Israeli Prime Minister Ehud Barak (seated, l) and PA Chairman Yasir Arafat (seated, r) at the signing ceremony in Sharm el-Sheikh, September 4, 1994. Photo: Moshe Milner / GPO

The Intelligence Factor in Negotiations, Absent Too Often

Gilead Sher, Yahel Arnon, and Yoel Guzansky

Negotiation management requires setting up a professional and permanent intelligence framework, which utilizes the capabilities of the intelligence community—in the context of this article, the Israeli intelligence community—in order to address specific information, needs, and tasks. Its mission: supporting decision makers with intelligence and assessments on a strategic level, and the negotiation team on a tactical one.

Keywords: negotiation, intelligence, Israel, leadership, decision making

Introduction

In its classical sense, the intelligence component in negotiations should provide decision makers with relevant information about the abilities and intentions of the various actors.[1] This resource not only identifies threats, but also positive trends and opportunities that might coincide with or mature during a negotiation process. Nevertheless, the involvement of intelligence resources in negotiations is a complex professional and governmental challenge that is far from self-evident.

Intelligence bodies face numerous challenges during a negotiation process. First, the challenge of gathering intelligence throughout what is necessarily a dynamic process is subject to influences and spoilers from both within and beyond. Therefore, the intelligence body must undertake intelligence gathering, prove operational capacities, and

provide assessments based upon ongoing research and changing evaluations. Second, a relatively new challenge for intelligence bodies is the need to integrate flexibly and dynamically a myriad of disciplines and data, such as in-depth analyses of cultural, social, economic, and psychological trends. Finally, in an era of truth decay, cyber warfare, fake news, and manipulative data intrusion, intelligence bodies face additional difficulties in addressing their negotiation-related tasks.

This article addresses the operational framework of the intelligence bodies, their roles in the negotiation process, and their inherent potential to serve as a decision supporting framework. It analyzes intelligence capabilities in the context of negotiations and proposes a framework for managing the negotiation-oriented intelligence unit as an integral and inseparable part of the negotiation team, both in roles behind the scenes and as a participant in the talks.

Intelligence and the Negotiation Process

Intelligence is involved in all stages of negotiation, from the moment an intention to enter such a process is considered, detected, or indicated. Intelligence can identify a negotiation-entering option based on ongoing analysis and evaluation of the opponent's capabilities and the intentions, pressures, and factors affecting it, alongside international, regional, and internal developments. In turn, intelligence bodies can offer recommendations to leaders on the advancement or rejection of negotiations. If they decide to pursue the negotiation option, the intelligence gathering bodies must be "readied" to focus their efforts and establish an intelligence gathering plan that can be launched rapidly and run with a degree of flexibility, as well as be prepared to take part in the integrative collaboration with other relevant bodies.

Intelligence support in negotiations plays the largest role when negotiations have materialized. Negotiation processes are conducted at a shifting pace, often intertwined with domestic political constraints, violence, and terror at various intensities, compounded by numerous additional elements and variables. Intelligence is therefore required to maintain alertness, vigilance, and focus throughout the process, be it months, years, or decades. Cognitive tactics and psychological warfare are often employed to leverage advantages against the opponent's weaknesses so that desired outcomes may be achieved.

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The intelligence activity continues when negotiations reach their final stages, since at this point the intelligence bodies must focus on how the other party is likely to comply with an agreement once it is attained. Intelligence guidance after finalizing the agreement is also necessary, and it is therefore recommended not to dismantle the negotiations administration—if such a body has indeed been established—after talks have ended, but rather to maintain its capabilities.

Intelligence guidance and input in negotiations is a critical and central tool, which lends the leaders and the persons in charge on their behalf during negotiations an advantage when they come to take decisions at both tactical and strategic levels. The limits and framework of the intelligence bodies must be clearly, systemically, and structurally defined in order to enable the leader to best handle negotiations. Whether or not the leader choses to use them, the intelligence bodies established for negotiations must be available and ready.

Dilemmas Surrounding the Use of Intelligence

The value of the intelligence community as a central and integral component in national and international decision making processes is

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indisputable. It has been drawn on by the highest political ranks; however, the involvement of intelligence in a peace process is not self-evident. Despite the potential contribution that intelligence can make for decision makers, there are leaders who prefer to not involve intelligence in peace processes. For example, in 1970 United States President Richard M. Nixon chose not to update the intelligence bodies on his policy vis-à-vis China or his intentions to invade Cambodia, probably because he anticipated potential objections. And indeed, it is the privilege of every leader to use the intelligence resources as he deems fit. However, when a leader does decide to involve intelligence in the process, he gains access to an efficient tool that will both serve his need and the need of his constituency.

Israeli negotiator Michael Herzog claimed that while there is a need to collect information and intelligence on the negotiators' personal aspects and motivations, this kind of information can also damage the negotiations process and promote distrust between parties. For example, intelligence gathered on intimate information such as private conversations risks revealing a lack of trust between the parties, which in turn might be harmful when entering a peace negotiation process. This drawback is counterbalanced by the value of understanding the motivation of all negotiators, and in turn gaining greater insight into their goals.

