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# Intelligence in the developing democracies: the quest for transparency and effectiveness

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### **Intelligence in the Developing Democracies: The Quest for Transparency and Effectiveness**

Thomas C. Bruneau and Florina Cristiana (Cris) Matei

The Oxford Handbook of National Security Intelligence

*Edited by Loch K. Johnson*

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### **Abstract and Keywords**

This article discusses the quest for transparency and effectiveness of the intelligence systems in the developing democracies. The article begins with a review of the literature on intelligence reform in new democracies. It also discusses the role of intelligence in non-democratic regimes, the legacies from these regimes in transitional democracies, and the challenges involved including the achievements in reforming intelligence in developing countries.

Keywords: transparency, effectiveness, intelligence systems, developing democracies, intelligence reform, role of intelligence, non-democratic regimes, transitional democracies, challenges

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## 1. Introduction

In their path to consolidation, developing democracies strive to ensure the democratic transfer of political power, gain legitimacy with elites and civil society, reform and restructure their legal systems and economy, and, maybe most importantly, develop democratic civil-military relations (CMR)—that is establishing new security institutions (to include intelligence agencies) that are under democratic civilian control, and are effective and efficient (Bruneau and Boraz 2007, 1–24).<sup>1</sup> Of these many tasks, the democratization of intelligence agencies is by far the most challenging, as effectiveness and efficiency call for secrecy, while democratic control involves transparency, openness, and accountability. Some scholars say that “democracy and secrecy are incompatible” even in long-established democracies (Holt 1995, 1). One (p. 758) can legitimately question if democratization of the intelligence agencies is an impossible target for developing democracies, specifically considering the repressive activities of the previous non-democratic intelligence agencies? Are there any formulas for success to the many challenges? Where do they come from—the past, the intelligence agencies in the so-called intelligence community (IC) themselves, those outside the IC (domestic and foreign), or all of the above?

This chapter discusses the “quest” for transparency and effectiveness of the intelligence systems in the developing democracies.<sup>2</sup> It first reviews the literature on intelligence reform in new democracies, followed by the role of intelligence in non-democratic regimes, legacies from these regimes in transitional democracies, and the challenges involved as well as achievements in reforming intelligence in the developing democracies.

## **2. Review of the Relevant Literature on Intelligence and Democratic Consolidation**

While the literature on intelligence is replete with studies on the reform of intelligence in the established democracies (such as the United States, United Kingdom, and Israel), there is much less on how the developing democracies tackle intelligence reform after the demise of the non-democratic regimes. This is due to many reasons, but probably most important is that in some newer democracies intelligence still remains a “taboo” subject, which limits researchers' and scholars' access to information, and an “intelligence literature” is yet to be accepted as valid in the academic environment.

Despite these challenges, a few prominent scholars and respectable regional and international institutions have researched and published on intelligence reform in the developing democracies. The Geneva Center for the Democratic Control of Armed Forces (DCAF), The RAND Corporation, the Center for Civil-Military Relations (CCMR), *Studies in Intelligence*, *Journal of Intelligence and Counterintelligence*, and *Intelligence and National Security Journal* contribute a variety of valuable materials on the topic.<sup>3</sup> Virtual libraries and databases like the Federation of American Scientists ([www.fas.org](http://www.fas.org)) are as well tremendous sources for information and research in the realm of intelligence and democracy.

(p. 759)

Virtually all of the literature on intelligence in the newer democracies focuses on how to achieve control and transparency. This is a natural concern of all developing democracies due to what the intelligence apparatuses did in the non-democratic regimes, but there is much more involved in the security-democracy equation: effectiveness (and efficiency). This chapter aims to fill in the gap in the literature, in that it looks at intelligence reform in the developing democracies from both the control and effectiveness dimensions.

### **3. Intelligence and the Non-Democratic Regimes**

Admittedly, nondemocratic regimes (in all their forms—authoritarian, totalitarian, etc.), create and use intelligence agencies to ensure the “survival” of the regime. As distinguished scholar Michael Warner skillfully puts it, non-democratic regimes “feel themselves beset by enemies from rival classes, races, or creeds, and they build ‘counterintelligence states’ . . . to defend themselves from wreckers, saboteurs, *kulaks*, or non-Aryans” (Warner 2008). They use their intelligence apparatuses (known as “political polices”) to control, intimidate, manipulate, abuse, and oppress real and/or imaginary “ideological enemies,” both domestically and abroad, with no respect for human rights and liberties, and without being democratically accountable to the people, but rather to a few political leaders. Examples include Romania's Securitate, Germany's Stasi, Czechoslovakia's StB, Russia's KGB, Chile's DINA, Brazil's SNI and ABIN, and so forth. With time, as the regimes tend to increasingly rely on the intelligence agencies, their power and size heighten, and they shift from “political polices” to “independent security states.” Independent security states gain incremental autonomy from the regime and insulation from any scrutiny. Such intelligence apparatuses existed in Brazil (SNI), Iran (SAVAK), Chile (DINA), and South Africa (BOSS).

