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ROLE OF PRIVATE COMPANIES IN THE FUTURE'S INTELLIGENCE MANAGEMENT; ANALYSIS OF THE US INTELLIGENCE SYSTEM WITHIN THIS SCOPE

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Abstract

Following the war waged against radical terror under the leadership of United States of America upon the September 11 attacks, a remarkable increase has been recorded in private companies' significance and roles in intelligence system. Due to changing threat perceptions, threats' becoming asymmetrical and increased demands for risk analyses required by global companies for their international investments, private intelligence companies have entered into a major development process. In this period, completely profit-oriented private intelligence companies have gained a wide-ranging movement area through occasional support and guidance of intelligence services of their country. In addition to this, for recent years, thanks to the developing economic strengths and intelligence network of the given companies, they have almost begun to work as an intelligence service and provide services to their customers. As a consequence, it is evident that private intelligence companies will play a crucial role in intelligence management of the future. In this respect, this study will primarily examine the roles of private intelligence companies in the USA's intelligence system where they efficiently operate, and problems they arise. And thus, functions of private intelligence companies, whose influence on intelligence management will rapidly enhance, within the USA's system will be analysed and therefore, on global scale, efficiency of such kind of companies on future's intelligence management will be revealed.

Key Words: Intelligence, Intelligence management, Intelligence companies, USA, September 11

ÖZEL ŐİRKETLERİN GELECEĐİN İSTİHBARAT YÖNETİMİNDEKİ ROLÜ: AMERİKA BİRLEŐİK DEVLETLERİ İSTİHBARAT SİSTEMİNİN ANALİZİ

Öz

11 Eylül sonrasında Amerika Birleřik Devletleri'nin (ABD) önderliğinde radikal teröre karřı başlatılan savař ile birlikte, özel istihbarat řirketlerinin istihbarat sistemindeki önem ve rollerinde kayda deđer bir artış söz konusu olmuřtur. Bu süreçte deđiřen tehdit algıları, tehditlerin asimetrik hale gelmesi ve global řirketlerin uluslararası yatırımları ile ilgili olarak ihtiyaç duydukları risk analizlerine yönelik artan talepleri ile birlikte, özel istihbarat řirketleri büyük bir gelişim süreci içine girmişlerdir. Bu dönemde tamamen "kâr" amacı ile çalışan özel istihbarat řirketleri, ait oldukları devletin gizli servislerinin de zaman zaman destek ve yönlendirmesi ile geniş bir hareket alanına sahip olmuşlardır. Bununla birlikte son yıllarda bahse konu řirketler gelişen ekonomik güçleri ve irtibat ađı ile birlikte adeta bir istihbarat servisi gibi çalışmaya ve müşterilerine hizmet sağlamaya başlamışlardır. Sonuç olarak geleceđin istihbarat yönetiminde özel istihbarat řirketlerinin önemli işlev göreceđi ortadır. Bu itibarla çalışmada öncelikle özel istihbarat řirketlerinin etkili bir şekilde faaliyet gösterdikleri ABD istihbarat sistemindeki rolleri ve ortaya çıkardıkları sorunlar ana hatlarıyla ele alınacaktır. Böylelikle geleceđin istihbarat yönetiminde etkileri hızla aratacak olan özel istihbarat řirketlerinin ABD sistemindeki fonksiyonları analiz edilecek ve böylelikle de küresel düzeyde bu tür řirketlerin geleceđin istihbarat yönetimindeki etkinlikleri ortaya konmaya çalışılacaktır.

Anahtar Kelimeler: İstihbarat, İstihbarat yönetimi, İstihbarat şirketleri, ABD, 11 Eylül

1. INTRODUCTION

History of intelligence activities is as old as human history. Need to obtain intelligence is primarily related with biological origins of human beings. As every living being who wish to survive in the nature, human beings tried to develop methods which would enable them to comprehend dangers beforehand with the aim of continuing their existence and ensuring security. Intelligence activities, which previously focused on the need to obtain necessary information only for the purpose of survival, have inclined to the aim of penetrating into other social structures and dominating them, which is the result of living together as communities. Nowadays, this need has evolved into one of the most important instruments used by states being in competition in international system for gaining advantage over each other.

Many different definitions of the intelligence concept can be made. If it is described with a generally accepted approach, intelligence activity can be defined as follows: *“planned, covert and secret activities carried out by a hostile state and focused on the goal of supplying covert knowledge on eight main fields (military, political, economic, social, transportation, communications, biography, science and technology) of a state”*. However, it can be asserted that in a period when information in today's world has considerably been diversified and become the most precious value in every area, the aforementioned definition is not exactly to the point, and limiting intelligence activities to the given eight main fields is an insufficient approach (Darıcılı, 2018: 88).

In addition to this, regarding intelligence activities only as an information activity is an extremely insufficient assessment. Intelligence activities suggest a process of collection of information and then analysis of this collected information. This process may be defined as an “cycle of intelligence” comprising of stages such as determining the intelligence requirements and orienting the collection activity, collecting information, processing of information and disseminating and using intelligence (See more at; <http://www.mit.gov.tr/t-cark.html>, 2019). Strategic and operational intelligence thoroughly analyzed and delivered to the right decision-maker on time contributes to a large extent to determine efficient policies.

