Exceeding the Boundaries: The Parliamentary Report on Israel's Intelligence System

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*W*ithout a doubt intelligence systems should be subject to periodic reviews. Intelligence systems are expensive and provide data and assessments that are extremely important, and at times crucial, for all echelons of national decision-makers. For better and for worse, the intelligence factor influences decisions relating to war and peace, military operations, and diplomatic initiatives. However, intelligence systems, both in Israel and around the world, are problematic. From time to time, flaws appear in the functioning of the main components, some of which – in the research process, the intelligence gathering efforts, and operational/preventive area – are of the utmost importance. Such flaws constitute good reason to carry out regular inspections of intelligence systems by means of internal monitoring and, at times, external as well.

The Committee of Inquiry into the Intelligence System in Light of the War in Iraq was established and headed by Knesset Member Dr. Yuval Steinitz, Chairman of the Knesset Foreign Affairs and Defense Committee, in order to assess the functioning of the Israeli intelligence system in light of what it deemed failures stemming from major inherent structural problems. Based on its findings, the committee proposed an unprecedented and far-reaching program of structural reform for the intelligence community. This article will examine the committee's conclusions, their validity, and their ramifications.

Findings

The parliamentary Committee of Inquiry presented findings on two main issues. One was the intelligence assessment regarding Iraq's capabilities in the realm of weapons of mass destruction (WMD). According to the pre-war assessment, Iraq possessed chemical and biological capabilities, as well as long range missiles that could reach Israel. Concerning Iraq, the committee concluded that the intelligence community did not adjust to the changed circumstances and did not respond at the required pace to the challenge of gathering intelligence on Iraq's military capabilities after Iraq's expulsion of the UN weapons inspectors in late 1998. The committee also found that IDF Military Intelligence was overconfident in its assessment that Iraq possessed WMD capabilities. Military Intelligence portrayed its assessment as solid and viable, rather than of low probability. In contrast, the Mossad and Israel Air Force intelligence assessments – which on the whole were similar to those of Military Intelligence – reflected clear doubts regarding the basis of their assessments, stemming from the low quality of the relevant information at their disposal.

Despite these findings, the committee rightfully concluded that in light of the meager intelligence gathering capabilities and the information that was at the disposal of the intelligence community, the assessments, though inaccurate, were still within the limits of reasonable professionalism. The committee listed a number of reasons justifying this conclusion:

■ Under Saddam Hussein the Iraqi regime had developed non-conventional weapons and ballistic missiles, had used them, and had aspired to maintain them.

■ Saddam's steadfast refusal to allow UN weapons inspectors to carry out full-scale monitoring in Iraq lent credence to the suspicion that he had WMD to hide.

■ The reports of the weapons inspectors supported the suspicion that

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Iraq had non-conventional weapons and missiles.

■ Weapons of mass destruction can be concealed relatively easily.

■ Although missiles and launchers were not located in Iraq, before the war combat aircraft and unmanned aerial vehicles that had been modified for long-range attacks were identified with a high level of certainty.

■ The assessments of Western intelligence services, which were similar to, and in some cases even more severe than Israeli assessments, strengthened the assessment of Israeli intelligence.

Knesset Member Haim Ramon re-jected the committee's position, arguing in a minority opinion that there was no justification for the severity of the intelligence assessment on Iraq.

The second issue addressed was the failure of Israel's intelligence community to discover sufficiently early that Libya had reached a relatively advanced stage of developing nuclear capabilities. The failure was caused in part by American and British unwillingness to share information in real time regarding the discovery of Libya's nuclear program. The committee did not delve deeply into the roots of this lapse, but defined it as a serious intelligence failure requiring thorough examination of the intelligence system.

This assessment may be accepted if the situation was actually as described. However, Major General Aharon Ze'evi (Farkash), Head of IDF Military Intelligence, claimed in an interview with the press after the publication of the committee report that neither he nor other Military Intelligence officials were ever asked about Libya. Had they been questioned on this issue, held Farkash, they would have presented a different picture. This claim raises doubts as to the severity of the shortcoming identified. In addition, the fact that Military Intelligence officials were not asked about an issue subsequently judged as an unacceptable failure raises serious doubts as to how thoroughly the committee investigated the issue.

A third area, mentioned in the report's introduction but not investigated, was the issue of Iran. With regard to this issue, the committee

chair noted the success of Israeli intelligence, which was one of the first Western intelligence services to identify Iran's nuclear program. This being the case, one can reverse the question and ask: why did the committee not examine the success? Is it not possible to generate important conclusions for the future from successes as well?

