Ethics of Human Intelligence Operations: Of MICE and Men

Donald A. Petkus

Recent debates on the ethics of espionage seem to center on questions of technical data collection and privacy rights, interrogation, covert intervention in foreign affairs (e.g., regime change), renditions, and conflicts of interest, but seldom on the recruitment and management of agents. One issue that arises from the current espionage and terrorism environment concerns standards for ethical decision making. For compelling reasons, members of the intelligence community must address the ethical issues specific to human intelligence (HUMINT) operations.

For those outside the intelligence community, the term "espionage ethics" may seem oxymoronic. With few exceptions, intelligence collection overseas violates the target country's laws. Being expected to break a foreign country's laws and manipulate its citizens is part of the job for an intelligence officer, yet she or he is expected to scrupulously adhere to her or his own country's laws and professional standards.

To some, the idea of espionage is itself distasteful. Prior to World War I, some of Great Britain's military attachés took the view that actual spying on the host country was ungentlemanly conduct for a "guest." For others, operational work with agents seemed to grate against their sensibilities, as in the case of an officer assigned to Berlin just prior to World War I:

> With war now inevitable, Sir William Everett, the British military attaché in Berlin was asked by the Intelligence Branch to continue in secret service after leaving Germany. He declined, saying: "You will not have forgotten when we talked this matter over some months ago, that I mentioned how distasteful it would be to me when it no longer formed a necessary part of my duties. I so dread the thought of being compelled to continue in communication and contact with the class of

> man who must be employed in this sort of work, while the measures to which we are obliged to resort are repulsive to me."[1]

Secretary of State Henry Stimson recalled shutting down MI-8, the American decryption agency, in 1929, with the rather quaint statement: "Gentlemen do not read each other's mail." Since American negotiators at the 1921–1922 naval limitations negotiations used full access to Japan's diplomatic codes to their advantage, Stimson's tone in 1929 seems disingenuous. Before and after Pearl Harbor, Secretary of War Stimson apparently had no objections to receiving decrypted intercepts of Japanese traffic.[2]

The June 2007 release of the CIA's so-called family jewels documents makes the U.S. government's secret foreign interventions back to the 1950s available to the public. While some of the stories about MK-ULTRA may be urban myth, the disregard for informed consent definitely violates current standards for human subjects research. Much of the concern expressed about ethics in espionage revolves around perceived or potential conflicts of interest. Interestingly, the 2002 CIA paramilitary operation in which terrorist Qaed Salim al-Harethi and five others were killed by a Hellfire missile fired from a Predator unmanned aerial vehicle produced little controversy at the time.[3]

Ethics, High-Technology Collection, and HUMINT Today

Heightened traditional espionage activity, reminiscent of the Cold War, and the global war on terrorism blur the line between peacetime and wartime operations. The importance of accurate, timely intelligence has never been greater. All intelligence disciplines have a role to play, but often HUMINT is considered too hard and costly. Until recently, many policymakers assumed that high-technology collection of data was more cost efficient than the use of human sources. The notion of intelligence on the cheap is attractive on one level, but lacks a long-term strategic planning dimension. High-technology collection seldom raises ethical concerns since the demise of MI-8, "America's Black Chamber." Signal intelligence and related technologies, considered relatively passive and nonevasive, have produced important intelligence during World War II and later. (Of course, physically tapping into an adversary's communication cables or other hardware

is both risky and invasive.) Although "cost-effectiveness" is a subjective term in the context of intelligence collection, civilian and military technocrats tend to appreciate the return on investment of advanced technologies, especially if human operators remain at a safe distance from the action.

The events of September 11, 2001, however, once again proved the need for human sources of intelligence, especially in the age of nonstate actors. The classic dichotomy between capabilities (relatively tangible and subject to assessment) and intentions (often impenetrable by technical means except other than by signal intelligence or audio surveillance on occasion) also reinforced the need for human eyes and ears in the field. While many of the ethical debates about intelligence have focused on whether gentlemen should read each other's mail or the basic question of intervention in another country's internal affairs, seldom are the ethical issues of working with human assets considered, except in usually questionable novels and films. The motives of intelligence officers are relatively well understood, but what motivates people to become spies?

Of MICE and Men: Motivation of Agents

Agent motivations and how officers make use of them create a fertile ground for ethical and professional consideration. The motivation of an agent is a variable that can be difficult to assess, but their intentions definitely have implications for the ethics of running him or her. The acronym MICE is used as an organizational framework for much of this study. MICE is an acronym or mnemonic identifying major motivators used to actively recruit agents or to assess the behavior of walk-ins and defectors. The origin of the term, like much in intelligence literature, is uncertain, but according to Leo D. Carl, MICE is a "former Soviet KGB acronym for the four principle motivations of espionage agents: money, ideology, compromise, and ego."[4]

While MICE accounts for common motivators, of course the mnemonic does not exhaust all motivators for spying. In many cases, the primary motivation can be mixed with others. For example, many agents may take money for their work, but their main driver may be anger against a system that battered their egos. Although the exact wording varies, the term "MICE" can be expanded to include such

factors as coercion as well as compromise, and excitement (thrill seeking) as well as ego.