## **4. Intelligence and the Developing Democracies**

### **4.1 The Legacies of the Non-Democratic Regimes: Challenges to Intelligence Reform**

Since the beginning of the “third wave” of democratization with the 1974 Revolution in Portugal, there has been a boom of democracy throughout the globe. A great many non-democratic regimes in Latin America, Europe, Asia, and Africa underwent (p. 760) fundamental changes (either through peaceful or bloody revolutions), aspiring to become consolidated democracies (Bruneau and Boraz 2007, 1–24). They held free and fair elections, instituted market economies, and fostered the creation of civil societies. But while the economic, political, and societal “indices” of democratization may be “high” in a certain country, it cannot be considered a “consolidated democracy” until having thoroughly overhauled their intelligence apparatuses, from repressive and uncontrolled state security systems into democratic communities, both effective and transparent. This,

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however, is easier said than done, because the “new” intelligence systems always come with a “package.”

First, intelligence agencies carry a “stigma” of their non-democratic past and transgressions, which linger for decades in peoples' hearts and minds. As in most cases the new services are built on the ruins of the former, non-democratic intelligence agencies (preserving the personnel, premises, and other assets of the non-democratic institutions), this triggers the populace's disdain and mistrust. As Larry Watts states in a regional study on Eastern Europe, “transition populations tend to favor the destruction of intelligence apparatuses, not their reform” (Watts 2004). Older democracies, too, lack trust in the emerging democracies' intelligence, which negatively impacts foreign assistance to intelligence reform and cooperation. Suspicion is further fueled by what Williams and Deletant call “the culture of gullible cynicism” inherited from the non-democratic regimes—a form of negative campaigning (via rumors, disinformation, and planted articles reinforced by the new competitive politics), aimed at preserving the image of the state as an erratic and unruly body (Williams and Deletant 2000, 16–20).

Second, intelligence agencies lack professionalism—expertise, responsibility and corporateness via formal and structured personnel routines and traditions, through strict entrance requirements, continuous professionalization programs, a code of ethics specific to each organization, professional associations, as well as mechanisms enabling cumulative learning and improvement (Marrin and Clemente 2006, 644). Developing democracies lack of all these. To begin with, hiring new personnel is rather difficult, considering the population's loathing of the intelligence agencies. In the attempt to deal with the staffing issue, emerging democracies tend to preserve the intelligence personnel of the non-democratic regimes (now “true supporters” of democracy). Yet, since “old habits die hard” there is always the risk for these personnel to operate as in the past, limit employment possibilities for a new generation of intelligence experts, and/or convey their “best practices” to the new personnel. As Williams and Deletant note when talking about post-communist intelligence agencies in Europe, “if there is continuity with the pre-1989 corporate culture, it may be as harmful as it is integrative” (Williams and Deletant 2000, 16–20). Professionalization of intelligence in the developing democracies appears, therefore, to be a vicious cycle.

Third, the transition governments have little (or no) experience on how to undertake intelligence reform. While old democracies have the luxury of time and availability of research materials to build such expertise, emerging democracies are orphaned in these resources. And, whatever reform pattern the old democracies (p. 761) followed are generally neither suitable nor alluring to the new democracies to “borrow.” In addition, reform of the intelligence agencies in the emerging democracies is only a part of a comprehensive transformation of the state and government institutions. Governments tend to be more focused on economic and political reform than security, which leads to perfunctory intelligence reform initiatives, through meager resource allocation and precarious management.

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Fourth, in some non-democratic regimes intelligence was a monopoly of the military (Argentina, Brazil, Chile, Honduras, and Spain). Military intelligence still enjoys autonomy and has considerable power even in these newer democracies.

Further challenges arise from inadequate legislation, hasty retirement and/or firing of the old intelligence personnel, corruption and even penetration by organized crime groups and cartels of security agencies, of which the newly created intelligence agencies take advantage, to carry on their obscure practices and resist democratic control and transparency.

### **4.2 Transforming Intelligence: Reaching Transparency and Effectiveness**

Considering all the aforementioned challenges, some obvious questions are raised. How do developing democracies professionalize their intelligence agencies and make them effective and transparent? How do they manage to break the wall of “distrust” between the citizens and intelligence agencies? How can they make the people understand that intelligence is “needed” and how can they trust that the IC no longer works against them?

