

THE FLETCHER SCHOOL OF LAW AND DIPLOMACY

**Politics 246
Spring 2003**

**Prof. Richard Shultz
Office: Cabot 609C
Office Hours: M & W 11:00-12:00
Phone: (617) 627-3700, ext. 2730**

**SEMINAR ON U.S. INTELLIGENCE, TERRORISM,
AND NATIONAL SECURITY**

SYLLABUS

I. SCOPE AND OBJECTIVES

Until the mid-1970s, the academic study of intelligence and its relationship to national security and public policy had been a widely neglected subject, at both the graduate and undergraduate levels. A similar vacuum existed in the area of objective, scholarly, and unclassified research into the intelligence process and product and their relationship to government decisionmaking.

Since the end of the 1970s this situation has changed considerably. First, there has been a flood of material dealing with U.S. intelligence, and its relationship to national security and foreign policy. Perhaps the single best source that has catalogued and annotated this material is the on-line *Literature of Intelligence: A Bibliography of Materials, with Essays, Reviews, and Comments* (<http://intellit.muskingum.edu/intellsite/index.html>). This includes the writing of former intelligence officials, Congressional materials resulting from oversight activities, and documents released under the Freedom of Information Act. With the Clinton Administration executive order on declassification, one can expect a large number of documents from the Cold War period to become available in the future. The national security archive (www.gwu.edu/~nsarchiv) holds more than 200 separate collections mainly of declassified U.S. government documents many of which relate to intelligence matters. Furthermore, the CIA (www.cia.gov) has initiated a declassification project that holds several Cold War collections. Second, many academics have demonstrated an interest in the subject of intelligence and a rich scholarly literature has appeared over the last 20 years. Additionally, two academic journals—*The International Journal of Intelligence and Counterintelligence* and *Intelligence and National Security*—are devoted exclusively to intelligence topics. Third, intelligence is a public policy issue and therefore has drawn the attention of various centers and institutes that are concerned with foreign policy and national security matters.

Since the late 1970s international terrorism has also burgeoned as a topic of both academic and public policy research and analysis. The literature on the subject is enormous. Several academic

journals are devoted to the topic including *Studies in Conflict and Terrorism* (www.tandf.co.uk/jnls/ter.htm) and *Terrorism and Political Violence* (www.frankcass.com/jnls/tpv.htm). There are several bibliographies, a recently published three-volume *Encyclopedia of World Terrorism* (New York: ME Sharp, 1997), and a plethora of books, articles, and reports. Also, numerous websites are focused on terrorism and counterterrorism. Several of these websites are part of policy institutes that concentrate on these topics.

The main purpose of this seminar is to bring these two subject areas—intelligence and international terrorism—together for examination. The course will begin with a discussion of what is intelligence and what is terrorism. Various perspectives on each of these issues will be reviewed. Next, the students will be introduced to the four major elements of intelligence—collection, counterintelligence, analysis and estimates, covert action. Each of these four elements will be examined in terms of their major principles, activities, organization, and theories, as reflected in the American experience. While the focus is on the United States, there will also be a comparative element introduced into this discussion. After each of the elements is described in terms of its principals, activities and organization the issue of its role in counterterrorist policy and strategy will be explored. The final two topics that will be examined in the seminar include: domestic intelligence in a democratic society and the relationship between intelligence, policymaking, and crisis management. Each of these two topics will be addressed in terms of the policy issues of terrorism and counterterrorism.

II. REQUIRED READINGS

Under each topic heading you will find a list of readings you should read and be prepared to discuss at class meetings. I expect you to attend every class meeting and to be prepared to discuss the topic assigned for each session.

Below you will find a list of books that can be purchased at the Tufts University Bookstore. A reserve list of **Required Readings – Books and Articles** is available at the Circulation Desk of the Ginn Library. A copy of the reserve list is also attached to this syllabus. Reserve books are listed by call number to facilitate retrieval from the reserve shelves. Photocopies of book chapters will not be available on reserve.