As indicated above, professional and covert activities planned nowadays by secret services and having the aim of obtaining information, are one of the crucial instruments used by states that are in competition within international system for gaining advantage over each other. Despite this significance, the concept of intelligence is narrowly addressed by theoretical approaches in international relations discipline. On the other hand, it can be

claimed that a theoretical analysis with regard to intelligence activities can most properly be revealed within the scope of realist paradigms.

Realism in this respect, to the extent that a state that can predict intentions of a hostile country or countries, it can most appropriately locate itself in international system where a fierce competition takes place (Kahn, 2001, 79). As already known, the most fundamental determinant in realistic theory analyses is the concept of security. State's strength, which is the main actor for realism, is evaluated together with capacity to ensure security (Çetinkaya, 2012: 247). On the other hand, security assumptions of realism are universal and these universal assumptions claim that international structure is anarchical. In this anarchical structure, in order to gain strength, states determine policies (See more at; Kegley, 1995: 1-5). In this framework, it can be declared that within this international system where a fierce competition takes place and which has an anarchical structure, states, for the purpose of survival, not only must carry out intelligence activities about hostile states but also prevent intelligence activities carried out against them (counter/espionage activities). At this point, as expressed by Kent: "arms are used in wars, diplomacy uses claims and persuasion, and intelligence strives to collect information and prevent opponent party to collect information" (Kent, 1965: 209).

Intelligence helps states eliminate uncertainty related with nature of conflicts within international system that has an anarchical structure. Moreover, qualified intelligence leads decisions of decision-maker actors to become much more incisive. At this point, intelligence not only helps decision processes related to power struggle with opponent states to function properly but also facilitates to better understand future manners of actors accepted to be allies within international system where temporary alliances are constituted.

In addition, intelligence has gone through various development stages since its emergence. First of all, the given development stages identified based on technological developments become distinct in terms of method, technique and sources due to diversification of today's intelligence requirements and emergence of new actors (for example, companies, individuals, other autonomous institutional settlements) in need of intelligence outside state. Nowadays, intelligence is accepted to be a multidimensional study field.

In this scope, intelligence services of Eastern and Western Blocs dominated by the USSR and the USA secret services during the Cold War continued their activities within the scope of defense and security requirements of NATO and the Warsaw Treaty Organization. However, after the year 1990, it has been brought to the agenda that intelligence services

shaped within the scope of conventional security paradigms due to diversification of focus of threats targeted within the context of intelligence service activities must be reformed in compliance with new conditions. The most concrete result of this reform requirement is that intelligence organizations turn towards private intelligence companies for meeting information collection needs.

In this respect, since 1990, increased commercial relations of the US Intelligence Community with private intelligence services, which began especially with the 1st Gulf War, have gained an increasing momentum in the last 10 years. The most important reason of this momentum is that the US Intelligence Community more frequently applies to private intelligence services within the context of information collection requirements as well as companies operating at global scale become customers of such private intelligence services in order to analyze risks of regions where these private companies will invest in. Therefore, fast development and momentum displayed by private intelligence companies within the US intelligence system has also shaped and dominated the market of intelligence companies at global scale.

As a result, it can be argued that the role, impact and importance of private companies in the US intelligence system will increase rapidly. Within the scope of this claim, the study will primarily focus on the role of private intelligence companies in the US intelligence system, where they operate effectively, and the problems they create. In this way, the functions of private companies in the US system, which are claimed to increase their effects in the future management of intelligence, will be analysed. In this analysis, besides the important academic studies on the subject, the official sources and the data related to these companies will be evaluated. The evaluation of the above-mentioned claim will be discussed in detail in the conclusion part of the article.

2. HISTORICAL DEVELOPMENT PROCESS OF PRIVATE COMPANIES IN THE US INTELLIGENCE SYSTEM

Emergence of private intelligence companies in the US management system dates back to the early establishment period of the US. In this context, Pinkerton Detective Agency and some local scout organizations cooperated with the US government during the 1898 Spanish-American War with the aim of collecting intelligence for the US armed forces for a certain fee. (See more at; Voelz, 2009: 586-590). Moreover, during the Mexican-American War, a private company called "Mexican Spy Company" was used by the US to collect intelligence for Mexico (See more at; Rose, 1999). Another period in which private companies are frequently used in the US intelligence system is the Civil War years. General George McClellan Allen, one of the famous generals of the civil war, used the Pinkerton's

Detective Agency to support the Union Army's operations. During the Civil War, a businessman called Lafayette C. Baker established a company that met the needs of Union Army's counterespionage investigations and military police work (Edvin, 1996: 55).

In the 1900s, the development of US private intelligence companies was stagnant. During the period between the 1st World War and the 2nd World War, the US intelligence system was completely under the control of the state. Activity of the US intelligence companies, which demonstrated a stable development process in this period, entered into a fast development process with the Cold War Period (Voelz, 2009: 588). General privatization trend in the US intelligence system started in the President Eisenhower period after the year 1950. Close commercial cooperation was developed with private intelligence companies on use of spy satellites and aircrafts in intelligence budgets increased due to security oriented policies created by the Cold War (See more at; Stanger, 2009: 13-14). In this period, the role of private companies in the US intelligence system has increased considerably within the scope of large budgets allocated to keep the Warsaw Pact member states under surveillance. The cooperation processes between the private companies and the intelligence services, which began to institutionalize in this period, started to become more professional with the new crises that emerged during the Cold War period (See more at; Stanger, 2009: 13-14).