Money

In general, one can assume that agents cooperating primarily through greed will not cause their case officers any moral angst. In a cash-and-carry business, let both the buyer and the seller beware. No special bond with the agent is created when the motive is money. After the 1940s, Americans recruited for espionage against their own country seem most frequently motivated by money. Some, including members of the Walker ring, seemed mostly motivated by money, but ego and alienation may have played a part in at least the cases of John Walker and Jerry Whitworth. Both of the former sailors may have felt unappreciated by the U.S. Navy. Dysfunctional bureaucratic environments can breed discontent and a desire to strike back at the bureaucracy by offering its secrets to outsiders. Although partly motivated by antagonism toward the British, Elyesa Bazna, a German agent in World War II, was mainly driven by the desire for money. Bazna, code name Cicero, was an Albanian national employed as a valet to the British ambassador in Ankara. His case officer, L. C. Moyzisch, wrote in *Operation Cicero*, that Cicero was controllable though money:

> The sight of the money and deliberately slow counting of it had had the effect I intended. He saw himself already in possession of a fortune, and he was not going to risk it all by being stubborn. I realized that through the money I had a certain power over him. He seemed to have considerably more confidence in me than I had in him.[5]

Cicero did not profit from his work for the Germans. Ironically, he found that he had been paid in counterfeit British notes. The postwar German government refused to honor his claims for compensation.[6] In a bit of poetic justice, the Germans never exploited the intelligence Cicero provided (at least in part because of their suspicion of Cicero's bona fides). Moyzisch's account does not reveal any ethical tenderness on the case officer's part on his agent's fate, even though Cicero did excellent work. Ultimately Moyzisch took the view that

> [l]ooked at dispassionately, one might say that Operation Cicero was technically almost a perfect job. Politically, in the final analysis, the British lost little through it, mainly owing to the inability of the German leaders to do anything with the vital knowledge about the enemy that was presented to them.[7]

Ideology, Champagne Communists, Useful Idiots, and Mixed Motives

Richard Sorge and Julius and Ethel Rosenberg are arguably prime examples of those who spy for ideological reasons. However, the ideology of an agent candidate cannot be assumed from appearances. Motives can be oddly mixed. In the case of Heinz Felfe, one might assume his Nationalist Socialist background would make him immune to the *Komitet gosudarstvennoy bezopasnosti* (KGB). A staunch Nazi, Felfe was employed in the Nazi years as a counterespionage specialist in the *Sicherheitsdienst* (SD) working against Soviet intelligence services. On the assumption that such a person could not be a KGB agent, he infiltrated the *Bundesnachrichtendienst* (BND) during the Reinhard Gehlen years. Under KGB and East Germany's *Hauptverwaltung Aufklärung* (HVA) tutelage, Felfe managed to the lofty heights of the chief of the BND's Soviet counterintelligence branch and the liaison to the CIA and other Western intelligence services. In some ways, Felfe's career paralleled that of Kim Philby's. Although Felfe was a former fanatical Nazi, the HVA under Markus Wolf targeted his vulnerability: his rabid anti-American and anti-British hatred stemming from the WWII firebombings of his hometown, Dresden.[8]

Officers of Soviet military intelligence *Glavnoye Razvedyvatelnoye Upravleniye* (GRU) used the term "useful idiots" to describe privileged members of Western elites who cooperated with them on subverting their own societies. "Champagne communists" is a term covering similar ideology-driven collaborators whose commitment to social change never seemed to impinge upon their own socioeconomic status and privileges. The Apostles (a Marxist society at Cambridge) and the Cambridge Five in the 1930s were good examples of ideology-based or at least socially malcontent collaborators drawn from Britain's privileged classes. Lieutenant Colonel Oleg Vladimirovich Penkovsky of the GRU is an enigmatic figure. Born April 23, 1919, he approached Western intelligences services in the 1960s as a walk-in agent, apparently due to disillusionment with the Soviet systems and the leadership of Nikita Khrushchev.[9]

Although Penkovsky described himself as a soldier for freedom, much of his behavior may have been driven by resentment over his stunted military career. Although he was well placed and with superlative access to important material, his father's commission in the White Russian army blighted further advancement. Ideology

may have been a more palatable cover for offenses against his ego. His request for a general's commission in the U.S. Army from his handlers and to be photographed in an American uniform smacks more of ego than ideology. Disregarding the quirks of his nature, Penkovsky is perhaps the greatest agent the West ever had. His British and American case officers apparently felt genuine pain over his capture and execution. For both American and British officers, the Penkovsky operations were the pinnacle of their careers. Penkovsky was executed as a spy for British and American intelligence services in 1963.[10]

Coercion/Compromise

Traditional honey traps employing women as bait and Romeo operations aimed at lonely government secretaries, as perfected by Markus Wolf, are all based on the profound human needs for intimacy and sex. This form of recruitment can be either purely coercive, through threats of disclosure, or more a form of persuasion and reward for continuing cooperation. An agent may trade sexual favors for technical manuals from a military member in a straightforward exchange. Wolf's Romeo operations against the Federal Republic of Germany can be seen as either the compromising of lonely women in the bureaucracy or a form of classic con game seduction. In either case, one assumes that women would cooperate to prevent the relationships from being terminated or exposed.

In the West, homosexuality could be used as blackmail to ensure cooperation. Today the social sanctions have been reduced, but the "don't ask, don't tell" policy in the U.S. military may prove to be problematic unless modified to allow confidential disclosure to appropriate authority. In the Middle East and elsewhere, lesbians and male homosexuals are still vulnerable to coercion and the threat of public disclosure. Homosexuality remains a criminal offense in Egypt, Lebanon, and elsewhere in the Muslim world. For example, in April 2007 a Cairo court found Mohammed al-Attar, an Egyptian Canadian, guilty of spying for Mossad. Although al-Attar denied being a homosexual, he had claimed to be one on a United Nations application for refugee status. In his confession, al-Attar claimed to have recruited impoverished and gay Arabs in Canada for Mossad. Subsequently al-Attar renounced his confession, which he said was extracted under torture by Egyptian officials. At this point, what

remains clear is that homosexuality can still be used to compromise people into becoming agents.[11]

Sexual practices are not the only hook officers can use to develop an agent. "Leveraged biography" can cover a number of historical facts whose disclosure could discredit or pain the agent. In the Stalin era, aristocratic forebears or counterrevolutionary relatives could be a cause for suspicion and wilted chances for advancement. Minor "crimes" such as stealing fence material for firewood during the siege of Leningrad were used by the Soviet secret police to recruit informers and other agents. The ethics of coercion or compromise seem to center on the classic dilemmas of choosing a lesser evil for a greater good, the use of people as means to an end, and the idea of justifying bad acts for a good outcome. Alfred Redl, an Austrian counterintelligence officer, was compromised by his unsavory sexual practice and spied for the czar prior to WWI. Illegal dealings in vodka made one Russian diplomat subject to recruitment by the FBI.

