2000-03

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http://hdl.handle.net/10945/47008
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March 2000
The U.S. Agency for International Development (USAID) sponsored the research in this report under agreement AEP-A-00-98-00014-00, which established the Partnership for Democratic Governance and Security. The Partnership for Democratic Governance and Security (PDGS) conducts programs to strengthen the capacity of civilians to provide leadership in defense management, policymaking and analysis. The PDGS conducts its programs in cooperation with local legislatures, political parties, civic organizations, academic institutions, media and the civilian elements of the defense establishment.

The PDGS is funded principally through a cooperative agreement with the United States Agency for International Development. Its membership consists of the following five organizations from Argentina, the Philippines, and the United States. These are the National Democratic Institute (NDI); the Center for Civil-Military Relations (CCMR); the Seguridad Estratégica Regional en el 2000 (SER en el 2000); the Institute for Strategic and Development Studies (ISDS); and the Universidad Torcuato Di Tella (UTDT).

The views expressed in this publication are those of the author and do not reflect the official policy or position of the Department of Defense of the United States Government.
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INTELLIGENCE AND DEMOCRATIZATION:
THE CHALLENGE OF CONTROL IN NEW DEMOCRACIES

Introduction

To consolidate the new democracies that have emerged worldwide during the last decade and a half is the main political challenge facing political leaders in these countries and world leaders at the beginning of the twenty-first century. Democratic consolidation requires restructuring the economy and bringing the armed forces under democratic civilian control. And, within the latter task probably the most problematic issue in civil – military relations is control of the intelligence apparatus. This is due not only to the legacies of the prior, non-democratic, regimes in which the intelligence or security apparatus was a key element of control, and in which human rights abuses often followed, but also to the inherent tension everywhere between intelligence and democracy. Admiral Stansfield Turner, a former Director of Central Intelligence, highlights this tension: “Secret agencies within democratic governments are anachronisms, because popular controls break down when citizens cannot know everything their government is doing.”

1 Admiral Stansfield Turner, Secrecy and Democracy: The CIA in Transition (Boston, Houghton Mifflin Company, 1985), p. 3. I use quotes from this book with some frequency for several reasons. Turner was Director of Central Intelligence from 1977 to 1981 and as such, head of the largest intelligence community in the world. The period was characterized by the consolidation of changes in the system due to the exposes after the Watergate scandal and the alleged assassination attempts of foreign leaders resulting in congressional hearings and the imposition of congressional oversight. And Turner an outsider to the community himself working for an outsider president, is most candid about the intelligence agents as professionals and the bureaucratic nature of the
The purpose of this article is to describe the structures and processes involved in the intelligence function, analyze the challenge of democratic control of intelligence organizations with primary attention to new democracies, and highlight in particular the importance of intelligence as a profession in this regard. Any discussion of control and intelligence is difficult, and for several reasons. First, the terms and concepts associated with intelligence are not agreed upon and are ambiguous. Second, much about intelligence is secret; knowledge is power and those who hold it want to keep it secret. The intelligence professionals are a special club even within their own militaries or civilian organizations. They minimize the knowledge outsiders have about them and their activities. Third there is little written about intelligence and democratization. There is some good material on intelligence and democracy, but this pertains to the established democracies such as Great Britain, France, and the United States where the goal is to reiterate the need to control the intelligence apparatus lest it undermine the democracy.2

The Counterintelligence State

In virtually all authoritarian regimes (including the former Soviet bloc) the intelligence apparatus was a key element for maintaining power. These regimes

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intelligence community. As a manager of the intelligence community, he conveys the sense of control that is the focus of this paper. It must be noted that he was not popular with large sectors of the community.
were based on something other than democratic legitimacy exercised through free elections. They had to rely on organizations to identify domestic opponents, neutralize their opposition to the government, and seek through a variety of means, including a controlled media, to generate at least domestic apathy. In most cases these organizations were intelligence services. Precisely because of this heavy reliance and its centrality to power, the intelligence apparatus grew in size and power, with the result that they were largely autonomous even within authoritarian regimes. In these countries, intelligence meant mainly counterintelligence. That is, protecting the state’s secrets from outsiders. And, as almost anything could be defined as a state secret the scope of that which had to be controlled was immense. And, while in most instances the intelligence service linked internal opposition to putative foreign enemies, the overwhelming focus of the intelligence service in most countries was domestic opposition and not other states.

2 See the note on sources and author’s expertise at the end of this article.
3 For excellent insights into the scope and power of intelligence in a ‘typical’ authoritarian regime see Alfred Stepan, Rethinking Military Politics: Brazil and the Southern Cone (Princeton: Princeton University Press, 1988), pp. 19-20 where he compares the prerogatives of the Brazilian National Security Service (SNI) to the intelligence organizations in several established democracies.
4 In the USSR, and now Russia, scholars have coined the term “counterintelligence state” to capture the sense of its pervasiveness. Waller defines it as follows: “The counterintelligence state is characterized by the presence of a large, elite force acting as the watchdog of a security defined so broadly and arbitrarily that the state must maintain an enormous vigilance and enforcement apparatus far out of proportion to the needs of a real democracy, even one as unstable as that of Russia. This apparatus is not accountable to the public and enjoys immense police powers with few checks against it. The powers are not designed to protect the rights of the individual, despite rhetoric to the contrary, but to protect the privileges of the ruling class and the chekist organs themselves.” J. Michael Waller, Secret Empire: The KGB in Russia Today (Boulder: Westview
Undoubtedly the most negative legacy of the intelligence services in the new democracies was their involvement in human rights abuses. The information they gathered on their own people was at times obtained with abusive methods and used in arbitrary and violent means to eliminate domestic opposition. They are, in short, integrally associated with the human rights abuses which characterize most authoritarian regimes most of the time. While the overall popular legacy is negative, there is little awareness of intelligence functions and organizations. Most civilian politicians, let alone the public at large, do not know enough about intelligence to be able to have an informed opinion about it. In some countries there is real concern that the intelligence apparatus has archived, and is still collecting, information that could be used against average civilians and politicians. Thus not only is there a lack of information, but it is combined with fear, which perpetuates the lack of information.