From our research, we have learned that, if there is willingness to change, and/or a strong external drive, revamping intelligence can be successful. Many emerging democracies fought the legacies of the non-democratic regimes and reached a balance between secrecy and transparency. Essentially, the reform followed two paths: one drawn by democratic consolidation and the other drawn by the contemporary security environment. Reform, thus, first focused on making intelligence accountable, more open and transparent. It encompassed creating new intelligence systems, establishing new legal frameworks for them, and, most importantly, bringing them under democratic control. Reform did not attach much importance to the effectiveness (or efficiency) of the IC, because, as previously mentioned, the lack of accountability rather than effectiveness was the problem during the non-democratic regimes. Nevertheless, the advent of the less predictable security threats (to include terrorism in all its forms, organized crime, etc.) changed the reform focus, from asserting and maintaining control, to effective fulfillment of roles and missions, and cooperation with domestic and foreign counterparts, which increasingly emphasized intelligence effectiveness.

Eastern European countries had an additional spur for the intelligence reform, which prompted them far ahead of their confreres from Latin America or Africa: the prospect of NATO and EU membership (a status desired as a formal “attestation” (p. 762) of their democratic consolidation and enhanced security capabilities), coupled with the two organizations' membership requirements and incentives. The North Atlantic Treaty Organization is a collective defense and security organization while the EU, although it focuses primarily on economic and development cooperation, also promotes security reform within the framework of its European Security and Defense Policy (ESDP). After

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1989, the two institutions focused on advancing peace and stability to Eastern Europe by opening their doors to new members and equally assisting aspirant and non-candidate countries to consolidate their democracies and increase their security capabilities. Their various assistance programs, partnerships, and/or membership requirements, galvanized the region's security reform process in general and intelligence in particular.

Not all emerging democracies, however, succeeded in “revolutionizing” their intelligence agencies to make them both transparent and effective, in some cases, because the countries themselves failed to become democratic (Russia), or because intelligence remained embedded within the armed forces, which maintain their own intelligence activities and lack civilian oversight and transparency (Russia and Indonesia; Tsytkin 2007, 268-300; Conboy 2004, 15-248).



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### **4.2.1 Creating New Intelligence Agencies: Reforming Organizations and Personnel**

When undertaking reform of the intelligence structure, some emerging democracies decided to preserve their monolithic intelligence apparatuses inherited from the non-democratic regimes (Bulgaria, Czechoslovakia, Hungary, and Poland). Others divided them into multiple agencies (for example, either a few civilian, police, border guard, military, foreign, and domestic agencies, or all), to avoid the monopolization of power by one single agency as in the past, foster competition and cooperation, and strengthen democratic control (Romania, South Africa and Brazil). In either case, the countries opted to retain former non-democratic personnel in the new structures, which afflicted the intelligence agencies' reputation, no matter the reasons for said continuity.<sup>4</sup> The personnel's deeply entrenched parochial views, involvement in corruption and organized crime activities, as well as recurring politicization, "metastasized" the democratization of the intelligence for years. Countries had, therefore, to subsequently undertake tedious downsizing and vetting processes of their intelligence agencies, paralleled by new personnel recruitment and professionalization procedures, which will be addressed below.

Some countries that had fortuitous geographic surroundings and/or enjoyed outside security guarantees opted to completely overhaul the agencies and remove all personnel from the past (Czechoslovakia), even with the price of losing the agencies' intelligence capabilities for quite a few years (Watts 2004). Conversely, countries located in conflict regions and/or without security guarantees from outside, (p. 763) could not afford such a drastic reform. Weeding out all intelligence personnel from the past would have undoubtedly crippled the ability of their intelligence agencies to ensure the security of their countries, which would, perhaps, trigger the spreading out of insecurity to their territories. They rather embarked on incremental downsizing of the legacy personnel (Bulgaria, Romania, Bosnia-Herzegovina, and Albania). In parallel, some new democracies undertook formal vetting (lustration) processes to cleanse the new services of the personnel compromised either by their actual contribution to repressive activities or by their membership in specific divisions of the past repressive intelligence agencies (Romania, Czechoslovakia, Poland, Peru). In Eastern Europe, a particular case of the overall vetting process was the screening of the officials who would work with NATO-classified information. This proved very effective mainly because the state authorities vested to conduct the background checks established close relationships with NATO (through coordination and direct monitoring by NATO), and followed the alliance's effective procedures and criteria (Matei 2007a; Matei 2007b, 629-60; Watts 2004).