On the other hand, President Reagan continued his hard-line policies against the Soviet Union during the period 1979-1985, which began with the invasion of Afghanistan by the Soviet Union and continued until Gorbachev came to power. As a result of these hard-line policies, the role of private companies in the US intelligence system has increased. Following the end of the Cold War, strategy which was launched by the President Reagan on development of commercial relations with private companies in intelligence management, continued under the presidency of Clinton (See more at; Storm, 2018: 5-6). In this period, utilization of private companies was preferred in order to meet the intelligence needs emerged within the scope of the Bosnian and Kosovo War and the Somalia and Haiti interventions. At this point, the main role of the US private companies was related to the recruitment of local staff who could serve in the crisis areas for the US intelligence system. These local staff have been successfully used to provide translation services, contact with local power groups, coordinate operational activities in the field, and meet daily and strategic intelligence needs. (Voelz, 2009: 591).

In the context of strategies set forth by the President Bush within the scope of war started against radical terror at global level following 11 September 2001, the US intelligence companies experienced a remarkable development process. Invasion of Iraq and fight against

Al-Qa'ida in Afghanistan and Pakistan considerably supported the development of private intelligence companies (See more at; Sills, 2012). In this period, private companies started to play important roles in the USA's counter-terrorism activities. In this context, private intelligence companies have reached to a capacity to operate like a real intelligence service. The defense and intelligence budgets, which has increased with the "preventive self-defence doctrine or preemptive strikes" established within the framework of global counter terrorism strategy, has begun to be allocated to the private intelligence companies with the initiative of President Bush. This process led to a significant increase in the operations and profits of private intelligence companies (See more at; Sills, 2012).

Subsequent to 2010, National Security Agency (NSA), within the scope of its duty, has developed commercial relations on information collection with many commercial enterprises. Within the context of cooperation processes developed by NSA with intelligence companies thanks to its wide-ranging budget opportunities, efficiency of private companies in the US intelligence system has gradually increased. In this respect, the fact that Edward Snowden was an employee of a company, which was in commercial relation with NSA, must be accepted as a significant detail. Upon revelations made by Snowden, reliability of the commercial relations of the US system with private intelligence companies has become a serious discussion topic (Storm, 2018: 8).

3. FUNCTIONS OF PRIVATE COMPANIES IN THE US INTELLIGENCE SYSTEM

As indicated above, the US security and intelligence companies started to establish commercial relations with private companies since the end of 1890's. The aforementioned commercial relations became more sophisticated during the Cold War period. Under the presidencies of Reagan and Clinton, role of private companies within the body of the US intelligence system rapidly developed. However, the given companies experienced the most important development process after the September 11 attacks. In this respect, fight against radical terror at global scale caused profits of private companies to increase significantly.

The US private intelligence market fastly developed together with increasing trade volumes and profitability led global companies to invest in this area. In this context, it is claimed that significant international companies such as Loocheed Martin, Northrop Grumman, Raytheon, Boeing, Science Applications International Corporation (SAIC), Google, AT&T, Verizon and Booz Allen have such commercial relations with the US intelligence services (Krishnan, 2011: 178).

Currently, an important dimension of the abovementioned commercial relations is imagery (Imagery Intelligence / IMINT) and signal intelligence (Signal Intelligence / SIGINT). In fact, close cooperation of the US intelligence system with private companies in the field of imagery and signal intelligence dates back to commercial contracts signed with Lockheed Skunk Works in the 1960's for the purpose of developing U-2 spy aircrafts and Corona spy satellites. Nowadays, within the scope of invasion of Iraq, increasing global competition with the People's Republic of China (PRC) and the Russian Federation (RF), Syrian crisis, invasion of Afghanistan and activities of the US regarding fight against global radical terror, role of private companies in the US intelligence system become much more sophisticated in information collection. In this respect, it is expressed that commercial volume achieved by the US-origin private intelligence companies has exceeded \$ 450 billion (See more at; Krishnan, 2011: 179)

Another aspect of the cooperation between the US intelligence system and private companies is related with the role played by academic institutions operating in the US in foreign policy process of the US. Such academic institutions provide important consultancy services to decision-making actors in foreign policy processes of the US. Strategic intelligence analyses flowing from the given institutions may be evaluated as if they are insignificant since they were prepared based on information collected from open sources at the first stage. However, in recent years, when quality of assessments made by local researchers started to be employed in the US-centered think tanks and increasing professionalism of the given institutions considered together, the US academic institutions and organizations have begun to take an important place at the point of meeting especially strategic intelligence requirements in the US intelligence system. In this scope, detailed and valuable analyses carried out by the given institutions have started to be included in the presidency's daily information thanks to their increasing qualities (See more at; Hillhouse, 2007).