A variant of leveraged biography is the recruitment of agents based upon ethnic or religious affiliations. For example, the People's Republic of China's Ministry for State Security and the Second Department of the People's Liberation Army's General Staff have been involved in recruitment attempts of foreign nationals of Chinese descent throughout the world. The idea of false flag recruitments is considered below as a special case.

Ego and Excitement

The recruitment and handling of agents driven by ego and/or a sense of being underappreciated can present both operational and ethical problems. How much flattery and ego stroking is enough? When does the officer begin to feel like a panderer to an unlikable egotist? Is it unfair to exploit ego as motive when perhaps the agent's need for external validation comes from a severe neurosis or traumatic upbringing? The Hanssen story may be such a case; although Robert Hanssen did volunteer his services to the enemy, his self-image was apparently compromised by his early childhood experiences. Although Oleg Penkovsky was ostensibly motivated by ideology, an offended ego played some part in his behavior. The need for excitement may be closely allied to ego needs. The type T personality and thrill seeking will be discussed below as a special case.

Ego: Hanssen and Penkovsky

Two outstanding examples of the apparent motivation of ego are Robert Hanssen and Oleg Penkovsky. Interestingly, both were apparently volunteers for respective enemy services, both inflicted major damage upon their own intelligence services, and both felt themselves to have been underappreciated by their own organizations. Although Penkovsky's espoused motivation was ideological, there appears to be a narcissistic tone to some of his behavior. The psychological aspects of Hanssen's motivation will be discussed further later, but the apparent lack of validation by his father may have influenced his later decision to "outsmart" his fellow counterintelligence colleagues.

Ethics and the Agent Recruitment Cycle

Table 1 describes the traditional agent recruitment cycle and selected ethical issues appear to be salient for each stage of the process. This table is not meant to be exhaustive. Since each agent and HUMINT

Table 1. Agent recruitment cycle and selected ethical issues for each stage. Based in part on Olson (2006).

Stage	*Activities*	*Comments/Potential Issues*
Spotting	Identifying and targeting potential human sources	Treatment of humans as means, not ends
Assessment	Learning as much as possible about the target; use of access agents, databases, and surveillance technology	Privacy rights Search for vulnerabilities to exploit Possible risks to target from own counterintelligence if assessment discovered
Recruitment or Development & Pitching	Use of MICE, false flag, or other motivational tactics to get agent to commit	Corrupting innocent Entrapment Coercion Comparable to seduction Inauthentic relationship as "friend"
Handling or Producing	Productive phase where agent provides data to officers	Dangers to agent Maintaining inauthentic relationship
Termination	End of agent-officer relationship; turning over to another service; closing case	Closure Keeping promises Physical, monetary, and psychological security Burning of agent and/or officer

operation is unique, the specific variables may differ greatly. James Olson's book *Fair Play* (2006) offers several practical ethical scenarios to consider, including many that are directly relevant to HUMINT operations.[12] Implicit in this life cycle model of recruitment is that the officer proactively targets and recruits the agent. If the potential agent is a walk-in, that casts a different light on the ethical and operational considerations facing the officer. How should a service treat a dangle or an agent provocateur, for example? As the table suggests, ethical issues arise at every stage of the recruitment cycle including the termination of the relationship.

Keeping Faith with Agents

Keeping faith with agents throughout the cycle has both practical and ethical foundations. A service that does not seek to protect its agents, pay them as agreed to, and honor promises to them or their survivors will find recruitment that much harder. Allied services may find their recruitment and other operations more difficult if their agents fear their identities will be shared with the offending service. Any obligation to an agent after the termination of operations is ethically sensitive. A memorandum dated May 14, 1963,[13] for the chief of the SR Division argued that the CIA needed to show concern for Penkovsky after his capture. The authors argued about the pragmatic need to counteract the negative effects on future agent recruiting if the CIA was seen as abandoning an agent. Pragmatism was emphasized over any moral obligation to Penkovsky in the document. Of course, some concern for the agent may have lurked below the bureaucratic realpolitik surface.

The Case-Officer–Agent Relationship

HUMINT consists of the use of human beings (agents), rather than technology, to collect information, usually through illicit means. Most officers would not be troubled by the ethics of technological collection techniques. For example, planting a listening device is considered part of the game. They might have qualms, however, in recruiting an agent who would face terrible consequences if discovered placing or servicing such a device. Case officers are indoctrinated with the primacy of protecting their agents. Tension is inevitable when headquarters generates questions for the officer to task the agent with. The impulse to avoid exposing an agent to excessive risk

may conflict with the pressure to get answers that require an agent to push his or her normal envelope of access.

Ethical issues in HUMINT are especially striking, since the relationships between case or operations officers and their agents are by their very nature both very close and potentially exploitive. The collection of intelligence begins with the recruitment of foreign nationals by some form of manipulation of their unmet needs. Some of these needs are created by the recruiter through threats and coercion. Some intelligence services have used coercive measures in recruitment, such as blackmail or threats against families. In most cases, the agent is operating illegally in transmitting information to representatives of foreign powers. The penalties can be extreme, including execution. The longer officers manage an agent, the more exposed the agent is to being discovered and apprehended. Some agents are "walk-ins" who proactively approach foreign intelligence services, in effect recruiting themselves.