While purging the former non-democratic intelligence personnel was without any doubt indispensable for the transformation of intelligence, it had unexpected outcomes, which affected its effectiveness. The purged personnel were often rehired by other institutions, with no vetting requirements (which allowed them to continue their practices in the new institutions), opened their own private businesses (thus competing with the state agencies, as they had greater resources to procure modern equipment), or became

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involved in serious corruption and organized crime activities. And, no matter how many former personnel were removed, a certain number still continued to function in the new agencies. Moreover, many files “disappeared” during or after the transitions, which made impossible the carrying out of a proper background check; the screening process was routinely manipulated by the old personnel, while the legitimacy of those carrying out the vetting was doubtful (they had not been subjected to any prior screening; Matei 2007a; Matei 2007b, 629–60; Watts 2004).

To compensate for the “loss” of the legacy personnel, some developing democracies opened the doors of their intelligence services to younger generations (Romania, Bulgaria, Slovenia, Hungary, and Brazil). They established explicit admission requirements and personnel management policies, in line with the agencies' specific roles and missions and personnel criteria. Professionalization opportunities, continuous education and training, promotion systems based on merit and performance, a team-oriented work environment, and attractive benefit packages brought in bright, open-minded graduates from universities or representatives of civil societies, with no involvement with the past intelligence and faultless conduct. As Shlomo Shpiro notes, old-fashioned “[d]ark and dusty corridors, lined with wooden filing cabinets, softly spoken Russian, and dashing case officers” were “quickly replaced by computer whiz kids, ambitious junior management and staff often more concerned with pension benefits . . .” (Gill 2008, 651–54).

The revamping of the intelligence organizations and personnel was not thoroughgoing and/or transparent in all countries. In Brazil, a good number of former (p. 764) SNI personnel are still powerful. According to *Jane's Intelligence Digest*, SNI personnel's integration into ABIN and their new career path remain unclear; the SNI's heirs remain a influential independent cluster within the agency, engaging in all sorts of illicit operations (for example, illegal phone tapping), and insulated from the management's scrutiny (Jane's Intelligence Digest 2008). Similar incidents occur periodically in Argentina, Colombia, and Peru, at a minimum in Latin America. Admittedly, a reliable screening of the old personnel is still desired, in particular in those countries that did not have outside incentives and support.

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### **4.2.2 Establishing Legal Frameworks for Intelligence**

As noted above, the intelligence apparatuses were central to the non-democratic regimes, routinely infringing upon human rights and liberties. Establishing a completely new legal framework for intelligence, which pledges that the new intelligence systems serve the security interests of their nations and citizens versus a privileged class, is hence cardinal in the emerging democracies. It should clearly define the responsibilities and powers of the intelligence agencies as well as the types and mechanisms of control and oversight, including: delineating what the intelligence agencies can and cannot do, who is in charge of the intelligence, and who controls and oversees its activities, personnel, and funding; stipulating the circumstances for interagency coordination and/or international cooperation; and ensuring the intelligence personnel are responsible before the law in case of abuses, and/or benefit from legal protection if they observe the legally-agreed-upon guidance and directions. Furthermore, to reach an optimal balance between effectiveness and transparency, emerging democracies need to enact legislation that allows citizens and civil-society representatives to access government information. This is particularly important when countries attempt to “over-classify” every piece of government information, in the attempt to arbitrarily limit the public's access to information, disregarding democratic norms.

By and large, numerous emerging democracies have gradually developed legal frameworks for their newly created intelligence agencies. Argentina, Brazil, Chile, Romania, and South Africa now have robust legal frameworks, stipulating new mandates for intelligence, control, oversight, accountability, and transparency. As unprecedented events unfolded (such as the terrorist attacks in the United States on September 11, 2001), which had a devastating impact on national, regional, and global security, countries adjusted their legal frameworks on intelligence and security, to enhance the intelligence effectiveness in combating asymmetrical threats (to include terrorism). That is, to increase powers of the ICs, foster interagency coordination and enable international cooperation. Yet, even in the countries that have a robust legal framework, some gaps in the legislation are permissive to intelligence misconduct and violation of human rights and liberties for political reasons and/or personal vendettas versus national security purposes (Romania, Brazil). As Peter Gill states, “new laws may provide a veneer of legality and accountability behind which essentially unreconstructed practices continue to the detriment of human rights and freedoms (Gill 2008, 5-7).