Another dimension of the contribution of private companies to the US intelligence system is within the scope of counter-terrorism subjects. Even, this contribution sometimes goes beyond a specific commercial relation and reached the point of planning intelligence (Human Intelligence / HUMINT) operations based on people. In this respect, it is known that in the early 2000's some private intelligence companies developed commercial relations with Central Intelligence Agency (CIA) on employment of local intelligence personnel in Iraq and recruitment of agents through the aforementioned personnel (See more at; Chatterjee, 2008). In addition, it is asserted that CIA carried out some covert inquiry activities in Eastern Europe, North Africa, Cuba, Middle East and Central Asia through some implementer private

intelligence companies (See more at; Stack, 2009). With the President Barack Obama's coming into power, it was brought to the agenda of the US public that potential and abilities of private intelligence companies were utilized in assassination actions carried out by armed drones against radical terror elements especially in North Pakistan (Hartung, 2011: 220).

On the other hand, it is argued that a private intelligence and security company, Blackwater, whose name is associated with scandals, developed close commercial relations with CIA in the fields of assassination actions, inquiry activities, abduction, other technical and physical surveillance in fight against radical terror elements in Pakistan, Afghanistan and Iraq, and this commercial relation has mostly reached to the level of violation of fundamental human rights and freedoms (Hudson & Owens, 2011: 128)

When it is considered that main goal of a private company is to gain profits, it must be first priority to take maximum measures on supervision of commercial relations that may be established between a state's intelligence and security institutions and private intelligence companies. Since this supervision has not been implemented sufficiently, outbreak of scandals that deeply affected the US public opinion cannot be prevented. In this respect, Blackwater company centered revelations and discussions about inhuman pictures leaked out of Abu Ghraib Prison are very good examples of this situation.

Following revelations of indicated scandals, the US governments started to bring forward legal measures to audit commercial relations developed by private companies and the US intelligence and security companies through some legal regulations. One of the most measures is National Defence Authorization Act ratified in 2010. This Act, imposes strict conditions covering especially inquiry subjects and standards of commercial relations to be developed by public institutions and private companies not only in intelligence field but also in military and security sectors (See more at; <https://www.congress.gov/bill/111th-congress/house-bill/2647/text>, 2010).

Another regulation about this matter was brought forward with the Abu Ghraib scandal. With the aim of preventing implementation of torture methods disclosed by inhumane pictures on this matter, relevant articles of Uniform Code of Military Justice (UCMJ) were amended. Together with these amendments, area of possible operational projections of private intelligence companies with the US Armed Forces within the scope of a military operation was narrowed and tight supervision mechanisms were constituted (See more at; <http://www.au.af.mil/au/awc/awcgate/ucmj.htm>, 2019).

At this point, the important functions of private intelligence companies in the US intelligence system can be revealed more clearly by using some numerical data. According to

a report published by The Director of National Intelligence (DNI) upon growing speculations regarding private intelligence companies in the public sphere, private companies use 75% of the US intelligence budget of \$ 75 billion. According to this report, it is stated that 27% of the personnel employed by these companies are involved in direct operations and 19% are employed as intelligence analysts within the scope of trade relations with private intelligence companies (http://www.dni.gov/interviews/20080827_interview.pdf, 2018).

On the other hand, it is claimed that the number of private companies in the US intelligence system is around 2000 after 2010, and about 10,000 of them employ nearly 260,000 people (See more at; Priest & Arkin, 2010). Furthermore, it is claimed that 95% of the National Reconnaissance Office's (NRO) budget of around \$ 8 billion is used by private companies. In addition to this claim, it is stated that 90% of NRO's workforce consists of staff working in private companies (See more at; Shorrock, 2007). In 2007, according to a claim raised by a former CIA case officer, 60% of CIA's operations in the Middle East were performed by private companies (See more at; Baer, 2007).

4. ADVANTAGES PROVIDED BY PRIVATE COMPANIES TO THE US INTELLIGENCE SYSTEM AND DISADVANTAGES THEY REVEAL

Advantages and disadvantages of private companies to the US intelligence system are very controversial and it is a discussion topic where different ideas conflict with each other. Opinions in favor of this system are brought forward by analysts who mainly prioritize security concerns. This opinion is based on the idea that supply of qualified intelligence information from different sources will greatly contribute to the US's maintaining its hegemon power at global level. Opinions being critical about private intelligence companies are shaped within the context of violation of fundamental human rights. The main idea of these opinions is related with human rights violations, as indicated above, where there is an interference of these companies.

In this scope, unfavorable and controversial situations revealed in the context of commercial relation of the US's intelligence and security institutions with these private intelligence companies can generally be determined as follows (See more at; Krishnan, 2011, 179):

- Increasing commercial volume of these companies unavoidably caused development of dirty relations like bribery with public officials.
- Increasing capacities of the given commercial activities prevent revelation of a clear data and result about evaluation and assessment of efficiency.

- Quality of intelligence outputs provided by a commercial company acting with profit motivation can mostly become controversial.
- Audit and control of such companies can usually be difficult. Since sustained activity is illegal by its very nature, audit and control mechanisms can become ineffective.

In order to analyse the mentioned disadvantages better, it is considered important to give examples of actual cases for the purposes of our study. In an open source report in 2005, it was alleged that under the Terrorist Surveillance Program of the NSA, the United States established commercial cooperation with telecommunications companies and the personal data of 200 million people were obtained without legal permission (See more at; CBS News, 2011). This is a good example of the complications that private companies can bring about in terms of basic human rights. In addition, prior to the Gulf War II, the information obtained through the company SAIC was used to provide the intelligence that mass destruction weapons were found in Iraq. But at the end of the process, it was clear that this claim was not real (see more at; Dreyfus & Vest, 2004). Even this case alone is a concrete example of how private intelligence companies acting for profit can be manipulated for political purposes.