The Challenge of Democratic Consolidation

Despite efforts by students of comparative politics to develop models of democratic transitions, these transitions are largely *sui generis* and defy generalization. Studies have shown that the authoritarian regimes collapsed due to their successes as well as their failures, or the actions or inaction by domestic elites or foreigners, but in any case power finally passed on to more or less

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Press, 1994), p. 13. The original conceptualization was by John J. Dziak, *Chekisty: A History of*
Transitions are one thing, which mainly allowed new, democratic, regimes to emerge, but they do not necessarily result in stable democratic regimes. Today, in the field of comparative politics, the main focus is on democratic consolidation. Consolidation is a useful concept because it reflects the idea that a new regime’s structures and processes are becoming stable. That is, a democratic regime is consolidated when the elites and the masses accept it as “the only game in town.” This acceptance is no easy task, especially if one considers the basic characteristics for a regime to be termed democratic. A standard definition of democracy today is as follows:

Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives.

For the accountability to function procedural minimal conditions are necessary. They include the often–noted seven fundamental guarantees ensuring free and fair elections such as freedom of speech, association, running for office, and the like, which constitute a corpus or guarantees requiring a supportive culture or value

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5 Thus rather than explanation one of the most highly regarded students of comparative politics comes up with “factors” explaining transitions. See Samuel Huntington, The Third Wave: Democratization in the Late Twentieth Century (Norman: University of Oklahoma Press, 1991).

system to survive. As more countries begin to consolidate their new democracies, scholars have identified a further defining characteristic, which is the requirement that no unelected body has authority over the popularly elected officials.

A political situation in which these guarantees function is obviously very far from the prior authoritarian regime. Major challenges are found both in the lack of recent experience with democracy and the difficulty of the population valuing these new structures and processes lacking this background. Also, in most cases the countries are confronting economic problems often accompanied by social disruption. Overall, democracy is a very demanding political system for elites and average citizens. Both should be involved for it to function well. New democracies are very tentative. The issue is how to develop the trust and transparency in the context of the legacies of the authoritarian regime. It is possible that the intelligence apparatus is not under government control, but instead has power over the civilian officials. This seems to be the case in Russia today.\footnote{Philippe C. Schmitter & Terry Lynn Karl, “What Democracy is…and Is Not,” in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy (Baltimore: Johns Hopkins University Press, 1993), p. 40.} If the elected government does not control intelligence it is by definition not a consolidated democracy.

\footnote{According to Waller the KGB, or its successors, remain very powerful. “Indeed, given the lack of meaningful controls over them, the security organs may be considered Russia’s fourth branch of government if not its core.” Waller, 1994, p. 296. See also pp. 219-20. This seems to be the general consensus regarding Russia. For example, Knight states “Real, lasting democracy is incompatible with a security apparatus wielding the power and influence that it still holds in Russia.” Amy Knight, Spies Without Cloaks: The KGB’s Successors (Princeton: Princeton University Press, 1996), p. 244.}
The Meaning of Intelligence

Due to the scope and diversity of intelligence, there is disagreement on its meaning. Intelligence is mainly defined by process. That is, the process of gathering and using information for some purpose. Since processes are varied, as are the sources of information and their ends, much is of necessity left vague. Most discussions within the intelligence community center on tradecraft; the “how to” of sources and analysis rather than the “what is”? Further the intelligence community either by design or habit is characterized by vagueness and ambiguity. This attitude, or approach, is probably intentional: to not convey information. Once one becomes aware of intelligence, and its limits, there is an even greater awareness that not everything is knowable, let alone known. Further, intelligence officers are trained to collect information and not to provide it except to very few of their superiors with a need to know. This tendency pervades the whole field of intelligence practice. They are professionals in intelligence; information is their vocation. It makes no sense to give it away, unless indeed it is disinformation.

Given our purposes here, and focusing on the new democracies, we must use a broad definition of intelligence in order to convey the scope of what it can

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include, which is extremely broad.\textsuperscript{10} Glenn P. Hastedt in \textit{Controlling Intelligence} states succinctly: “The four elements of intelligence are clandestine collection, analysis and estimates, covert action, and counter-intelligence.”\textsuperscript{11} Loch Johnson elaborates this synthesis:

Intelligence commonly encompasses two broad meanings. First, the secret agencies acquire and interpret information about threats and opportunities that confront the nation, in an imperfect attempt to reduce the gaps and ambiguities that plague open sources of knowledge about the world. A nation especially seeks secret information to help it prevail in times of war, with as few casualties as possible. Second, based on information derived from denied and open sources, policymakers call upon their intelligence agencies to shield the nation against harm (counterintelligence) while advancing its interests through the secret manipulation of foreign events and personalities (covert action). Intelligence thus involves both information and response.

