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THESIS

FROM AUTHORITARIAN TO DEMOCRATIC REGIMES: THE NEW ROLE OF SECURITY INTELLIGENCE

by

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The purpose of this thesis is to design a new role for security intelligence in new democracies that achieves a proper balance between the security of the state, the intelligence activities, and the individual liberties of its citizens.

In this sense, a democratic intelligence system should have a clear legal mandate for its functions and should be controlled and overseen by civilians under democratic principles, such as respect for the rule of law and human rights, accountability and transparency.

This thesis compares the intelligence systems of Argentina, Romania, and El Salvador under their different regimes, authoritarian as well as democratic. It also compares the strategies used by Argentina and Romania for their transitions from authoritarian intelligence systems to democratic intelligence systems. After comparing both the strategies used by these nations, one sees that designing a new model, a collaborative strategy, which includes all stakeholders, is the most appropriate approach, leaving the democratically elected authorities to employ an authoritative strategy when they deem it necessary.

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FROM AUTHORITARIAN TO DEMOCRATIC REGIMES: THE NEW ROLE OF
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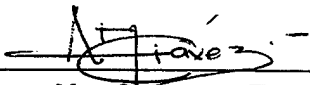requirements for the degree of

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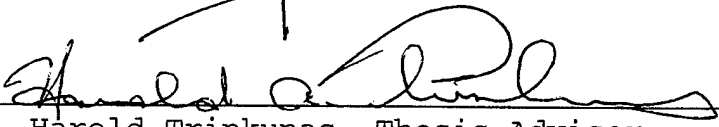March 2001

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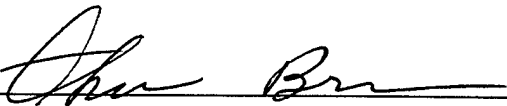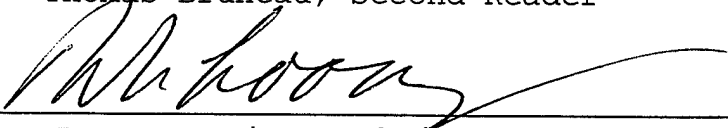Ana M. Chavez Escobar

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ABSTRACT

The purpose of this thesis is to design a new role for security intelligence in new democracies that achieves a proper balance between the security of the state, the intelligence activities, and the individual liberties of its citizens.

In this sense, a democratic intelligence system should have a clear legal mandate for its functions and should be controlled and overseen by civilians under democratic principles, such as respect for the rule of law and human rights, accountability and transparency.

This thesis compares the intelligence systems of Argentina, Romania, and El Salvador under their different regimes, authoritarian as well as democratic. It also compares the strategies used by Argentina and Romania for their transitions from authoritarian intelligence systems to democratic intelligence systems. After comparing both the strategies used by these nations, one sees that designing a new model, a collaborative strategy, which includes all stakeholders, is the most appropriate approach, leaving the democratically elected authorities to employ an authoritative strategy when they deem it necessary.

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EXECUTIVE SUMMARY

A.   BACKGROUND

Nowadays a major political goal is consolidating new democracies. This requires vast changes of several issues, such as socio economic development, social justice, respect of human rights, and the armed forces under democratic control. Perhaps with the military changes and the new role of the armed forces, one of the most difficult tasks is the control and oversight of intelligence.

During authoritarian regimes, intelligence systems were under the oversight and execution of the military institutions. Using the protection of the state as an excuse, they were key elements of political control through the abuse of human rights, acting against individual freedom and mainly against the principles of democracy.

In a democracy, political power, and ultimately control of the government, is vested with the citizenry, but how much control can the public maintain when it does not know what the government is doing?

B.   RESEARCH QUESTIONS

- How should an intelligence system in a new democracy be structured to serve both the need for security and a respect for human rights?

- How can an authoritarian intelligence system be transformed into a democratic intelligence system? Who has to control intelligence? Who has to oversight? To what degree should secrecy be applied?

- What strategy should be used to design a new role and structure of security intelligence for new democracies?

C.   MAIN FINDINGS

- Intelligence systems under different types of authoritarian regimes were similar in three ways, *behaviorally, attitudinally,* and *constitutionally.* The intense violations of human and civil rights required changing the mandate, the structure, and the oversight of the intelligence systems in democratic transitions.

- The strategies used to change were collaborative, in the case of Argentine, and authoritative in the case of Romania. Argentine has advanced more in consolidating its democracy. On the other hand, Romania still has a weak civil society characterized by its lack of confidence in the government, which has appointed the former authoritarian officers to conduct intelligence. This is a constant reminder of the past threatening the process of consolidating Romania's hopes for democracy.

D.   CONCLUSIONS

- To be sure, intelligence is still required, but it should be refocused. Its tactics should be designed by the need to build a safer world, based on law and cooperation, efficiency, and quality. Intelligence operations should be less secret and more integrated with the needs of a democratic national and international policy. It is time to forge a new path, a new role: reaching a

proper balance between the security, the intelligence activities, and the individual liberties.

- Civilians should control and oversee the democratic intelligence system under democratic principles, such as the respect for the rule of law and human rights, accountability and transparency.

- Today, even with issues such as intelligence services, there is a need for a new way of working that should be more collaborative and democratic and should not rely on a small elite group for all the answers. Thus, for any stakeholders to design a new role, a collaborative strategy is the most appropriate one. However, in light of this, the intelligence officers must at times employ an authoritative strategy to execute all the functions that compose the gathering, analysis, dissemination, and consumption of intelligence.

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I. INTRODUCTION

As the world witnesses the birth of emerging democracies, the role of intelligence systems should be reevaluated. After decades of authoritarian regimes, military governments, secret intelligence systems and horrific abuses of human rights, these new democracies require open public debates and new legislative initiatives to ensure adequate civilian control over intelligence agencies.

Clearly, regarding intelligence systems, nowadays the primary objectives are preventing abuses while protecting the nation's interests. Thus a new role for the intelligence community entails achieving a proper balance between the security of the state, its intelligence activities, and the individual liberties of its citizens.

Peter Gill summed up this role succinctly by stating we must construct, "a system which is capable of providing information about real threats without abusing human rights."[1]

A.   BACKGROUND

Nowadays, a major political goal of new democracies is consolidating their still fragile democracies. This requires vast changes of several issues, such as socio-economic development, social justice, respect of human rights, and the armed forces under democratic civilian control. Perhaps with the military changes and the new role of the armed forces, one of the most difficult tasks is the control and oversight of intelligence.

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[1] Peter Gill. *Policing Politics: Security Intelligence and the Liberal Democratic State.* Bookcraft Ltd. Midsomer Norton, Bath, 1994. P. 314

During authoritarian regimes, intelligence systems were under the oversight and execution of the heads of the states through the military institutions, as well as under the military institutions themselves. Using the protection of the state as an excuse, these autocratic leaders abused human rights, acting against individual freedom and mainly against the principles of democracy.

Contrarily, in a democracy, political power and, ultimately, the control of the government is vested with the citizenry, but how much control can the public maintain when it does not know what the government is doing?

B. IMPORTANCE

There is a wide international consensus about the need for democratic control over intelligence agencies and activities. In new democracies, discussing intelligence matters is no longer taboo. Its new role should be known by the people who put their confidence in their government, in a system of checks and balances, and in the principle of accountability. All the sectors of the population have a great challenge, but the first steps, perhaps the most difficult ones, have already been taken.

Thus, this thesis describes the intelligence system of three different countries before and after their transitions to democracy and their strategies used to change from an authoritarian intelligence system to a democratic intelligence system. The thesis then compares the resulting models in order to evaluate the advantages and disadvantages of these new models for intelligence services.

This thesis also considers the following specific purposes:

1)   To define and outline the intelligence community (What is it? What does it do? How does it fit in the government?)

2)   To illuminate the risks versus the anticipated gains involved in making decisions about intelligence operations.

3)   To examine the yet unsolved problem of how a democratic society, can exercise political control over activities that are necessarily secret.

It is important then to analyze and to evaluate the processes used by Argentina and Romania to fulfill their changes (What the results were? Why was it necessary to make changes?) Thus, the primary aim of this thesis is to establish a model of intelligence that achieves the balance previously mentioned.

C.   RESEARCH QUESTIONS

The answers to pressing social-political-economic-military questions, such as the ones presented below, often seem illusory. Frequently, proposed solutions are characterized as unfeasible because they are believed to be financially impossible, technologically out of reach, or mistrusted.

- How should an intelligence system in a new democracy be structured to serve both the need for security and the respect for human rights?

- How can an authoritarian intelligence system be transformed into a democratic intelligence system? Who has to control intelligence? Who has to oversight? To what degree should secrecy be applied?

- What strategy should be used to design a new role and a structure of security intelligence for new democracies?

To answer the questions above, this thesis will explore the following major arguments:

- An intelligence service, still required in a democracy, should be refocused. Its tactics should be based on law and cooperation, efficiency, and a commitment to build a safer world. Its operations should be less secret and more integrated with the needs of an open national and international policy. The execution of intelligence operations must seek a proper balance between the security of the state, the intelligence activities, and individual liberties.

- Civilians should control a democratic intelligence system with democratic oversight respecting the rule of law, human rights, yet maintaining accountability and transparency.

- Today, even with intelligence services, the functions of the government should be more collaborative and democratic and should not rely on a small elite of decision-makers. Thus the design of the new role should be based on a collaborative strategy, leaving any authoritative strategy merely for the execution of intelligence operations.

D.   METHODOLOGY

The methodology used for this thesis will be a structured, focusing on a comparison of the Intelligence Services of Argentina and Romania, as they functioned before the political changes in these countries. This thesis will also examine how these nations are currently solving their problems. Then with these findings, the thesis presents a new model for new democracies, such as the one in El Salvador.

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Why compare Argentina and Romania? Such a comparison permits an analysis of different political systems such as Argentina's authoritarian-capitalist and Romania's authoritarian-communist. This comparison shows that intelligence systems under different authoritarian regimes are very similar. It also permits the study of an unconsolidated democracy or new democracy, such as the one in El Salvador. The challenge of such a comparison is explaining the differences in the timing of the centralization of power, detailing the conditions under which leaders succeed or fail, and determining the rationale behind more democratic or authoritarian outcomes.

According to Michael Mann, an explanation requires two elements: the comparative and the historical.[2] In this thesis no major contradictions arise by applying Mann's concept. Furthermore the following Chapters suggest that a marriage between the comparative and historical explanations offer a most promising avenue for analyzing this topic.

The goal of the study is developing the best possible model to define the new role of intelligence. This model should be applicable to new democracies such as in El Salvador. This thesis will analyze different literature available in the countries, official documents and intelligence reports, not available to the general public. This thesis also relies on data obtained through personal interviews of national leaders, especially in El Salvador.

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[2] Michael J. Mann, Harvey J. Goldschmid, J. Fred Weston. *Industrial Concentration: The New Learning*. Little, Brown, Boston, 1974, viii.

E.   ORGANIZATION OF THE STUDY

The following is a brief discussion of the organization of this thesis and of how each chapter answers the research questions.

Chapter II is devoted to general theoretical considerations, which while of direct relevance for the rest of the thesis, can be read as freestanding theoretical arguments. Chapter II also defines "intelligence," why it is necessary, its general process in gathering information, and its role in a perilous world. This Chapter also describes the role and structure of an intelligence system under authoritarian as well as democratic regimes, using some variables, such as *"behaviorally, attitudinally, and constitutionally."* These variables will be useful in analyzing the role and structure of intelligence in both periods.

Chapter III identifies the role and structure of security intelligence as a wicked problem to be solved. This Chapter refers to the stakeholders, to the strategy needed to cope with this wicked problem, and to the implementation of a plan. This Chapter is important because it outlines a democratic process, labeled "collaborative strategy," which is useful for designing new roles in different countries according to their demands. However, this Chapter also outlines how intelligence officers can apply an "authoritative strategy" under the principles of the rule of law, transparency and accountability to execute the functions.

Chapter IV, using the same variables, analyzes the intelligence system in Argentina, Romania, and El Salvador under their authoritarian regimes. Establishing some characteristics of the abuses committed by these intelligence services, which were similar and intense. This intensity, in the three cases under study, exacerbated the

population and contributed to both the negative and eventually to the positive changes within their intelligence systems.

Chapter V presents the intelligence systems of the same countries under their democratic regimes. This Chapter also emphasizes why it has been a wicked problem for these countries to change from authoritarian to democratic intelligence systems. The Chapter also examines the strategies used by Argentina and Romania to perform their changes. The main purpose of this Chapter is to determine whether the strategy to change from the authoritarian to the democratic intelligence system developed in Argentina and Romania can be effectively applied in new democracies to face this wicked problem.

Chapter VI concludes the research and addresses the key issues of this work, namely creating a new role and structure for emerging democracies.

Chapter VII presents the new role and structure of an intelligence system for new democracies, focusing on El Salvador.