### **(p. 765) 4.2.3 Establishing Democratic Control of Intelligence**

Placing intelligence under democratic civilian control became a key focus of both the democratically elected civilians and civil-society representatives in most of the emerging democracies, as well as scholars in the established democracies, and collective security organizations' membership requirements. Control is needed to ensure intelligence agencies work within specific limits and respect the legal framework imposed upon them. With the increased emphasis on augmenting intelligence agencies' abilities to better fight the current security challenges, there is even more need for robust democratic control

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mechanisms in place to make sure the ICs do not use national security and terrorism prevention as excuses to become intrusive in citizens' private lives. And, finally, democratic control is needed to boost the effectiveness of the intelligence forces.

Intelligence control (consisting of direction and oversight) is ensured by the executive, legislative, and judicial branches of the government, internal arrangements of the intelligence agencies themselves, or external mechanisms (at both domestic and international levels). Executive control usually sets forth the intelligence priorities and directives, roles and missions, as well as basic structures and organization. Responsible bodies may include ministries of defense, directors of intelligence communities, national security councils, and/or other means of interagency coordination. Legislative control (also known as congressional or parliamentary control and oversight) acts as a balance to the executive control, and generally encompasses the establishment of the legal framework for intelligence, as well as control and review of the intelligence's activities, budgets, and personnel. Responsible bodies are in general standing or ad hoc committees within the legislatures, and their staff. The committees enact legislation, review budgetary and staffing decisions, vet nominees, and open inquiries regarding abuses or other intelligence problems. Additional independent institutions may function in support of the parliaments to assist with budget reviews and/or protect citizens' rights against intelligence intrusion (for example, courts of audits, offices of the advocate of the people, or ombudsmen). Judicial review ensures the agencies use their special powers according to the law, and protects citizens' rights from the agencies' intrusive collection and searches. Responsible bodies in general include courts of justice. Internal control consists of legal-accountability mechanisms functioning within intelligence organizations themselves (for example, counsels, inspectors general [IGs], as well as agencies' intrinsic professional codes of ethics and institutional norms). External control consists of the review of the intelligence organizations by "outsiders" (free press, independent lobbies and think tanks, non-governmental organizations (NGOs), and international organizations).

Whether an act of free will, or imposed by outside, most developing democracies shaped (at least on paper) various formal tools for controlling the activity of intelligence agencies (Argentina, Brazil, Romania, and South Africa); they created national security councils, committees in the parliament, IGs, courts and ombudsman offices, appointed civilians in command positions within military intelligence establishments, and the like. In some countries, the nascent and spirited civil (p. 766) societies and media waged an "informal" oversight campaign, which complemented the existing formal mechanisms (Argentina, Guatemala, Romania). Yet a series of obstacles hindered the effectiveness of the democratic control and oversight of the intelligence in virtually all developing democracies. First was the intelligence agencies' resistance to any form of scrutiny, due to insufficient trust in the "amateurs" who controlled them, doubt that the politicians considered national security a priority, and belief that more freedom from any oversight constraint would increase their effectiveness in safeguarding national security. This is even more problematic in those countries that have mostly military intelligence, which opposed any form of control and oversight from civilian authorities and thus continue to

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enjoy high autonomy. Second was the insufficient time for state institutions to mature and become legitimate; during the first transition years, governments were repeatedly contested and in many cases impeached, and therefore, had little time to build legitimacy to be able to institute control. Nor did they make intelligence reform and control a top priority. Moreover, the institutions of control and oversight resisted as much as possible the task to scrutinize intelligence activities, mainly because they did not want to be associated with the “stigmatic” intelligence agencies, preferred to be able to deny knowledge of operations (avoid looking as if they disregarded any illegal activities), lacked sufficient knowledge of security and intelligence matters to be able to have an informed opinion, and had modest or no political incentives to render such work. Third, corruption, favoritism, nepotism, and blackmail (including blackmail with the files kept by the non-democratic regimes)—common legacies of the authoritarian regimes for all developing democracies—were also impediments to democratic control. Fourth, with regard to external control, challenges derived from limited or nonexistent access to government information, leaks to civil societies and the media, and the media's propensity to sensationalism versus objective coverage (Boraz and Bruneau 2006, 28–42).

In order to improve their democratic control capabilities, some developing democracies embarked upon more serious reforming and advanced democratic control, aiming at raising public interest on intelligence and security matters, increasing civilian awareness and competence in the field of security and intelligence, institutionalizing processes that support transparency and effectiveness, fostering a political culture that supports and trusts intelligence in society and inside the IC, as well as professionalizing the intelligence services (Boraz and Bruneau 2006, 28–42).