For our purpose, intelligence is understood as these four functions: collection, analysis, counterintelligence, and covert action. Intelligence also refers to the organization collecting the information and the information collected. As all individuals and organizations collect and process information, this information in itself is not the defining characteristic. The key characteristics are that these functions are centered in and intended for the state and they are secret. This knowledge thus has a dual nature; it is information but it is secret information

\textsuperscript{10} For example, the CIA in its unclassified “A Consumer’s Guide to Intelligence” describes only sources and analysis. It does not include the more controversial intelligence functions of counterintelligence and covert action which are the focus of books in the memoir and expose categories. This handbook is dated July 1995, was prepared by the Public Affairs Staff, and is coded PAS 95-00010.
\textsuperscript{11} Hastedt, 1991, p. 6.
used by the state in potential or real conflicts. What follows is a very brief review of these four functions. 13

Collection

Intelligence organizations collect information. The questions are what kinds of information do they collect and what means they employ to collect it. At a minimum, they use what today are termed “open sources” which includes periodicals, “the web,” and seminars and conferences. There is an ongoing debate regarding open vs. classified sources since so much information on so many topics is readily available. 14 Another distinction is between human intelligence, or HUMINT, and scientific and technical intelligence to include SIGINT (from intercepts in communications, radar, and telemetry), IMINT (including both overhead and ground imagery), and MASINT (which is technically derived intelligence data other than imagery and SIGINT). HUMINT is information collected directly by people and includes information provided by ambassadors or defense attaches as part of their normal reporting routines, information obtained at public and social events, and information obtained clandestinely through spies, reading others’ mail, and documents. HUMINT is the traditional “espionage,” or

13 For more details see CIA, July 1995; Roy Godson, Dirty Tricks or Trump Cards: American Counterintelligence and Covert Action (Washington: Brassey’s, 1995); Walter Laqueur, The Uses and Limits of Intelligence (New Brunswick: Transaction Publishers, 1995); and, Gregory F. Treverton, Covert Action: The Limits of Intervention in the Postwar World (New York: Basic Books, Inc. 1987.)
spying, mainly the use of agents in another country to provide secret information to their managers who forward it to their home agencies.

The richer countries have large investments and capabilities in scientific and technical intelligence. In the United States, the bulk of the $27 billion annual intelligence budget goes to these technical forms of collection.\textsuperscript{15} They include the interception and processing of communications by phone, radio, and computers. The processing may well include decoding as well as translation. Another source of scientific and technical intelligence is photo or image reconnaissance. Originally it could be simply an attaché taking picture of ships, planes, or tanks. It evolved with aerial reconnaissance, to include highflying airplanes undetectable or unreachable by a potential enemy. (As in the U-2 flights over Cuba during the 1962 missile crisis). And more recently, it consists of satellite photoreconnaissance or imagery. This technology is becoming much more widely available. Today a country can purchase from private firm’s photos that were unavailable or highly classified a few years ago.\textsuperscript{16}

\textsuperscript{15} This figure, which is consistent with other published figures, is taken from Martin Petersen, “What We Should Demand From Intelligence,” National Security Studies Quarterly Vol. V, #2, Spring 1999, p. 111.
Analysis

Raw intelligence is not much good without analysis. Analysis, or the anticipation of analysis, also shapes collection requirements. Analysis, what to conclude from raw information, has always been the big challenge in intelligence. In retrospect, the United States should have known about Japanese intentions at Pearl Harbor, the Argentines should have known about American and British reactions to the invasion of the Malvinas, and Saddam Hussein should have known that the United States would react forcefully to the invasion of Kuwait. The problem is not only with the processing of gigantic quantities of data, but even more with policy conclusions from available information.

The intelligence professional must convince policy makers of the accuracy and relevance of the intelligence. Production is only the first step; the intelligence must then be marketed. Analysis, in short, is not a simple technical issue but rather includes methods, perceptions, and political preferences. Much of the analytical literature on intelligence on the US and USSR focuses precisely on whether, and to what extent, leaders use the information provided to them by the intelligence organizations.17

Counterintelligence

At its most basic, the purpose of counterintelligence is to protect the state, and its secrets, against other states or organizations. Seemingly clear and straightforward in these terms, in fact it becomes, in the words of the long-time and controversial head of counterintelligence at the CIA, James Angleton “‘the wilderness of mirrors,’ where defectors are false, lies are truth, truth lies, and the reflections leave you dazzled and confused.” Abram N. Shulsky defines the scope of issues involved:

In its most general terms, counterintelligence refers to information collected and analyzed, and activities undertaken, to protect a nation (including its own intelligence-related activities) against the actions of hostile intelligence services. Under this definition, the scope of counterintelligence is as broad as the scope of intelligence itself, since all manners of hostile intelligence activities must be defended against.