Although the interests of intelligence officers and their agents coincide to some extent, they are by no means identical. The motivations of the agent enter into the ethical considerations of the officer. Obvious lunatics are excluded from recruitment or operations for pragmatic reasons. On the other hand, what are the ethical implications of using an agent who may be able to function in his or her society but may be mentally ill? The behavior of some agents suggests that they may have had some underlying mental health issues that go beyond alienation from their societies. These issues will be explored later as special cases.

Pressures on Case Officers and Cognitive Dissonance

Despite careful screening in training and some ability to compartmentalize one's personal feelings, an active case officer could be troubled by using techniques akin to seduction or confidence games to recruit and run agents. Socialized into Western values of humanism, officers may be troubled on an unconscious level by the need to manipulate a potential agent's vulnerabilities and the officer's own need for friendship. This consideration is purely speculative, but the cognitive dissonance imposed on a case officer in recruiting agents could be immense.

Leon Festinger's view of cognitive dissonance rests upon two hypotheses.[14]

1. The existence of dissonance, which is psychologically uncomfortable, will motivate the person to reduce the dissonance and restore consonance.
2. When dissonance is present, in addition to trying to reduce it, the person will actively avoid situations and information which would likely increase the dissonance.

Cognitive dissonance can be operationally defined as an uncomfortable psychological state that arises when two cognitions are in conflict. Dissonance is the loss of consonance (homeostasis or state of comfortable balance), which one seeks to restore. Self-image and one's own actual behavior may produce dissonance. If one perceives herself as a moral, ethical individual but perceives that her actions are inconsistent with that model, she is motivated to reduce the dissonance somehow. Death camp guards who think of themselves as decent, moral family men and yet deal in genocidal killing may reduce their dissonance with a new perception or cognition that the oppressed are subhuman or criminals unworthy of human consideration.

Dissonance reduction may in turn have dysfunctional effects in the person, including erosion of personal ethical standards and a growing callousness that creeps into off-duty hours. Unresolved dissonance is a stressor that may affect both health and performance. Not to be underestimated is the corrosive effect upon an officer of having to maintain a relatively intimate interpersonal relationship with an agent he finds reprehensible or boorish. Nonofficial cover (NOC) officers have the additional strain of not having diplomatic immunity to avoid arrest, imprisonment, torture, and death in some countries. Is it desirable for officers to compartmentalize the ethics used in their professions from the ones they practice in their personal lives? What are the long-term effects? Does this practice cause stress and/or erosion of moral standards? The pressures to recruit agents and collect intelligence may conflict often with an officer's scruples in dealing with agents.

Are HUMINT Operations Inherently Exploitive?

At the root of all techniques for recruitment and management of agents is an element of manipulation. People are being used as a means to an end, rather than as ends in themselves. Does the doctrine

of *Gott mit uns* make any means acceptable if we think the ends are worthy? Is such manipulation inherently exploitive? Does exploitation occur when an agent walks in and volunteers? All these issues can be troubling yet they are a part of daily operations. Is it possible to make the relationship between case officer and agent one of intelligent self-interest without the taint of exploitation? In the novel *The Dream Merchant of Lisbon* (2004),[15] Gene Coyle describes the case officer's approach to recruitment as hinging upon identifying a potential agent's "dream." Money, resettlement in the West, financial security for one's children, or whatever the dream is, the case officer can offer to trade its fulfillment for the agent's cooperation. Even if the case officer knows the dream fulfilled is unlikely to meet the agent's expectations, at least the quid pro quo nature of the transaction makes it less prone to exploitation. So far the discussion has been academic. How does one relate ethics to the day-to-day work of a case officer?

Formal Approaches to Ethics

According to Charles Garafalo and Dean Geuras,[16] there are five major traditions or approaches to ethical assessment: relativism, teleology, deontology, intuitionism, and virtue theory. The descriptions below are based on Garafalo and Geuras's works, including some of the questions each framework generates.

Relativism

Relativism assesses right and wrong in the context of the society, culture, individual belief, and the specific time and place in which the decision is made. One sticking point in such cases is that a decision maker may be imposing his or her views of what ethical behavior is upon others with different views. Does a sense of honor in peacetime need to be suspended in time of war? Is assassination in wartime acceptable if not in peacetime? In totalitarian states, denouncing others as counterrevolutionaries or enemies of the state was and is promoted as a civic virtue. If one knows those denounced will be sent to certain death in the Gulag or at Dachau, what decision should one make? In an atmosphere of constant danger and fear, paranoia may not be irrational. Should one denounce another family before they denounce one's own?

Relativism, Ethnocentricity, and the Dangers of Moral Certitude

Ethnocentricity can distort all human thinking including ethical behavior. Every intelligence service feels God is on their side, or at least that they are in the right morally and their opponents are not. *Gott mit uns*, *Deus veult*, and similar sentiments have been expressed in every human language used by warriors and intelligence officers. Compare this thinking to Irving Janis's model of dysfunctional decision making,[17] where in groupthink mode, groups stereotype outsider groups as evil, incompetent, and "not like us." A variation on this aspect of groupthink is the idea of "mirroring," or the assumption that the values and behavior of the opposition are similar to our own. This leads to disaster in dealing with alien cultures. It is not a racist or xenophobic distortion to admit that the "others" may not always think like "us."

