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After the Cold War

After the Cold War ended, the intelligence community entered unfamiliar territory. Many of its long-held Cold War beliefs and practices were no longer necessary and the agencies began to search for a new rationale for their continued existence. The terrorist attacks of September 11, 2001, occurred in this context of self-questioning and ushered in a new era: the war on global terrorism. This shift caused governments and their intelligence agencies to reevaluate how they collected information and the role that human rights would play in their efforts. There have been starts and stops in how effective the changes have been and lessons still to be learned. It is these issues that *Intelligence and Human Rights in the Era of Global Terrorism* examines.

In 2005, Steve Tsang, a university reader in politics and Louis Cha Senior Research Fellow at St. Antony's College, Oxford College, put together a conference supported by the Pluscarden Programme for the Study of Global Terrorism and Intelligence at St. Antony's (with additional support by the North Atlantic Treaty Organization [NATO]) that dealt with the issue of how intelligence agencies and democratic governments could coexist under the new paradigm. Based on papers presented at this conference, and with the addition of a few other essays, Tsang produces a solid collection that provides an overview of the past, present, and future of intelligence gathering in the era of global terrorism. Tsang groups his anthology into three main parts, with an introductory chapter that lays out the framework. The "premise

of [the] book is that for intelligence organizations to meet the challenges of global terrorism, they must utilize all of their resources effectively and creatively as well as 'think outside the box,' " by which Tsang means simultaneously creating transparency in information gathering and new approaches to it (p. 3). It is argued that the union of these two seemingly contradictory concepts is needed for the intelligence community to be effective in the current climate. This is a recurring theme throughout the work, and the various chapters take different approaches to how this issue may be resolved.

Part 1, "Identifying and Rectifying Inadequacies," deals with the problems that the British and American intelligence communities experienced in the aftermath of 9/11. The two chapters in this section outline the limitations of the old system and potential limitations going forward. In "The British Quest for Transparency," Mark Urban, the diplomatic editor of the BBC's *Newsnight,* focuses on the need for more openness in the public debate. He sees a division within the British intelligence community that has developed in the post-Cold War and believes that greater transparency would help bridge that gap. Jack Caravelli, in "Lessons from the Iranian Case and the Changing Face of the American Intelligence," uses insights gained from serving on the White House National Security Council from 1996-2000 to discuss reforms in the American intelligence community since 2001. He uses the issue of the Iranian nuclear program as the backdrop to discuss the changes in structure

that have occurred since the terrorist attacks. He concludes by asking if the changes are enough to respond to the new types of threats that have developed or if organizational changes might be in the way. The overall conclusion of both chapters is that intelligence communities in Britain and the United States need to shift their approach from the Cold War closed mentality to becoming more transparent in dealing with their own governments.

Part 2, "The Wider Political Context," examines how intelligence agencies must deal with the wider political reality of the post-9/11 world. In five chapters, two main issues are addressed. The first three chapters deal directly with the role that democratic governments are playing in the new direction of intelligence and place it in historical context. They examine the oversight system provided by British, American, and German governments. In "Political Supervision of Intelligence Services in the United Kingdom," John N. L. Morrison draws on his experience as a former member of the British intelligence community to address the complex "relationships between various elements of 'intelligence supervision' and a range of 'intelligence organizations' " (p. 42). Morrison concludes by asking whether future improvements in oversight should be merely a fine tuning or a more radical overhaul of the system. Shifting to the United States, Loch K. Johnson, Regents Professor of Political Science at the University of Georgia, examines "Intelligence Oversight in the United States." Johnson provides a historical overview of the development of American government oversight, focusing on the period since 1947. He concludes that while oversight has become more robust since 1975, most changes have been reactions to criticism rather than well thought-out and planned reforms. He suggests that the U.S. government needs to be more active in addressing oversight issues. As deputy head of the Secretariat of the Parliamentary Control Panel for the Oversight of the Intelligence Services of the German Bundestag, Christian Heyer brings practical experience to "Parliamentary Oversight of Intelligence: The German Approach." Like the previous two chapters, Heyer provides an overview of how the system works in Germany and some of the potential problems. Overall, he believes the system in place works well and only requires some fine tuning.