The library has added links to material that is available electronically. In some cases the links go directly to material on the Web. In other cases the links go to the top page of a journal database. The links will work on campus or remotely with entry of a Tufts ID. The library has prepared detailed instructions for each database on how to find an article in that database when you have a citation. The instructions will be available online at **Journals and Databases** from the Ginn Library home page.

-Abram Shulsky, *Silent Warfare*, 3rd ed. rev. (Riverside, NJ: Brassey's, 2002)

-Jeffrey Richelson, *The U.S. Intelligence Community*, 3rd ed. (Boulder, CO: Westview Press, 1999)

- Bruce Berkowitz and Allan E. Goodman, *Best Truth: Intelligence in the Information Age* (New Haven: Yale University Press, 2000)
- Paul R. Pillar, *Terrorism and U.S. Foreign Policy* (Washington, DC: Brookings Institution Press, 2001)
- Russell Howard and Reed Sawyer, ed., *Terrorism and Counterterrorism: Understanding the New Security Environment* (New York: McGraw-Hill, 2002)
- Rohan Gunaratna, *Inside Al Qaeda: Global Network of Terror* (New York: Columbia University Press, 2002)

III. COURSE EVALUATION

Class participation and substantial paper.

IV. COURSE CONTENT

1. WHAT IS INTELLIGENCE: HOW AND WHY?

One way of examining how intelligence has been practiced throughout history is to look at how intelligence has been defined at different times and places, and why those definitions took hold. Certain variables help to explain the way intelligence is viewed, understood and practiced in a particular historical setting. To a large extent, the way the four elements of intelligence are defined and pursued is determined by characteristics of the state itself and its place in international society. Important variables in understanding the actual practice of intelligence include the regime type, political leaders' perceptions of their state's relative security, the scope of the state's foreign interests, the types of war a state is likely to fight (or is fighting), the relative strength of certain bureaucratic actors in the state, technological innovations, and relationships between foreign intelligence services of different states. This section argues that foreign intelligence consists of four components (collection, analysis, counterintelligence, and covert action) and that each of these can, in turn, be examined in terms of their product, the process by which each is carried out, and the organizations tasked to accomplish those particular missions.

Required Readings

- Godson, Roy, *Dirty Tricks or Trump Cards*, (New Brunswick, NJ: Transaction Publishers, 2001), ch. 1.
- Shulsky, Abram, *Silent Warfare*, ch. 1.
- Berkowitz, Bruce and Goodman, Allan E., *Best Truth: Intelligence in the Information Age*, ch. 1.
- Richelson, Jeffrey, *The U.S. Intelligence Community*, ch. 1.

2. WHAT IS TERRORISM?

This section begins by examining definitions of terrorism. Since the late 1970s there has been an on-going debate over this basic question. We will begin by examining this question. Having done so, the following related topics will also be discussed: One, how have organizations that employ terrorist tactics evolved over the last three decades? Two, what ideologies motivate those who employ terrorism? Three, how have the means employed changed during this period? Four, what are the linkages between groups employing terrorism and both states and other non-state actors?

Required Readings

-Howard, Russell and Sawyer, Reid, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 1—articles by Hoffman, Pillar, and Ahmad) (ch. 2—articles by Crenshaw and Richardson) (ch. 3—article by Hoffman) (ch. 4—articles by Ranstrop and Juergensmeyer).

3. THE STRUCTURE AND ORGANIZATION OF THE INTELLIGENCE COMMUNITY

The U.S. intelligence community today covers a wide scope of activities and is composed of a wide range and variety of organizations. It collects information through reconnaissance satellites, aircraft, ships, signals intercept and seismic ground stations, radar, and undersea surveillance, as well as through overt and clandestine human collection. It processes and analyzes the information collected using advanced computers and a variety of specially developed techniques. Given the wide range of its activities the intelligence community is made up of a plethora of organizations. This session of the seminar will examine those organizations and how they have evolved and functioned. They can be divided into three categories: 1) national intelligence organizations (CIA, NSA, NRO, and NIMA); 2) Defense Department and military service organizations; and 3) other civilian intelligence organizations (to include FBI, INR, DEA, and intelligence branches at the departments State, Energy, Treasury, Commerce, and Transportation). While this session focuses on the U.S. intelligence community it will also highlight the differences between that community and the intelligence apparatus in other states, as well as the sharing of intelligence between the United States and other states.

