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Office of Training
INTELLIGENCE PRODUCTIONS COURSE
Course Research Paper

The Need-to-Know Principle: A Brief Historical Analysis

STAT

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In the centuries between the espionage program of Moses and the missle crisis in Cuba, we witness the gradual development of military and political intelligence organizations and observe the most famous spies in history engaged in clandestime work. Yet it is as impossible to determine the exact beginnings of secret service as it is of espionage, though hundreds of years must have separated them. Likewise the beginning of organized secret service is no less obscured by time. Whoever elected to invent it as a by-product of some conflict failed to reveal his name, the date, or an organization chart.

The art of intelligence gathering has had much more influence on history than on the historian. History is full of examples of famous spies but little is known of how they operated, what type of organization ran them, how much money they spent, or whom they spent it on. Much of this historical ignorance is due to the nature of an intelligence organization. Inherent in every successful - or unsuccessful - secret service is the element of secrecy. Today we use the more sophisticated term of compartmentation or the need-to-know, but by whatever name we use, the purpose is to limit knowledge about one's secret service so that it may more effectively operate without fear of disclosure.

In democratic America, with our tradition of an open society, and our uncontrolled tendency for big organizations, the necessity for secregy leads to security problems that never occurred in antiquity. Yet the ancients were very successful spies and much of what they did on a small scale forms the basis for the corporation approach to

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intelligence gathering today. For example, Sun Tzo in his book Art of War gives the basis of espionage as practiced in 400 BC by the Chinese. His emphasis on security and the need-to-know is much the same as practiced today, which is why the book is a favorite of Mao. Therefore a brief excursion through the annals of espionage might shed some light on the growth of security techniques.

There were many spies but very few secret service organizations in ancient times, for the evident reasons that, whatever limitations of comfort, communications or scientific comprehension the ancients suffered, they were spared administrative impediments and most of our virulent forms of red tape. Kings and commanders solved their own intelligence problems. But what the ancients lacked in system, moreover, was counterbalanced by their exceptional fertility of imagination and instinctive cunning. Those strategems and surprise onslaughts which the Bible and the Iliad prove to have been the suggestions of Jehovah or martial Greek gods were in reality devised by impromtu secret services. When Alexander the Great was marching into Asia he tested the loyalty of his troops by reading their mail.[1]

Rome grew strong by its use of the secret service and learned to jettison all mercy, gratitude and scruples. Individuals such as Scipio, Crassus, and Caesar developed their own intelligence organizations in order gain information on their political opponets. Informants were paid off by securing one-half title to the denounced man's lands but often this transfer of property was not recorded in order to protect the informer. Shades of our escrow System!

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[1] This very system was employed to measure the moral and combative spirit of American troops in France during 1918. Thus the original military postal censorship blended with counterespionage.

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Precious little is known about the actual operations by the ancients and it is not till the 16th century, with the rise of nationalism and religious struggle, that we can distinguish between external and internal security within an intelligence organization. We may assume that the need-to-know principle was operative then for examples of the Jesuits, or of Walsingham's secret service, working against themselves would make a delightful book. To suggest that the need-to-know principle was used to cover up bureaucratic bungles is perhaps reading toomuch into history. However Walsingham's contribution to the English defeat of the Spanish Armada is an object lesson, even today, in perfect espionage and perfect security.

While Walsingham is rightly called the "father of the English secret service", he must share his reputation with John Thurloe, Cromwell's extraordinary secret service chief. Here we get our first real glimpse into an intelligence organization by merely turning to the pages of Samuel Pepys. Pepys, a good friend of one of Thurloe's agents in Holland, records three essential steps in the English art of spying: to locate the most reliable and valued information, obtain it without being discovered, and to transmit it promptly to a superior while leaving the advisary in ignorance of his being decieved. Unfortuenately for Cromwell and his son, there is fourth step, so necessary and yet not difficult, that must be taken: the heeding of the summary of intelligence. What good or use is the gathering of intelligence, in this case the planned restoration of Charles II, if it is not used by the government? Already the friction between the gathers and the users of intelligence crops up.

As the power of the state grew, the powers of the secret service

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correspondingly grew. In the late 18th and early 19th century, an ever sharpening distinction between internal security and the collection of foreign intelligence took place. Separate organizations under separate heads developed. This was largely due to the imperial system's fear of internal dissidence and revolution. Additionally with the increase of speed, brought about by the telegraph (1833) and the submarine cable (1851), the whole pattern of intelligence began changing. The spheres of intelligence, traditionally limited to political and military, expanded to sociology, geography, and economy. This led to further sub-dividing of intelligence organizations, with each division operating under separate security regulations.

While it is not within the bounds of this paper to discuss case by case the growth of intelligence as a facet of government, suffice it to say that today all countries have intelligence services. They may be different in their organizations, efficiency, and methods, but all have their basic functions - to collect information, evaluate it, and disseminate it to those who need to know it.