It has also been suggested that during the process of interrogating radical terrorists and detaining them in private centres in Europe, Africa, Cuba, Central Asia and the Middle East, the CIA has developed cooperation with private intelligence and security companies. During these processes, it has been alleged that the persons who were detained were subjected to severe torture in the course of interrogations. These cases are also a good example of the difficulties in supervision and control of private intelligence companies (See more at; Meyer, 2006). In addition to these, the special intelligence companies named SITE Intelligence Group and IntelCenter, which have private commercial cooperation with the CIA, have issued exaggerated intelligence reports for Al Qaeda terrorists and established relationships based on self-interest in order to extend their commercial contracts with the CIA (See more at; Zetter, 2007).

As it is seen, considering the principle of keeping the intelligence activities confidential, clarifying the legal boundaries of trade relations between private companies and intelligence services and controlling these relationships through a transparent control mechanism is rather a difficult process. At this point, it can be stated that the most sensitive part of the relationship between private companies and intelligence companies is related to ensuring audit, control and planning mechanisms which are democratic and respecting human rights.

In addition, it is imperative for political authorities to make necessary plans and legal arrangements by taking initiative. On the other hand, considering the fact that threat groups have become asymmetrical and diversified and that intelligence activities are planned with much more sophisticated methods in relation to technological developments, it is a must to establish cooperation between private companies and intelligence services today. Nowadays, intelligence services have difficulty in creating planning depending on their current budget and staff potential within the framework of combatting against the emerging threats. This situation necessitates the development of trade relations with private intelligence companies.

In addition to this, advantages provided by private companies to the US intelligence system are generally expressed by the following ideas (See more at; Storm, 2018: 2-3):

- Private companies act more efficiently in terms of provision, development and use of software, hardware and other information systems compared to public institutions and organizations. Therefore, utilizing opportunities and abilities of intelligence companies on information technologies will be able to make considerably qualified contribution to the US intelligence system.
- Compared to public security and intelligence institutions having a clumsy structure in terms of service provision, maintenance, handling complaints, and management of troublesome processes, private companies seeking profit have administrative superiority.
- Private companies acting with profit motivation greatly contribute to the US intelligence and security organizations in terms of logistics supply, meeting logistic requirements and logistics planning. The best example of this situation is services provided by Halliburton Company to the US Armed Forces during Iraq operation.
- In addition to qualified academicians employed by these companies in order to create strategic intelligence, think-tanks institutions significantly contribute to the US intelligence system. Due to budget limits of public security and intelligence services and other problems regarding personnel employment, it is difficult for these public institutions to employ such qualified personnel. Therefore, it is a more efficient strategy that security and intelligence services supply their strategic intelligence needs from academic institutions.

However, it is believed that analysing the advantages outlined in concrete cases is useful for this stage of our study. For example, after the year 2000, the requirements of the

CIA for employing Arabic origin local staff has increased. Due to the current bureaucratic difficulties, the implementation of these employment processes through the employment companies named Titan and CACI contributed significantly to the CIA in terms of budget and time (See more at; Chatterjee, 2008). Moreover, the capacity of CIA operations in Afghanistan has increased considerably by the end of the 1990s. Accordingly, taking into account the limited number of CIA case officers, it started to cause serious complications. In order to resolve this issue, it was claimed that the CIA uses local staff with non-official cover identities through private intelligence companies (See more at; Keefe, 2007).

In addition, it is evident that the number of persons and data that need to be kept under surveillance in order to reach the targets of intelligence has increased with the developing technological opportunities. This situation leads to serious complications for the intelligence services within the scope of the existing budget and technological facilities. For example, it is claimed that 1.7 billion communications are subject to surveillance and stored per day by the NSA (See more at; Priest & Arkin, 2010). Even this data is an adequate example of why the intelligence services have to cooperate with private intelligence companies.

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5. DISCUSSIONS AND CONCLUSIONS

Development of commercial relations between private intelligence companies and the US's public intelligence and security institutions, started during the 1898 Spanish-American War. In this scope, commercial relations constituted between the US Armed Forces, Pinkerton

Detective Agency and some local scout organizations in order to cooperate in intelligence activities. During the period between the 1st World War and the 2nd World War, the state became the monopole actor in the US intelligence system. The actual efficiency of US intelligence companies started in the Cold War period.

The process of collective privatization in the US intelligence system has begun with the initiative of the President Eisenhower. Following the end of the Cold War, the President Clinton maintained policies of the previous president Reagan and continued the strategy to develop commercial relations with private companies in terms of intelligence management. Upon 11 September 2001, within the scope of strategies set forth by the President Bush, commercial volume of the US intelligence companies has dramatically increased within the context of newly started fight against radical terror at global scale. After 2010, NSA's development of commercial relations with many commercial companies for collection of information within the scope of its duty has contributed significantly to this process.