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II. INTELLIGENCE OVERVIEW

A.   WHAT IS INTELLIGENCE?

To many people, "intelligence" seems little different from information, except that intelligence is probably secret. However, distinguishing between the two is essential. Information is anything that can be known, regardless of how it may be discovered. However, intelligence refers to information that meets the stated or understood needs of policy makers and has been collected, refined, and narrowed to meet those needs. Intelligence is a subset of the broader category of information. Therefore, intelligence and the entire process by which it is defined, obtained, and analyzed is a response to the needs of policy makers. All intelligence is information; not all information is intelligence.

There are several ways to consider intelligence: intelligence as a process, intelligence as a product, and intelligence as an organization.

- *Intelligence as a Process*: Intelligence can be thought of as the means by which certain types of information are required and requested, collected, analyzed, and disseminated. Intelligence is also the manner in which certain types of covert actions are conceived and conducted.[3]

- *Intelligence as a Product*: Intelligence can be considered the product of these processes, that is, as the analyses and intelligence operations themselves.[4]

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[3] Mark M. Lowenthal. *Intelligence: From Secrets to Policy.* CQ. Press, Washington, D.C., 1999. P. 8.

[4] Ibid., p. 8.

- *Intelligence as an Organization*: Intelligence can also be considered as the governmental agencies that perform its various functions.[5]

For the purposes of this thesis, intelligence will be defined according to the definition presented by Mark M. Lowenthal. Thus, "Intelligence is the process by which specific types of information important to national security are requested, collected, analyzed, and provided to policy makers; the products of that process; the safeguarding of these processes and this information by counterintelligence activities; and the carrying out of operations as requested by lawful authorities."[6]

B. WHY DO WE NEED INTELLIGENCE?

Intelligence exists for at least four major reasons: 1) to avoid strategic surprise, 2) to provide long-term expertise, 3) to support the policy process, and 4) to maintain the secrecy of information, needs, and methods.[7]

- *To Avoid Strategic Surprise:* The foremost goal of any intelligence community must be to keep track of threats, forces, events, and developments that have the ability to threaten the nation's existence.

- *To Provide Long-Term Expertise:* Even though policy makers may enter their respective offices with considerable background in their fields, being well versed in all issues with which they will be dealing is virtually impossible. Inevitably, these policy-

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[5] Ibid., p. 8.

[6] Ibid., p. 8.

[7] Ibid., p. 2.

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makers will face issues for which they must summon others with superior knowledge and expertise. For national security matters much knowledge and expertise resides in the intelligence community, where the analytical cadre is relatively stable. According to Lowenthal,[8]

> Stability tends to be greater in intelligence agencies than in foreign affairs and defense agencies. Also, the higher reaches of the intelligence community tend to be more stable and to have many fewer political appointees than the State and Defense Departments.

• *To Support the Policy Process:* Policy makers have a constant need for tailored, timely intelligence that will give them background, context, information, warning and an assessment of risks, benefits, and the likely outcomes. The intelligence community fulfills the policy makers' needs. In the ethos of intelligence, a strict division exists between intelligence and policy. The two entities are seen as separate functions. The government is run by the policy makers, and intelligence is supportive but may not encroach on or advocate policy choices. Intelligence officers who support policy makers are expected to maintain objectivity regarding specific policies, choices, or outcomes. Failing to do might threaten the objectivity of their analyses, creating a "politicized intelligence."

• *To Maintain the Secrecy of Information, Needs, and Methods:* Secrecy does make intelligence unique. Having intelligence agencies is of vital importance. First, all countries need certain types of information and wish to keep their needs secret. Secondly, all countries need to keep secret their means by which to obtain information.

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[8] Ibid., p. 3.

C. PROCESS OF INTELLIGENCE

As previously defined, intelligence is a dynamic and never ending process. Seven steps basically compose it: 1) needs or requirements, 2) collection, 3) processing and exploitation, 4) analysis and production, 5) dissemination, 6) consumption, and 7) feedback.[9] Let's examine each category individually:

- *Needs or Requirements:* Identifying requirements means defining those policy issues or areas to which intelligence is expected to contribute. Identifying requirements may also mean specifying the collection of certain types of intelligence. All policy areas have intelligence requirements; however, these requirements must be sorted by priorities, with some getting more attention, some getting less, and some perhaps getting little or no attention at all. The key issues are based on two questions: First, who sets these requirements and priorities and then conveys them to the intelligence community? Secondly, what happens, or should happen, if policy makers fail to set these requirements on their own?

- *Collection:* Once the requirements and priorities have been established, the necessary intelligence must be collected. The key issues here are also based on two questions: First, what types of collection should be used? Secondly, how much can or should be collected to meet each requirement? To collect information, the agency employs several techniques, such as imagery (IMINT), signal intelligence (SIGINT), human intelligence (HUMINT), measurement and signature intelligence (MASINT), and open-source intelligence (OSINT).

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[9] Ibid., pp. 41- 49.

- *Processing and Exploitation:* Intelligence collected by technical or human means, such as imagery, signals, test data, and so on does not arrive in ready-to-use form. Such intelligence must be processed and exploited, that is, processed from complex signals into images or intercepts. These then must be exploited and analyzed if they are images, perhaps decoded and probably translated if they are signals. Processing and exploitation are key steps in converting technically collected information into useful intelligence.

- *Analysis and Production:* The previous steps are meaningless unless the intelligence is assigned to analysts, who can turn the various types of collected intelligence into a variety of reports (products) that the policy makers can use. The types of product chosen, the quality of the analysis, and the continuous tension between current intelligence products and longer-range products are key issues.

- *Dissemination:* This is the process of moving the intelligence from the analysts to the policy makers. How widely intelligence should be distributed and how urgently it should be passed or flagged for the policy maker's attention are key issues in dissemination.

- *Consumption:* This refers to the use of the information by the policy makers or users to create policies to benefit the society.

- *Feedback:* Feedback is the interaction between policy makers and analysts regarding the finished intelligence. The purpose of the feedback is to review what has be done by the intelligence analysts in order to achieve better outcomes The analysts help intelligence managers evaluate the effectiveness of intelligence community support, identify intelligence gaps, and focus more precisely on the consumers' needs. Although

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feedback doesn't occur nearly as often as the intelligence community might desire, this process involves in-depth communication between policy makers and intelligence analysts after the intelligence has been generated. Feedback is essential because it informs the intelligence community as to how well they are meeting the needs of the policy makers. During feedback both parties discuss any adjustments that must be made. In this process some questions are essential, such as what has been useful, what has not, which areas need continued or increased emphasis, which areas can be reduced? and so on. The following diagram, Figure 1, shows the process of intelligence. This diagram has been designed by the author of this thesis. It is based on Lowenthal's Multilayered Intelligence Process.[10]

FEEDBACK

REQUIREMENTS → COLLECTION → PROCESSING AND EXPLOITATION → ANALYSIS AND PRODUCTION → DISSEMINATION → CONSUMPTION

FEEDBACK
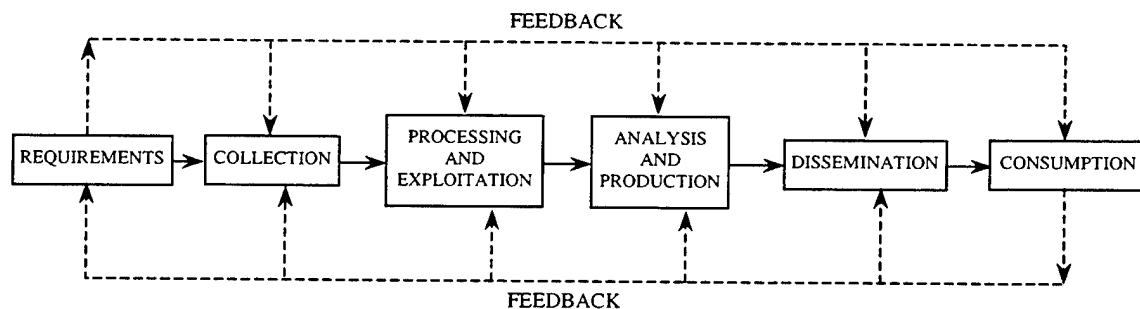
Figure 1. Process of Intelligence

D. THE ROLE OF INTELLIGENCE IN A DANGEROUS WORLD

Even by adopting more relaxed security policies, in light of the diminished number of security threats, in the future nations will inevitable face new security threats. In a dangerous, turbulent, and unpredictable world, the intelligence agencies will be the

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[10] Ibid., p. 51.

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first line of protection, and their effectiveness will largely determine how many nations survive or perish.

To improve the effectiveness of the intelligence agencies, two guidelines will be necessary. First, the intelligence agencies should focus on genuine threats to national security, such as terrorism, and not on such issues as trade negotiations. Second, at the political level, the president and his advisors should view the intelligence agencies as institutions that are most valuable when they bring into question the premises of existing policy. Admittedly, adopting such a role is challenging, but history demonstrates the perilous consequences of refusing to believe intelligence that contradicts the views of the political leadership.

For instance, this was clearly the case in 1914 when the breadth and power of the Schlieffen Plan caught the French Commander-in-Chief General Joseph Joffre by surprise. Likewise, in 1940, General Maurice Gamelin's Dyle-Breda Plan was shattered by an unexpected German attack through the Ardennes.[11] The problem for French intelligence was not that the decision-makers whom they served willfully ignored their reports charting the strength of German armed forces. On the contrary, French generals were very well informed of the realities of German power before both World Wars. The problem for France was that intelligence became a threat, because it confronted France with the realities of her own weakness. Currently, intelligence services all over the world are flashing warning signals about some threats to the nations' security.

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[11] Douglas Porch. *French Intelligence Culture: A Historical and Political Prospective.* Intelligence and National Security, Vol. 10, No. 3. Frank Cass, London, 1995. P. 491.

In sum the intelligence agencies should focus on their main mission: safeguarding the security of their people by providing accurate, objective and clear information to policy makers.[12]

E.   THE ROLE AND STRUCTURE OF INTELLIGENCE SYSTEMS

To understand the role of security intelligence under authoritarian as well as under democratic regimes, one must understand two variables, *completed democratic transitions* and *consolidated democracies.*

Democratic transitions or democratization entails liberalization. This may entail a mix of policies and social changes, such as opposing media censorship, political organizations, legal safeguards for individuals, such as habeas corpus, the release of most political prisoners, the return of exiles, improving the distribution of income, and most important, tolerance. In addition, democratization requires free and open political campaigning and elections.

However, in most cases after a democratic transition has been completed, many tasks must be accomplished. The critical modifications listed above, mainly social and economic changes, and tolerance must be established, and new attitudes and habits must also be cultivated before a democracy can be considered consolidated.

According to Diamond, a consolidated democracy is a political situation where democracy has become "the only game in town." Diamond identifies three dimensions in which changes occur: *behavioral, attitudinal,* and *constitutional.* By applying these three

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[12] Snider Britt. *"Sharing Secrets with Lawmakers: Congress as a User of Intelligence."* February 1997.

dimensions to an intelligence system of an authoritarian as well as to a democratic regime, this thesis compares both regimes and describes the new role of an intelligence system in new democracies.

Although Diamond identifies the three dimensions of "behaviorally, attitudinally and constitutionally," Peter Gill expands this concept by including three other elements: "mandate, structure and oversight." Peter Gill further argues that one must identify any possible internal or external threats to national security or public order. Furthermore, he argues one must consider the issue of constitutionally, which is inherent in mandate, structure, and oversight.[13]

1. Under an Authoritarian Regime

To understand intelligence under an authoritarian regime, one must define the expression "authoritarian regime." According to Linz and Stepan, such a regime is a "political system ... without an elaborate and guiding ideology ... in which a leader or occasionally a small group exercises power within formally ill-defined limits." Linz and Stepan describe such a system as politically restrictive, irresponsible to both the needs of the citizens and the nation at large, yet catering to the self-serving desires of despotic or autocratic leaders. These regimes and the intelligence systems that serve them frequently

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[13] Peter Gill. *Policing Politics. Security Intelligence and the Liberal Democratic State.* Frank Cass & CO. LTD. London, England, 1994. P. 317.

dismiss the inalienable rights of the citizens, ignore the common standards of justice, and flagrantly abuse human rights.[14]

We can easily catalogue the characteristics of such regimes by employing Diamond's three dimensions of a consolidated democracy as a benchmark. In doing so, we clearly see the inadequacies and dangers inherent in autocracies. Based on Diamond's three dimensions, behaviorally, attitudinally, and constitutionally, let's examine authoritarian regimes in the next three sections:

a. Behaviorally

Viewed from this dimension, national, social, economic, political, or institutional actors spend significant resources attempting to achieve their biased objectives by creating a non-democratic regime, or turning to violence or foreign intervention to secede from the state. In such cases, the legal system is inefficient and highly politicized. Those flawed systems allow political, economic, social, or military groups to avoid punishments when they have the power to dominate the government and to perpetrate abuses.

The military, which is in charge of the intelligence operations, perpetrates many crimes against society. Little can be done to halt such powers. Moreover, heavy influence over political appointees allows the perpetrators to escape with impunity, for they have little fear of the law capturing and judging them.

