against the defense of these actions provided by the DCI at the time, George Tenet.
  - You are free to decide which aspects of these two documents to highlight and evaluate, as long as these aspects directly tie into issues and information we are discussing in class and in the readings. **Some examples might be the questions below. However, they are just examples and you are free to decide which aspects to address.**
    - What are the most important criticisms of CIA performance that the IG Report identifies? Are these criticisms consistent with what we have discussed as the missions and methods of the CIA and the Intelligence Community? Are these criticisms fair in terms of your understanding of the relationship between the IC and the senior US political and congressional leadership. Given your understanding of intelligence methods and the challenges of foreign intelligence gathering and analysis, is it appropriate for the IG Reports to call the Agency and its Director to task?
    - What about the DCI’s rejection of the validity of the IG’s findings? Is he fair in laying some measure of blame on the inadequate resources provided by the senior political and congressional leadership? Are his claims that he did “all” he could credible? Were his efforts undermined by the rules of appropriate intelligence and policymaker interactions? What more could he have done? Should he have acknowledged the impact of some of his own decisions in terms of the 911 failures?
  - You will find both of these papers at the CIA website: [www.cia.gov](http://www.cia.gov). Once into the CIA website click on the Center for the Study of Intelligence, then click on Freedom of Information Act Electronic Reading Room, then click into the Declassified Documents Relating to 911 Attacks. Of the five papers listed here, you should access and read two. First: Office of Inspectoral General Report on Central Intelligence Agency Accountability Regarding Findings (DOC #0006184107) This report is over 400 pages. Concentrate your analysis on the Executive Summary, utilizing the full report as an added resource in understanding the issues raised, as you find profitable. Second: Response to Inspector General’s 911 Accountability Final Draft Report (Doc #0006220800) (10 pages.)
  - Your critique should be no less than four double spaced pages, but no more than five. This paper will represent 20 percent of your grade.
- You will be required to produce a 5-6 page (double spaced) paper in mid November in which you will examine the issue of Edward Snowden’s leaks of classified national security documents. This is an exercise in critical thinking and argumentation. Your paper must have three components: 1) Facts and analysis that support the case that the leaks were the ethical acts of a conscientious whistle-blower, concerned to protect the civil liberties of US citizens and the legal functioning of the US national security establishment; 2) Facts and analysis that support

the case that the leaks were the criminal or traitorous acts of an individual, concerned with his own self-absorbed interpretation of right and wrong with no legal or constitutional rationale for opposing the surveillance policies of the USG; and 3) Your analysis of which interpretation of Mr. Snowden's actions is most compelling and **why**. This paper will represent 30 percent of your final grade.

- There will be a comprehensive final exam worth 20 percent of your final grade.

### **Grading**

Grades for individual assignments will be numerical on a 100 point scale and the final grade will be calculated according to the percentage value of the assignment, based on the following scale: 93-100 A; 90-92 A-; 88-89 B+; 83-87 B; 80-82 B-; 78-79 C+; 73-77 C; 70-72 C-; 68-69 D+; 63-67 D; 60-62 D-; below 60 F.

### **Required Book:**

Intelligence from Secrets to Policy, Seventh Edition, Mark M. Lowenthal, CQ Press 2017.

### **Articles on OAKS:**

*How the FBI Finally Caught Aldrich Ames*, David Johnson, The New York Times, 27 January 1995

*Killing CIA Informants, China Crippled US Spying Operations*, Mark Mazzetti, Adam Goldman, Michael Schmidt, Matt Apuzzo, The New York Times, 20 May 2017

*The Super Secret Division in Charge of the Russia Investigation*, Scott Glover, Pamela Brown, Shimon Prokupez, CNN, 10 March 2017

*Privacy, Technology, and National Security*, Bob Litt, General Counsel to the DNI, Speaking at the Brookings Institute, 19 July 2013

*Domestic Intelligence and the Boston Bombings*, Richard Falkenrath, Council on Foreign Relations, 25 April 2013

*A Tale of Two NSA Leaks*, Robert Chesney, Benjamin Wittes, New Republic, 10 June 2013

*The USA Freedom Act of 2015* Fact Sheet from Senator Patrick Leahy website.