Contribution of private intelligence companies to the US intelligence system has initially begun with provision of IMINT and SIGINT. In this context, since the 1960's a close cooperation developed between private companies and the US intelligence and security institutions for the development and use of spy aircrafts and satellites. Within the scope of the strategy of fight against radical terror in the post September 11 period, private companies also started to contribute to the US intelligence system on HUMINT matters. In this framework, commercial contracts were signed between private intelligence companies and the US intelligence and security institutions on matters such as convict transfers, implementation of inquiry methods for Al-Qa'ida members, assassination activities against radical terrorists, employment of local intelligence agents in Iraq and Afghanistan.

With this period, together with scandalous revelations disclosed about Blackwater Company and Abu Ghraib Prison, role of private intelligence companies in the US intelligence system has seriously been discussed. Therefore, new legal arrangements auditing relations established with private companies in the US intelligence system were introduced. First examples of these arrangements are National Defence Authorization Act ratified in 2010 with amendments made in UCMJ.

Contribution of private intelligence companies to the US intelligence system is a very controversial subject which mostly comes to the fore in the US public opinion. These opinions in favor of this system are brought forward by analysts who mainly prioritize security concerns. These opinions are based on the idea that supply of qualified intelligence information from different sources will greatly contribute to the US's maintaining its

hegemon power at global level. Opinions being critical about private intelligence companies are shaped within the context of violation of fundamental human rights. The main idea of these opinions is related with human rights violations, as indicated above, where there is an interference of these companies.

As historical development processes summarized above, current commercial value of private companies exceeds \$50 billion although negative-positive opinions about these companies and their contribution to the US intelligence system. It is evident that the market of US private intelligence companies, which reaches a big commercial value and becomes a strong sector, will continue to rapidly develop in the future. Another factor contributing to this development process is related with new threat perception they have started to rapidly experience together with political, social, cultural, technological and economic development processes of intelligent services.

Today's focuses of threat have very different properties as that of the Cold War period. In the Cold War period, threats which were known to come from a single center and had specific standards have already evolved into asymmetrical threats together with political, social, cultural, technological and economic development processes. It is no longer possible for private intelligence services to effectively tackle alone or with conventional methods with asymmetrical threats whose place, source and shape cannot be predicted easily. Therefore, development of cooperation with private intelligence companies becomes a natural result of a realist approach.

It is observed that major western intelligence services, which are effective at global scale, develop cooperation with private companies and autonomous academic institution on matters such as especially follow-up of open sources due to revealed compulsory conditions, cyber intelligence, SIGINIT, IMINT and creation of strategic intelligence and sign commercial contracts. Therefore the given secret services intend to focus on counter/espionage and counter/terrorism subjects requiring greater expertise, experience, sensitivity and sophisticated struggle capacity with all budget powers and personnel opportunities. Such a strategic perspective will be accepted as an accurate approach on increasing efficiency of counter/espionage and counter/terrorism activities. In addition to this, within the scope of scandals and troublesome situations, dependency of relations between private companies and intelligence and security services to tight legal conditions and to other auditing mechanisms, particularly parliamentary auditing, is also vital for development and protection of democratic values.

In addition to these, the importance of the role and impact of private intelligence companies in US intelligence management should be taken into account considering the numerical data provided in the study. At this point, it is especially quite remarkable that 60% of the CIA's Iraq operations are carried out by private companies, 95% of NRO's budget is used by private companies, and 75% of the US intelligence budget is allocated to private companies. In this context, it is clearly understood that the cooperation processes between private and public authorities constitute the basis of the US intelligence system.

As it is seen, in the US intelligence system tasks regarding technical intelligence and strategic intelligence are mainly assigned to private companies and academic organizations conducting strategic research activities. This is due to the fact that the official intelligence organization of the US cannot effectively combat against increasingly diversified, professionalized threats, which have become asymmetrical, using the existing budget and staff. At this point, it is understood that the US intelligence authorities consider establishing cooperation with private companies especially in technical and strategic intelligence issues as a solution to this problem. Considering the preference of such solution, it may be claimed that the secret services want to focus on counter-terrorism, counter-espionage and special intelligence operations, which should be kept more covered and performed using more sophisticated techniques.

In addition, the Syrian Crisis, operations against Iraq, increasing pressures on Iran, the combat against radical groups at global level, problems with Latin American countries, possible competition processes at global level with the People's Republic of China (PRC) and the Russian Federation (RF), cyber espionage and industrial and technological espionage activities of these countries against the US and individual hacktivist activities are the main topics that US intelligence system should take precautions in the coming period.

Consequently, it can be argued that within the context of increasing threats, the US intelligence system will deepen the commercial relation processes with private companies. Considering the dependency on the private sector in the US intelligence systems as mentioned above, it can be argued that the importance of private companies, their activities and budgets will continue to increase in the coming period. In light of all these results, it can be claimed that the dependence of the US on commercial relations with the private sector in terms of intelligence system will increase gradually and evolve into a more sophisticated and professional level which will lead to serious complications and scandals if required auditing and control mechanisms are not ensured.