Intelligence during Peace Negotiations

Intelligence allocates a great deal of data collection and research abilities to follow the other side and understand its movements, usually in preparation for war (Yadlin, 2004). The same resources can also be allocated for peace negotiations purposes. Intelligence bodies provide information on various levels—tactical, operational, and strategic regarding the respective parties involved in the process. All these efforts enable the leaders and the negotiating teams to best prepare for dialogue and maximize the potential outcomes from the process (Ravid-Kochavi, 2001).

During peace processes, intelligence can make two main contributions. The first is the ability to prevent surprises and provide alerts on changes regarding the relationship between the parties. The second is the ability to provide exclusive information on the other side's positions and level of commitment to the process. Here, intelligence bodies aspire to be more than just information providers, and they emphasize the value of their analytical abilities.

While providing tactical intelligence to the leader, the administration, and the negotiation team, the coordination between the various intelligence bodies may significantly enhance the quality of a range of activities. For example, during the 2000 Camp David summit the Israeli intelligence bodies constantly assessed the aspirations, intentions, and actions of the US mediators, in case the summit failed. In addition, they continually assessed the United States' attitude toward each side, in order to determine if there were signs of bias toward a particular party (Ravid-Kochavi 2001). The difficulties on a mediator and barriers that may arise as a result of intelligence gathering lie in a potential crisis of trust between the investigating party and the mediating one, as well as reservations on the mediator portraying himself as objective and neutral.

The Intelligence Purview

The information gathered by intelligence bodies focuses on the intentions, capabilities, constraints, and limitations of the other party or parties. Analyzing the opponent's balance

of powers includes looking into internal rankings, power struggles, and the intensity of internal friction, differing interests, coalitions, oppositions, beliefs, and perceptions. This type of analysis requires an in-depth understanding of the internal dynamics of the opponent's team, mandates, coalitions, mindsets, and personalities, and a focus on the relationship between them and their leaders. The negotiation team itself may also contribute significant information for the production of these products, since it is exposed to the internal dynamics of the opponent's team; hence it has a main role in enriching the comprehensive intelligence picture, of which it too is a major consumer (Kimchi, 2007).

The use of intelligence extends beyond simply understanding the opponent. In fact, intelligence can be utilized to gather information on a wide range of issues, including but not limited to economic changes, the influence of religion, and the counterpart's civil society and its impact on the decision making process. It can also anticipate the reaction a peace process and resulting agreement will generate among the general public and on social media. Intelligence during negotiations cannot operate removed from the leader's considerations; implications of the policy for international and regional factors; implications for militarization; implications of the negotiations for civil society; and possible effects on the leadership level. A large part of these information sectors and data banks will not necessarily have been fostered or processed by the intelligence bodies during their routine work, and some of them lie out of their reach or expertise.

In addition to gathering information, intelligence sources are responsible for providing an assessment that includes, inter alia, a set of possible scenarios, cases, and responses. This evaluation addresses the opponent's negotiation capabilities and tools at its disposal; the way those with vested interests impact on conduct—both in the negotiation room and outside it; the systemic vision of the opponent, which includes red lines and flexible or rigid maneuvering areas; and strategies for achieving goals, as well as action tactics. This systemic vision also relates, to the extent possible, to the counterpart's assessments of its strengths, limitations, and weaknesses.

Part of the information required for this evaluation should be made transparent by the negotiations team. It has a live view of the conduct displayed by the other party or parties, which is critical feedback for the intelligence bodies, as it may allow them to narrow and focus their efforts. They will, in turn, transmit their insights to the negotiations team in a back and forth process (a "complete intelligence cycle"). This relationship requires sensitivity and professionalism in order to reduce the risk of exposing the negotiators' sources. Furthermore, one may assume the parties on the other side operate a parallel intelligence division that analyzes the conduct of their adversaries. Therefore, part of the intelligence input should be "fire-walling": addressing certain aspects on how to best guard and secure the planning information, tools, and tactics while carrying out negotiations.

In some circumstances, it is wiser for a side to expose its weaknesses and concede its inability to meet some of the other sides' requests. In such cases, intelligence bodies can verify the authenticity of the other side's lack of capabilities. While some might interpret vulnerability as a sign of weakness, displaying it in a negotiation process can build trust, which is crucial for successful negotiations. Of course, if the intelligence body finds the other party's claim to be false, it will severely damage the negotiations, and might even cause its demise.

Structural Dimensions

In order to meet the negotiation objectives, a small and highly trusted team is generally appointed under a confidant, who will lead the team and report back to the chief negotiator. In turn, the chief negotiator appoints his ad hoc team. In addition, the leader can also

be assisted by a negotiation administration, staff, or headquarters, designed and adapted according to the circumstances and needs of the negotiation process.

Negotiation administration requires organizational, structural, and process flexibility. For political negotiations, depending on the objectives, the setup, the circumstances and the subject matters of the negotiations, certain expertise in language, history, political science, media, nuclear capabilities, psychology, economics, demography, academy, ecology, energy, religion, culture, law—and of course, political, military, and security components—as well as intelligence is pertinent. A person's capability to successfully adapt to new cultural settings is also essential in political and international negotiations, because it has special relevance to multicultural settings and global contexts.