To raise public interest, countries stimulated regular informed public debates and meetings on security and intelligence matters. In Argentina and Brazil, for example, politicians regularly discuss the need for civilian control and other intelligence-related matters (Boraz and Bruneau 2006, 28–42). In Colombia, as well, with the continuing violence and greater understanding of the key role of intelligence in ensuring national security, representatives of the government, NGOs, the press, academia, and even the populace are debating intelligence issues (even though few are well-enough informed to provide rigorous control of the intelligence apparatus); this generated a nascent literature on intelligence and security in Colombia (from (p. 767) roles and missions to control and effectiveness), as well as strengthened the population's trust and support for intelligence and security forces (Boraz 2008, 141). Furthermore, NGOs and the media have spawned regular debate via exposing intelligence scandals and failures to the public. In Romania, the media have played a crucial role in promoting democratic control of intelligence.

Efforts were devoted to increase intelligence outsiders' awareness and competence in intelligence. This happened in South Africa, due to political and institutional bargains made during processes of democratic transition (Boraz and Bruneau 2006, 28–42). In Romania, it happened after numerous media scandals, due to NATO/EU integration requirements, and following September 11, 2001 (Matei 2007a; Matei 2007b, 629–60;

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Matei 2007c, 219-40). Countries opened up their intelligence training schools to civilians who might one day become involved in the oversight process. The Romanian IC took this one step further in that some agencies have allowed citizens, not necessarily involved with national security, to study in their education facilities, without any constraint to work for the IC or in the oversight committees (Matei 2007d, 1-20). Besides, international cooperative training arrangements, the media, and open source available materials have also helped civilians learn about intelligence. Taken together, these endeavors have enabled decision-makers to make better and informed decisions on national security and intelligence issues, improved transparency and democratic control, raised mutual respect between ICs and outsiders, and deepened coordination and cooperation.

To increase transparency and effectiveness, in some countries civilians took a keener role in reviewing and updating national security and intelligence documents, budgets, and activities (increased access to intelligence [security clearances], regular hearings etc), as well as fostering interagency coordination and cooperation. Romania provides a good example of how democratic control can improve the effectiveness of the intelligence agencies; it has progressively developed robust executive and legislative mechanisms to bring the IC under democratic control, which: reduced the exaggerated number of agencies (there were at least nine in the 2000s); defined clearer roles and missions for the agencies; enforced coordination and cooperation among them and with other security institutions; conducted inquiries and hearings; and vetted and fired intelligence directors and personnel. In particular, to ease access to intelligence, the parliament enacted a law which allows parliamentarians and other government officials access intelligence without security clearance (which worries IC members with regard to leaks), as well as a leak prevention law to protect intelligence secrecy (Matei 2007b; Bruneau and Matei 2008, 909-29). Colombia is also a good example. President Alvaro Uribe in 2002 took strong personal control over the intelligence and other security institutions to strengthen the agencies' effectiveness in fighting the high internal threat posed by FARC, AUC, ELN, and individual drug traffickers. His direct involvement not only increased national security, but also the legitimacy of the government as it handled security matters sensibly (with President Uribe being reelected in 2006; Boraz 2008, 130-45). These have not only strengthened legitimacy of the government, but also increased the IC effectiveness.

(p. 768)

In Brazil, the wiretapping scandal in late 2008 may provide an opportunity for the government to step in and further overhaul ABIN and other intelligence agencies (for example, for example clearer roles and missions and personnel vetting), which will perhaps improve ABIN's credibility, on the one hand, and strengthen its effectiveness and professionalism, on the other hand.

Of particular importance has been the professionalization of the intelligence agencies (expertise, corporateness, and responsibility), which the developing democracies have strived to accomplish through various education and training programs for intelligence

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personnel, security clearances to access to classified information, as well as instilling a responsibility for democracy (Argentina, Brazil, Romania, and South Africa).

All these efforts have helped several developing democracies foster a political culture that supports and trusts intelligence in society and inside the IC. Yet not all developing democracies have public awareness of the need for democratic civilian authorities to advance democratic control and oversight of the IC. In Russia and Moldova, for example, democratic control of the intelligence agencies is either nonexistent or undeveloped (Boraz and Bruneau 2006, 28–42). In Spain, the intelligence reform has not gone far enough since the country's transition to democracy, even if the end of the Cold War, dangerous security environment due to terrorism, and involvement of the intelligence agencies in numerous scandals call for IC transformation (Gimenez-Salinas 2003, 78–79).

### **4.2.4 Reaching Effectiveness in Fulfilling Roles and Missions**

When working out the ineluctable “security versus democracy” quandary that hampers intelligence reform, the developing democracies need to undertake more than creating new intelligence agencies, and bringing them under legal bases and democratic civilian control. Channeling unremitting efforts toward intelligence effectiveness is, too, important. The bottom line is intelligence safeguards national security, and, today, when international terrorism, drug trafficking, money laundering, and organized crime are the main security threats for most countries, intelligence effectiveness is vital.