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[14] Juan J. Linz and Alfred Stepan. *Problems of Democratic Transitions and Consolidations: Southern Europe, South America, and Post-Communist Europe.* The Johns Hopkins University Press 1996. P.38.

In this dimension, civilian control of the military may not exist. Any control may merely benefit the authoritarian government. Intelligence services are used to gather information to maintain the existing status quo. Such governments are violating human rights and abusing power. To cite an example, the Argentina military government, which ruled from 1976 to 1983, was known and feared for its practices, called "disappearances," violations that the international community labeled "a crime against humanity."[15]

b. Attitudinally

Most people believe those authoritarian procedures and institutions oppose or undermine civil and human rights. They also believe that civil society, fearing the state, cannot combat the injustices. However, in several cases (El Salvador, Romania) citizens wearied of this situation and revolted. In the case of El Salvador, political violence by both sectors ensued, creating a civil war that lasted more than twelve years (1979-1992).

During authoritarian regimes, the existing governments had to rely on organizations, such as intelligence, to identify their domestic opponents, to neutralize their opposition to the government, and to control the media in hopes of manipulating the nation by instilling public apathy and complacency. According to Bruneau, precisely because of this heavy reliance and its centrality to power, the intelligence apparatus

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[15] Cynthia J. Arnson. *Comparative Peace Processes in Latin America.* Stanford University Press, California, 1999.

increased in size and power until that they were largely autonomous, even with authoritarian regimes.[16]

c. Constitutionally

Generally, intelligence authorities under authoritarian regimes have no respect for the rule of law. They often impose their own rules and procedures, denying accountability, transparency, and human rights. Under such regimes, a system of checks and balances doesn't exist. The intelligence services perform their activities secretly and without any kind of accountability.

In this dimension, the military rarely, if ever, provides the legislature with information about military expenditures, plans, or military operations. The military considers this classified national security information. Therefore, only a few people know exactly what the military is doing, and what resources are available to them.

Within the constitutionally dimension, there exist three elements that together define the rule of law, on which the intelligence services base its role and its activities: mandate, structure and oversight. Now we can examine each of these three terms:

(1)   Mandate

In an authoritarian regime as well as in a democratic one, the intelligence services exist principally to serve the needs of the executive authority. The primary difference between the authoritarian and democratic regimes is that the

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[16] Thomas C. Bruneau. *"Intelligence in New Democracies: The Challenge of Civilian Control."* The Center for Civil-Military Relations, Naval Postgraduate School. July 1999. P. 2.

authoritarian serves the interests of a person or of a small group in power, ignoring the nation's needs. On the other hand, the democratic regime serves the general interests of the population.

Under an authoritarian regime a clear mandate that forbids abuse of power and violations of human rights does not exist. Policy makers are far from respecting human and civil rights. For instance, under Pinochet's regime in Chile, political leaders were kidnapped by the intelligence service. The DINA, the secret police active during this regime, committed systematic "disappearances." One famous crime was the 1976 assassination in Washington, DC, of Orlando Letelier, a former cabinet minister of the Allende government and an American colleague of Letelier.

(2)   Structure

Even though intelligence in an authoritarian regime can be divided into external and internal, the control is in the hands of a person or of a small group, mainly supported by the military, allowing an abuse of power and violations of human rights. As such, the military controls both external and internal security and would never consider recognizing the civilian police or even, consider using civilian police forces to support their job under the control of military intelligence, or sharing intelligence activities.

(3)   Oversight

Under an authoritarian regime, oversight of intelligence activities and their expenditures rarely exists. Characterized by the lack of transparency, every action is executed in secrecy, avoiding accountability and the checks and balances of the state. The authorities are always favored whether justly or unjustly.

2.   Under a Democratic Regime

Reformulating Robert Dahl's definition of *Polyarchy*, Juan Linz, Seymour Martin Lipset, and Larry Diamond define democracy as follows: "A Democratic regime is a system of government that meets three essential conditions. Meaningful and extensive *competition* among individuals, and groups (especially political parties) for all effective positions of government power, at regular intervals and excluding the use of force. Highly inclusive levels of *political participation* in the election of leaders and policies, at least through regular and fair elections, with no major (adult) social group being excluded. Lastly, a level of *civil and political liberties-freedom* of expression, freedom of the press, freedom to form and join organizations-sufficient to ensure the integrity of political competition and participation."[17]

Regarding the three dimensions and focusing on the intelligence system, under this regime, these dimensions could be defined as follows:

a. Behaviorally

Behaviorally, democracy exists when no significant political groups seriously attempt to overthrow the democratic regime or attempt to secede from the state; and when the intelligence system is used democratically to gather information respecting human and civil rights. A democratic regime is consolidated when no significant national, social, economic, political, or institutional groups spend significant resources of time or money attempting to achieve self-devoted objectives by creating a non-democratic

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[17] Larry Diamond, Juan J. Linz, and Seymour Martin Lipset, Eds. *Democracy in Developing Countries: Latin America.* Boulder: Lynne Rienner, 1998, 1989. P. xvi.

regime or turning to violence or foreign intervention to secede from the state. The intelligence system allows the strengthening of civil-military relations by giving the civilians the opportunity to join it and to learn about it.[18]

b. Attitudinally

Attitudinally, true democracy exists when, even in the face of severe political and economic crises, the overwhelming majority of the people believe that any further political change must emerge from within the parameters of democratic principles. A democratic regime is consolidated when a strong majority of public opinion believes that democratic procedures and institutions are the most appropriate way to govern collective life in a society, and when the support for anti-system alternatives is quite small or more or less isolated from the pro-democratic forces. In such a system, the intelligence community has as its main objective the safeguarding of the nation under the rule of law and its application for every citizen.[19]

c. Constitutionally

Constitutionally, a democracy exists when all the actors in the polity believe political conflicts will be resolved according to the established norms, and that violations of these norms are likely to be both ineffective and costly. A democratic regime is consolidated when governmental and non-governmental forces alike,

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[18] Ibid., xvi.

[19] Ibid., xvi.

throughout the territory of the state, become subjected to and habituated to resolving conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process.[20]

(1)   Mandate

In new democracies a legal mandate for intelligence systems is a necessary condition for several reasons, such as ensuring an organization's effectiveness, encouraging self-restraint and providing oversight.[21]

Mandate is the first stage of structuring an intelligence organization. Undeniably, the intelligence service exists principally to serve the needs of the executive authority. The service also makes a large part of its output available to the legislative branch or congress. A "legal security mandate" assigns these responsibilities to the intelligence service in order to establish a state's security. This mandate must be based on permanent and legal objectives. After identifying any threats to a permanent objective, a legal mandate can be assigned. A clear mandate, legally based, minimizes the risks of abuse and also allows politicians to optimize resources.

A clear and comprehensive legal framework, such as a legal mandate brings intelligence under control and a benevolent structure can be organized.

(2)   Structure

Regarding structure, "intelligence" is linked primarily to foreign relations, national defense, and internal security. Depending on the location of

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[20] Ibid.

[21] Peter Gill. *Policing Politics: Security Intelligence and the Liberal Democratic State.* Frank Cass & CO. LTD. London, England, 1994. P. 127.

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intelligence within the state structure, the three functions differ in purposes and specialization. Each function dictates different rules and procedures. Thus intelligence can be divided into two main categories: *external intelligence* (or strategic intelligence), known as foreign intelligence, and *internal intelligence* (or police intelligence), known as domestic intelligence.[22]

In new democracies, the external is a military function under civilian control, with the main goal of defending and protecting the sovereignty and the integrity of the territory. The external can be divided into three branches: the Army, Navy, and Air Force. The internal is understood as a civilian function in which the military is not allowed to intervene. The internal consist of political and criminal intelligence, depending on the threat it faces. Because of the new threats, such as drug trafficking, organized crime, nowadays, the internal security requires new branches, which address these new threats. To structure an intelligence service, one must adopt permanent objectives and define the roles and functions of each segment of the service.

(3)   Oversight

Seeing democracy as a process, Alfred Stepan offers the following definition: "Democratization requires the open contestation for the right to win control of the government, and in turn requires free elections. Democratization entails liberalization but it is a wider and more specifically political concept."[23] As implied in this definition,

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[22] Eduardo E. Estevez. *"Modelos de Inteligencia, Estructuras y su Aplicacion en Policias en Proceso de Reforma."* Document presented during the Seminar in Police Intelligence, Instituto de Ensenanza para el Desarrollo Sostenible (IEPADES), Guatemala, July 1999. P. 7.

[23] Alfred Stepan. *Rethinking Military Politics: Brazil and the Southern Cone.* New Jersey: Princeton University Press, 1998.

democracy means something more than mere elections; it also implies oversight and control of the state apparatus. Therefore, civilian control and oversight of the intelligence apparatus is a crucial aspect to be considered for any country becoming a consolidated democracy.

In new democracies establishing oversight of the intelligence systems is a big challenge mainly because secrecy is still required and, as Pat Holt states, "Secrecy is the enemy of democracy."[24] Secrecy encourages abuse, illegality, and eschews accountability, the most important mechanism of democracy. However, in order to reach a balance between security, intelligence activities, individual liberties, and to avoid past abuses of authoritarian regimes, the issue of oversight has recently dominated the control of intelligence functions. Thus, presently in democracies with presidential systems, oversight includes the legislative as well as the executive branch and even the judicial.[25] The oversight of the legislative branch is performed as follows:

- *The Legislative Branch or Congress* conducts its oversight functions using different mechanisms. The principal function is the budget, and this mechanism gives the congress vast power over intelligence. The second mechanism entails Congress' ability to confirm or reject nominations. Other mechanisms are treaties, which Congress can ratify. Finally, the Congress has the power to ask the intelligence community for information. This mechanism of control is known as hearings. Congress relates to the intelligence community in three primary ways: by annually providing funds for the intelligence

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[24] Cited by Thomas Bruneau in his essay: "Intelligence in New Democracies: The Challenge of Civilian Control," July 1999. P. 13.

[25] Mark M. Lowenthal. "The Intelligence Process Oversight and Accountability." In his book *Intelligence: From Secrets to Policy.* CQ Press, Washington DC. 1999. P. 133.

budget, by performing oversight of intelligence, and by receiving and using intelligence.[26] The most significant relation is oversight, which entails keeping track of how funds are spent and whether the activities of the executive branch are consistent with the law. Emily Francona, in an interview said, "Congress takes the place of the people," in other words congress must maintain oversight of all intelligence functions.[27]

Even though oversight is mainly performed by the Congress in a system of "checks and balances," both the executive and the judicial branch are involved in the following controls of intelligence:

- *Executive Branch:* This branch focuses its oversight on issues related to espionage and covert actions. Only the president, as head of the executive branch, can authorize covert actions. No covert action can be conducted without the president's signature. The executive branch is also responsible for performing oversight for internal matters of the intelligence system.

- *Judicial Branch:* The principal function of this branch is to assure the strict fulfillment of the law and its impartial application for everybody. Since the intelligence system is structured under the constitution of the state, the judicial branch oversees all the functions of intelligence. Policy makers must certify that the objectives of the intelligence community are in accordance with the nation's law and constitution.

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[26] Snider Britt. *"Sharing Secrets with Lawmakers: Congress as a User of Intelligence."* February 1997. P. 61.

[27] Emily Francona, former member of the intelligence community of the United States Congress. Interview in Naval Postgraduate School, June 2000.

This Chapter concludes that intelligence is a process of vital importance for the nations' security. To be sure, intelligence is still required but it should be refocused. The characteristics found under an authoritarian intelligence system regarding to the three dimensions behaviorally, attitudinally and constitutionally must be changed. The new role and structure must be based on the characteristics found under a democratic intelligence system.

Therefore it is important to change the role and structure of intelligence system from an authoritarian intelligence system to a democratic intelligence system. To do so, knowledge about some strategies useful to make these changes is necessary. The next Chapter examines these strategies for designing a new model, which reaches a balance between the security of the state, intelligence activities and respect of human rights.

III. ESTABLISHING THE NEW ROLE OF SECURITY INTELLIGENCE IN NEW DEMOCRACIES: A WICKED PROBLEM TO BE SOLVED

Getting started is half of the battle and beginning we all applaud.

-Plato

This section investigates why establishing the new role of security intelligence is a wicked problem. This section also identifies some strategies that should be used to implement this change. Finally, this section identifies some mechanisms for evaluating and implementing changes.

Chapter IV concerns intelligence systems under an authoritarian regime. During these periods of authoritative control,[28] the citizens were never stakeholders; as a result changes were impossible. Chapter V involves intelligence systems under democratic regimes and the strategies Argentina and Romania used to make their changes. This Chapter reveals why the transition from an authoritarian to a democratic regime has been labeled a "wicked" problem.

As previously pointed out, some of the principal concerns of this thesis are who should possess the highest authority of intelligence? Should it be the president, the state, the Security Council, congress, or other branches? How can oversight and transparency be established without jeopardizing national security or the effectiveness of intelligence? What strategy should be used to deal with this wicked problem?