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TÜRKÇE UZUN ÖZET

Özel istihbarat şirketlerinin, ABD'nin resmi istihbarat ve güvenlik kurumları ile ticari ilişkiler geliştirmeleri, 1900'li yıllara doğru başlamıştır. Bu kapsamda ABD Silahlı Kuvvetleri ile çeşitli özel teşebbüslerle ve bazı yerel örgütlenmeleri arasında istihbarat faaliyetleri konusunda işbirliği yapılması amacıyla ticari ilişkiler geliştirilmiştir. I. Dünya Savaşı ile II. Dünya Savaşı arasındaki dönemde, ABD istihbarat sisteminde devlet, monopol konumdadır.

ABD istihbarat sistemindeki toplu özelleşme sürecinin başlaması Başkan Eisenhower'ın inisiyatifi ile olmuştur. Soğuk Savaş'ın sona ermesi akabinde de Başkan Clinton kendinden önceki başkan Reagan'ın politikalarını sürdürerek, istihbarat yönetiminde özel şirketleri ile ticari ilişkiler geliştirilmesine yönelik stratejiyi devam ettirmiştir. 11 Eylül 2001 sonrasında Başkan Bush tarafından ortaya konan stratejiler kapsamında, küresel düzeyde radikal terör ile başlatılan mücadele kapsamında ABD istihbarat şirketlerinin ticaret hacmi önemli ölçüde artmaya başlamıştır. Bu sürece 2010 yılından sonraki dönemde ise NSA'nın görevi kapsamında çok sayıda ticari şirket ile istihbarat toplama konusunda ticari ilişkiler geliştirmesi de önemli katkı sağlamıştır.

Özel istihbarat şirketlerinin ABD istihbarat sistemine sağladığı katkı, öncelikle IMINT ve SIGINT sağlanması konuları ile başlamıştır. Bu kapsamda casus uçak ve uyduların geliştirilmesi ve kullanılması konularında özel şirketler ile ABD istihbarat ve güvenlik kuruluşları 1960'lardan buyana sıkı işbirliği geliştirmişlerdir. 11 Eylül sonrası dönemde radikal terör ile mücadele stratejisi kapsamında özel şirketler HUMINT konularında da ABD istihbarat sistemine katkı sağlamaya başlamışlardır. Bu çerçevede mahkûm nakilleri, El-Kaide mensuplarına yönelik sorgu yöntemlerinin uygulanması, radikal teröristlere yönelik suikast eylemlerinin gerçekleştirilmesi, Irak ve Afganistan'da yerel istihbarat ajanlarının istihdamı konularında özel istihbarat şirketleri ile ABD istihbarat ve güvenlik kuruluşları ticari kontratlar imzalamışlardır.

Bu dönem ile birlikte Blackwater Şirketi ve Abu Ghraib Hapishanesi merkezli olarak ortaya çıkan skandal ifşalar ile birlikte, özel istihbarat şirketlerinin ABD istihbarat sistemindeki rolü ciddi şekilde tartışılmaya başlanmıştır. Bu nedenle de ABD istihbarat sisteminde özel şirketler ile girilen ilişkileri denetleyen yeni yasal düzenlemeler yapılmaya başlanmıştır. Bu düzenlemelerin ilk örnekleri ise UCMJ'de yapılan değişiklikler ile 2010 yılında kabul edilen Ulusal Savunma Yetkilendirme Kanunu'dur (National Defence Authorization Act).

Özel istihbarat şirketlerinin ABD istihbarat sistemine yaptığı katkı, ABD kamuoyunda sıklıkla gündeme gelen oldukça tartışmalı bir konudur. Bu sistemin lehine olan görüşler, daha çok güvenlik kaygılarını ön planda tutan analistler tarafından gündeme getirilmektedir. Bu

görüşlere, nitelikli istihbarat bilgilerinin farklı kaynaklardan temin edilmesinin ABD'nin küresel düzeydeki hegemon güç rolünü sürdürmesine önemli katkı yapacağı fikri dayanaklık etmektedir. Özel istihbarat şirketlerini eleştirel yaklaşan fikirler ise temel insan hakları ihlalleri kapsamında şekillenmektedir. Bu fikirlerin ana fikri ise söz konusu şirketlerin karıştığı yukarıda belirtilen insan hakları ihlalleri ile ilgilidir.

Yukarıda özetlenen tarihsel gelişim süreçleri, ABD istihbarat sistemine yaptıkları katkı ve haklarındaki olumlu-olumsuz görüşlere rağmen, özel şirketlerin günümüzde ulaştığı ticaret hacmi 50 Milyar ABD Doları'nın ötesindedir. Bu kadar büyük bir ticaret hacmine ulaşan ve güçlü bir sektör haline gelen ABD özel istihbarat şirketleri piyasasının gelecek dönemde de hızla gelişmeye devam edeceği açıktır. Bu gelişim sürecine katkı yapan bir diğer unsur ise istihbarat servislerinin siyasi, sosyal, kültürel, teknolojik ve ekonomik gelişim süreçleri ile birlikte süratle tecrübe etmeye başladıkları yeni tehdit algılamaları ile ilgilidir

Günümüzdeki tehdit odakları, Soğuk Savaş dönemine göre oldukça farklı özellikler içermektedir. Soğuk Savaş döneminde tek bir merkezden geleceği bilinen ve standartları belli olan tehditler, günümüzde ortaya çıkan siyasi, sosyal, kültürel, teknolojik ve ekonomik gelişim süreçleri ile birlikte artık asimetrik bir hale evrilmişlerdir. Yeri, zamanı, kaynağı ve şekli kolay kolay tahmin edilemeyen asimetrik tehditler ile mücadele stratejisinde özel istihbarat servislerinin tek başına ve klasik yöntemleri ile etkin mücadelesi artık mümkün değildir. Bu nedenle özel istihbarat şirketleri ile işbirliği geliştirilmesi realist bir yaklaşımın olağan bir sonucu haline gelmiştir.