Required Readings

-Richelson, *The U.S. Intelligence Community*, chs. 2-6.
 -Berkowitz and Goodman, *Best Truth: Intelligence in the Information Age*, chs. 2-3.
 -Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 8—article by Posen) (ch. 9—articles by Betz and Howard).

4. ANALYSIS AND ESTIMATES

Analysis is the major output or finished product of the intelligence community. The objective of analysis is to "make the best use of all available data, some of which have derived from clandestine collection...and to deliver to policymakers a finished product that has more clarity--with deception and other extraneous 'noise' screened out as much as possible--than may be inherent in the data itself."

A. The Process of Analysis—Overview

In this section the following questions are addressed: One, what are the missions of analysis? Two, how do analysts carry out their tasks? Three, what organizational frameworks are typically used to produce intelligence? Four, how good has American analysis been and what proposals have been made to improve it?

Required Readings

- Shulsky, *Silent Warfare*, ch. 3.
- Richelson, *The U.S. Intelligence Community*, ch. 14.
- Berkowitz and Goodman, *Best Truth: Intelligence in the Information Age*, ch. 4.

B. Psychology of Intelligence Analysis

In this section Richard Heuer, a highly experienced former CIA intelligence analyst and manager, examines impediments to good intelligence analysis and points out the ways to overcome them.

Required Readings

- Heuer, Richard, *Psychology of Intelligence Analysis* (Washington, D.C.: Central Intelligence Agency, Center for the Study of Intelligence, 1999) chs. 7-14.
<http://www.cia.gov/csi/books/19104/>.

C. Assessing Terrorism Pre-9/11

How did the US intelligence community assess trends and developments in international terrorism pre-9/11? This section will present a hypothetical national intelligence estimate that answers this question.

Required Readings

- Pillar, Paul, *Terrorism and U.S. Foreign Policy* (entire book).
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment* (ch. 5—articles by Stern and Chyba).

D. Assessing al Qaeda Post-9/11

The purpose of this section is to identify what we now know about al Qaeda. It is divided into two parts: 1) The al Qaeda network; and 2) Al Qaeda targeting weapons, strategy, and operations.

Required Readings

- Gunaratna, Rohan, *Inside Al Qaeda: Global Network of Terror* (entire book).
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment* (ch.3—article by Arquilla et al) (ch. 8—articles by Robbins and Shultz and Vogt).

5. HUMAN INTELLIGENCE COLLECTION

Normally one thinks of the collection of intelligence as the age-old process of recruiting those human resources (spies) who have access to information otherwise unavailable. This section will begin conceptually with an examination of the basic products, processes and bureaucracies in human intelligence (humint) collection. Humint remains a vital component of the collection of intelligence today especially as it relates to the challenge of international terrorism. This section will examine the issue of whether or not U.S. human intelligence collection is able to operate against terrorist organizations and the challenges and constraints it has faced in attempting to do so. The session will also examine some proposals put forward to improve U.S. collection capabilities in human intelligence. Finally, another aspect of human collection as it relates to terrorism has to do with captured individuals. In the aftermath of 9/11 the question of integration has received considerable attention. This topic will also be examined.