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[28] Authoritative control is the power to make all important decisions and to impose them upon the population by the use of force, such control resides in an individual or in a sector of the society, which governs the country socially, politically, economically and militarily.

Since the Departments of Defense commonly have always paid great attention to what they call, "command and control" of the nation's military and since, unfortunately, similar attention has not been given (at times deliberately) to the command and control of intelligence, can or should this be changed?

Many problems appear to be tame, easy to control, but are not. Confusion and disagreement among the stakeholders indicate that the problem is wicked. Sometimes the government persists in applying inadequate analysis and solutions. One reason for these inadequacies is that taming a wicked problem, with the proper strategy, is actually achievable. Conklin and Wel state, "To do so, you (a government) simply construct a problem definition that obscures the wicked nature of the problem and then apply linear methods to solving it."[29]

A.   WHY IS IT A WICKED PROBLEM?

Defining new roles for security intelligence for new democracies, which were formerly authoritarian regimes, is clearly a challenging and laborious task, or what one could call a "wicked" problem. A wicked problem meets the following criteria:[30]

1)   In a democracy, in regard to political issues, all citizens have the right to become stakeholders and the majority of those citizens are not taken into account. Such a quantity of stakeholders makes the problem-solving process fundamentally social.

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[29] E. Jeffrey Conklin and William Weil. *Wicked Problems: Naming the Pain in Organizations.* Group Decisions Support Systems, Washington D.C., 1999. P.6

[30] Ibid.

Getting the right answer is not as important as having stakeholders accept whatever solution emerges, namely, accepting the military's or the politician's solution.

2) The solution constrained by limited resources and political leaderships change over time. In political issues as this one, operationally leadership can change because many new stakeholders generate different concepts. These stakeholders may come and go, change their minds, fail to communicate clearly, or change the rules by which the problems must be solved.

3) Since the government could try to obscure the wicked nature of the problem, identifying a definitive problem and a definitive solution becomes difficult. The problem-solving process ends when time, money, or energy is exhausted, not when the perfect solution emerges.

4) The problem is an evolving set of interlocking issues and constraints. Indeed there is no definitive statement of the problem. Nobody understands the problem until somebody develops a solution.

Obviously, this criteria for a wicked problem reveals deep complexities given that a wicked problem is an evolving set of interlocking issues and constraints, a linear approach to solving such a problem simply will not work. Opportunity-driven problem solving allows for the natural and spontaneous flow of attention by an individual or group. The problem solvers permit sudden changes of topics or focus, welcome new insights, regardless of whether they appear to pertain to the problem or the solution, and allow for the emergence of new pieces of the problem, even if they make the process more challenging.

B. THE STAKEHOLDERS

"Stakeholders include those individuals, groups, and other organizations who have an interest in the actions of an organization and who have the ability to influence it."[31] Looking at this definition, in a democratic regime, everybody should be considered a stakeholder. Also all political decisions require a consensus from a plurality of key stakeholders about what should be done and how these responses should be done.

With the concept of national security in new democracies, security is the responsibility of every citizen. So ideally, even though intelligence could be considered an exclusive government responsibility, now it is everybody's responsibility. Therefore to establish a new role should be an open activity involving all citizens, with the execution of the intelligence activities left to the persons legally appointed.

1. Who are the Stakeholders?

To be more specific, the stakeholders can be divided into two different levels, primary and secondary. Primary, stakeholders are those who have formal, official, or contractual relationships and have a direct and necessary impact upon the issue in discussion. In this case, one could recognize the government's executive, legislative, and judicial branches, the military institutions, and the political parties. Secondary, stakeholders are those who are not directly engaged in the organization's activities but are able to exert influence or who are affected by the decisions taken. Civil society, non-governmental organizations, and social groups fall within this level.

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[31] Grant T. Savage, Timothy W. Nix, Carlton J. Whitehead, and John D. Blair. *Strategies for Assessing and Managing Organizational Stakeholders.* Texas Tech University, 1999. P. 61.

Even though all citizens should be considered, one must evaluate two important factors: their potential to threaten the organization and their potential to cooperate with it. The stakeholder's capacity, opportunity, and willingness to threaten or to cooperate must be considered. Also one should realize that, the mixture of potential threat and of potential cooperation may best be managed through collaboration.

2. What are their Stakes?

In all democracies the stakes to reach national and international security are defined in the Constitution of the country. Since intelligence integrates and involves a nation's political, economic, social and military components, intelligence is an important factor for achieving national security.

In regard to intelligence itself, the stakes of the primary stakeholders are:

- *The Executive Branch*: to execute the law and functions legally established by the Legislative.

- *The Legislative Branch*: to oversee intelligence through different mechanisms, such as budget and oversight.

- *The Judicial Branch*: to assure the fulfillment of the law and to punish violators.

- *The Military Institutions*: to assure the security of the state through the employment and training of the armed forces.

- *The Political Parties*: to create a balance of power and to protect and promote democracy

The stakes of the secondary stakeholders might involve establishing a new role and designing a new model.

C.   STRATEGIES TO COPE WITH THIS WICKED PROBLEM

When a conflict arises over how to define a problem or how to reach a solution, coping strategies help problem solvers deal with the wicked problem. According to Dr. Nancy Roberts in her study, *Coping with Wicked Problems*, three generic strategies can be used to cope with these problems, *Authoritative, Competitive,* and *Collaborative.*[32]

1. Authoritative Strategy

This strategy transfers the problem to someone or some group who assumes the problem-solving process while others agree to abide by their decisions. It has advantages in coping with wicked problems, such as reducing the numbers of stakeholders and decreases the complexity of the problem-solving process. Relying on experts can make problem-solving more professional and objective.

This strategy also has some disadvantages. First, authorities and experts can be wrong about the problem and about the solution. Another disadvantage is the lost opportunity for learning. If problem solving is left to experts, especially in a democratic society, then citizens can become further and further distanced from the important issues

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[32] Nancy Roberts. *"Coping with Wicked Problems."* Paper to be presented to the Third BI-Annual Research Conference of the International Public Management Network, Sydney, Australia, March 4-6, 2000. Naval Postgraduate School, February 15, 2000. P. 7, 12-13

of their time. A democracy rests on an informed citizenry, and it is not clear how authoritative strategies keep them informed and engaged in the governing process.[33]

2. Competitive Strategy

Stakeholders following this strategy assume a zero-sum game. Central to the pursuit of competitive strategies to deal with wicked problems is the search for power. Power, after all, is the ability to get what one wants against resistance. In a democracy this strategy could be dangerous because when a player wins out over the competition and can sustain its hold on power, then the power is concentrated in the player's hands. Concentration of power enables the player to resort to authoritative strategies instead of dissipating resources in the competitive fray.

One disadvantage of this strategy is that its use can provoke violence and warfare. Another disadvantage is the delay in decisions. The stalemates and gridlock that occur when stakeholders have enough power to block one another but not enough power to get something done, keeps important problems from getting accomplished.[34]

3. Collaborative Strategy

Rather than play a zero-sum game, collaboration is a win-win view of problem solving. Collaboration allows parties to accomplish more as a collective that they can achieve independently. Its advantages are numerous and evident. It allows the parties to

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[33] Ibid., p. 7, 12-13

[34] Ibid., p. 7.

share the costs and benefits of developing expensive technology rather than carrying the full risks on their own. Redundancies are eliminated and the organizations are efficient.

Some disadvantages are increasing transaction costs, more meetings, more people with whom to communicate and to reach agreements, interactions that can take a great deal of effort and time. In applying this strategy, one must be aware that the dialogue doesn't turn into debate and the debate into a protracted conflict.[35]

D. COLLABORATIVE STRATEGY THE MOST APPROPRIATE ONE

At first glance, one could easily assume an authoritative strategy is best because the problem-solving process can be quicker and less contentious with fewer people involved. This is the basis of democracy. Instead of being directed involved, people elect representatives to govern,

On the other hand, a competitive strategy can end in a concentration of power that opposes all democratic principles, so to create a new role and to design a new model a collaborative strategy seems to be most appropriate.

1. Criteria for Selection

Today, to face and to solve security issues, we need a collaborative and democratic strategy. We should not rely on an elite group of leaders for all the answers. Together people can take risks and turn the impossible into a win-win solution for everybody.

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[35] Ibid., pp. 7, 12, 13

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Creative solutions require seeing problems from outside our own perspective. We need to redesign our problem-solving process to include the different parties that have a stake in the issue. Whoever generates new and useful ideas should receive our attention. Thus, integrating all these ideas, joining forces, sharing information and feelings, in other words, creating a collaborative strategy can provide solutions.

One of the criteria used to select this strategy is its process, which is very clear and provides better solutions. According to Barbara Gray, this process involves the following steps:[36]

1. Phase 1: The goal of problem setting is that the stakeholders agree to talk about the issues.

2. Phase 2: The goal of direction setting is the negotiating between the stakeholders.

3. Phase 3: The goal of implementation is the systematic management of inter-organizational relations.

This process allows different types of collaboration. For example, "appreciative planning" involves exchanging information in the interest of advancing a shared vision. "Dialogues" create a forum for exploring solutions to a multiparty conflict. "Collective strategies" involve agreeing on how to implement a shared vision. "Negotiated settlements" represent solutions to conflicts among the stakeholders.

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[36] Barbara Gray. *Collaborating: Finding Common Ground for Multiparty Problems.* Jossey-Bass Publisher, San Francisco, 1991. P. 57.

The pitfalls of not collaborating includes repetition of efforts, omission of important data, divergence of opinions, all of this is counter-productive and often creates an inability to compete with the opposition.

E.   IMPLEMENTATION PLAN

As the challenges of global competition demands improved quality organizations find themselves under intense pressure to become more competitive. They must learn how to change rapidly in order to survive in a turbulent environment. And as organizations shift from a traditional hierarchy structure to a more flexible and participative networking style, leaders need a decision-making process that will foster the involvement and commitment of all their people and align them to common goals. Nowadays leaders and managers want speed and faster responses to solve problems. They want action and they want it now. They also want new ideas from the people and social technology.[37]

Thus in order to implement the process of how to define the new role of intelligence and the design of the new model, if necessary, using the method named *Real Time Strategic Change* (RTSC) could be useful to reach a better output as well as a better outcome. This method has some characteristics that make it a valuable tool to resolve complex issues not only by empowering stakeholders but also guaranteeing a more thorough and satisfactory solution. These characteristics are:

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[37] Barbara Benedict Bunker and Billie T. Alban. *Large Group Interventions. Engaging the Whole System for Rapid Change.* Jossey-Bass Publishers, San Francisco, 1997. P. 61.

- *Size:* Although there are some other participative methods, the creators of the RTSC had a fundamental commitment to democracy that pervades their work. Most specifically, they had an optimistic view of human nature by which people are energized. People enjoy knowing more and having the opportunity to participate in setting their own destiny.

- *Degrees of Authority:* The RTSC method allows those in authority to decide how much of their power and control they want to trust to others. Thus, in RTSC, management accepts influence from others about the future strategic direction of the company. People have a voice in what needs to be improved and how to do it, but not in the overall direction of change.

- *Creating a Shared Framework:* Before thinking strategically, one needs a common understanding of the situation. The max-mix group structure at round tables of eight is designed to bring people together with others outside of their normal contacts in the system.

- *The System-Wide Paradigm Shift:* In the process of the first two days of working together, as the participants watch management respond and as they find their own voice, they feel more hopeful, energized, and excited about the possibility of a better future. When this happens to many people in the same place, the energy in the room changes noticeably and a paradigm shift occurs. This is really what empowerment is about. People feel that they are not pawns but actors affecting their own destiny.[38]

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[38] Ibid., p. 70.

Real Time Strategic Change is a flexible method used to design very large-scale events that create the future, redesign work, or deal with current decisions, problems and issues in the work system.

F.   STRATEGY EVALUATION

There are several ways to evaluate a strategy used to solve a wicked problem, for example, checking the problem solution or goal achievement, generating social capital, creating shared meanings, changing network structures, shifting the power distribution or the types of collaboration or the process of collaboration. To discuss any of these, it is important to review the following steps:

First, to bring up again the output as well as the outcome expected:

- *Output*: Creation of the new role of intelligence and design of a new model

- *Outcome*: 1) Balance between the security and intelligence activities and the individual liberties. 2) Creation of shared meaning. 3) Changes in network structure. 4) Shifts in power distribution. 5) Sustainability.

Second, to establish some questions helpful for judging the success of collaboration:

- Does the outcome satisfy the real issues in dispute?

- Do the parties feel they affected the decision?

- Are the stakeholders willing and able to implement the decision?

- Does the agreement produce joint gains for the parties?

- Were communications between the parties increased and the working relationships improved?

- Has the agreement held up over time?

- Was the process efficient in terms of time and resources?

- Does the solution conform to available objective standards?

- Do the parties perceive the procedures were fair?

Concerning a political issue, one useful way to evaluate the success or failure is by reviewing the Changes in the Institutional Domain. This evaluation considers, among other factors, Generation of Social Capital, its principal indicator for evaluation is the presence of or the increase in trust and norms of reciprocity among the stakeholders. Another indicator is constructing shared norms, or sharing common interpretations of the problem domain and the actions that should be taken with respect to it.