The committee concluded that the Israeli intelligence services addressed the issue of Iraq according to the best of their professional skills. It discovered nothing indicating intentional obfuscation of the intelligence assessment to justify the war as essential or to cater to political interests. Committee findings also indicate that the root of the problem in both the case of Iraq and the case of Libya was the meager intelligence information available. While the intelligence assessment was found to be inaccurate, the flaw did not necessarily stem from disregarding or poorly handling reliable intelligence information, as was the case prior to the Yom Kippur War. On the contrary, the committee itself noted that, taking into consideration the state of information available, the construction of the assessment was both reasonable and professional. Regarding Iraq, information indicating that Iraq had WMD capabilities was not reliable enough. On the other hand, there was no concrete intelligence indicating that Iraq did not possess such capabilities. With regard to Libya, the committee's findings imply that there was no significant information indicating the advanced progress of Libya's nuclear program.

Committee Conclusions and Recommendations

Based on these findings, the Committee of Inquiry recommended taking steps that, if implemented, would bring about far-reaching changes within Israel's intelligence community. The main measures proposed were as follows:

■ Barring a single intelligence agency as responsible for the overall national intelligence assessment. This task has always been the responsibility of Military Intelligence.

■ Circumscribing the mandate of Military Intelligence and limiting it to providing military intelligence, identifying the potential outbreak of war based on enemy capability, and providing warnings during wars and conflicts. The rationale behind this proposed reduced responsibility was that Military Intelligence was spread exceedingly thin over a large number of research areas and was therefore unable to focus on any single one of them. Military Intelligence would be able to continue undertaking broad intelligence research, including political research, but only to the degree required for its military research; it would have to refrain from undertaking political research with no military significance. In addition, the Military Intelligence's Research Division would be called upon to undertake some internal housecleaning regarding its human resources, methodology, and supervision apparatuses.

■ Significant expansion of the Mossad's responsibility, on top of its responsibility for preventive operations. This would transform the Mossad into the leading gathering and research body with regard to political and strategic intelligence, technological-industrial intelligence, nuclear intelligence, and global terrorism research. The expansion would require directing significant funds and human resources to the Mossad. The Mossad would also be reinforced in order to improve its capability as the principal operator of human intelligence.

■ Determining the status of the Foreign Ministry's Political Research Center. This entails either strengthening this institution or abandoning it as a contributing factor to intelligence assessments.

■ A major change in the status of Unit 8200, Israel's SIGINT unit, which specializes in electronic intelligence. The committee recommended removing the unit from Military Intelligence command and turning it into a civilian-run national SIGINT agency operating not only in the military realm, but also in the realm of terrorism, nonconventional weapons, and the political-strategic issues. The committee also offered two alternatives to this recommendation: leaving the unit in its present state for the meantime, pending a reassessment of the unit, or establishing an advisory council to the unit, headed by a civilian responsible to the prime minister. The advisory council would consist of representatives of the various intelligence agencies and would set the priorities of the unit, without a bias towards military intelligence needs alone.

■ Increasing the political echelon's control of intelligence by estab-

lishing two bodies: an intelligence secretary to the prime minister, to assist him/her in directing the work of the intelligence services and integrating the intelligence assessments provided by the intelligence services; and a ministerial intelligence committee, which would serve as the senior directorate of the intelligence agencies.

■ Acceleration of the development of spy satellites; improvement of the processes guiding intelligence gathering agencies and consolidation of these agencies under the supervision of the ministerial intelligence committee; steps to improve the quality of human resources working in the intelligence community; and changes in the way that intelligence is presented to the government so that it includes not only assessments and recommendations, but the information on which they were based as well.

Ramifications

In practice, the committee's recommendations propose a dramatic change within the structure of the Israeli intelligence community and its internal division of responsibility. This change would be the most far-reaching change to Israel's intelligence system ever proposed. Accordingly, such a revolutionary proposal demands a preliminary question. The bottom line of the committee's findings reflects a mixed assessment of the functioning of the intelligence community. With regard to the extremely important issue of Iran, Israeli intelligence was successful. The Iraqi issue was characterized as a failure to a certain degree, albeit a justifiable one. Finally,

the Libyan issue was regarded as a serious failure, but the committee's basis of investigation of the issue is left in doubt. If this is the picture, one must ask: should these findings be characterized as so serious?