*Israeli Test on Worm Called Crucial in Iran Nuclear Delay*, The New York Times, 15 January 2011

*Why Intelligence Failures Are Inevitable*, Richard Betts, Enemies of Intelligence: Knowledge and Power in American National Security, Columbia University Press, 2007

*The Evolution of the US Intelligence Community—An Historical Overview*, Phyllis McNeil (Found online at website [www.fas.org/irp/offdocs/int022](http://www.fas.org/irp/offdocs/int022))

*The Role of the Federal Bureau of Investigation in National Security*, Harvey Rishikof in Intelligence and The National Security Strategist, Roger Z. George and Robert D. Kline Editors, Rowman & Littlefield Publishers, 2006

*Sense, Sensibilities, and Spying*, The Economist, 6 July 2013

*Rehearsal*, in The Triple Agent, Joby Warrick, Doubleday 2011

*The Scalpel's Edge, Fire from the Sky* in The Way of the Knife, Mark Mazzetti, The Penguin Press 2013

*Intelligence, Policy, and the War in Iraq*, Paul Pillar, Foreign Affairs, Vol. 85, No. 2

*Balancing Liberty and Security*, Loch Johnson, in Intelligence and the National Security Strategist, Roger Z. George and Robert D. Kline, Editors, Rowman & Littlefield, 2006

*The Challenge of Intelligence Analysis*, William M. Nolte, in Intelligence: The Secret World of Spies, Oxford University Press, 2011

*Remarks by Keynote Speaker, Judge James E. Baker, Do's, Don'ts, and It Depends: Intelligence, Ethics, and the Law*, The National Intelligence University, 16 February 2012

*Democracies and Their Spies*, Bruce Berkowitz, Hoover Digest, Research and Opinion on Public Policy, no. 1, 2003

*NSA Growth Fueled by Need to Target Terrorists*, Dana Priest, The Washington Post, 21 July 2012

*The Domestic Politics of Irrational Intelligence Oversight*, Amy Zegart, Political Science Quarterly, vol. 126, no. 1 2011

*Think Again: Intelligence*, Paul Pillar, Foreign Policy, Dec/Jan 2012

*Think Different, CIA*, Robert Jervis, Boston Globe 17 January 2010

*The Digital Revolution, Spies under a Government Microscope*, in Power and Constraint: The Accountable Presidency after 9/11, Jack Goldsmith, W. W. Norton & Company, 2012

*Guest Post: Beyond the US-German Case: Understanding the Espionage "Rules of the Game"*, Just Security Blog, Rolf Mowatt-Larsen, 15 July 2014

*"Agent Commo" and "Liasing" in The Art of Intelligence*, Henry A. Crumpton, The Penguin Press 2012

White House Fact Sheet on the Use of Force Away from Hot Battlefields, The White House, 23 May 2013

*US Domestic Surveillance*, Council on Foreign Relations, Jonathan Masters, 13 June 2013

*Disrupting the Intelligence Community*, Jane Harmon, Foreign Affairs, March 2015

*The Torture Blame Game*, Robert Jervis, Foreign Affairs, May/June 2015

*Intelligence and the Presidency*, Jami Miscik, Foreign Affairs, May/June 2017

*Unclassified Version of March 6, 2015 Message to the Workforce from CIA Director John Brennan: Our Agency's Blueprint for the Future*, on the CIA Website, 6 March, 2015

*A New Age of Espionage*, The Economist, 1 August 2015

Lawfare, Intelligence Liaison and Counterterrorism: A Quick Primer, 16 May 2017

Lawfare, The “Grand Bargain” at Risk: What’s at Stake When the President Alleges Politics in Intelligence, 4 April 2017