In regard to reviewing the process, if a preliminary diagnosis suggests that collaboration is possible, careful attention should be given to both member and process factors. "Member Factors" refers to the inclusion of all affected stakeholders and sufficient stakeholder incentives. On the other hand, "Process Factors" takes into account the agreement on the scope of the collaboration, and the ripeness of issues. It also considers timing, negotiating in good faith, and maintaining good relationships with constituents.

Within this framework, the analysis of the strategies used by Argentina and Romania in their changes from an authoritarian intelligence system to a democratic intelligence system and their results will be useful to suggest a strategy for performing the changes in new democracies, or democracies in transitions.

For the purpose of this thesis, the analysis of the strategies will be focused on the results in generating social capital, creating shared meanings, changing network structures and shifting the power of distribution.

IV. CASE STUDIES: INTELLIGENCE UNDER AUTHORITARIAN REGIMES

This Chapter examines the similarities of abuses committed by intelligence services under bureaucratic authoritarian (Argentina and El Salvador), or totalitarian (Romania) regimes. Remarkably, the intelligence service abuses in the three countries were quite similar and intense, and interestingly, this intensity actually outraged the populations to such a point, it contributed to the improvements within the intelligence services.

However, it is beyond the scope of this thesis to provide an exhaustive description of the violations and consequences. Yet some relevant data detailing the suffering of Argentines, Romanians and Salvadorians illustrate a broad image of the magnitude of these abuses, stressing Diamond's three dimensions, behaviorally, attitudinally and constitutionally.

A.   ARGENTINA

Recurring cycles of bloody rule have marked Argentina's history. Historians date the modern military era from 1930, the year when Jose Felix Uriburu's violent coup occurred. This was the first army take over since 1854. Between 1930 and 1976 there were nine civilian-backed military coups, two presidents appointed by the army, two clearly fraudulent and manipulated elections, and two terms of highly theatrical, quasi-fascistic Peronism. The average life span of these administrations was 34 months; one government in 1943 lasted only two days; that president, Arturo Rawson, took the

Presidential House or *Casa Rosada* by force, but he was quickly replaced by another general. During this period, a good relation with the army was the key to staying in power. No president, civilian or military, has managed to stay in office against the wishes of the men in uniform.[39]

In the 1960s, a series of coups occurred, and in the early 1970s, as unemployment increased and the peso decreased, guerrilla war broke out between armies of the ultra-right and the ultra-left. Kidnappings, executions, and random violence made everyone vulnerable. The upper-middle class hired bodyguards and businesses paid both sides for protection. In the midst of this popular dissatisfaction, in July of 1974, Peron died and was succeeded by his widow, Isabel, who, in spite of her total political incompetence, had served as vice-president.

Responding to threats from the militant left, the Peronist government organized death squads under the support of the Argentine Anti-Communist Alliance, or the Triple A. Coordinated at first by the Federal Police, the Triple A was eventually taken over by Jose Lopez Rega, the Minister of Social Welfare who would come to be known as President Isabel Peron's "Rasputin," warlock (*el brujo*).[40] During Isabel's presidential period, in 1975, the "eradication" of "subversive elements" with the aid of the intelligence services was officially decreed, under decree No. 261. This decree also authorized the armed forces for nonmilitary, "psychological operations." The country, though nominally democratic, was essentially occupied and under siege.

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[39] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998. P. 5.

The armed left had its roots in Peronism. The largest opposition group was the Montoneros, also active was the ERP (People's Revolutionary Army) and two much smaller groups, the FAR (Revolutionary Armed Force) and FAP (People's Armed Force). At their height in 1974-75, these leftist groups totaled no more than 2,000 individuals, of whom only 400 had access to arms. Both before and after the coup, the government grossly exaggerated the strength of the insurgent forces. Over the entire decade of the 1970s, the leftist groups carried out a total of 697 assassinations, killing 400 policemen, 143 members of the military, and 54 civilians, mostly industrialists.[41]

In 1975, in what was both a gesture of support for the Triple A and a statement of his own political ambitions, General Rafael Videla, who became president in 1976, declared, "As many people as necessary must die in Argentina so that the country will again be secure." By the end of that year, the armed left had been routed but economic and political chaos ruled. Inflation had risen, export earnings had fallen and the deficit had reached a surprising one billion dollars.[42]

During 1976, the country was exhausted, and more than anything else the people wanted law and order. So, on March 24, 1976, "Isabelita" was ousted in a coup called, "The Gentlemen's Coup," which virtually all Argentines welcomed, and General Videla became the de facto President. The generals were trying to reassure calm. This coup began what came to be called the "Dirty War." General Videla arrived with a plan called

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[40] Ibid., p. 6.

[41] Prudencio Garcia. *El Drama de la Autonomia Militar.* Alianza Editorial, Madrid, Spain, 1995. P. 63.

[42] Ibid.

the "Process for National Reorganization" the language of which lent grandeur to an otherwise desperate moment. This was a fight not just for Argentina but the generals stressed, for "Western, Christian Civilization." Argentina "would join the concert of nations" by eliminating subversion.

Argentina was the theater of "World War III," which had to be fought against those whose activities and thoughts were deemed "subversive." Intellectuals, writers, journalists, trade unionists, psychologists, social workers became "categories of guilt." Following the characteristics of an authoritarian regime, such as lack of civil rights, the junta promulgated one of its first laws. This law decreed that workers could be fired without cause and without any right to indemnification. Strikes were forbidden, and the bank accounts of the General Confederation of Labor were immediately seized. Labor unions, professional guilds, teacher's associations, even student councils were specifically targeted in new laws published on the front page of every major daily.[43]

The junta was particularly obsessed with the hidden enemy. Suspects were "disappeared" in order to be exposed and most of the time, annihilated. There existed a network of some 340 secret torture centers and concentration camps. "The only way to identify this occult enemy is through information obtained through torture. And for torture to be effective, they'd tell us, it has to be limitless..." So testified Martin Gras, a lawyer who was imprisoned in an Argentine concentration camp for two years.[44]

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[43] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998. P. 7.

[44] Ibid., p. 8.

A succession of four juntas from 1976 to 1983 composed of three senior officers, one each from the army, navy, and air force headed this regime. The first and most repressive junta consisted of President General Rafael Videla, Admiral Emilio Eduardo Massera, and Brigadier General Orlando R. Agosti. In 1981 General Roberto Viola, Army Chief of Staff, succeeded Videla. Viola was a pragmatist who saw that the regime couldn't last forever and attempted to open talks with representatives of the political parties, though these were still illegal. Viola was unseated in late 1981 by the even more reactionary General Leopoldo Galtieri.

In 1982, General Reynaldo Bignore was appointed to preside over a "dignified" end to the process and to orchestrate the transition to free elections. Even though the juntas attempted to project the image of "impersonal" and "unified" military rule, each one was characterized by intense internal rivalry. This situation generated problems among the different military intelligence services.

Six years after the Dirty War coup, the regime was eventually brought down, but not because of its records in human rights. Rather it crumbled under the weight of its own corruption, economic mismanagement, and military incompetence. In April 1982, in a desperate attempt to distract the population and rescue its image, the junta went to war against the British for the tiny Falkland Islands (Las Malvinas) in the South Atlantic. The invasion was in every way a fiasco, and the defeat in every way humiliating. For the dictatorship, it spelled the end. On April 28, 1983, as it prepared to exit from power, the regime issued a Final Report, proclaiming victory in its Dirty War against subversion, pardoning itself for any possible "excesses," and registering "genuine Christian pain over any errors that might have been committed in the fulfillment of the assigned mission."

The most brutal years were 1976-79. The majority of the disappearances happened then, mainly during the 1976-77s. The kidnappings did not stop until near the end of the dictatorship in 1983, and it is known that even after the election of Dr. Raul Alfonsin, a small number of individuals were still being held in military camps.

1. Behaviorally

In his first address to the nation, Videla stressed the theme of "subordination," which he said, "is not submission, nor blind obedience to capricious orders. To be subordinate means to consciously obey in order to achieve a higher objective...One historical cycle has ended," Videla proclaimed, "another one begins."[45]

In this new epoch, all citizens were called to battle. "Your weapons are your eyes, your ears, and your intuition. Use them to exercise your right to familial and social defense," said a communiqué issued to the public by the Fifth Army Corps. "Defense is not only military, but [a matter for] all who want a prosperous country with a future.... citizens, assume your obligations as Reserve Soldiers. Your information is always useful. Bring it to us."[46]

In accordance with this lecture, Argentines were expected to denounce individuals whose appearance, actions, or presence seemed "inappropriate." The Junta emphasized, "The enemy has no flag nor uniform...nor even a face. Only the enemy knows that he is

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[45] Videla's speech, copy from La Prensa, March 27, 1976 by Marguerite Feitlowitz in her book: _A Lexicon of Terror: Argentina and the Legacies of Torture._ Oxford University Press, 1998. P. 23.

[46] La Nacion, March 29, 1976. Cited by Marguerite Feitlowitz in her book: _A Lexicon of Terror: Argentina and the Legacies of Torture._ Oxford University Press 1998. P. 23.

the enemy."[47] In a front-page article in *La Prensa,* the regime warned: "The people must learn to recognize the 'civilized' man who does not know how to live in society and who in spite of his appearance and behavior harbors atheist attitudes that leave no space for God."[48] Using Mao's famous phrase, the Argentine generals held that "the guerrilla must not be allowed to circulate like fish in water."

"You may know everything, but we control it all" was another expression used by the Junta in order to create more terror and fear in the population. Policies and practices of repression, terror, and colonization or destruction of civil society comprised the basic behavior of the Junta. No expression so infuriated them as "human rights."[49]

2. Attitudinally

The Dirty War occurred, at least in part, because Argentines were too terrorized to look each other in the face. The tentacles of the intelligence apparatus could penetrate into every area of Argentine society. Based on a philosophy of exterminating the enemy, the system of disappearances, kidnappings, assassinations, legal and clandestine imprisonments and tortures, organized systematically with deliberation and cruelty, unsettled Argentine society, traumatizing it to the point of exhaustion and conformity.

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[47] Viola made this statement on May 29, 1979. In Abos, El Poder Carnivoro, 31. Cited by Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998.

[48] "Se abatio en Buenos Aires a 12 terroristas." La Prensa, January 6, 1977. Cited by Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998.

[49] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998.

"Silence is health," numerous Argentines recall was a slogan of that time. "Health" came to mean "proper social adaptation," that is, *conformity, passivity, compliance,* which were masked with grander words like *faith, cooperation, personal responsibility,* and *maturity.*

People were terrorized by the regime, for they could be found guilty just for helping others. For example, Daniel Bendersky was kidnapped on September 16, 1978. His so-called crime was collecting money for the *"Mothers of the Plaza de Mayo,"* an Argentine group of mothers who had relatives kidnapped by the intelligence services. "They had so many ways," said his father, "of erasing people, of trying to make you doubt the truth of your own life."[50]

3. Constitutionally

The Argentine intelligence apparatus under this regime was a clear example of the lack of the rule of law, accountability, transparency, and respect of human rights. As Marcos Aguini, an Argentine novelist said, "Remember, this is a country where even the non-Jews know they have no rights. Ask anybody on the street, and he will tell you, there is one law for us, and one law for them. Nobody even expects justice here, and it is easier to forget."[51]

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[50] Ibid. , p. 29.

[51] Nora Tarnapolsky. *"Murdering Memory in Argentina," New York Times* editorial, December 12, 1994.

a. Mandate

The intelligence apparatus as well as the rest of the government were indoctrinated with brutal, sadistic, and rapacious perspectives such as the following one: "...No more words, only defeat and annihilation." For those who needed a literal translation, there was the unsurprisingly explicit Iberico Saint Jean, governor of the Province of Buenos Aires: "First we will kill all the subversives; then we will kill their collaborators; then...their sympathizers; then...those who remain indifferent; and finally we will kill the timid."[52] The completely unrestrained audacity of this statement made it so hard to believe. Yet it was indeed the monstrous plan.

Many examples, such as the famous Death Flights, can be given of the strategies used to fulfill this inhuman plan. According to Adolfo Francisco Scilingo, who publicly admitted that while stationed at the Navy Mechanic School in 1977, he participated in two death flights, throwing a total of thirty living, but drugged, *desaparecidos* from navy airplanes into the Atlantic Ocean. Among them were a sixty-five-year-old man, a sixteen-year-old boy, and two pregnant women in their early twenties. He calculated that during his two years at the ESMA (1976-1977), "a hundred Wednesdays, between 1,500 and 2000 people" were thrown into the sea.[53]

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[52] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press, New York, 1998. P. 32.

[53] Ibid., p. 196.

b. Structure

Before 1946, there were intelligence organizations in each military branch working on strategic intelligence as well as on internal and external political intelligence.