More importantly, do these mixed findings justify recommending such far-reaching changes to the intelligence community – changes that even the Agranat Commission, which investigated the serious, painful intelli-

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gence failure leading up to the Yom Kippur War, refrained from recommending? The Committee of Inquiry strove to preempt this question, arguing that it would be best to reform the intelligence community in order to prevent future serious failures. However, if the failures in this case were not so serious, perhaps it would have been better to propose more modest and suitable recommendations and not to extend the logical boundaries of its mandate.

Moreover, there is no correlation between the committee's conclusions and its recommendations. For example, as a central intelligence gathering

agency, the Mossad is certainly no less responsible than Military Intelligence for the poor quality of information on Iraq and the absence of significant information on Libya. In terms of research, the committee itself noted that the assessments of the Mossad and Military Intelligence were similar, but that the Mossad was more cautious in presenting its assessment. With regard to Libya, the committee noted no difference between the assessments of the two bodies. How do these findings justify transferring such critical intelligence research units from Military Intelligence to the Mossad?

The proposed removal of Unit 8200 from Military Intelligence command is even more astounding. The Committee offered no real explanation for this recommendation and failed to anchor it in substantial data. The committee also did not present a direct link between the findings and the failures identified, on the one hand, and the change in the status of Unit 8200, on the other hand. We can infer that the recommendation stemmed from a desire to strengthen the unit's intelligence gathering efforts in directions that were not necessarily military in nature. However, this could also be done in other ways. Moreover, because the recommendation was related to the investigation of intelligence failures, it might create the impression that the unit failed with regard to the issues examined by the committee or other important issues, ignoring the unit's many important successes.

The recommendation to transfer large and significant areas of research

from Military Intelligence to the Mossad prompts a number of serious challenges. First of all, there is no solid foundation for the assumption that the proposed organizational change will result in better research results. It is true that the structure of Israel's intelligence community is neither ideal nor similar to the structure of other intelligence communities in the Western world. Due to historical and organizational factors rather than any careful premeditated planning, the intelligence system in Israel developed in such a way that Military Intelligence serves as its leading component. The structure that evolved has caused a number of shortcomings and distortions in the system. Had the system been constructed according to one overall concept from the outset, it would have been appropriate to consider locating certain functions – such as the bulk of political research, for instance – outside Military Intelligence. However, there is no single ideal intelligence system structure. The structure of the American system differs from the British structure, and neither one of them resembles the German system. Each system has its advantages and disadvantages, and all of them experience occasional failures, at times with regard to serious incidents and at other times with regard to less serious incidents.

Furthermore, the experience of Western intelligence communities teaches that organizational and structural changes do not solve the problems – even if they do provide some advantages – and in some ways are likely to exacerbate them. In the 1970s, the Agranat Commission recommended incorporating greater pluralism into the intelligence community by strengthening the research bodies within the Mossad and the Foreign Ministry so that decision-makers could receive more than one assessment. In theory, the idea that decision-makers should receive more than one intelligence assessment enjoys a logical underpinning. Although this recommendation was partially implemented, its goal was not fully achieved, as in most cases assessments of the different intelligence bodies do not differ substantially from one another, aside from phrasing and the points emphasized. However, this pluralism did spark competition among the various intelligence bodies for hard to come by quality human resources. This, in turn, resulted in Israel's small reservoir of talented intelligence researchers being dispersed among the various bodies.

One can also learn from the experience of others. In 1961, the United States established the Defense Intelligence Agency (DIA), the intelligence agency of the American Defense Department. The DIA is a large intelligence agency that serves as the United States' primary producer of military intelligence. Its establishment was a product of the need to unite a number of intelligence bodies under the authority of the Defense Department and its branches, as well as the desire to prevent intelligence failures, such as the strategic surprises met by the Americans during the Korean War, and to generate intelligence assessments to compete with those of the country's senior intelligence agency, the CIA. In retrospect, it appears that this structural change did not prevent American intelligence failures, as seen on many subsequent occasions, including in Vietnam; the events leading up to the Yom Kippur War; the overthrow of the Shah's regime in Iran; the crumbling of the Soviet Union; Iraq's invasions of Iran and Kuwait; the terrorist attacks of September 11; and the period leading up to the recent war in Iraq.