Küresel düzeyde etkin Batılı büyük gizli servislerin, ortaya çıkan bu zaruri şartlar nedeniyle özellikle açık kaynakların takibi, siber istihbarat, SIGINIT, IMINT ve stratejik istihbarat oluşturma konularında özel şirketler ve özerk akademik kuruluşlarla işbirliği geliştirdikleri ve bu konularda ticari kontratlar imzaladıkları görülmektedir. Böylelikle söz konusu gizli servisler tüm bütçe güçleri ve personel imkanları ile daha büyük uzmanlık, tecrübe, hassasiyet ve sofistike mücadele kapasitesi gerektiren kontr/espionaj ve kontr/terörizm konularına odaklanmak istemektedirler. Böyle bir stratejik bakış açısı, kontr/espionaj ve kontr/terörizm faaliyetlerinin etkinliğinin artırılması noktasında doğru bir yaklaşım olarak kabul edilebilecektir. Bununla birlikte çalışmada belirtilen skandallar ve sakıncalı durumlar kapsamında özel şirketler ile istihbarat ve güvenlik servisleri arasındaki ilişkilerin sıkı yasal şartlara ve başta parlamento denetimi olmak üzere diğer denetim mekanizmalarına tabi olmaları da demokratik değerlerin gelişimi ve korunması noktasında hayati öneme sahiptir.

Bunlarla birlikte çalışmada belirtilen sayısal veriler dâhilinde ABD istihbarat yönetiminde özel istihbarat şirketlerinin rolü ve etkisinin büyüklüğü özellikle dikkate alınmalıdır. Bu

noktada özellikle CIA'in Irak operasyonlarının % 60'ının özel şirketler tarafından sürdürülmesinin, NRO'un bütçesinin % 95'ini özel şirketlerin kullanmasının ve 75 Milyar Dolar civarındaki ABD'nin toplam istihbarat bütçesinin % 75'inin özel şirketlere ayrılmış olmasının oldukça dikkate çekici olduğu değerlendirilebilir. Bu kapsamda özel ve kamu otoriteleri arasındaki işbirliği süreçlerinin ABD istihbarat sisteminin temelini oluşturduğu da çok net bir şekilde anlaşılmaktadır.

Görüldüğü üzere ABD istihbarat sisteminde teknik ve stratejik istihbarat konularındaki görevler, özel şirketlere ve stratejik araştırma faaliyetleri yürüten kimi akademik yapılanmalara önemli ölçüde devredilmiş durumdadır. Bunun nedeni giderek çeşitlenen, profesyonelleşen ve asimetrik hale gelen tehditlere karşı ABD'nin resmi istihbarat örgütlenmesinin mevcut bütçe ve personel şartları dâhilinde etkin mücadele edememesi ile ilgilidir. Bu noktada ABD istihbarat otoritelerinin, özellikle teknik ve stratejik istihbarat konularında özel şirketlere ile işbirliği geliştirmeyi bu sorunun çözümü olarak gördükleri anlaşılmaktadır. Böyle bir çözüm tercihi ile birlikte gizli servisler, sofistike tekniklerle ifa edilmesi gereken kontr/terörizm, kontr/espionaj ve yurtdışı özel istihbarat operasyonlarına daha yoğun bir şekilde odaklanmayı hedeflemektedirler.

Ayrıca, Suriye Krizi, Irak'a yönelik operasyonlar, İran'a yönelik artan baskılar, küresel düzeyde radikal gruplar ile sürdürülen mücadele, Latin Amerika ülkeleri ile ilgili sorunlar, Çin Halk Cumhuriyeti (PRC) ve Rusya Federasyonu (RF) ile küresel düzeyde olası rekabet süreçleri, bu ülkelerin ABD'ye yönelik siber espionaj, endüstriyel ve teknolojik casusluk operasyonları, bireysel hacktivist faaliyetler ABD istihbarat sisteminin gelecek dönemde tedbir alması gereken temel konu başlıkları olarak karşımıza çıkmaktadır. Dolayısıyla artan tehditler dahilinde, ABD'nin istihbarat sisteminin özel şirketler ile ticari ilişki süreçlerini daha da derinleştireceği ileri sürülebilir. Zaten ABD istihbarat sisteminde yukarıda belirtildiği şekilde özel sektöre olan bağımlılık dikkate alındığında, özel şirketlerin öneminin, faaliyetlerinin ve bütçelerinin gelecek dönemde de artmaya devam edeceği açıktır. Tüm bu sonuçlar dahilinde ABD'nin istihbarat sisteminde özel sektör ile olan ticari ilişkilere bağımlılığın giderek aratacağı, daha da sofistike ve profesyonel bir düzeye evrileceği, bu durumlarında gerekli denetim ve kontrol mekanizmalarının sağlanmaması halinde ciddi komplikasyon ve skandallara neden olacağı da iddia edilebilecektir.