Required Readings

- Shulsky, *Silent Warfare*, ch. 2.
- Richelson, *The U.S. Intelligence Community*, ch. 11.
- Godfry, E. Drexel, "Ethics and Intelligence," *Foreign Affairs* (April 1978).
- Shirley, Edward, "Can't Anybody Here Play This Game?" *The Atlantic Monthly* (February 1998) pp. 45-60. <http://www.theatlantic.com/issues/98feb/cia.htm>.
- Gerecht, Reuel Marc, "The Counterterrorist Myth," *The Atlantic Monthly* (July-August 2001). <http://www.theatlantic.com/issues/2001/07/gerecht.htm>.
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 6—article by McCaffrey) (ch. 7—article by Hoffman).
- Harmon, Christopher, *Terrorism Today* (London: Frank Cass, 2000), ch. 3.
- Solomon, Alisa, "The Case Against Torture" *The Village Voice* (Week of November 28-December 4, 2001) <http://www.villagevoice.com/issues/0148/fsolomon.php>.
- Levin, Michael, "The Case For Torture" www.people.brandeis.edu/~teuber/torture.html.

-Heilbrunner, Jen, "Yale Professors Debate the Use of Torture" (November 9, 2001)
<http://www.yaleherald.com/archive/xxxii/11.09.01/news/p3.html>.

6. TECHNICAL INTELLIGENCE COLLECTION

While human intelligence collection remains vital, technological developments have significantly expanded the techniques by which intelligence is gathered. This section will focus on the two principal categories of technical collection—imagery and signals. The session will begin by examining these collection systems and how they have evolved from the Cold War to the post-Cold War period. Next we will examine the strengths and weaknesses of the use of image and signal collection systems against terrorist organizations and both states and other non-state actors that support them.

A. Images

Overhead platforms to observe events on earth were first used in the 19th century. During the latter half of the 20th century the image capabilities of aircraft and spacecraft went through continual technology advancements. This section will look at those developments and how they are being employed in the current context.

Required Readings

- Richelson, *The U.S. Intelligence Community*, chs. 7.
- Shulsky, *Silent Warfare*, ch. 2.
- Richelson, "US Satellite Imagery, 1960-1999," National Security Archive Electronic Briefing Book No. 13 (April 1999).
<http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB13/> .
- Carter, J. "bin Laden's Lair: Exclusive Photos from Space Show Astonishing Terrorist Headquarters," *The People* (September 30, 2001).
<http://www.globalsecurity.org/org/news/2001/010930-attack02.htm> .
- The following reports focus on the use of image intelligence collection against al Qaeda targets: "Using Technology to Find al-Qaeda's Caves"
<http://www.usatoday.com/life/cyber/tech/2001/11/27/tech-cave-hunting.htm>;
 "Using technology to find al-Qaeda's caves"
www.hughhewitt.com/past_news_links/11.27.01.Ferretting_out_alQaedas_caves.html;
 "Underground Combat"
<http://call.army.mil/fmso/fmsopubs/issues/undrgrnd/undrgrnd.htm>.
- "RQ-1 Predator MAE UAV" www.fas.org/irp/program/collect/predator.htm

B. Signals

SIGINT is traditionally considered one of the most important and sensitive forms of intelligence. This section examines how the interception of foreign signals can provide data on diplomatic, military, scientific, and economic plans or events as well as on the characteristics of radars, spacecraft, and weapons systems.

Required Readings

- Richelson, *The U.S. Intelligence Community*, chs. 8-10.
- Hersh, Seymour, "The Intelligence Gap: How the Digital Age Left Our Spies Out in the Cold," *The New Yorker* (December 6, 1999) <http://cryptome.org/nsa-hersh.htm>.
- Matthews, Brendan, "London Calling the NSA Listening," *Bulletin of the Atomic Scientists* (March 1999).
www.thebulletin.org/issues/1999/ma99/ma99bulletins.html#anchor1218283
- Aid, Matthew, "The Times of Troubles: The US National Security Agency in the 21st Century," *Intelligence and National Security*, Vol. 15, No. 3 (August 2000).
- The following reports focus on the use of signals intelligence collection against al Qaeda targets: "Searching for bin Laden"
www.pbs.org/newshour/bb/terrorism/july-dec01/binladen_11-20.html;
"Finding bin Laden is a High-Tech Spy Game"
http://www.graduatingengineer.com/2001/09/27/cndin/0908-0604-pat_nytimes.html;
"New Sensors Report, 'I Know They're in There, I Can See Them Breathing,'" *The New York Times* (November 22, 2001) available at Lexus-Nexus.