As a result of the changes being made to intelligence oversight, the issue of human rights is drawn to the forefront as a political concern. The last two chapters in this section deal with ethical issues facing the intelligence community as it does its job. In "An Appropriate Legal Framework for Dealing with Modern Terrorism and WMD," Richard C. Stearns draws on his extensive legal background, including serving as a U.S. District Court judge. Stearns focuses on how the current legal systems are inadequate for the threat from such organizations as al Qaeda. He concludes by suggesting that while the rule of law should be maintained, it must be flexible and that revisions are necessary to address the current climate. The sole entry that focuses on human rights is "Human Rights and Human Intelligence" by Alex Danchev, a professor of international relations at the University of Nottingham. Danchev explores how the need for gathering of "human intelligence" has led to potential for violations of human rights, for example, the ones at places like Guantanamo and Abu Ghraib. These chapters illustrate how human rights fit into the conversation on collecting intelligence and how the West needs to maintain the high moral ground if it has any hope of stopping grassroots terrorist organizations, such as al Qaeda.

With an understanding of the past and present of intelligence gathering, part 3, "Toward New Intelligence Systems," explores how the collection and use of intelligence might develop in the future and the possible lessons that governments might take from the past. The four chapters in this section emphasize the concept of thinking outside the box. In "Preparing to Meet New Intelligence," Peter Wilson, an intelligence consultant, examines how intelligence communities in the West have reformed and must continue to reform. He discusses how intelligence agencies are hampered by the constantly changing unknowns and suggests that, to deal with the current intelligence landscape, practitioners are going to need to merge discipline and analysis with imagination and innovation. Wilson offers several ways in which these goals could be achieved using the academic, private, and government sectors, along with better oversight and improved professional skills. George Maior, a member of the Romanian Senate, and Sebastian Huluban, a doctoral student at the University of Bucharest, address the need for intelligence communities to plan and use resources differently in "Efficient Resource Allocation." They address how assets, in particular human assets, need to be developed and approaches outside the normal methodologies need to employed, including the social sciences. In "A New Approach to Intelligence Assessment," Isaac Ben-Israel draws on his experience as an intelligence officer to propose a dramatic shift in the current approach to intelligence analysis. He suggests that evidence should be used to eliminate potential hypotheses, instead of attempting to find evidence that proves a single hypothesis. Anthony Glees, a professor of poli-

tics, explores the greater need of interaction between nations' intelligence agencies in his chapter, "Search of a New Intelligence System: The British Experience." He examines how Britain's agencies have begun to work more closely with other European Union agencies. Glees also suggests that academics can bring another viewpoint to the table and should be engaged more fully in the intelligence community. In the final chapter, "Setting Priorities in a World of Changing Threats," Richard J. Aldrich, a professor of politics and international relations, warns against becoming so focused on terrorism that other potential threats are missed. He proposes the creation of a new think tank called the Global Threat Analysis center that would use a wide variety of professionals to analyze open source material to help understand emerging threats.

While this work is a valuable resource, there has been no addition of new material since its original publication two years ago. An updated edition could have answered some of the questions with which the reader was left as to what has happened in the intervening time. While this is just a reprint of the original in paperback form, it would have benefited from being updated in some way to reflect the changes that have been happening in the international arena. For example, has the intelligence community tested Ben-Israel's new paradigm? Or, how has the academy become more engaged with the intelligence community in a practical way? And, how has the failure of the wars in Afghanistan and Iraq affected intelligence reform and transparency? The second issue is that all the essays are fairly short. The authors do an admirable job in explaining their positions, but it would have been better if they had developed the concepts a bit more. Lastly, the issue of human rights gets shortchanged in this collection and seems to be almost an afterthought. It was disappointing that this subject did not play a more direct role in the work. Many chapters address the treatment of detainees, but they do not directly tie it to human rights violations except in the chapter "Human Rights and Human Intelligence." Overall, for a book that includes human rights in the title, there is little development of the role that human rights plays in intelligence. Taken together, the essays imply that human rights should be honored and that the intelligence community needs to find a way to reconcile the need to gather information with how that information is gathered.

Overall, for an initial foray into the status of intelligence and human rights in a new era, Tsang's work provides a solid framework for discussing the future during the age of global terrorism. While it asks some tough questions, it also provides some guidance for how governments and their intelligence agencies might want to plan for the future. Of particular note, utilizing underused resources, such as academics, would provide a new perspective and could help provide new insight into intelligence analysis. As well, it provides a solid foundation for scholars and others who are interested in how these issues might be dealt with going forward. It is with a firm grasp of where this issue started that Tsang's collection makes both a practical and scholarly contribution to the direction intelligence gathering will take in the twenty-first century.

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