Lawfare, Here Be Dragons, 29 February 2016

Worldwide Threat Assessment of the US Intelligence Community, 11 May 2017

### **Ground-rules**

- **Attendance:** I expect you to consistently attend class. Although I will not take attendance after approximately two weeks’ of classes (by which time I likely will know your names), I will have a good sense of who is missing class and how often. I will periodically take a record of who is missing. Moreover, the midterm and final will be geared to both the readings and the in class activities.
- **Late Work:** Late work will be penalized. Work that is turned in after the date and time it is due will lose five points off the total automatically (i.e. a paper with a numerical grade of 75 becomes a 70) and an additional five points will be deleted for every subsequent extra day. I consider work to be late if it is not handed in at the time requested. I will, however, consider allowing extensions IF you discuss with me at least 36 hours beforehand any conflicts or difficulties that you are facing in turning in the papers on time. Any student who misses an exam and does not inform me of the legitimate, substantiated reason for their absence within 24 hours will fail the missed exam automatically and will have no opportunity for a make-up exam.
- **Submission of Assignments:** You must deliver papers to me in two forms: 1) Via OAKS Drop box no later than 1000 on the due date; OAKS will automatically record the time of the delivery; 2) In hardcopy in class on the designated due date.
- **Courtesy and Professionalism:** Given the nature of the subject matter of this course, you will doubtlessly find that some of your ideas do not always match the views of your fellow students, the authors of your texts, or your instructor. As I noted in the first paragraphs of this syllabus, I expect that your point of view will be backed by fact, cogent reasoning, or historical precedent. We are not in this class to provide our speculative opinions, to provide only emotional arguments, or use volume in place of logic. We are here to share with one another our thinking and the reasons for it. In this same spirit, I expect that you will turn your minds to the thoughts of others and to remain open to questions.

### **The Schedule**

#### **W 23 August**

- **Introduction to the Course**

#### **F25 August, M28 August, W30 August**

- **Intelligence and Its Legitimacy**

READINGS: Lowenthal, chapter 1; *Democracies and Their Spies*, Bruce Berkowitz (OAKS); *Balancing Liberty and Security*, Loch Johnson (OAKS); *Guest Post: Beyond the US-German Case*, Rolf Mowatt-Larsen (OAKS)

**F1 September, M4 September, W6 September**

- **An Intelligence History Lesson**

READINGS: Lowenthal, chapter 2; *The Evolution of the US Intelligence Community, An Historical Overview*, Phyllis McNeil (OAKS); *The “Grand Bargain” at Risk: What’s at Stake When the President Alleges Politics in Intelligence*, Lawfare (OAKS)

**F8 September, M11 September, W13 September**

- **What is the Intelligence Community?**

READINGS: Lowenthal, chapter 3; Go to the IC websites for CIA, NSA, FBI, and DIA ([www.CIA.gov](http://www.CIA.gov); [www.NSA.gov](http://www.NSA.gov); [www.FBI.gov](http://www.FBI.gov); [www.DIA.gov](http://www.DIA.gov) and look around a bit on each. What’s similar about these agencies’ missions and what’s different?) *The Role of the Federal Bureau of Investigation in National Security*, Harvey Rishikof (OAKS); *The Super Secret Division in Charge of the Russia Investigation*, CNN (OAKS) *Unclassified Version of March 6, 2015 Message to the Workforce from CIA Director John Brennan* (OAKS); *Disrupting the Intelligence Community*, Jane Harmon (OAKS)

**F15 September, M18 September, W20 September**

- **Collection Realities**

READINGS: Lowenthal chapter 4 pp 73-82 and chapter 5 pp 91-137 and 148 – 161; *Sense, Sensibilities, and Spying*, Economist (OAKS); Crumpton, The Art of Intelligence, “Liaising” pp 83-98 (OAKS); *Intelligence Liaison and Counterterrorism: A Quick Primer*, The New York Times (OAKS)