An organizational framework that will build up capabilities and preserve knowledge, and whose activity can be adjusted based on needs and circumstances, is essential. Within this context, intelligence is one of the most indispensable components.

Lessons drawn from past experience reflect the difficulty of synchronizing the government, whose head defines the negotiation strategy, and the intelligence bodies in the security and defense establishment (but not only), who hold the relevant levers and implement the political strategy. Synchronization becomes more complex due to the sheer number of entities participating in the process, particularly when the negotiation process goes through rapid developments and is characterized by multiple perspectives. Among these difficulties is the need to decipher what data should be gathered by intelligence, in what manner, and by whom within the respective bodies.

Recommendations

As long as there is a commitment from the higher rank to integrate intelligence bodies in the negotiation process, these bodies must deepen collaborations and operate in conjunction with government ministries, actors in the private market (such as survey and polling institutions), think tanks, hi-tech, and cyber companies—some or all if necessary, depending on subject and context. In addition, in order to operate most efficiently, the intelligence function in negotiations must be constantly updated with developments on all matters of the process, both inside and outside the negotiations room. All fields of knowledge may assist the intelligence bodies in presenting how the leadership of the opposing party views the negotiations, while indicating how far or close the parties are to reaching negotiation terms of reference and defining negotiated topics.

It is essential to establish a permanent administration that serves as the leader's headquarters for the entire process, and to create (to the extent possible, since the leader will select whomever he deems fit) a professional and experienced negotiation team, and establish an intelligence body that will support the leader with intelligence and assessments on a strategic level, and the negotiation team on a tactical one.

Negotiating is a process that requires enormous attention from the leader and the broader state leadership as well as considerable national resources and many inputs, often over a long period of time and even beyond political tenures of a singular leader. An organizational framework that will build up capabilities and preserve knowledge, and whose activity can be adjusted based on needs and circumstances, is essential. Within this context, intelligence is one of the most indispensable components. This organization framework should be built prior to the initiation of the negotiation process in order to allow those chosen to convene and prepare on short notice for each assignment. The unit should preferably be headed by a

leading knowledgeable intelligence officer, and it should have the ability to integrate all resources, utilize gathering and other tools, and define an authority vis-à-vis all community entities.

Since the unit defined as the "Intelligence Leader" is agreed upon only shortly before the beginning of negotiations, it is appropriate that the responsibility for maintaining readiness be placed in the hands of an entity flexible enough to adapt to various circumstances.

The negotiation administration, serving as the central organizational framework to manage a multi-dimensional negotiation effort, should act to form and gather the elements required for the intelligence input in negotiations; design the intelligence function in its framework based on needs and context; promote cooperation between intelligence bodies; and build a network for the intelligence function throughout the various circles of influence, ranging from occurrences at the negotiation table, and broader trends and developments outside. The likelihood of renewing and conducting political negotiations is constantly changing. This is precisely why planning, preparing, and building up capabilities are indispensable for setting up an administrative negotiation-supporting intelligence framework.

Adv. Gilead Sher, a former Israeli senior peace negotiator who was Chief of Staff and Policy Coordinator under Prime Minister Ehud Barak, is a senior research fellow at INSS. In 2019, Adv. Sher was a visiting professor at Georgetown University. gileads@inss.org.il

Yahel Arnon, whose expertise is in the field of intelligence, is a senior figure in the intelligence community within Israel's security establishment and a senior researcher at INSS. yahela@inss.org.il

Dr. Yoel Guzansky, a senior research fellow at INSS, served on Israel's National Security Council in the Prime Minister's Office, and as a consultant to several ministries. He was a visiting fellow at Stanford University and a Fulbright scholar. yoelg@inss.org.il

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Note

1 Knowledge and understanding of past negotiations, as well as interviews with senior and experienced ranks in negotiation processes, suggest that negotiations have often lacked deep learning and comprehension of the various capabilities of the intelligence community, as part of their correct, professional, and organizational structure. In turn, the non-utilization of these capabilities precludes a potential significant contribution that can support and improve negotiation processes, and inform their respective leaders and decision making processes. The authors held meetings and interviews with Efraim Halevy (former head of the Mossad and Israel's Ambassador to the European Union), Dr. Oded Eran (former Israeli Ambassador to Jordan and to the European Union, and former head of INSS), INSS Managing Director Brig. Gen. (res.) Udi Dekel (former head of the Israeli-Palestinian negotiations administration and the IDF Strategic Planning division), Brig. Gen. (ret.) Shlomo Brom (former head of the IDF Strategic Planning division), Israel Hasson (former Deputy Head of the Security Services), David Meidan (former senior Mossad official and head of the Gilad Shalit negotiations on behalf of the Prime Minister), Brig. Gen. (res.) Gadi Zohar (former head of the Civil Administration in the West Bank), and Col. (res.) Dr. Ephraim Lavie (head of Tami Steinmetz Center at Tel Aviv University), as well as a several individuals who asked to not be mentioned by name. We extend our gratitude and appreciation to all.