7. COUNTERINTELLIGENCE

Counterintelligence (CI) is the most complex, most often misunderstood and most controversial element of intelligence in the U.S. Two major factors may account for this. First, there is substantial disagreement over the definition and scope of CI. Second, there is a strong and thoroughly reasonable distrust in the U.S. political system for activities that involve the surveillance of American citizens. At minimum, CI is understood as the identification, neutralization, and exploitation of other states' intelligence services. A more far-reaching concept of CI is one which uses counterintelligence to help shape and implement positive national security policies. Both will be examined in this section along with the products, processes, and organization of CI in the evolution of American counterintelligence. This will be followed by an assessment of the role of counterintelligence in combating terrorism and the use of deception and denial strategies by terrorist organizations.

Required Readings

- Godson, *Dirty Tricks or Trump Cards*, ch. 5.
- Richelson, *The U.S. Intelligence Community*, ch. 15.
- Hulnick, Arthur, *Fixing the Spy Machine* (Westport, Conn.: Praeger 1999), ch. 5.
- Gazit, Schlomo and Handel, Michael, "Insurgency, Terrorism and Intelligence," in Godson, Roy, ed., *Intelligence Requirements for the 1980s: Counterintelligence* (New Brunswick, N.J.: Transaction 1980) pp. 125-158.
- Godson, Roy and Wirtz, James, "Strategic Denial and Deception," *International Journal of Intelligence and Counterintelligence* (2000) pp. 424-437.
- "Background on Enemy Denial and Deception," News Transcript of a Pentagon Background Briefing (October 24, 2001).
http://www.defenselink.mil/news/Oct2001/t10242001_t1024dd.html.
- "Denial and Deception Strategy" <http://www.defenselink.mil/news/Oct2001/011024-D-6570C-009.pdf>.
- "Iraqi Denial and Deception for Weapons of Mass Destruction & Ballistic Missile Programs" <http://www.defenselink.mil/news/Oct2002/021008-D-6570C-002.jpg>.
- Al Qaeda Manual, "Military Studies in the Jihad Against the Tyrants," www.usdoj.gov/ag/trainingmanual.htm.

8. COVERT ACTION

Covert Action (CA), an American term that came into use after World War II, is an attempt to influence politics and events in other countries and regions without revealing one's hand. All major types of covert action including propaganda, political, paramilitary and intelligence support CA will be examined. In addition to a discussion of the general process and bureaucratic-organizational arrangements used to carry out these programs, consideration will be given to the question of what makes effective covert action and how CA relates to other elements of intelligence. In the U.S. context covert action may be carried out by the CIA or other government agencies to include the U.S. Special Operations Command. This section will conclude with an investigation of how and to what extent the instruments of covert action have a role to play in countering terrorism. Within this context the issue of the U.S. prohibition against terrorism will be addressed.

Required Readings

- Godson, *Dirty Tricks or Trump Cards*, ch. 4.
- Richelson, *The U.S. Intelligence Community*, ch. 16.
- Coll, Alberto and Richard Shultz, "Can American Democracy Employ Covert Action as an Instrument of Statecraft," in Coll, Alberto, Ord, James and Rose, Stephen, eds., (Newport, RI: Naval War College, 1995), *Legal and Moral Constraints on Low Intensity Conflict*, ch. 13.