Teleology and Utilitarianism

Teleological utilitarianism is an ethical approach that one would expect of government officers. Teleology is an ethical or philosophical frame of reference that sees an act in terms of end goals, results, and consequences. Teleology can be seen as ethical in either purely egocentric forms or as a form of utilitarianism. Ethical egoism considers if the consequence is more favorable than unfavorable for the actor who makes a decision or performs an action. Ethical altruism asks if the consequence is more favorable than unfavorable for all others than for the actor herself. Ethical utilitarianism asks if the consequence is more favorable than unfavorable for everyone. Jeremy Bentham and his followers argue that the definition of utilitarianism as that which produces the greatest happiness for the greatest number of people is the morally correct one. "Happiness is an elusive concept" that Bentham tried to define in terms of intensity, duration, fruitfulness, etc. In general, the term "utility" or "benefits" appears to be a better-grounded approach due the complexity and connotations of "happiness."

At the climax of *Star Trek II: The Wrath of Khan* (1982), Mr. Spock intones a plausible moral principle: "The good of the many outweighs the good of the few, or the one."[18] This standard is frequently relied upon in making decisions that disadvantage some while advantaging others. This concept may be traceable to utilitarianism and Bentham, but the implications can be dangerous when

paramilitary and HUMINT are involved. It is not only in bad films that intelligence services have been accused of abandoning or exploiting agents. Is the abandonment or burning of an agent ethically acceptable for the greater good? Another stop on the slippery slope of teleology includes suppression of individuality for the good of the group. While this concern may be somewhat culturally specific and generational, Western countries with a strong sense of the value of the individual should be especially concerned. Using teleology/utilitarianism as a framework, the following questions arise: How does one determine what will bring the greatest value to the largest number? What are the short- and long-term consequences of a decision or action?

Deontology or Principle-Based Ethics

This approach sees the ethical act as one performed in accordance with an ethical principle. Deontology does not focus on consequences as utilitarianism does. The outcome of the act is less important than the honoring of the principle. How does one determine the "right" principle that one can always follow? What if the needs of one set of stakeholders conflict with those of another? How does one prioritize? *Can* one prioritize? In practical terms, are there principles that can be applied in a specific case and consistently in all similar cases? To what extent can a principle be considered a universal or moral imperative? Perhaps the hardest question to apply to the HUMINT mission need is, to what extent does a course of action treat people as ends in themselves rather than mere means to an end? Does the case-officer–agent relationship reflect interactions between free, responsible adults wherein no one is exploited?

Intuitionism

Intuitionism is deciding and acting based on one's internal feeling of right and wrong. The practical drawbacks of making decisions using subjective criteria are obvious. In many ways they parallel the problems associated with relativism. Is one's conscience always a good guide to action? What if the officer is jaded, frustrated, or angry? Can such emotions affect one's intuition? What may seem acceptable to one officer may not be acceptable to another. Does feeling good or bad about an action vary with the situation or the state of an officer's mental health? At what point does an officer reject the idea

of informed consent and not brief the agent fully on the dangers of a specific task, for example? How much confidence does an officer have in his or her own moral intuition? Can this lead to a paralysis in recruiting and tasking agents?

Virtue Theory

Virtue theory calls upon one to act as a person of good character who sets a benchmark for others to follow. Questions that arise from virtue theory include, what character traits does a specific action express? Is it bravery and professionalism in servicing a dead drop? Is it going the extra mile in honoring a promise to an agent? In terms of existential angst, what effect does an action have on one's own character? Is one acting honorably or not? What (if any) effect would one's action have upon the character of others? The immediate sticking point is how one dedicated to covert operations can stay unknown and yet serve as an example to others. Perhaps there would be an effect on younger officers one is training. Perhaps some stories can be used in officer training and orientation to communicate an expectation of proper conduct. Finally, one should ask: If I witness this behavior in another, would I admire that person? The danger is apparent in selecting a model. Asking what Jesus would do might result in ethical but impractical options. Asking what would Felix Dzerzhinsky or Heinrich Himmler would do would lead to terrible conclusions.

Special Cases Requiring Special Diligence

The following recruitment situations are described as special cases requiring particular care. Some readers may not agree that these scenarios constitute "special" cases, but they are offered for considerations. For a larger range of situations and scenarios, readers are directed to Olson.[19] Note that the scenarios presented here do not have prescribed resolutions or "schoolhouse" answers. As always, the process and the questions that arise do not lend themselves to a checklist approach.

Excitement Seeking and the Type T Personality—A Special Case

Ian Fleming paraphrased Euripides nicely to the effect that whom the gods would destroy, they first make bored.[20] The thrill-seeking

personality may be especially vulnerable to recruitment, but their productivity can be compromised by their risky or attention-seeking behavior. According to intelligence historian Nigel West,[22] Greville M. Wynne served as a cutout or courier between Lieutenant Colonel Penkovsky and Western intelligence services. Although the accounts of that episode vary, it appears that Wynne was a British businessman approached by Penkovsky in a Moscow restaurant when earlier overtures to Canadians and Americans were rebuffed. For eighteen months, he served as a courier, bearing microfilms of GRU documents westward. Wynne's written accounts gave him a more and more glamorous role in the proceedings. Wynne alleged that he and Penkovsky made a secret trip to Washington, where they were received by President John F. Kennedy. Wynne also alleged that he was specifically recruited by the British Secret Intelligence Service (SIS) years earlier for other operations, and specifically for the Penkovsky mission. He alleged that SIS had financed his company in order to provide a nonofficial cover for his trips to the Soviet Union. Other tales included his uncovering a German spy operating a wireless set in 1938 at the Nottingham factory where they both worked. Wynne appears to have been a Walter Mitty personality whose later life was spent in drinking, divorces, and litigation:

> He variously sued or threatened to sue the BBC, the *Sunday Telegraph*, Sir Fitzroy Maclean, and this author, but none of his cases ever met with success. He usually abandoned them before they came to court.[21]

While this behavior can be channeled constructively, it can result in self-destructive and risky behavior. Targeting a type T personality for recruitment could be the equivalent of trading on an "addiction" or enabling self-destructive behavior. One might consider the maturity of the target as an ethical issue. For many people, adolescence goes on forever.