Memoir accounts, as well as books by students of intelligence, indicate that counterintelligence has the greatest negative implications for democracy due to surveillance of the citizenry. The implications for democracy are much more severe in new democracies where counterintelligence was the principal function of intelligence services. The intelligence service sought to root out real and imaginary enemies of the state, often resulting in yet more opposition leading to a

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20 Shulsky, 1993, p. 163. For the implications of this surveillance for the citizens in Great Britain see Peter Wright, 1987. Wright was in the leadership of MI5, the British Security Service, for two decades, including the height of the Cold War.
spiral of violence. If even in established democracies a certain amount of paranoia is inherent in counterintelligence – “there is an enemy at work here and we must root him out,” in less institutionalized and non-democratic Third World countries this attitude routinely resulted in extreme violation of human rights and impunity for the intelligence agents.21

Covert Actions

Covert actions, or as the British term them “special political actions” and the Soviets “active measures,” are actions intended to influence another state by means that are not identified with the state behind the actions. While covert action is not always included in government documents as part of intelligence, it is the topic most often featured in the books on controversial actions, including intelligence fiascos. It was the Watergate cover-up and covert actions, the coup in Chile and death of Allende in 1973, and various assassination attempts of

21 Gill, 1994, provides an excellent analysis on what he terms “state and security intelligence”. To convey the sense or mood within which the Cold War was fought by U.S. intelligence many use the following quote from the Doolittle Report, presented to President Eisenhower in 1954: “It is now clear that we are facing an implacable enemy [the USSR] whose avowed objective is world domination by whatever means and at whatever cost. There are no rules in such a game. Hitherto acceptable norms of human conduct do not apply. If the U.S. is to survive, long-standing American concepts of “fair play” must be reconsidered. We must develop effective espionage and counter-espionage services. We must learn to subvert, sabotage and destroy our enemies by more clear, more sophisticated and more effective methods than those used against us. It may become necessary that the American people will be made acquainted with, understand and support this fundamentally repugnant philosophy.” Quoted in Johnson, 1996, p. 138. Throughout Latin America this same paranoia, which may well have had a real basis in fact, was conveyed in the concept of the “national security state.”
nations’ leaders that resulted in the Church and Pike committees in the U.S. Congress in the mid-1970s which asserted greater control over the CIA.

There are three main categories of covert action. The first is propaganda which includes the utilization of the media in another country to convey a certain message. The second is political action which includes funding or other support to government leaders, political parties, unions, religious groups, the armed forces, and the like to follow a certain course of action in another country. The third type of covert action is paramilitary activity, which involves the use of force. It includes smaller actions, like assassination or arming and training a small contingent of dissident tribal groups, or it can be large such as the Bay of Pigs invasion. The problem is that any large action cannot remain covert for long, and even with smaller actions it does not take much imagination to determine the country behind the action. While there is a considerable literature on U.S. and Soviet covert actions, and little on other countries, this does not mean that other countries do not also engage in covert actions. Indeed, countries seek to use their foreign intelligence service, including military attaches, to not only gather information but also to influence policies in another country. Mr. Richard Bissell has elaborated a rationale for covert action:

It becomes overwhelmingly obvious that we are deeply concerned with the internal affairs of other nations and that, insofar as we make any effort to encourage the evolution of the world community in accord with our values, we will be endeavoring purposefully to influence these affairs. The argument then turns out to be not about whether to influence the
internal affairs of others, but about how.... Open diplomacy, however, has its limitations as a policy tool. There are times when a great power can best attain its objectives by acting in total secrecy.... On certain occasions, however, a great power may seek to influence the internal affairs of another nation without its knowledge or without the knowledge of the international community. These circumstances require covert action.22

This justification is not limited to a great power. Obviously not every country has robust capabilities in all four intelligence functions, but the fact that they exist, that any nation has these capabilities, means that this is the global framework within which intelligence must be understood. Intelligence is created to defend the state. It must defend it within the context of potential enemies, and taking into consideration the instruments they have available. All countries have some degree of awareness of the intelligence capabilities of other countries and that they will be involved in, or even the target of, collection and covert action. Since this is the case, they will respond as best they can with collection, analysis, counterintelligence, and maybe covert action of their own.

**Intelligence and Democracy**

All countries have an intelligence apparatus of some scope and capability. The question for new democracies is: what kinds of intelligence do they need and how can it be controlled? While the challenge is especially severe in the new democracies, democratic control of intelligence is a challenge everywhere for at

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22 Richard M. Bissell, Jr. (with Jonathan E. Lewis and Frances T. Pudlo), *Reflections of a Cold*
least four reasons. First, as Pat Holt states “Secrecy is the enemy of democracy.” Why? Because secrecy encourages abuse. If there is secrecy how can there be accountability, the operative mechanism of democracy? Because intelligence organizations are secret they themselves can avoid the checks and balances on which democracy is based. Second, intelligence agencies are not only secret but these organizations also collect and analyze information, and information means power. Intelligence organizations take on agendas and purposes of their own. Secrecy limits public scrutiny. Peter Gill uses the model of the “Gore-Tex” state to illustrate the degree of penetration by the security intelligence services. Information flows in one direction and not two directions; to the intelligence services and not from them to state and society. Intelligence may be autonomous from state control and, through the use of information that others do not have, influence or even determine policy. There are two further perceptual or behavioral elements, beyond secrecy and the unique control of information, that hinder democratic control of intelligence organizations. Third, intelligence agents and organizations routinely break laws abroad. Indeed, in most cases they do not admit to who they are or for whom they work. Further, spying is illegal everywhere. Intelligence managers provide undeclared funds to foreign nationals as agents and authors of articles, tap phones, steal documents,

and the like, all of which are illegal. There may be a problem in making the distinction between breaking laws abroad and not breaking them at home. Fourth is the self-justification that intelligence is critical to defense of the nation. In the words of Peter Wright, “It [intelligence] is a constant war, and you face a constantly shifting target.” It is up to the intelligence organizations to root out spies, domestic and foreign, who are threats to the nation. They may easily perceive that they, more than anyone else, really know what is going on; how dangerous the threat really is. Intelligence officers’ task is to identify threats to the nation, and there are always threats; the only question is, how serious are the threats. They know things, and others do not, and this may lead to a certain condescending attitude regarding others who are not in the know, who are not initiated into the club.