To be effective, intelligence agencies need to: follow elaborate plans or strategies (for example, national security strategies, or intelligence doctrines) developed by competent entities (for example, national security councils, directors of intelligence or specific interagency coordination bodies); and receive sufficient resources (for example, political capital, money, and personnel) to enable them implement the assigned roles and missions as best possible (Bruneau and Matei 2008, 909–29). Effectiveness also involves coordination and cooperation among agencies (to include intelligence and information sharing, common databases, networking, and mergers).

As noted before, newer democracies initially paid little attention to effectiveness of the intelligence agencies, partly because of the intelligence agencies' role in the non-democratic past, and the authorities' reduced awareness of the need for (p. 769) and role of the intelligence in safeguarding the national security. Brazil and Colombia are great examples in this sense. In Brazil, administrations did not consider effectiveness a priority in the overall intelligence reform until the gang threat emerged dramatically in 2006 in the major cities of Rio de Janeiro and Sao Paulo, and the Pan-American Games were about to commence in 2007. In Colombia, on the other hand, effectiveness became important only following major scandals exposed by the media and the emerging internal conflicts (Bruneau 2007a; Bruneau 2007b).

Establishing cooperation and coordination mechanisms was also challenging, due to political infighting, competitive agencies (for political versus effectiveness reasons), deeply ingrained bureaucratic routines and mentalities, and tepid attitudes toward

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sharing. In Romania, bringing all the intelligence agencies under the umbrella of a “community” was delayed for years due to the above-mentioned challenges, as well as the public's fear of a “return of the Securitate,” if the agencies unite under one roof, and especially if Securitate personnel still work in the intelligence agencies.

At the international level, cooperation was even more difficult, due to enduring Cold War mindsets, suspicion, and mistrust. In Argentina, in spite of the Secretariat of Intelligence's (SI's) good start on international cooperation to avert and counter Islamic terrorism (especially with the United States intelligence agencies), the agency lost its credibility due to involvement with Russian mafia and former KGB agents (Antunes 2008, 109). In Europe, old democracies refused to believe in the “transformation” of the newer democracies' intelligence apparatuses and feared that cooperation would entail leaks or passages of classified information to “unfriendly” third parties. For example, NATO countries worried that if former satellites of the USSR became full NATO members, they would pass the Alliance's classified information to Russia. Indeed, some countries continued to rely on the Soviet Union for expertise for many years after the end of communism: their ICs either remained under KGB mandate until the collapse of the Soviet Union, or maintained close relationships with Moscow (including common training with Russian intelligence; Watts 2004). Therefore, in return for membership, NATO demanded the aspirant countries remove and replace all personnel who had formerly been involved in human rights abuses or operations against the Alliance, as well as with doubtful behavior. This had yet another negative effect on cooperation. Various “benevolent” influence groups, interested in minimizing intelligence effectiveness, used propaganda to say that NATO wanted all old personnel out in order to weaken the agencies, which was not the case; NATO countries knew a complete removal would seriously have affected Human Intelligence (HUMINT) cooperation with the developing democracies (especially in tackling terrorism and organized crime), whose ICs had great HUMINT capabilities (Watts 2004).

Then again, the immediacy and multifaceted nature of terrorism and other asymmetrical threats called for changing the intelligence agencies from rigid bureaucracies to flexible and well-designed institutions, staffed with creative intelligence professionals. After the tragic terrorist attacks in the United States (2001), Spain (2004), the United Kingdom (2005), and elsewhere, effective intelligence (p. 770) became top priority in many countries (both old and new democracies). Decision makers focused on increasing intelligence budgets and resources (personnel, equipment, education, training) changing doctrines, regulations, and other norms of intelligence, as well as improving interagency cooperation and coordination.

To strengthen coordination and cooperation at the national level, virtually all newer democracies adopted/improved anti-terrorism legislation, created clearer roles and missions for their agencies, improved recruitment standards, education and training (relying on foreign assistance provided by older democracies), and established specific mechanisms to enable information sharing (for example, offices of integrated analysis or interagency centers for combating terrorism and organized crime). Moreover, in some



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countries, the agencies opened more to the society (through partnership and public-relations campaigns) in order to both make the public aware of the threats and need for intelligence as well as to ensure future recruits. Romania has been very involved in educating the public on security matters, besides ensuring education of the civilians that oversee IC activity, as has been presented above. The Romanian Domestic Intelligence Service (SRI), which is the country's main institution in combating and preventing terrorism, travels habitually throughout the country to inform students, academia, and others on the national security threats, as well as on the Romanian IC capabilities to counter national security threats. Whenever possible, the IC also involves the civil society in meetings and discussions, as well as practical exercises on combating terrorism and organized crime (Matei 2007a; Matei 2007b, 629-60; Matei 2007c, 219-40).