In terms of purely operational considerations, the recruitment of an excitement-seeking personality presents risks. In the Wynne example, the years of publicity seeking and bizarre tales must have presented the SIS with many bad moments. In terms of ethics, recruiting a thrill-seeking personality presents a special case.

The type T personality itself is not a mental disorder, but represents a personality type that can be exploited. The type T (or thrill-seeking) personality[22] is often associated with those seeking greater feelings of being alive through seeking novelty and excitement, which can be intellectual or physical. Type T personalities are as-

sociated with such behaviors as creativity; substance abuse; seeking intellectual experiences, adventure, and physical challenges; aesthetics; and robust sexuality.

For those with a romantic view of espionage in the tradition of the Great Game and gentlemen adventurers, the type T personality would seem a natural target for development. In his 1914 book *My Adventures as a Spy*, Robert Baden-Powell, First Baron Baden-Powell wrote:

> The best spies are unpaid men who are doing it for the love of the thing. . . . It is that touch of romance and excitement which makes spying the fascinating sport it is.[23]

While it is tempting to dismiss the founder of the Scout movement as a subject matter expert on modern agent recruitment, there are thrill seekers among us who may have valuable access. An invisible and overlooked Walter Mitty–type laboring in a foreign bureaucracy might also fall for the opportunity to make his or her fantasy come true.

Frank Farley[24] specified three subtypes of type T personality: physical, intellectual, and balanced. Case officers can exploit such personalities through the offer of a physical thrill (the danger of spying), the intellectual novelty, or a balanced physical-intellectual approach. An important caveat: Type T personalities are not always impulsive. Extreme sports enthusiasts and special operations forces members may seek excitement, but they do risk evaluation and careful planning in most instances.

Targeting Specific Psychological Pathologies for Development

The classic MICE framework could be applied to many forms of mild mental illness, but the ethical issue of exploitation is especially important in these cases. Walk-in and other volunteer would-be agents should be viewed with a suspicion that they are not dangles or agent provocateurs controlled by an enemy service, but instead may be mentally disturbed. Certain people with relatively mild neurotic afflictions or other forms of mental illness may make suitable candidates for recruitment. Others with psychosis or severe neurotic disorders, such as borderline personality disorder, would never be suitable recruits because their severe debilitation would make them incapable of operating in the day-to-day world and having access to important

information. Other psychological factors to be considered include the notions of compensatory justice and the sociopathic or psychopathic personality types that appear frequently in case studies. In terms of operational considerations, the frustration and mental health problems of late-onset-illness candidates may make them vulnerable to recruitment, but is the agent candidate now acting in bizarre or unusual ways that draw the attention of counterintelligence services? Does recruiting and operating these categories of agents present unique ethical dilemmas due to the vulnerability of the individuals involved? Compensatory justice is characteristic of many malcontents who feel as though they have been victimized or shortchanged by the system in which they live. They can justify disloyalty and working against the system because "somebody" owes them something. Malcontents may easily attract attention to themselves from superiors and counterintelligence services. Why, for example, would a problem employee suddenly volunteer for overtime when the office would be empty of others? Sociopaths have no real empathy or conscience, but many exhibit superficial charm and can masquerade as caring individuals. Sociopaths can be effective agents, but may prove to be playing games with their case officers, perhaps to the point of becoming double agents.

The questions of reliability and effectiveness are paramount in evaluating potential recruits. One assumes that an agent in place must be coping at a reasonable level or she would lose access. As a psychiatrist in the intelligence community writes,

> Psychotics and neurotics rarely enter the kinds of work that would make them attractive, as defectors, to the Agency. . . . When we find among our defector population people who do suffer from psychotic or neurotic difficulties, their disorders are usually of a very late and/or insidious onset.[25]

In many cases, emotional problems or disorders do not preclude a target gaining valuable access. Although Hanssen was a walk-in, some case officer might have been able to use Hanssen's dysfunctional relationship with his father, Howard Hanssen. According to Dr. Daniel L. Charney, the psychiatrist who interviewed Robert Hanssen on behalf of the defense:

> If I had to pick one core psychological reason for his spying, I would target the experience he had in relations with his father. . . . Hanssen's father seemed to be fundamentally impatient with him . . . borderline abusive.[26]

Armed with such biographical leverage, an officer might be able to exploit this kind of resentment into resentment against other authority figures. Then striking back at the hated father figure could take the form of spying against one's own organization.

Perhaps such concerns will seldom, if ever, arise in a case officer's career. Studies of defectors to the West during the Cold War showed the level of psychosis or severe neurosis was actually lower than that expected of a general population of the same size.[27] Defectors and agents with no intention of defection are distinct cases, but one may assume the psychologies are similar. Current practice for accepting defectors now includes psychiatric as well as polygraph examinations, but defectors are essentially walk-ins and a different category of assets than agents in place. (The defector in place operation is a variation on agent management.) Whenever neuroses or other mental illnesses are involved, the reports and data from agents must be scrutinized closely for self-aggrandizement and fantasy. Any agent that may be on the verge of a breakdown is not a good candidate for further tasking. Again, operational psychologists can be a vital resource for the case officer in evaluating the potential agent.