In view of the difficulty everywhere to control intelligence, and considering the background in most new democracies, what are the choices to be made and their implications for democratic control? Initially, and this is really a requirement that is the same regarding the armed forces in general, democracies must establish a clear and comprehensive legal framework. Intelligence is “slippery,” and if the legal framework is not clear and explicit intelligence agencies can never be brought under control. The legal framework must emerge

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24 Gill 1993, pp. 79 – 82.
26 Admiral Stansfield Tuner, 1985, calls attention to this characteristic with CIA analysts on p. 116.
from the democratic structures and processes, and must seek to ensure in the area of intelligence the continuation of the democratic values that they seek to promote.

There are three general decisions to be made regarding intelligence, which should be stipulated, in this clear and explicit legal framework. The first choice is to determine which of the four intelligence functions will be implemented and how much of the country’s resources will be allocated to them. The former part of the question can be answered only by assessing the global and regional situation, alliances, recent history, and available resources. The latter part of the question is a political decision. How much is intelligence worth? Obviously it is worth a great deal if it provides the nation with the means to maintain its independence in the face of a hostile neighbor. Intelligence also can be valuable in lieu of larger forces. It can allow a country to focus its forces on the most serious threats thereby minimizing redundancy and higher operational costs. But to assess what it is really worth requires a political decision. Does the mere fact of having a certain level of intelligence capability avoid hostile intentions and actions? It also depends on its relationship with other, more powerful, countries that may share intelligence capabilities with it. Neither of these decisions can be made in a vacuum, and they should be integrated into an overall framework for decision-making in defense. The main point is, however, that there must be an
analysis of what the nation requires and how much it is willing to pay for it. This is, of course, a general issue in civil–military relations.

The second choice concerns the balance in intelligence between civilian and military organizations, both in terms of production (collection and analysis) and consumption. In most countries, intelligence has been a military monopoly in production and consumption. During democratic consolidation there are decisions to be made as to whether military intelligence should be replaced in whole or in part by new civilian organizations. Should the military have responsibilities only in military intelligence and civilians assume responsibility in strategic intelligence and counterintelligence? Equally important as collection is consumption. To whom is the intelligence product distributed? Only the president of the country, his director for intelligence, members of the cabinet such as Interior, only the military, the congress, who else? Obviously access to the information, and the form in which it is made available, has great implications for the potential power of those who receive it.

A sub-theme of this balance between civilian and military institutions is the issue of internal and external intelligence. Does the same organization have responsibility for domestic intelligence as well as foreign intelligence? The former is of course mainly counterintelligence. Are these functions fused? If so, what are the controls so that it is not used for personal political purposes? In most democracies the functions are separate. In the United States, the Federal Bureau
of Investigation handles counterintelligence within the United States, and the Central Intelligence Agency has performed both functions outside the country. In most European democracies the functions are divided between counterintelligence and foreign intelligence, the organizations doing their tasks wherever necessary, at home or abroad.

The third choice concerns the relationship between intelligence and policy. This also logically involves the issue of coordination among the intelligence organizations. Is all intelligence formally coordinated by a director of central intelligence as in the United States, but separate from policy (the DCI is not in the cabinet)? Or, is it separate as with MI 5 and MI 6 in Great Britain but located within the Foreign Office thus linking it with policy? The main issue here concerns an ongoing debate about the implications for objective intelligence analysis when it is closely linked to policy vs. the supposed loss of efficiency by having intelligence that is not linked. There are great variations in how different democracies handle this issue. The answer depends on the political traditions and structures of the country, but the underlying issue of policy-relevant but not policy-driven intelligence is what must be assessed. A critique of covert action in the United States is that these actions fuse all within the CIA. Rather than providing intelligence objectively, the agency also develops the policy, conducts

27 The main options are nicely summarized in Johnson, 1996, pp.129 – 31. It should be noted that the Director of Central Intelligence may not in fact be able to coordinate all intelligence since he does not control the budgets for the larger and more expensive collection and analysis assets.
it, and largely evaluates its success. Hastedt, who has published one of the few books on controlling intelligence, makes his position explicit on this issue: “The purpose of intelligence is to inform and warn policy-makers. The choice of what to do lies with the policy-maker. If intelligence is brought into too close a contact with policy making it runs the risk of being corrupted.”

All three of these decisions hold implications for democratic control over intelligence. The first choice, about intelligence functions, has obvious implications especially regarding counterintelligence. The second, civilian vs. military location of the intelligence function has implications in terms of civilian control over the armed forces and then civilian control over intelligence. Third, a very close link with policy can make intelligence less a function of information gathering and analysis, and more a tool used by political leaders to retain power.

**Explicit Mechanisms of Control over Intelligence**

A common mechanism to control intelligence is through its separation into different agencies. Policymakers should prevent any single agency from having a monopoly on intelligence. This is the model in the United States. A possible arrangement could be separate intelligence organizations for each of the armed forces and the police and separate organizations for domestic and foreign intelligence. This proliferation of organizations may or may not be efficient,

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since the different agencies battle among themselves, but it eliminates the chances of monopoly by any single organization or individual and creates opportunities for more democratic control.