An additional problem stems from the Committee of Inquiry's recommendation to reduce the scope of Military Intelligence responsibility and limit it to the provision of military intelligence and early warnings prior to, and in the course of, wars and conflicts, based on the capabilities of the enemy. This recommendation reflects a lack of understanding of the essence of intelligence. It is impossible to warn of the outbreak of war simply based on the capabilities of the enemy. Warnings of this type are meaningless, and occasionally cause false alarms. A warning of war must consider not only an assessment of capability, but an assessment of the enemy's intentions as well. Assessing enemy intentions is, in and of itself, a complex task requiring deep and extensive political-strategic research. For instance, assessing Iran's threat to Israel demands combining research of Iran's military capabilities with research of its outlook and its intentions. For this reason, the responsibility of providing strategic warnings necessitates that extensive political-strategic re-

search – not strictly limited to what appears to be significant to military concerns – be carried out within the same intelligence body undertaking classical military research. Incidentally, this is one of the reasons why, since the 1950s, the IDF intelligence branch expanded its research coverage, which had hitherto been strictly military, to include political-strategic research as well. Transferring responsibility for political-strategic research to the Mossad will require the Mossad to invest a great deal of resources in military research, with which it is presently involved on a limited basis only. In the circumstances facing the Middle East and Israel, assessments regarding war and peace cannot be generated without penetrating research in the military realm due to the fact that an understanding of the military capabilities and military course of action of the enemy are essential to understanding its strategic initiatives.

The third problem relates to a two-sided phenomenon that can be referred to as "unit morale." On the one hand, implementing the committee's recommendations would constitute a heavy blow to Military Intelligence. After all, they call for removing a number of the branch's highest quality components and areas of responsibility: most of its main areas of research, Unit 8200, large budgets, and high quality human resources. Great efforts by the best intelligence officials were invested over two generations to construct these components. Even if the Israeli intelligence community was not constructed in an ideal manner, this is how it is struc-

tured today. A drastic change such as that proposed by the Committee of Inquiry will be perceived as a harsh punishment for a serious failure, even if this was not the committee's intention. This, apparently, is what the head of Military Intelligence meant when he characterized the committee's recommendations as "an insult." It is difficult to estimate the implications of such a feeling if it were fostered. Still, it must be taken into consideration

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that the proposed changes, if implemented, will cause great damage to the morale of IDF Military Intelligence.

The other side of the coin is the fact that it is unclear how an organization such as the Mossad, whose traditional raison d'etre has been preventive operations and intelligence gathering operations, will absorb the areas of responsibility that the committee is proposing it take on. As far as is known, a number of past heads of the Mossad were not enthusiastic about the prospect of overextending the organization's intelligence research, due to the fact that they regarded it as a

diversion of the Mossad's primary mission. Therefore, there is also no guarantee that absorption of these areas of responsibility, which is a task that would take many years to complete, will be done in the way proposed by the committee and will lead to the desired results. The result may be that Military Intelligence will sustain a heavy blow, but that the Mossad will not pick up the slack. If this is the case, the shortcomings of the intelligence system will not be rectified, and might even be exacerbated.

The recommendation of appointing an intelligence secretary to the prime minister is neither new nor damaging. On the contrary, the committee is justified in stressing the necessity of tightening up the political echelon's supervision of the intelligence community. The difficulty lies in implementing the recommendation. After the Yom Kippur War, the Agranat Commission proposed a similar recommendation. It was implemented for a short period, when General (res.) Prof. Yehoshafat Harkabi was appointed as the prime minister's intelligence advisor (and before him, Gen. (res.) Rehavam Ze'evi was appointed to a similar position). The appointment did not last long, as the choice was either to create a relatively large staff, which would evolve into another intelligence agency, or to build a small team that would try to maneuver between the large intelligence agencies and the prime minister. The prime minister's office tended to support the very small team approach, and Prof. Harkabi was worn down by the large

intelligence agencies and eventually resigned, frustrated by his inability to have an influence. The struggle of the National Security Council and its top officials to establish its organizational status has so far not been very encouraging either. Thus, even if the recommendation is in and of itself reasonable and worth implementing, perhaps within the framework of the National Security Council, it appears that the committee's recommendation on this issue will have no greater effect than such recommendations had in the past.

Conclusion

The parliamentary committee's report on Israel's intelligence system is flawed in several ways. Its primary argument is that far-reaching organizational changes will correct at least some of the shortcomings in the intelligence community. Yet in no way has this been proven. The underlying reason for intelligence failures lies in the disparity between human intelligence capabilities and the organizational frameworks within which they operate. Thus, correcting organizational shortcomings alone will not solve the problem. Moreover, while organizational changes might improve certain functions within the intelligence system, at the same time they can impact negatively on other dimensions, perhaps at a far greater cost. Therefore, any proposal regarding organizational changes compels both a thorough study and understanding of the subject, and wise caution in their implementation.