False Flags—A Special Case of Covert Operations

In false flag operations, actions are attributed to entities other than the ones actually conducting them. These operations are frequently used as pretext for war, as in the Soviet attack on Finland and Nazi Germany's attack on Poland. The recent activities of Georgia's and Estonia's Nashi Russian ethnic populations and distributed denial of service cyber attacks on Russia's neighboring states are suspected by many as being orchestrated by Moscow rather than "spontaneous" phenomena.[28]

In HUMINT application of the false flag tactic, agents are deceived into believing that they are working for a nation other than the one the recruiting officers represent. The KGB has historically recruited agents who thought their operational activities were for the benefit of Israel or some other third party rather than the Soviet Union. False flag tactics used in recruiting agents pose particular ethical dilemmas in that the trust agents put in their case officers is entirely misplaced. To some, the distinction between a false flag and a standard recruitment may be moot: both involve manipulation. It would seem, however, that false flag operations add another layer of potential harm to the agent. If later the agent learns that his cooperation may have been

used against rather than for the supposed cause or country, psychic pain as well as standard punishment can accrue. Consider the pain when an agent thinking he was working for Mossad discovered he was working for one of Israel's adversaries. The intelligence the agent provides may actually be used against the nation or people the agent seeks to aid. In cases where the motivation is ideology or personal beliefs, the betrayal of the agent is complete.

Espionage as a "Victimless Crime"—A Special Case

In some examples of HUMINT operations, technically beyond the passing of intelligence itself, there may be little to excite ethical concern. Cicero was a walk-in, so not even the potential ethical dilemmas of recruitment were apparent in his case. In his recounting of *Operation Cicero*, L. C. Moyzisch says of his WWII agent:

> In the course of his story, no shot was fired, no poison administered: no human life was endangered by Cicero save, of course, his own; no one was bribed, blackmailed or otherwise victimized by him, as was the case in most other great stories of the two world wars.[29]

Moral Hazard, Organizational Subcultures, and Agency Theory—Special Consideration

The concept of moral hazard stipulates that the further one is from the consequences of a decision, the more lax the decision making may be. Values held by individuals vary greatly within and between cultures and societies. There are always potential gaps between espoused values and those actually in practice. The values, including the importance of ethical behavior, may vary within an organization depending on location (line or staff, for example) in the structure and subgroup. George W. England and colleagues.[30] researched the impact of values upon decision making by managers. Their work suggests that the values of managers within an organization may vary depending on context and role in the organization. Therefore, an operations officer, an analyst, and an attorney all employed by an intelligence service may have different values and standards of professionalism, despite the strong organizational culture in which they all operate. In economic agency theory, one cannot assume that the agenda of any "agent" coincides with the agenda set by the sponsor. Congress may attach some tasking to funding, but to the agency

head the funding may be best spent on preserving the status of the agency first. Hence, one can picture a different approach to be held by a headquarters official and a case officer in the field to the management of human assets. In agency theory, asymmetric information between the actors is assumed. In some instances, officers and agents may not be fully candid and forthcoming on what they know due to their individual agendas.

Study Limitations

Serious limitations to this literature-based study must be acknowledged. It was conducted in the "wilderness of mirrors" of open sources. Researching foreign intelligence as a serious academic pursuit is confounded by disinformation, biased points of view, forgeries of primary sources, and the inaccessibility of classified data. This study is a series of case studies based on open sources, without access to primary documents or informants themselves. The usual biases and personal agendas that affect all writers extend to official reports and documents.

Another distraction for researchers is that the seeming openness of governments since the official close of the Cold War may be more apparent than real. Many intelligence and security agencies are putting up websites. The Russian foreign intelligence service, *Sluzhba Vneshney Razvedki* (SVR), maintains a website accessible from the West. The British and American intelligence and security communities maintain websites. Some of the Western services maintaining websites include the Central Intelligence Agency, the Defense Intelligence Agency, the British Security Service, the British Secret Intelligence Service, and the British General Communications Headquarters. While scanning these sites, one is not surprised to find that these services are looking for candidates with critical languages and technical skills. What one finds on such sites is of necessity unclassified and often superficial. (At the time of this writing, the number of declassified documents available under the Freedom of Information Act on CIA and FBI websites was striking, however.) Specific, current information on HUMINT cannot be found. (One wonders whether the websites may be more a means of offering access to cyber walk-ins than putting out information for researchers. It might be fascinating to examine the traffic received by the webmasters for these sites.)

Implications for Research and Theory

Research into the ethics of agent management should start with qualitative and descriptive studies of current practice, based upon officer surveys and interviews. In terms of research designs, serious research about ethics in HUMINT or other intelligence operations is likely to be qualitative or descriptive rather than experimental. Quantitative approaches based on survey data will give less insight than in-depth qualitative approaches such as phenomenology or ethnographic approaches to the unique cultures of operations officers. Emergent theory and research questions developed in qualitative analysis could lead to hypotheses testable by quantitative approaches.

Experimental approaches, per se, are impractical and present ethical problems of their own. Informed consent in a need-to-know regime is problematic. The manipulation of variables in any experimental design raises ethical concerns (at least to Westerners) if participants are unable to give informed consent. How would one ask a potential agent if he or she would like to participate in a double blind study to see if an officer relying on a code of ethics performs differently than one who does not?

In terms of further consideration of ethics and espionage, other theoretical lenses could be employed such as equity theory, cross-cultural studies, and different religious-based traditions. While a better subject for professional operational psychologists, the stresses on "legals" operating under official cover are additional psychic load to include competing demands and professional standards regarding their duties as intelligence officers and those of their official cover job. Those operating under nonofficial covers (cutouts such as Neville Gwynn, for example) have even more pressures, including the danger of imprisonment or execution due to the lack of diplomatic immunity. A final suggestion for further research would be a psychological study of development of empathy, a dimension of mental health in human development, and its relationship to ethics, specifically in HUMINT and other collection disciplines.

Implications for Practice

As always, the counterintelligence officer must refresh his or her notions of what motivates agents and the amoral methods used by intelligence services. The cases discussed briefly in this article hopefully

remind the reader of the multiplicity of motivators and recruitment techniques available to develop agents.