**F22 September, M 25 September**

- **Spies and Spymasters**

READINGS: Lowenthal, chapter 5 pp 137 – 148; Crumpton, The Art of Intelligence, “Agent Commo” pp 74-78 (OAKS); *A New Age of Espionage*, Economist (OAKS); *Killing CIA Informants, China Crippled Us Spying Operations*, The New York Times, (OAKS)

**\*\*\*Wednesday 27 September in Class Examination**

**F29 September, M2 October**

- **Covert Action**

READINGS: Lowenthal, chapter 8

**W4 October, F6 October**

- **Counterintelligence Culture**

READINGS: Lowenthal, chapter 7; *How the FBI Finally Caught Aldrich Ames*, New York Times (OAKS)

**M9 October, W11 October, F13 October**

- **Analysis and Analysts**

READINGS: Lowenthal, chapter 4 pp 82-89 and chapter 6; *The Challenge of Intelligence Analysis*, William Nolte (OAKS)

**W18 October, F20 October, M23 October**

- **Intelligence Failures Happen**

Readings: *Think Different, CIA*, Robert Jervis (OAKS); *Rehearsal*, The Triple Agent, Joby Warrick (OAKS); *Analysis, War, and Decision: Why Intelligence Failures Are Inevitable*, Richard Betts (OAKS); *Think Again, Intelligence*, Paul Pillar (OAKS)

**\*\*\*Monday 23 October Critique and Rebuttal of CIA pre-911 Performance Paper Due**

**W25 October, F27 October**

- **Intelligence and Policy**

Readings: Lowenthal, chapter 9; *Intelligence, Policy, and the War in Iraq*, Paul Pillar (OAKS); *Intelligence and the Presidency*, Jami Miscik (OAKS)

**M30 October, W1 November, F3 November**

- **Domestic Intelligence**

Readings: *Privacy, Technology, and National Security*, Bob Litt (OAKS); *Domestic Intelligence and the Boston Bombings*, Richard Falkenrath (OAKS); *A Tale of Two NSA Leaks*, Robert Chesney, Benjamin Wittes, New Republic (OAKS); *US Domestic Surveillance*, Council on Foreign Relations (OAKS); *The USA Freedom Act of 2015* Fact Sheet (OAKS)

**M6 November, W8 November, F10 November**

- **The Politics of Intelligence Oversight**

Readings: Lowenthal, chapter 10; *The Domestic Politics of Irrational Intelligence Oversight*, Amy Zegart (OAKS); *The Digital Revolution, Spies under a Government Microscope*, in Power and Constraint: The Accountable Presidency after 9/11, Jack Goldsmith (OAKS)

**\*\*\*Monday 13 November Snowden Paper Due**

**M13 November, W15 November, F17 November, M20 November**

- **Intelligence Ethics (The Torture Memo Debate)**

Readings: Lowenthal, chapter 13; *Remarks by Keynote Speaker, Judge James E. Baker, Do's, Don'ts, and It Depends: Intelligence, Ethics, and the Law* (OAKS); *The Torture Blame Game*, Robert Jervis (OAKS)

**M27 November, W29 November**

- **Key Challenges for Intelligence Now and in the Future: The Priorities and Cyber Issues**

Readings: *Worldwide Threat Assessment of the US Intelligence Community* (OAKS); *Israeli Test on Worm Called Crucial in Iran Nuclear Delay* (OAKS); *Here Be Dragons*, Lawfare (OAKS)

**F1 December, M4 December**

- **Key Challenges for Intelligence Now and in the Future: Non-State Actors and the Way of the Knife**

Readings: *The Scalpel's Edge and Fire from the Sky*, The Way of the Knife, Mark Mazzetti (OAKS); *White House Fact Sheet on the Use of Force away from Hot Battlefields*, The White House 23 May 2013 (OAKS); *NSA Growth Fueled by Need to Target Terrorists*, Dana Priest (OAKS)

**XXXXXXXX Final Examination**