After 1946, by decree, President Peron created the first civil intelligence organization: Coordination for Information of the Presidency, which answered directly to him. Its mission was to provide the executive branch with useful information, and to centralize and to coordinate intelligence coming from military services or governmental agencies. It was highly developed and competitive, while military intelligence remained focused specifically on military issues, but the military intelligence organizations still controlled both internal and external intelligence.[54]

The civilian Secretaria de Inteligencia de Estado (SIDE) never fulfilled its legally established responsibilities. During the different military regimes of this period, active-duty military personnel still occupied the most important positions in civilian intelligence organizations.

In 1961, the civilian President Frondizi ordered the SIDE to play the senior intelligence agency role. Its mission was to plan, direct, and oversee state actions against communism and other extremist threats. Its tasks were unrelated to the military, internal security, and judicial matters. The Secretary of SIDE had cabinet-level authority,

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[54] Jose Manuel Ugarte. *"Sistema Nacional de Inteligencia Argentino, Cambiar Ya!"* Document prepared for the panel: Organizaciones de la Inteligencia en la Post-Transicion. Todavia Actores Politicos? Argentina, February 1997.

and again answered to the President. Subsequent military regimes frustrated these attempts to "civilianize" the intelligence apparatus.[55]

In 1971, President (Army General) Lanusse replaced the SIDE, as the senior intelligence agency, with the Central Nacional de Inteligencia (CNI), which he controlled directly. It was responsible for centralizing the intelligence activities necessary for the national security policymaker process. However, it was directed by a Junta (an intelligence organization of the state, armed forces, and the federal police), under the leadership of a General officer of the armed forces, with cabinet-level authority. Its purpose was similar to the CIA, for coordinating activities within the intelligence community.[56] During 1973, the SIDA and CNI remained separate agencies under the unified control of the Secretary of the SIDE, who coordinated all intelligence activities. As before, many military members remained within the organization, with a General at the head.

In combating what the military regimes considered internal enemies, the government focused on using the intelligence community for countering subversion. In reality, the intelligence agencies were the government's primary tool for imposing a "terror regime" by means of a "dirty war," which lasted many years despite the guerrillas' defeat in 1978.

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[55] J. Patrice McSherry. *"Argentina's Armed Forces: Redifining National Security."* XXI International Congress of the Latin America Studies Association, Chicago, 1998.

[56] Ibid.

The following Figure 2 illustrates the structure of Argentine intelligence system under its authoritarian regimes. This figure has been designed by the author of this thesis, and it is based on the information previously presented.

PRE - 1946

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              ┌─────────────┐
              │  PRESIDENT  │
              └─────────────┘
      ┌──────────────┼──────────────┐
┌──────────┐   ┌──────────┐   ┌──────────────┐
│   ARMY   │   │   NAVY   │   │  AIR FORCE   │
└──────────┘   └──────────┘   └──────────────┘
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1973 – 1978 (MILITARY REGIMES)

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              ┌─────────────┐
              │  PRESIDENT  │
              └─────────────┘
              ┌─────────────┐
              │ SECRETARY OF│
              │    SIDE     │
              └─────────────┘
      ┌──────────────────────────────┐
┌──────────┐                   ┌──────────┐
│   SIDE   │                   │   CNI    │
└──────────┘                   └──────────┘
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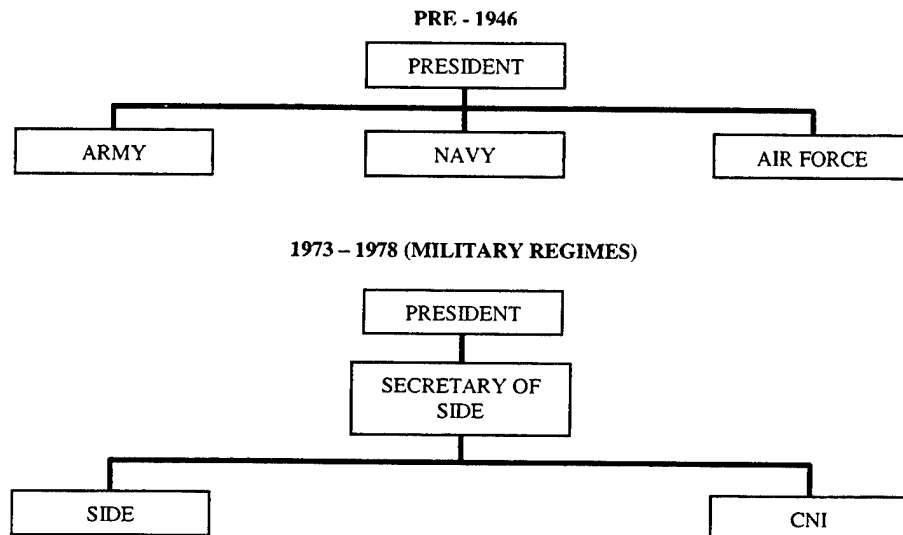
SIDE (Secretaria de Inteligencia de Estado)
CNI (Central Nacional de Inteligencia)

Figure 2. Argentine's Intelligence under Authoritarian Regimes

c. Oversight

Total control of the intelligence was under the military institutions, which were all immune from prosecution. The military never provided any other institution with information about their expenditures, their plans, their execution of operations, or the resources they used. They considered this classified national security information.

In sum, Argentina's Intelligence Systems under its authoritarian regimes show all the typical characteristics of these services during authoritarian periods. Behaviorally, the heads of the intelligence services were military officers. Before assuring jobs, they were taught torture, murder, sabotage, bribery, blackmail, and extortion for the achievement of political aims; that hypnosis and truth serum were recommended for use in interrogations; and that the parents of captives be arrested as an inducement for the prisoner to talk.

Attitudinally, Argentines were so afraid that they couldn't forge a strong civil society. They knew the intelligence services could control every area of their lives, so they even were afraid of their own family. Constitutionally, respect for the rule of law didn't exist. The heads of the intelligence services were the only laws that existed. They were the laws unto themselves and they could control and destroy everything even their own society.

B.   ROMANIA

Romania like other Eastern European communist countries witnessed a dictatorial/authoritarian regime for 50 years, in which a key role was played by the Ministry of Interior's Department of State Security (Departamentul Securitatii Statului, popularly known as the Securitate).[57]

The Ministry of Interior was the primary government organization responsible for maintaining order in Romania. Its functions ranged widely from identifying and

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[57] Taken from: [http://www.fas.org/irp/world/romania/interior.htm]

neutralizing foreign espionage and domestic political threats to the Ceausescu regime to supervising routine police work and local fire departments. The Ministry of Interior was organized into a number of directorates at the national level, and it controlled similar activities at the judet and municipal levels.[58]

In prewar Romania, the Ministry of Internal Affairs (the precursor of the Ministry of Interior) closely supervised the activities of local governments and courts. The PCR gained control of the ministry in 1946 and filled its ranks with party activists, enabling the party to seize power the next year and to consolidate communist rule during the following decade.[59]

The Securitate was a very strong internal intelligence service within the Ministry of Interior. It was the Communist Party of Romania's secret political police. This organization was meant to be secret, but an increasing number of people who withdrew from it shed some light on their composition and activities. The Securitate was responsible for guarding the internal security of the Ceausescu's regime and suppressing any unrest, disturbance, or dissident group that criticized or challenged it.[60]

Within the Securitate, collection was carried out by menacing, and oppressing people, violating their freedoms and rights. Then the raw information was transformed into intelligence for Ceausescu, the leader of the country. The Securitate was a privileged

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[58] Ibid.

[59] Ibid.

[60] Ibid.

caste, with people being carefully selected. It succeeded in repressing most organized opposition to the regime.

Yet spontaneous outbursts of discontent with Ceausescu's "cult of personality," economic austerity policy, treatment of ethnic minorities, anti-religious campaign, and lack of respect for internationally recognized civil and human rights occurred with increasing frequency after the mid-1970s, and ultimately led to the overthrow of the regime.[61]

1. Behaviorally

Terror and isolation from other civilizations[62] were the instruments wielded by all the Communist regimes of Eastern Europe as the means of implementing the Marxist-Leninist revolution. Romanians were physically and socially separated from the rest of the world. The country's policy was to avoid all type of relationship with other countries to impede Romanians any contact with people living under different regimes.

The destruction of Romanian existing society and the creation of a new one was achieved by a single mass party, composed of an elite and dedicated membership whose targets were central control and direction of the economy, a technologically perfected monopoly of the media and complete direction of the armed forces.

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[61] Taken from: [http://www.fas.org/irp/world/romania/interior.htm]

[62] Civilizations: human societies with their own social organization and culture.

Police terror is an intrinsic feature of totalitarianism and communist rule, as has been confirmed in Romania. The task assigned to the police was to remove the enemies of the regime and those classes of the population that were considered an obstacle to the centralized running of the economy. This program was initiated by Gheorghiu-Dej after 1945. It was the inheritance of Nicolae Ceausescu.[63]

Of all the crimes committed by the authorities in Romanian's prisons under the Communist regime, the "re-education" program was more carefully shrouded in secrecy than any other was. The principal reason for this was that the very victims of reeducation were forced to become, in their turn, the executioners and naturally the executioner is reluctant to admit his crime. The experiment-employed techniques of psychiatric abuse designed not only to inculcate terror into opponents of the regime but also to destroy the personality of the individual. These techniques were based on what has been known as "The Hitler Syndrome" or disinformation exercise.[64]

2. Attitudinally

As with other machines of political terror, the Securitate's most potent weapon was fear, and the depth of its inculcation into the Romanian population provided the principal reason for its success. Fear induces compliance and is therefore a tremendous device. Regarding the manpower of the Securitate, its number was far smaller. Records

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[63] Dennis Deletant. *Ceausescu and the Securitate: Coercion and Dissent in Romania, 1965-1989.* M. E. Sharpe, Inc. Armonk, New York, 1995. P. 1.

[64] David Yallop. *To the Ends of the Earth: The Hunt for the Jackal.* Cox & Wyman Ltd, Reading, Berks, Great Britain, 1993.

indicate that in 1950, that is two years after its creation, the numbers of officers of all ranks in the General Directorate of People's Security (DGSP), or Securitate totaled almost 5,000. In December 1989 this number had risen to 15,312, according to the records of the DSS. By adding the security troops command (Comandamentul Trupelor de Securitate), which numbered 23,370 officers and men and was responsible to the DSS, the total personnel in the DSS at the time of the 1989 Revolution was 38,682.[65]

Conformity was another "characteristic" of Romanian society: "We live in a Socialist country and here the state maps out your life for you from birth. You are assigned a school, you are assigned a job, and you are assigned a place to live. Conformity is the rule, you do what you are told and if your expectations are limited and you don't step out of the line, then you will be satisfied. And to make sure that you don't step out of line they have the Securitate."[66]

3. Constitutionally

Communist rule was marked by lies. No attention was paid to the Constitution. The parliament was side stepped and the government was conducted by presidential decree. Personal conduct was regulated by unpublished internal orders, which the authorities used to justify intervention in the public's daily lives. The population craved transparency and truth in public life. Power rested on coercion and not on broad public support.

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[65] Dennis Deletant. *Ceausescu and the Securitate: Coercion and Dissent in Romanian, 1965-1989.* M. E. Sharpe, Inc. Armonk, New York, 1995, xiii.

[66] Ibid.

a. Mandate

During both periods of communist regimes, first under Gheorghe Gheorghiu-Dej and then under his successor, Nicolae Ceausescu, the intelligence services existed to serve the needs of the heads of the country.

b. Structure

The Securitate comprised a large number of directorates, having specialized tasks, such as:[67]

- The Directorate of Investigations had agents and informants placed in virtually every echelon of the party and government, as well as among the public, to report on the anti-regime activities and opinions of ordinary citizens. It committed illegal entries into public offices and private homes and interrogated and arrested people opposed to Ceausescu's rule. Its agents frequently used force to make dissidents provide information on their compatriots and their activities. Its influence over judges and prosecutors resulted in the arrested dissidents. No dissident arrested by this directorate was ever acquitted in court. The Directorate of Investigations worked closely with the Directorate for Surveillance and the Directorate for Mail Censorship. It collected handwriting samples from the population and supervised the official registration of all typewriters and copying machines with the police.

- The General Directorate for Technical Operations, established with the assistance of the KGB in the mid-1950s, monitored all voice and electronic

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[67] Taken from: [http://www.fas.org/irp/world/romania/securitate.html]

communications in the country. It intercepted all telephone, telegraph, and telex communications coming into and going out of the country. It secretly implanted microphones in public buildings and private residences to record conversations among ordinary citizens.

- The Directorate for Counterespionage conducted surveillance against foreigners to monitor or to impede their contacts with Romanians. It enforced a variety of restrictions preventing foreigners from residing with ordinary citizens, keeping them from gaining access to foreign embassy compounds of requesting asylum, and requesting them to report any contact with foreigners to the Securitate within twenty-four hours.

- The Directorate V and the Directorate for Internal Security focused mainly on party and government leadership cadres. Directorate V provided protective services and physical security for Romanian officials. The Directorate for Internal Security concentrated on rooting out disloyalty to Ceausescu within the PCR hierarchy, the Council of Ministers, and the Securitate itself. It was a small-version Securitate in itself, with independent surveillance, mail censorship, and telephone monitoring capabilities.