At the international level, countries strengthened cooperation (bilateral, trilateral, regional, global) and intelligence sharing, even if secrecy and national interests continue to prevail when undertaking cooperation. In Latin America bilateral cooperation is generally considered good with most, if not all, countries. In Europe, again, NATO and EU are credited with strengthening of intelligence cooperation of the former Eastern European communist countries, through the requirements imposed by the EU's *Acquis Communautaire* and NATO's membership action plan (MAP), as well as the expertise and assistance provided by the two organizations. To a greater or lesser degree, regional cooperation became a prerequisite for membership (Matei 2008, 37-57). On the other hand, the global war on terrorism, which brought nations together in combat (including intelligence), has as well increased cooperation among partners and allies and thus advanced intelligence effectiveness.

## 5. Conclusion

Having an intelligence system that is equally transparent and effective is a quandary in any democracy, because of two conflicting demands: secrecy (required by effectiveness) and transparency (required by democratic control, openness, and (p. 771) accountability). Older democracies have had time, an arsenal of studies on intelligence reform available, capable elected officials, and support and awareness on intelligence matters from outside, so as to be able to minimize the conflict of transparency and effectiveness; and still they fail in one way or another. The United States' egregious failures in intelligence coordination and cooperation prior to 9/11 are telling examples in this context. For emerging democracies, this is even more problematic, due not only to the inertia of intelligence communities toward change (which is common in all democracies), but also legacies of the old regimes, and lack of interest from or fear of involvement of the responsible elected civilians.

Yet, democratization of intelligence is not an impossible task for the developing democracies. Letting go of the past and transforming intelligence may have been a "Sisyphean" effort, to alienate a haunting past of secrecy and moral torture, as well as to transform people and mentalities, but in some countries it has resulted in a proper balance between secrecy and transparency. To ensure democratic consolidation, countries strived primarily to bring their intelligence agencies under control and ensure a level of transparency. Countries thus established new agencies, brought them under legal bases, set up executive, legislative, judicial and internal control and oversight mechanisms, and allowed vocal civil societies to develop and question the IC activities. Furthermore, in a few developing democracies, elected officials embarked upon a campaign for more assertive democratic control: better direction and oversight practices, improved public access to documents, and frequent debates on national security and intelligence issues. More robust democratic control of the intelligence agencies has paved the way toward democratic consolidation as well as effective intelligence organizations, "serving under knowledgeable politicians who may not be able to quantify IC performance, but who will know a 'job well or poorly done' when they see it" (Boraz and Bruneau 2006, 28-42). In addition, as the new security challenges are more complex, reforming intelligence focuses increasingly on augmenting effectiveness. Improved standards for the recruitment and training of intelligence personnel, increased coordination and cooperation systems (including common fighting in the war on terrorism) have made intelligence agencies more effective. In Europe, reforming and democratizing intelligence had an additional effective boost: EU/NATO desire and the two organizations' membership demands.

Other emerging democracies, however, failed to democratize their intelligence apparatuses, mostly because they fell short in consolidating their democracies, their responsible officials did not undertake robust intelligence reform, or because intelligence apparatuses remained embedded within the military, eluding any form of civilian

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oversight and transparency. Reforming intelligence is a work in progress; therefore, hopefully, these countries will have effective and transparent intelligence agencies as well, in the foreseeable future.

Nevertheless, all in all, the developing democracies that successfully implemented democratic reforms and control mechanisms for intelligence, have now more professional, trusted, and effective intelligence, which enjoy greater public support, and therefore do a better job in defending their countries and citizens.

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### **Notes:**

(1 ) Bruneau and Boraz study intelligence as a subset of CMR, conceptualized as a trinity—democratic civilian control, effectiveness in achieving roles and missions, and efficiency.

(2 ) Due to the peculiar characteristics of intelligence (including the secrecy that inevitably envelops intelligence activities and budgets, and prevents us from ensuring a credible cost-benefit analysis), our analysis will not include efficiency; thus, it will be limited to two of the afore-mentioned parameters of the CMR trinity—control and effectiveness.

(3 ) Additionally, not only do CCMR and DCAF publish articles and books on intelligence and democratization, but they also focus their efforts toward assisting the emerging democracies to revamp their intelligence apparatuses, through various seminars and courses.

(4 ) Some of the units continued to exist, as effective intelligence collection was a priority due to the perception of various threats.

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