A second mechanism for democratic control is an oversight mechanism or mechanisms. Does anyone have oversight over intelligence or does the apparatus, and it alone, have responsibility for monitoring its own performance? The latter option is extremely dangerous. In the United States oversight has expanded to the current situation where not only do the intelligence agencies have inspector generals, but also the executive has oversight bodies and the two houses of congress also have oversight committees. In Great Britain, oversight remains very limited but the democratic institutions are hallowed. It seems necessary today in countries that are seeking to consolidate their democracies that if intelligence is to be under democratic civilian control then there must be oversight. How far it extends, and under what terms it operates, will vary tremendously. Oversight has immediate implications for control but also has implications for popular support for intelligence.

Since knowledge equals power, it is important to specify who has access to the intelligence and in what form. Is it limited only to the military or do civilians in the executive also have access? What about the legislature? Do any

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or all of them have access even before operations such as covert actions? This issue concerns not just immediate distribution of intelligence (which here extends to covert actions as well) but the general availability of information after a certain period of time. The possibility of wider distribution also holds implications for control. If the agencies know that in the future the files will be open for public scrutiny, they must be careful of their behavior.

There is a dilemma inherent in the issue of control and that is the trade-off between democratic control over intelligence and the effectiveness of the intelligence apparatus doing its critically important work to defend the nation. This dilemma can be reduced to the tension between accountability, which requires transparency, and intelligence, which requires secrecy. For example, does legislative oversight result in agents being uncovered? Democracies wrestle with this dilemma constantly and there is no easy or sure solution. Rather, it requires constant attention and adjustment.

The possibility exists that democratically elected civilians may not in fact be interested in controlling the intelligence apparatus in the new democracies. In virtually all of these countries, the use of elections to determine access to power is a new and relatively fragile means of determining who has power. Even in old and stable democracies leaders often prefer “plausible deniability” rather than

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29 For very positive comments see Admiral Stansfield Turner, 1985, especially page 132 and 269 – 271. For the background and details see L. Britt Snider, Sharing Secrets With Lawmakers: Congress as a User of Intelligence. (CIA: Center for the Study of Intelligence, February 1997.)
access to the information required to control a potentially controversial or
dangerous organization or operation. Logically this would be even more the
case in newer democracies. First, the politicians may be afraid of antagonizing
the intelligence apparatus through efforts to control it because the intelligence
organization might have something embarrassing on them. Second, they may be
afraid because the intelligence organization in the past engaged in arbitrary and
violent actions and the politicians are not sure that a corner has been turned.
Third, there are probably no votes to be won in attempting to control an
organization that most people want to ignore.

We have found that the issue of democratic control of intelligence can be
profitably discussed only in those polities that have already sorted out the larger
issues of civilian control of the military and have begun to institutionalize the
structures and processes for this control. In the others the environment remains
too tense for open discussion of intelligence organizations and oversight.
Intelligence is nowhere the first issue the new civilian leadership wants to
confront.

**Towards Democratic Control of Intelligence**

For those countries that want to begin to exert democratic civilian control
over the intelligence apparatus there are several tasks that must be undertaken.

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30 The most famous recent instance of this was the “Iran-Contra” scandal during the Reagan
These tasks are similar to those of asserting civilian control over the military in general, but are more acute due to secrecy and the penetration of state and society in line with the counterintelligence function. The tasks that follow are not prioritized, and should be pursued simultaneously. They concern civilian competence, public interest and then pressure, and the profession of intelligence.

The first task is to motivate civilians to learn about intelligence so they can control it. In most authoritarian regimes intelligence was monopolized by the military and civilians had no role whatsoever. These countries will be unable to control intelligence unless they prepare civilians to learn enough both to understand what intelligence is all about and to achieve some degree of cooperation, if not respect, from the intelligence professionals. None of this will be easy, but one has to start somewhere. It should begin with the formal and public commitment by the government to reviewing intelligence to establish a new policy. The commitment must also open the possibility for civilian positions in intelligence. Otherwise, as in civil–military relations in general, no civilians will come forward if they do not anticipate viable careers. Then, civilians can begin to learn about intelligence by reading the unclassified literature from several countries, and taking advantage of cooperative training arrangements in

31 It should be noted that the similarity between intelligence and civil - military relations has been touched upon in Uri Bar-Joseph, Intelligence Intervention in the Politics of Democratic States The United States, Israel, and Britain (University Park, Pa: Pennsylvania State University Press, 1995). However, Bar-Joseph deals only with established democracies and thus has a fairly
intelligence with other nations. It also makes sense to establish regional programs for them to share their insights and further develop their common fund of knowledge, with regional intelligence sharing programs an obvious result.

The second task is broader and it is to encourage a political culture, which supports the legitimate role of intelligence in a democracy but does not allow it to run rampant. James A. Schlesinger made this point: “to preserve secrecy, especially in a democracy, security must be part of an accepted pattern of behavior outside of government and inside.” The responsibility must go in both directions; from democratically elected civilians to control intelligence but from them as well to not release classified information for personal or political reason. How can this culture be encouraged? As in the general case of democratic civil–military relations, by generating a public debate. The challenge is to break through the current apathy or fear of the population regarding intelligence by initiating the debate. In some older democracies, including Canada, France, Great Britain, and the United States there is a fairly regular debate stimulated by non–governmental organizations (NGOs) and the media, which is periodically dramatized by intelligence fiascoes that become public. The role of the media is crucial, and their awareness of intelligence can be encouraged in the same manner

restricted view of the problems of civil–military relations, and does not deal with the problems inherent in controlling intelligence in new democracies.