- The Directorate IV was responsible for similar counterespionage functions within the armed forces.

The following diagram, Figure 3, shows the structure of the intelligence system of Romania under its totalitarian regime. This diagram has been designed by the author of this thesis, based on other diagrams and information from Romania's Ministry of the Interior.

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┌──────────────┐                    ┌──────────────┐
│  COMMUNIST   │────────────────────│  CEAUSESCU   │
│    PARTY     │                    │              │
└──────────────┘                    └──────┬───────┘
                              ┌─────────────┴─────────────┐
                              │   MINISTRY OF INTERIOR     │
                              └─────────────┬─────────────┘
        ┌──────────────────────┬────────────┼──────────────────────┐
┌───────────────┐      ┌───────────────┐    │          ┌──────────────────┐
│  DIRECTORATE  │      │  DIRECTORATE  │    │          │    NATIONAL      │
│  FOR MILITIA  │      │ FOR SECURITY  │    │          │  COMMISSION FOR  │
│   (POLITIA)   │      │   (TROOPS)    │    │          │ VISAS AND PASSPORTS│
└───────────────┘      └───────────────┘    │          └──────────────────┘
        ┌──────────────────────┬────────────┼──────────────────────┐
┌───────────────┐      ┌───────────────┐    │          ┌──────────────────┐
│  DIRECTORATE  │      │  DIRECTORATE  │    │          │   DIRECTORATE    │
│     FOR       │      │     FOR       │    │          │      FOR         │
│ PENITENTIARIES│      │ FIREFIGHTING  │    │          │  STATE ARCHIVES  │
└───────────────┘      └───────────────┘    │          └──────────────────┘
                                 ┌───────────┴───────────┐
                                 │   DEPARTMENT OF       │
                                 │   STATE SECURITY      │
                                 │   (SECURITATE)        │
                                 └───────────┬───────────┘
   ┌──────────┬──────────┬──────────┬────────┼──────────┐
┌────────┐ ┌────────┐ ┌────────┐ ┌────────┐ ┌────────┐
│GENERAL │ │DIRECT- │ │DIRECT- │ │SERVICE │ │DIRECT- │
│DIRECT- │ │ORATE   │ │ORATE   │ │  K     │ │ORATE   │
│ORATE   │ │ FOR    │ │ FOR    │ │        │ │ FOR    │
│FOR TECH│ │SURVEIL-│ │INTERNAL│ │        │ │ MAIL   │
│OPERA.. │ │LANCE   │ │SECURITY│ │        │ │CENSOR..│
└────────┘ └────────┘ └────────┘ └────────┘ └────────┘
┌────────┐ ┌────────┐ ┌────────┐ ┌────────┐
│DIRECT- │ │DIRECT- │ │DIRECT- │ │DIRECT- │
│ORATE   │ │ORATE   │ │ORATE   │ │ORATE   │
│FOR     │ │  IV    │ │  V     │ │ FOR    │
│COUNTER-│ │        │ │        │ │INVEST- │
│ESPIONAGE││        │ │        │ │IGATIONS│
└────────┘ └────────┘ └────────┘ └────────┘
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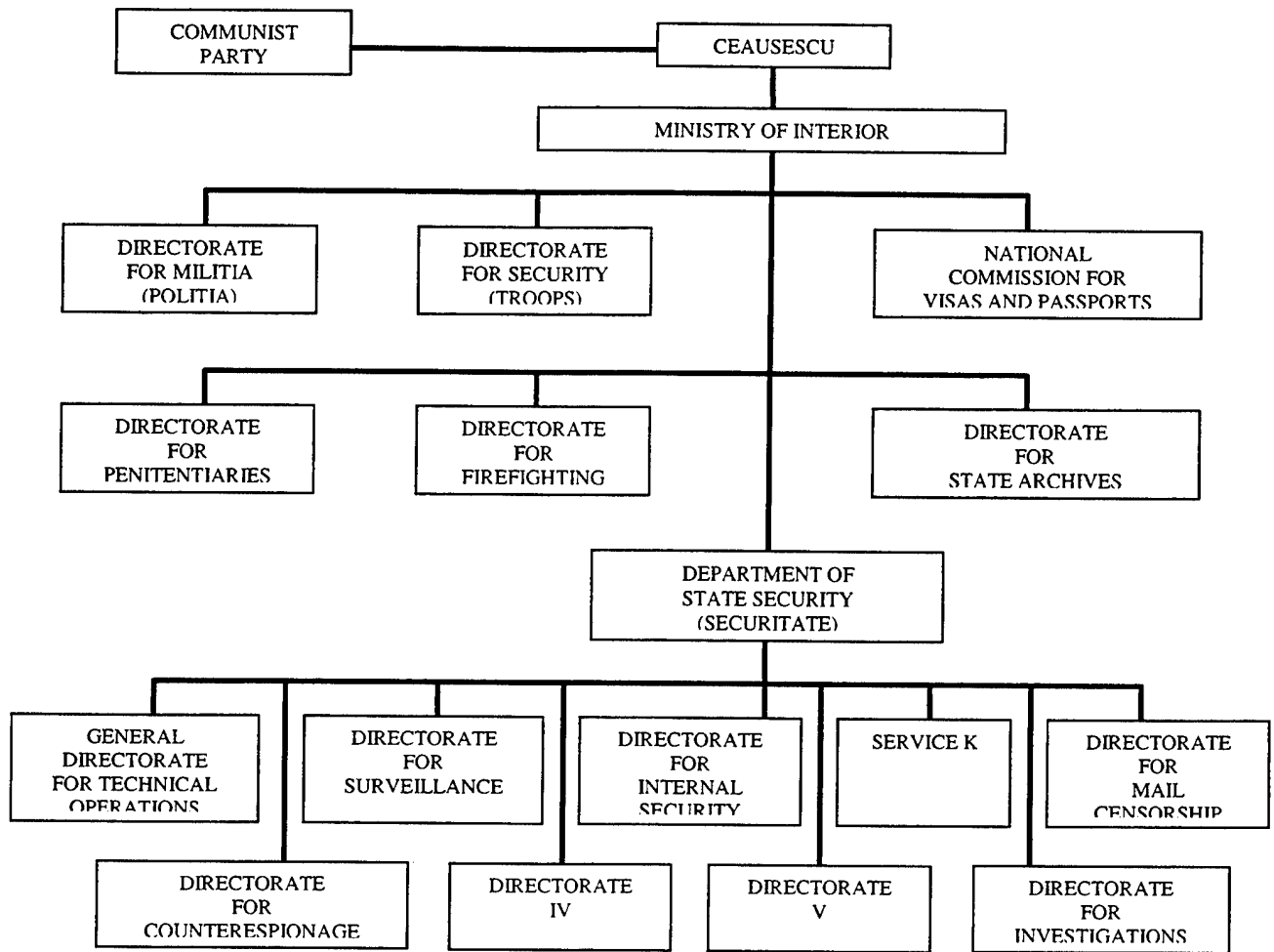**Figure 3. Romania's Intelligence under Authoritarian Regimes**

c. Oversight

Not too much can be said about oversight during this period. This right of

oversight the Securitate's performances belonged to the heads of the country through the

Ministry of Interior. Every action was executed in secrecy, lacking transparency and

avoiding of accountability. "They held the power of life and death over their underlings.

Being themselves the law, they were above the law. They were all-powerful and went unpunished."[68]

According to some documents, the Securitate had not always acted solely under Draghici's orders. No major decision was made in the early period of his tenure as the Ministry of Interior, without the approval of a Soviet counselor. But after Gheorghiu-Dej's rift with the Soviet Union in the early 1960s, Draghichi became virtually a law unto himself.[69]

It is essential to mention that this organization was of such importance that just by removing Draghichi from being the Ministry of Interior, Ceausescu could consolidate his own position as General Secretary of the Romanian Communist Party. Then his prime objective was to have the Ministry of the Interior fully, initially under party control and ultimately under his own control.[70]

In sum, the Romanian Intelligence Service or Securitate during the communist period played a key role in the internal security of Ceausescu's regime. As in Argentina's case, the Securitate was a clear example of this vital service to the nation under an authoritarian regime. Behaviorally, the Securitate used terror as its main instrument to implement the communist system. As Romanians problems multiplied, the

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[68] Edward Behr. *Kiss the Hand You Cannot Bite. The Rise and Fall of the Ceausescus.* Villard Books, New York, 1991, xiii.

[69] Dennis Deletant. *Ceausescu and the Securitate: Coercion and Dissent in Romania, 1965-1989.* M. E. Sharpe, Inc. Armonk, New York, 1995, x.

[70] Ibid.

Ceausescus increasingly relied on the Securitate not only to act as a watchdog, but also to indulge in a variety of fund-raising activities.

Ceausescu's background inclined him to believe in a conspiratorial theory of history. The Securitate fed this paranoia. It became, in the eyes of ordinary Romanians, an all-seeing, all-knowing, tentacular monster supervising every aspect of their day-to-day lives. Attitudinally, Romania's civil society couldn't overcome its fear of the Securitate and it remained a weak and isolated society. Constitutionally, the Securitate was so strong that as control slipped from Ceausescu's grasp, this intelligence apparatus became increasingly not just a repressive apparatus for keeping malcontents in lines, but a method of government. The Securitate might not have been able to remedy any of the economic problems, but it could at least enforce obedience.

C.   EL SALVADOR

Two powers, the oligarchy and the army, have historically stood behind the democratic façade that the constitutions of this country have traditionally erected. Since its independence in 1821, El Salvador was basically a republic controlled by an oligarchy, backed by the armed forces. Political competition has occurred among elite groups, while the armed forces have assumed the mission of repressing any disaffection on the part of the masses.[71]

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[71] Tom Barry. *El Salvador: A Country Guide.* The Inter Hemispheric Education Resource Center, Mexico, 1991. P. 12.

After the 1932 revolution, the oligarchy made an alliance, or pact, with the armed forces, in which the military gained control over the government, and in exchange, the military agreed not to impede the enlargement of the oligarchy's capital.[72] This pact was in place until 1979. In that year, a group of young military officers broke the pact with the oligarchy by carrying out the coup d'etat of 15 October that brought down the government of General Romero, the last military president.

The military conspirators issued two proclamations; the first one described the rationale of the coup. According to this proclamation, Romero had been overthrown by the military institution for several reasons. He had persisted in using violence to resolve political problems, and he had allowed the public administration to become corrupt. The second proclamation indicated that the military was hoping to implement a reformist program. It proposed first to stop violence and corruption. Second, it promised to guarantee human rights, creating the climate for free elections, allowing the organization of political parties of all ideological stripes to strengthen the democratic system, granting political amnesty to all exiles and political detainees, and recognizing the right of labor to organize and promoting free speech.[73]

The proclamations issued by the military conspirators promised that the armed forces would establish the appropriate climate for real and dynamic democracy and would hold free elections trying to bring changes to the social and political life of El

[72] Salvador A. Girald Barraza. *On the Road to Democracy: Civil-Military Relations in El Salvador*. Thesis, Naval Postgraduate School, Monterey, California. December 1998. P. 1.

[73] Enrique A. Baloyra. *El Salvador in Transition*. The University of North Carolina Press, Chapel Hill & London, 1981. P. 86.

Salvador. Yet it was too late for social and political changes, and a civil war started. During the civil war, the civilian government lacked a strategic intelligence organization. The only strategic intelligence organization was controlled by the military.

Even though the civil war started, these proclamations issued by the military conspirators in October 1979 have been considered a useful benchmark for the initial objectives of the Salvadoran transition process that began on 15 October 1979.

1. Behaviorally

In order to achieve and to maintain their objectives, the authoritarian governments used repressive tactics. For example, around 2,000 students in San Salvador organized a protest march. When it started out toward the Plaza Libertad, it was brutally repressed. There were 27 students killed and many disappeared, among them many women. One month after the students' massacre, in August of 1975, a paramilitary organization called the Liberation Armed Forces of Anti-Communist Extermination War (FALANGE) published a series of menacing communiqués.[74]

The death squads, coordinated by the military intelligence services, became the instruments of the state and the oligarchy in order to repress and eliminate political opposition. It is also important to mention that the government and the oligarchy also used the army, the security forces (intelligence), and the death squads to unleash a ferocious persecution against the church and people who were organized. Death threats,

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[74] Equipo Maiz. *El Salvador, Imagines para no olvidar.* Algier's Impresores, El Salvador, 1999. P. 158.

raids and bombings of the archdiocesan radio and assassinations followed the defamatory campaigns of the government and right-wing media.

2. Attitudinally

Even with the fear of losing their lives, the citizens of El Salvador were strong and decided to fight against the government, the oligarchy, or the military to stop the repression and to secure their human and civil rights.

In this framework, on March 23, 1980, Monsignor Oscar Arnulfo Romero made a vehement call to low-ranking soldiers of the army and to the security forces to disobey their superiors when ordered to fire on defenseless people. "In the name of God, and in the name of these suffering people, I beg you, I implore you, I order you to stop the repression."[75] The response did not take long and the next day Monsignor Romero was killed while celebrating mass.