- Gray, Colin, "Handfuls of Heroes on Desperate Ventures: When do Special Operations Succeed?" *PARAMETERS* (Spring 1999).
<http://carlisle-www.army.mil/usawc/Parameters/99spring/gray.htm>
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 10—articles by Sarkesian and Pickard).
- Fredman, Jonathan, "Covert Action, Loss of Life, and the Prohibition on Assassination," *Studies in Intelligence* (No. 1, 1997), pp. 15-25.
- Thomas, Ward, "The Case of International Assassination," *International Security* (Summer 2000). Available through Infotrac at Ginn Library.
- Pape, Matthew S., "Can We Put the Leaders of the 'Axis of Evil' in the Crosshairs?" *PARAMETERS* (Autumn 2000).
<http://carlisle-www.army.mil/usawc/Parameters/02autumn/pape.htm>

9. INTELLIGENCE AND A DEMOCRATIC SOCIETY

Intelligence in a democratic-pluralistic state differs considerably from intelligence in other contemporary political systems. The importance of intelligence in the foreign policymaking process of democratic states is generally recognized. However, frequent tensions nevertheless exist between those who believe that to secure civil liberties intelligence services must be curtailed and those who take the position that an effective intelligence capability is essential to the maintenance of civil liberties and that the two are not incompatible. This question of the compatibility of intelligence activities and democratic society was particularly pronounced in the 1970's when it became almost the primary and exclusive focus of the debate in Congress and the media.

In the aftermath of 9/11, the issue of domestic security is being examined within the context of proposed reforms of the intelligence community. In this section we will examine those proposals.

Required Readings

- Weinstein, Allen, "What is Domestic Security?" in Godson, Roy, ed. *Intelligence Requirements for the 1980's: Domestic Intelligence* (Lexington, MA: Lexington Books, 1986), ch. 2.
- Morgan, Richard, "The Constitution: Constraints and Pseudoconstraints" in Godson, ed. *Intelligence Requirements for the 1980's: Domestic Intelligence*, ch. 3.
- Treverton, Gregory F., "Intelligence, Law Enforcement, and Homeland Security"
http://www.homelandsec.org/Pub_category/pdf/treverton-intelligence.pdf
- Doyle, Charles, "The USA PATRIOT Act: A Legal Analysis," CRS Report for Congress. <http://www.fas.org/irp/crs/RL31377.pdf>.
- Berman, Jerry, "Amending FISA: The National Security and Privacy Concerns Raised by S.2659 and S.2586," July 31, 2002.
<http://www.cdt.org/testimony/020731berman.shtml>

- Levy, Robert A., "The Law in Wartime," *The Objectivist Center*.
http://www.objectivistcenter.org/navigator/articles/nav+rlevy_law-wartime.asp
- Hersh, Seymour, "The Twentieth Man: Has the Justice Department mishandled the case against Zacarias Moussaoui?" *The New Yorker*, September 30, 2002.
<http://foi.missouri.edu/terrorbkgd/twentieth.html>
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 7—article by Donohue).

10. THE RELATIONSHIP BETWEEN INTELLIGENCE, POLICY, AND CRISIS MANAGEMENT

A crisis can threaten the goals of political leaders and restrict the amount of time available for response. In the crisis management process intelligence plays a central role. In fact, the functions of intelligence in crisis are four fold: one, pre-crisis intelligence; two, indications and warnings; three, intelligence support during the crisis; four, post-crisis evaluation. This section of the course will examine each of these functions and discuss how they relate to crisis management of terrorist incidents involving a smallpox attack on the United States.

Required Readings

- McCarthy, Shaun P., *The Function of Intelligence in Crisis Management* (Aldershot, England: Ashgate, 1998), chs. 1-2.
- Berkowitz and Goodman, *Best Truth: Intelligence in the Information Age*, ch. 3.
- Howard and Sawyer, *Terrorism and Counterterrorism: Understanding the New Security Environment*, (ch. 9—article by Carter).
- "Dark Winter": Bioterrorism Exercise, Andrews Air Force Base, June 22-23, 2001.
<http://www.hopkins-biodefense.org/DARK%20WINTER.pdf>
- Smallpox Bioterrorism Scenarios www.biohazardnews.net/scen_smallpox.htm.