This caution is a particular impera- tive given Israel's security situation, which relies on ongoing, intensive intelligence. Shockwaves to the intelligence community might have serious repercussions for decision-making regarding political and security matters. The committee did not demonstrate the requisite restraint in its involvement with so sensitive an issue. Should the committee's primary recommendations be adopted, the result may be extensive damage to Is-

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rael's intelligence community and to the political and security systems. There is no doubt that Military Intelligence will be wounded badly, but it is questionable if the Mossad will be able to compensate for what is missing. Therefore, rather than attempting to take on the entire system at once, it would have been highly preferable for the committee to focus on the areas where changes could be implemented without causing undue damage, where the prospects for improvement were high, and where they could be implemented successfully.

More than four months after the release of the committee's report, both

politicians and the media are almost completely silent on the subject, and it is not one of the issues on the public agenda. In the meantime, there is also no sign that the committee's recommendations are about to be implemented, either partially or in full. In fact, there is doubt as to whether they will be implemented to a significant degree at all. Disregard for the report may stem in part from a lack of tradition within the Israeli political system of parliamentary bodies initiating changes in the country's security system. Yet on a more tangible level, it is the result of the status of the Committee of Inquiry that authored it. There is no denying the fact that the Knesset Foreign Affairs and Defense Committee – which is one of the main bodies supervising the national intelligence system – has both the right and the obligation to inspect the system. However, the Committee of Inquiry that the Knesset committee established is not a national committee of inquiry like the Agranat Commission, which was appointed by the Israeli government to investigate the malfunctions leading up to the Yom Kippur War, or the Cohen Commission, which was established to investigate the massacres committed in Sabra and Shatila. Therefore, neither the government nor the various agencies of the defense establishment are obligated to adopt its recommendations. Furthermore, some of the recommendations are by nature difficult to implement, and it can be assumed that the IDF will struggle to deflect the harsh blow to the status of Military Intelligence.

The committee itself did little to

endow its conclusions with authoritative force. The intelligence community is an intricate and complex system with elements that are either unknown or incomprehensible to outside observers. The committee had no members with substantial background in the areas of intelligence gathering and intelligence research, which were the focus of the inquiry. For this reason, the committee should have established a balanced professional staff including experienced experts from various realms of intelligence, instead of making do with a single outside consultant. A professional staff could have assisted the committee and focused its investigation, and this would have lent more authority to its recommendations. This is how the two committees of inquiry established in the United States to investigate the failures of the American intelligence system prior to the attacks of September 11 functioned. Each had a staff of dozens of professionals, including experts on the subjects under investigation, as well as representatives of all the relevant intelligence agencies.

In light of the difficulties involved with implementing the recommendations, the only weight the committee carries lies in the attempts to anchor its recommendations in legislation. And in fact, the committee has advised of its intention to do just that. However, in order to do so, the committee will have to convince the public and other Knesset members that the proposed steps are likely to be ef-

fective. It appears that the defense establishment will not make this task easy on the committee, especially when the shortcomings of its recommendations are so blatant.

As a result, it looks like the committee is missing its chance by biting off more than it can chew. During the 1990s, Israel's intelligence system entered a new era. The necessity of addressing international Islamic terrorism on the one hand, and the

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threat of weapons of mass destruction on the other hand, presented the intelligence community with new types of difficulties and challenges. The committee is correct in its determination that providing a suitable solution for these challenges will require a new type of thinking and reorganization. There is no reason that a committee such as the Knesset Foreign Affairs and Defense Committee cannot be the driving force guiding the changes. However, there is also no reason for the Knesset committee to take on most of the work involved with investiga-

tions and proposing solutions, without sufficient assistance from the professional intelligence bodies.

This article in no way invalidates the committee's recommendations in their entirety. The committee report also includes more limited recommendations that may be helpful. The recommendation of raising the quality of human resources working in the intelligence community, for instance by establishing an intelligence academy, and the recommendation of improving the manner in which intelligence assessments are presented to decision-makers, are likely to produce positive results, and certainly can do no harm. Some good could also come from the establishment of a ministerial intelligence committee or the appointment of an intelligence secretary to the prime minister, despite skepticism regarding the practical difficulties involved. These are limited steps when compared with the sweeping recommendations of the committee. Yet when dealing with a system as sensitive as the intelligence system, moving forward in small steps is preferable to undertaking revolutionary initiatives that might do a great deal of damage. And while we cannot unconditionally rule out the use of far-reaching steps to reform the intelligence system, such steps, if taken, need to come after a more professional and in-depth investigation than the one carried out by the Committee of Inquiry. Certainly, they need to come only after it is clear that their benefits will outweigh their cost.