as the public. Again, the debate can be stimulated by the politicians’ commitment to establish a policy on intelligence. Such a debate has been initiated in a few newer democracies including Guatemala. The Peace Accords between the government and the guerrillas signed in December 1996 stipulate, in several sections that intelligence will be transformed and put under civilian oversight. These commitments have led to public seminars on intelligence, publications by NGOs, and articles in the newspapers.\(^3\) In Argentina there also is a debate initiated by a small number of civilians realizing that democratic consolidation requires civilian control over intelligence.\(^4\)

The third task is not about civilians or the public in general, but concerns the selection, training, and overall preparation of intelligence professionals; those who specialize as intelligence agents working for the state. The focus on intelligence as a profession is particularly apt since these professionals, more than any other single profession, are controlled even in a democracy by professional norms more than outside controls (such as oversight).\(^5\) In contrast, in addition to their self-policing, or ethic, doctors are regulated by the legal system and licensing boards, lawyers by the legal system and bar associations, politicians by

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\(^3\) For one example of a major contribution to the debate see Fundacion Myrna Mack, “Hacia un Paradigma Democratico del Sistema de Inteligencia en Guatemala” Guatemala, Octubre de 1997.


\(^5\) Hastedt’s argument is that formal – legalistic controls have limited value in controlling intelligence and informal norms and values are extremely important. I agree, but he only studies
the legal system and elections, and the armed forces by budgets, promotions, and a myriad of civilian control mechanisms. The intelligence professionals, however, are controlled only in the last analysis, if that, by the external structures and processes noted above. They are granted impunity to break laws abroad and have tremendous leeway within their own country and organization. As illustrated in virtually all the books and articles dealing with intelligence agents, secrecy allows them to operate with a tremendous amount of autonomy. There are few checks because they operate secretly, they are ensconced in a bureaucracy with other like-minded agents and develop a closed-club mentality, and they are very suspicious of outsiders, including at times their superiors.

**Intelligence as a Profession**

A profession can be defined in terms of the three criteria of expertise, corporateness, and responsibility.

In the case of the intelligence professional the criteria are as follows:

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the U.S. and at that only the Directors of Central Intelligence. See Glenn Hastedt, “Controlling Intelligence: The Values of Intelligence Professionals,” in Hastedt, 1991, pp. 97-112.

First, their expertise is defined in accord with the four intelligence functions of collection, analysis, counterintelligence, and covert action described above. The range of what intelligence professionals do is extremely diverse. What unifies them, or defines them as intelligence professionals, is secrecy. Unlike other professions, but for certain limited aspects of patient or client privacy or privilege, the intelligence professional is defined by secrecy. (The military profession also has elements of secrecy but mainly these pertain to intelligence.) In reference to covert actions one of the foremost American intelligence professionals, Richard M. Bissell Jr. states:

The professional competence of a clandestine service consists of, and is measured by, its ability to carry out operations secretly (or deniably), much as lawyers’ competence consists in their ability to win cases, and doctors’ in their ability to prevent or treat illness. The clandestine service may number among its members brilliant journalists, able warriors, and superior political analysts, but the professional skill for which, presumably, they are hired is the ability to organize and conduct operations covertly. This is a rather specialized skill not widely found outside of intelligence and internal security services.37

And, in reference to counterintelligence one of the foremost British intelligence professionals states:

The profession of intelligence is a solitary one. There is camaraderie, of course, but in the end you are alone with your secrets. You live and work at a feverish pitch of excitement, dependent always on the help of your colleagues. But you always move on, whether to a new branch or department, or to a new operation. And when you move on, you inherit new secrets which subtly divorce you from those you have worked with

before. Contacts, especially with the outside world, are casual, since the largest part of yourself cannot be shared.\textsuperscript{38}

Their expertise is thus diverse, as is intelligence itself, and the defining characteristic of the profession is secrecy.

Second, their corporateness is defined by their access to secret systems, documents, information, and operations. As doctors enter the profession through boards and internships & residencies, and lawyers by the bar exams, intelligence professionals enter via security clearances. Clearances are the control mechanism for entry into and continuing in the profession. There are few educational requirements in common for intelligence professionals, and there is little else that defines their corporate identity but for their access to classified information.\textsuperscript{39} In intelligence everything is compartmented; different levels of clearances plus the need to know determine access. Even agents with similarly high clearances do not, are not supposed to, discuss information unless they have the need to know in terms of their current projects and responsibilities. The security clearances, the working together in secret and on secret information and projects, create identification as a member of a unique club. It may also breed certain arrogance, or sense of impunity, since if nobody else knows then how can those that don’t know control those that do?

\textsuperscript{38} Wright, 1987, p. 67.

\textsuperscript{39} Bar-Joseph, 1995, p. 49 notes the absence of formal educational requirements. The absence of educational elements leads him in large part to not consider intelligence as a profession with which I do not agree.
Third, the responsibility of the intelligence professional is to serve in defense of the state. But if we consider the first two criteria of expertise in secret matters and access via security clearances, we are led inexorably to a profession, which largely governs itself according to its own definition of responsibility. In new democracies this is doubly serious, as the state was not accountable to the general population and the intelligence agents may not have even been responsible to the small group in control of the state. Who can know and who is to control? The sense of responsibility is incredibly important, and even in stable democracies enough incidents come to light to cause concern that the agents are not serving the state. Or, better, they are serving it in their limited organizational terms and not those of the democratically elected leaders. This sense is captured in a quote from James Angleton when testifying before Congress on why the CIA had not destroyed stocks of a toxic poison: “It is inconceivable that a secret intelligence arm of the government has to comply with all the overt orders of the government.”\textsuperscript{40} It is difficult to accommodate this kind of attitude with the principles and procedures of democracy.