No intelligence organization is any better than its security. Much of this can be naturally built it. The CIA is unique in that it combines under one roof the overt and covert collection means, along with the analytical side. This reveals the modern tendency in intelligence to not only collect but evaluate what is collected. But the purpose today, as it was under Walsingham and Thurloe, is to ~~not~~ produce finished intelligence that can be useful. And this leads to security problems.

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To appreciate the difficulty of investigating the history of intelligence security, one need only try to investigate the present security system of the CIA. Many people within the DDI will talk freely about the need-to-know but no one agrees; within the DDP there is a hesitancy to even discuss it. And when the meaning of something as basic as the need-to-know cannot be agreed upon, or even discussed, questions arise and problems follow.

The general justification within the DDP for the application of the need-to-know is primarily source protection. The reason is obvious. The most sensitive information pertaining to a clandestine operation is that concerning the source or agent employed. The agent is the key element is any clandestime activity so that the potential harm to an agent and the drying up of a source cannot, in most cases, be condoned.[3] Because this is so, the DDP strictly limits its dissemination.

The application of the need-to-know within the DDI is based on two criteria: does the individual need-to-know certain information for the performance of his duties, and is he cleared for access to this information. If the answer is affirmative to both these conditions, the disseminators will channel the information to that person. This is often a judgment question for the disseminators so they tend to play it safe by disseminating a broadly as possible.

While the need-to-know works in opposite directions within the DDI and the DDP, it seems to work satisfactorily. However when the DDP and DDI have to function together in the intelligence process, which is

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3 One DDP man said that of the agents lost, 50% were lost for reasons beyond DDP control, 40% were lost because of DDP mistakes, and 10% due to mistakes by the rest of the intelligence community.

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much of the time, the need-to-know often prevents adequate communications between the two. It is obvious, even within DDP, that the running of an agent is not an end in itself. The information must be passed on with a source description included to establish the veracity of the information. While the DDP tries to be accurate, its first concern is with source protection. The DDI feels, however, that the DDP tends to generalize the source description too much. Often the same adjectives and adverbs are used to describe a source.

The DDP feels, quite correctly, that there is no need for the DDI to know operational information. However the DDI does have a need-to-know to general credibility of the information and therefore a direct need-to-know the access of the source. Often it appears that the only satisfactory way to accomplish this is an unofficial exchange between the appropriate desks within the divisions. But this type of working agreement usually takes years to develope.

Two interesting phenomena appear within the DDP on the application of the need-to-know. As a general rule the higher the person in the DDP echelon the less constraint there is to apply a strict interpretation of the need-to-know. This person feels freer to use his judgment is disclosing operational matters, both within and outside the agency. Secrecy for secrecy sake is discarded. The opposite appears in the lower echelons. New employees over-use the need-to-know, whether from a misplaced fascination with secrecy or because of a lack of knowledge on how to apply it. This creates undue suspicion, anger, and hinders effective communication. Examples could be cited to illustrate both

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these points but the lesson to be learned is that whenever reluctance to disclose details of needed information has to be overcome or whenever a seemingly unreasonable demand for more information has to be clarified or withdrawn, the co-ordination process is unduly delayed.

The need-to-know goes deeper than sometimes hampering DDI - DDP co-ordination. And it raises questions that are not only tough to ask but tougher to answer. Does the need-to-know principle, by its very nature, cause DDI to broaden its dissemination in order to play it safe? Or severely narrow narrow DDP dissemination for the same reason? Can the Support branch provide adequate support to DDP without knowing more of DDP's operational needs and procedures? Are some wasteful internal procedures necessary by DDP in order to hide its operations from the rest of the agency? Can OTR adequately train the JOT's if hindered by the need-to-know principle? Or more basically, can prospective employee's make a sound decision on the information told them? Is the need-to-know a convenient blanket to cover up bad decisions, either operationally or analytically? And does it occasionally provide a refuge for crooks in the handling of funds? Does the overuse of the need-to-know overseas prevent harmonious relationships in our embassies? And back home, are the agencies turnstiles really necessary or do they serve to increase a security fetish? And how wise it, from a morale viewpoint, to hide various medals granted for outstanding service? And most importantly, who has been granted the wisdom to determine who has a need-to-know?

While it would be impossible to satisfactorily answer all these questions they do point out that a blanket application of the need-to-know can create as much difficulty as it can erase. It is frequently said

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that the agency's efforts can be successfully co-ordinated if we display old fashioned common sense, good will and co-operation. But that is not enough. There must be an understanding by all divisions of the agency of the relative importance of their work with respect to U. S. intelligence and policy objectives. It should be recognized that co-ordination means more than just co-operation and that the responsiblities of co-ordination are, in the national interest, trascending.

If this is true, then the need-to-know principle as applied today seems to need a general overhauling. Employees should be taught what it means, understand its limits and significance, and realize that the need-to-know is only effective when it contributes to, and doesn't work against, agency co-ordination. For good management says that good co-ordination rests on good communication, but the need-to-know often says no to this.

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