The selection, training, socialization, and indoctrination processes that case officer trainees go through in sophisticated agencies would screen out those for whom the demands of the mission are incompatible with their own personalities. Highly qualified individuals without the "killer instinct" can make highly valuable contributions as intelligence analysts or in other non-HUMINT fields.

In lieu of a formal code of behavior, perhaps it would be more useful for intelligence officers to discuss and debate ethical issues involved in typical scenarios. In initial training and continuing education, scenarios like those presented by Olson would prepare officers for the decision making they do about specific cases. For those who are not satisfied with the argument that what we do is not what we are, developing a clear sense of the principles and purposes of intelligence services in democracies is essential. Realpolitik may have a place even in HUMINT, but it remains the task of the intelligence professionals to resolve the questions raised here.

Notes

1. Charles Garafalo and Dean Geuras, *Ethics in the Public Service: The Moral Mind at Work* (Washington, DC: Georgetown University Press, 1999).

2. Michael Smith, *The Spying Game: The Secret History of British Espionage* (London: Politico's Publishing, 2003).

3. Jeffrey T. Richelson. *A Century of Spies: Intelligence in the Twentieth Century* (New York: Oxford University Press, 1995), 71, 73–75, 121.

4. Gary D. Solis, "Targeted Killing and the Law of Armed Conflict," *Naval War College Review*, Spring 2007, 127–46.

5. Leo D. Carl, *The CIA Insider's Dictionary of US and Foreign Intelligence, Counterintelligence & Tradecraft* (Washington, DC: NIBC Press, 1996), 366.

6. Quoted in Allen Dulles, ed. *Great True Spy Stories* (New York: Harper & Row, 1968), 43.

7. Ibid., 48.

8. Ernest Volkman, *Spies: The Secret Agents Who Changed History* (New York: Wiley, 1994), 180–81.

9. Richelson, *A Century of Spies*, 274–79, and "Oleg Vladimirovich Penkovsky," *Encyclopedia Britannica*, http://www.britannica.com/EBchecked/topic/449978/Oleg-Vladimirovich-Penkovsky (accessed November 7, 2009).

10. "Lt. Col. Oleg Penkovsky: Western Spy in Soviet GRU," Central Intelligence Agency Electronic Reading Room, http://www.foia.cia.gov/penkovsky.asp (accessed November 7, 2009).

11. "Egyptian Jailed for Israel Spying," BBC News, April 21, 2007, http://news.bbc.co.uk/go/em/fr/-/2/hi/middle_east/6578667.stm (accessed November 7, 2009).

12. James M. Olson, *Fair Play: The Moral Dilemmas of Spying* (Washington, DC: Potomac Books, 2006).

13. Central Intelligence Agency, "Memorandum for Chief, SR Division Plan for Informing Soviet Intelligence Services of U.S. Concern for Oleg V. Penkovskiy," May 14, 1963, http://www.foia.cia.gov/search.asp?pageNumber=1&freqReqRecord=penkovsky.txt (accessed November 7, 2009).

14. Leon Festinger, *A Theory of Cognitive Dissonance* (Stanford, CA: Stanford University Press, 1957).

15. Gene Coyle, *The Dream Merchant of Lisbon: The Game of Espionage* (Philadelphia: XLibris, 2004).

16. Garafalo and Geuras, *Ethics in the Public Service.*

17. Irving L. Janis, *Victims of Groupthink* (New York: Houghton Mifflin, 1972).

18. Roger Ebert, review of *Star Trek II: The Wrath of Khan*, directed by Nicholas Meyer, *Chicago Sun Times*, January 1, 1982, http://rogerebert.suntimes.com/apps/pbcs.dll/article?AID=/19820101/REVIEWS/201010345/1023 (accessed November 7, 2009).

19. Ian Fleming, *From Russia with Love* (London: Jonathan Cape, 1957).

20. Nigel West, *Seven Spies Who Changed the World* (London: Secker & Warburg, 1991).

21. Ibid., 81.

22. Frank Farley. "The Big T in Personality," *Psychology Today*, May 1986, 42–52; R. E. Moorehouse, Frank Farley, and J. V. Youngquist, "Type T Personality and the Jungian Classification System," *Journal of Personality Assessment* 54, no. 1 & 2 (1990): 231–35.

23. Quoted in Smith, *Spying Game*, 54.

24. Farley, "The Big T."

25. William Marbes, "The Psychology of Treason," in *Inside CIA's Private World: Declassified Articles from the Agency's Internal Journal, 1995–1992*, ed. H. B. Westerfield (New Haven, CT: Yale University Press, 1995), 70.

26. David Wise, *Spy: The Inside Story of How the FBI's Robert Hanssen Betrayed America* (New York: Random House, 2002), 10.

27. Marbes, "The Psychology of Treason," 70.

28. Project Grey Goose, Phase I Report: *Russia/Georgia Cyber War—Findings and Analysis*, October 17, 2008, http://intelfusion.net/wordpress/?p=432 (accessed November 7, 2009).

29. Quoted in Dulles, *Great True Spy Stories*, 47–48.

30. George W. England, O. P. Dhingra, and Naresh C. Agarwal, *The Manager and the Man: A Cross-Cultural Study of Personal Values* (Kent, OH: Kent State University Press, 1974).

Donald A. Petkus lectures at the School of Public and Environmental Affairs at Indiana University (IU). Prior to an early retirement, he was a civilian logistician supporting weapon systems used by the electronic warfare, special operations, and aviation communities. He has MA and MPA degrees from IU where he now pursues a doctorate in educational leadership and policy studies. He has been published in *Acquisition Quarterly Review*, *Naval Engineers Journal*, *Baker Street Journal*, and elsewhere.