\textbf{To Change a Profession}

This review of the defining characteristics of the intelligence profession suggest that major efforts must be made in the new democracies to promote and

\textsuperscript{40} Quote in Admiral Stansfield Turner, 1985, p. 178.
inculcate a sense of professional responsibility by making the agents and agencies responsible to the state via the democratically elected leaders. How to do this? Only by committing great attention and resources to recruitment, training, and obligating that the professionals remain involved in the larger polity and society. The specifics of this prescription have to be defined separately for each nation. One of the biggest difficulties is that the government will most easily recruit retired military into civilian intelligence positions. They may have taken off the uniform, but their attitudes remain the same as those of everyone around them. If new personnel cannot be found, then can their ethic of responsibility be changed? In most countries, including the older democracies, there is little explicit attention to promoting this ethic. In the older democracies the larger society supports responsibility to the democratic state and the institutions are not under question so there is less need to promote the ethic. In the newer democracies there is clearly a need to promote it as well as promoting an open debate on intelligence and interesting civilians in the field.42

41 This is precisely what Hastedt advocates. “Only by seeking to structure how intelligence professionals see their job can one hope to prevent abuses from occurring in the first place or ensure responsiveness.” See Hastedt, 1991, p. 14.

4242 The other side of the recruitment is retirement of intelligence professionals. It is important for governments to ensure that their intelligence organizations create stable career progression based on merit, including provisions for decent retirement after service. This ensures loyalty and gives them options to not stay on in intelligence functions. Or even worse, turn to illegal activities since their skills are not easily transferable to other occupations.
Conclusion

All nations engage in intelligence activities at one scale or another. They must as other countries do, and no nation can afford to not know what is going on outside and inside their country, and if necessary counter other countries’ efforts to influence developments in that country. In most of the world intelligence services of authoritarian regimes were central to the survival of those regimes and in the most negative manner imaginable. Today, in the midst of challenges to democratic consolidation, seeking to ensure democratic control over intelligence is both necessary and extremely difficult. In many countries there is virtually no public recognition of this fact. Without decisive action, however, the intelligence apparatus will remain a state within a state and prevent democratic consolidation. Like all else in civil–military relations, the challenges are many and it requires continual efforts on the part of civilians and officers to achieve the most appropriate balance of efficiency and transparency for the country.

A Note on Sources and Expertise

The literature on intelligence is routinely broken down into four categories: memoirs of retired intelligence professionals; exposes by disgruntled former professionals, journalists, and activists; government reports, studies, and documents; and academic studies. Of these four categories only the last is largely objective. The other three are motivated by personal, partisan, or national goals,
and thus contains some kind of bias or “agenda.” Further, the literature in any one category is not so abundant that the interested student can dispense with material in any one of these categories. This is not the place to assess the literature in general, but to highlight that there is much material on the United States and now Russia, less on European democracies and South Africa, and very little on the new democracies in book or journal articles. Now, with the Internet there are available sources of information on aspects of intelligence throughout the world. There is not, however, to the best of my knowledge, any literature to provide the background and discussion of issues in which to locate this current Internet information on the new democracies. In sum, the material is sketchy and an overall conceptual framework is yet to be written.

To write this article I drew on the available literature less for inspiration and analysis, and more for examples of the points I wanted to make. My background and current activities are what provided the framework. I attended graduate school in Political Science at the University of California at Berkeley during the 1960s. After completing my studies in 1969 I taught at McGill University, Montreal until 1987. During that time I researched on “hot” topics; first on politics and religion in Brazil (during the authoritarian regime) and later on the Portuguese Revolution and its path to democratic consolidation. During that period of two decades I had occasion to meet intelligence agents abroad who would ask me lots of questions but never told me anything. Lacking reciprocity I
avoided contact with them. In 1987 I joined the Naval Postgraduate School and in 1989 became chairman of the Department of National Security Affairs. In that position I qualified to receive a high security clearance because I had to attend meetings and read documents requiring it. Having the clearance allowed me to learn quite a lot about the United States intelligence community with seminars and meetings at the CIA, Defense Intelligence Agency, National Security Agency, Office of Naval Intelligence, Office of the Joints Chiefs of Staff and Office of the Secretary of Defense at the Pentagon, regional headquarters of the armed forces, and American embassies abroad. Because our department offers one of the two masters degree programs in intelligence (the other is the Joint Military Intelligence College), we have alumnae in intelligence positions throughout the community. Through these contacts, and involvement with our courses, faculty, and students, I became interested in intelligence as a field of study. I could then appreciate the “one-way street” of information in my earlier experience since I had not been “cleared” at that time. Unfortunately for the field of study, as noted in the text of this article, most of intelligence is “slippery” in that there is much information on systems, tradecraft, and wiring diagrams, but little analysis of intelligence as organization and system. The effort is put into analysis of the information and not the organization.

When the Center for Civil–Military Relations was founded in 1994 I became involved as director of the programs in Latin America. It was clear to
me, with my background in Brazil and Portugal, that intelligence is a core topic in civil–military relations. Consequently we include a block of study on it in most of our programs in the region. We also developed a full week program on the topic of intelligence and democracy held in Buenos Aires in August 1998. The experience throughout Latin America, and especially Argentina, brought me into contact with officers who are intelligence professionals and a small number of civilians who are interested in intelligence. Hopefully the democratic consolidation of that continent and others will continue apace, and the elected civilian leadership in all of the countries will feel secure enough to assert control over intelligence