The eighties were marked by war. The size and firepower of the Salvadoran army grew enormously. The military used a strategy in which they carried out many massacres against the civilian population. The Salvadoran people will likely never forget the horror of such massacres as, the Sumpul River massacre in Morazan in May 1980, and the El Mozote massacre in Morazan in December 1981.

On the other hand the FMLN attacked the electric and transportation infrastructure of the country by continuously toppling electricity poles, destroying bridges and calling for transportation stoppages. They strategy was directed at exhausting

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[75] Ibid., p. 160.

the army, paralyzing the economy and waiting for the appropriate moment for a new final offensive. After the 1981 FMLN offensive the popular movement lost its impetus. Many activists were assassinated and many others joined the FMLN military forces.

In March of 1982 elections were called in order to form a Constituent Assembly. This Assembly elected Dr. Alvaro Magana as a provisional president. During the 1984 presidential elections there was a difficult contest between ARENA and the PDC. The PDC (left-hand party) won and Duarte became president. Duarte's reformist attempt failed because of the obstinate opposition of the oligarchy. In March of 1989 ARENA won the elections, and Alfredo Cristiani was named president.

On November 11, 1989, the guerrilla, through its group FMLN, initiated its strongest military offensive of the war. During this "final offensive" on November 16, a unit of the Atlacatl Battalion assassinated six Jesuit priests in the Central America University. Although the government, with the unconditional support of the United States, was able to control the situation, the guerrilla offensive made evident that neither one of the two forces could defeat the other by military means. Both sides were exhausted.

The assassination of the Jesuit priests greatly discredited the Cristiani government and unleashed strong international pressure to put an end to the war through negotiations. In the end realism took root, accelerating the desire for a negotiated solution to the

conflict. New dialogues with the mediation of the United Nations led to the signing of the Peace Accords in the city of Chapultepec, Mexico, on January 16, 1992.[76]

3. Constitutionally

During the 1970s, the political opposition was excluded from government by fraudulent elections; and the peaceful protests of students, workers, and peasants were brutally repressed. Within these restrictive parameters, a number of political crimes were possible. Governments were sometimes one-man dictatorships, or at other times institutional regimes in which military officers governed collegially. The military governments served oligarchic interests, but also favored the military's own institutional interests when this occasionally deviated from those of the oligarchy.

Repression of the masses was at time brutal and total, but it was often selective, used only when necessary and sometimes relieved by populist or progressive features of military rule.

a. Mandate

The mandate was always given by the military. The stated purpose was to eliminate the guerrillas, targeting mostly the civilian population. Particularly hard hit were those workers, students, squatters, peasants, and displaced citizens who tried to organize themselves to protect their rights and to improve their well being. From 1979

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[76] Equipo de Educacion Maiz. *Historia de El Salvador.* Equipo de Educacion Maiz, El Salvador, 1995.

through 1989, 40,000 to 50,000 civilians died in the conflict, mainly at the hands of the

U.S. trained and supplied military.[77]

The death squads that became active in the late 1970s had their historical

roots in El Salvador's three security forces, which often functioned as a law unto them.

Each security service had its own special unit charged with assassinating suspected

subversives. As mentioned previously, each security had its own special unit: The PH's

intelligence section, the S-2, in particular was persistently linked to the political killings

and kidnappings that became commonplace in the 1970s and early 1980s. In 1984 this

unit was disbanded, but six months later it was replaced by a forty-member police force

trained in intelligence work by the PN.[78]

Ultra-rightists, within the military, security forces, and the oligarchy also

organized death squads to eliminate leftist activists and sympathizers and to deter popular

support through intimidation. Analysts generally agreed that the right-wing death squads

often composed of active-duty military or security force personnel operating with the

complicity of some senior officers of the armed forces were responsible for thousands of

murders in the 1970s and 1980s. At the same time, the regime's security forces

themselves became increasingly violent.

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[77] Communication with Americas Watch, January 23, 1990. Cited by Equipo de Educacion Maiz, in its book. *Historia de El Salvador,* 1995.

[78] Louis R. Mortimer. *El Salvador, a Country Study.* Richard A. Haggerty, Federal Research Division, Library of Congress, 1988.

b. Structure

The only strategic intelligence organization was controlled by the military, to protect the interests of the oligarchy, as Figure 4 shows. This military intelligence apparatus, known as the National Defense Directorate (Departamento Nacional de Inteligencia, DNI) was under the Minister of Defense's control.

The DNI's mission was to gather, analyze and divulge information for the strategic level. However due to the lack of resources and the inadequate coordination with the operational and tactical intelligence information sections, which were under the C-II (Intelligence of the General Staff), the DNI was also collecting and processing data for the operational and tactical level.

This was a duplication of effort, but no one did anything to correct the problem during the war. It seems that this duplication of effort was done with the intention of double checking the intelligence reports, since one agency was under the Chief of Staff and the other under the Office of the Minister of Defense.[79]

The following diagram, figure 4, shows the structure of El Salvador's Intelligence System under its authoritarian regimes. This diagram has been designed by the author of this thesis. It is based on the information previously presented.

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[79] Salvador A. Giralt Barraza. *On the Road to Democracy: Civil-Military Relations in El Salvador.* Naval Postgraduate School, Monterey, California. December 1988. P. 52.

OLIGARCHY
MILITARY

PRESIDENT

ARMY NAVY AIR FORCE

DEATH
SQUADS
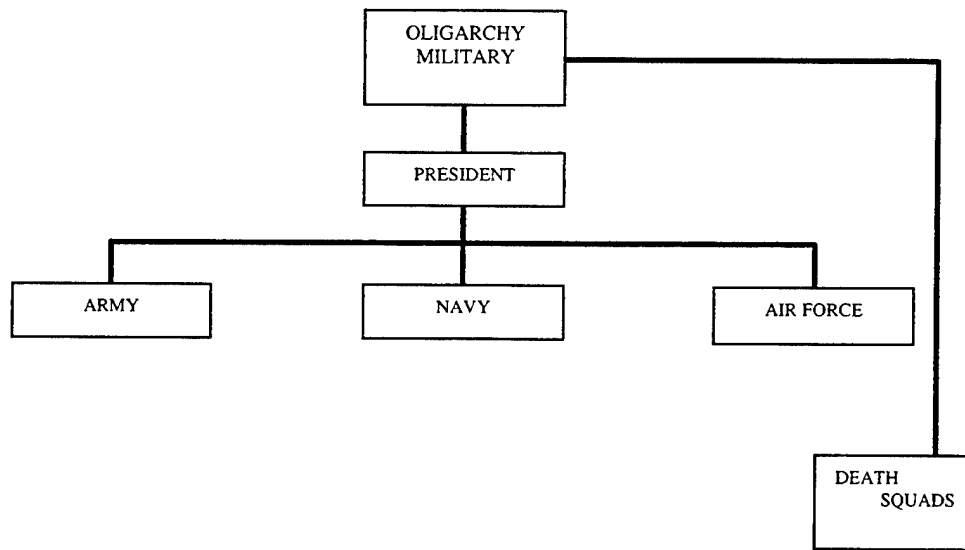
Figure 4. El Salvador's Intelligence under Authoritarian Regimes

c. Oversight

Oversight was executed by the military to protect the oligarchy's interests and their interests. During this period of authoritarian regimes even discussing intelligence was taboo. Little information about this fact exists because as Robert Bishop pointed out in his book, *Russia Astride the Balkans,* "There are many matters, which must be left untold because they are within the bounds of security."[80]

In sum, El Salvador's Intelligence Service during all its period of authoritarian regime was under the control of the military. They performed their activities to protect the interests of the oligarchy. Behaviorally, the heads of this service were

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[80] Robert Bishop and E. S. Crayfield. *Russia Astride the Balkans.* Robert M. McBride Company, New York, 1948.

taught torture, murder, and the use of force and coercion to achieve political aims. As in Argentina's case, they were rewarded with special training at the US Army School of the Americas.[81]

Attitudinally, even though Salvadorans were afraid of the government and of its means to impose power, they had a strong civil society well-disposed to fight against the government to overcome these abuses of human rights. Constitutionally, there was no respect for the rule of law. The only "law" was the pact (which, in fact, was illegal) signed in 1932 between the military and the oligarchy. The military gained control over the government and the oligarchy enlarged its capital.

D.   COMPARATIVE ANALYSIS

The intensity of human and civil right violations, more than just material destruction, has a deep-rooted moral and psychological impact on society. This impact certainly shapes the desire of people to find means of ending the suffering and destruction, especially if they doubt the legitimacy and validity of this political ruthlessness and cruelty.

In regard to the three dimensions under analysis, behaviorally, attitudinally, and constitutionally, as shown in Table 1, authoritarian intelligence systems, whether bureaucratic authoritarianism or totalitarianism presents the same violent and unjust characteristics.

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[81] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998. P. 9.

Behaviorally, the use of repression, coercion, and violations of human and civil rights were the tools the governments used to pursue its individual or elitist goals. Romania's situation was aggravated by the isolation of its population from the rest of the world.

Attitudinally, Argentina and Romania had weak passive cowering societies because of the fear and terror they felt. This bred an attitude of "conformity" and silence. On the other hand, El Salvador had a strong civil society well disposed to fight against its human and civil right violators. Constitutionally, no rule of law existed. They only protected the interests of the elite. Therefore, control and oversight, transparency and accountability weren't even mentioned.

Table 1
INTELLIGENCE UNDER AUTHORITARIAN REGIMES

	STRATEGY	BEHAVIORALLY	ATTITUDINALLY	CONSTITUTIONALLY		
				MANDATE	STRUCTURE	OVERIGHT
ARGENTINA	Authoritative	Repression Coercion Violations of Human Rights	Weak Society Fear & Terror	Imposition of law (to satisfy elite's interests)	Under the head of the state	Lack of Accountability & Transparency
ROMANIA	Authoritative	Repression Coercion Isolation Violations of Human Rights	Weak Society Fear & Terror	Imposition of law (to satisfy elite's interests)	Under the head of the state	Lack of Accountability & Transparency
EL SALVADOR	Authoritative	Repression Coercion Violations of Human Rights	Strong Society Fear & Terror	Imposition of law (to satisfy elite's interests)	Under the head of the state	Lack of Accountability & Transparency

In these governments the majority of the intelligence services was dedicated to the internal security and to the domestic politics. Multiplicity of intelligence organisms existed with their own methods and procedure to gather information, generating overlapping of resources, and friction among the different intelligence agencies, a total

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waste of human and material resources. Such was the case of Argentina. The abuse by the decentralized intelligence services in the 1975-1978 period was notorious, and the Argentine Navy was a serious competitor to the Army.[82]

During these regimes discussing "changes" was impossible, but as previously mentioned, the escalation of violence, the human right violations, the terror, the assassinations, the damage to society, led to a public outcry or reaction of strong disapproval that eventually toppled the reign of terror. This intensity of violations contributed to the changes within the intelligence services. Now the new democratic governments face a wicked problem: establishing the new role for security intelligence, based on transparency, truth, and freedom, but based mostly on the genuine and legitimately democratic participation of all the citizens as (stake holders) in these republics.

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[82] Alfred Stepan. *Rethinking Military Politics: Brazil and the Southern Cone.* Princeton University Press, New Jersey, 1985.

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V. CASE STUDIES: INTELLIGENCE UNDER DEMOCRATIC REGIMES

The purpose of this Chapter is to determine whether the strategy used in Argentina and Romania to change from an authoritarian intelligence system to a democratic intelligence system can be effectively applied in new democracies, such as in El Salvador, to restructure its intelligence service.

To explore this question, we will examine the similarities in how the intelligence services of Argentina and Romania changed and how, their essential differences evolved: first, behaviorally; second, attitudinally; and third, constitutionally. These differences likely developed from differences in the strategy used for the changes.

Argentina used a collaborative strategy to consolidate its democracy. On the other hand, Romania used an authoritative strategy, appointing former intelligence officers as heads of intelligence organizations. Unfortunately, this was, and still is, a constant reminder of past behaviors that could rise again to threaten the consolidation of democracy in this country.

A.   ARGENTINA

On December 10, 1983, Argentina held elections. Though there were candidates from smaller parties, the only real contenders were Dr. Raul Alfonsin, from the Radical Civic Union, a basically centrist party, despite its name, and Italo A. Luder, who had served in the cabinet of Isabel Peron. Alfonsin won overwhelmingly on his slogan, "Democracy or Anti-Democracy" and his pledge to fully investigate and to legally

address the abuses of the prior regime. One of his first acts as president was to appoint the Argentine National Commission on the Disappeared, or CONADEP, and then to take testimonies from victims of abduction and torture, from the families and friends of *desaparecidos,* and from other witnesses courageous enough to come forward. After twelve months of work, the CONADEP documented 8,960 *desaparecidos.*

The CONADEP's massive report, *Nunca Mas! (Never Again!)* was published in Argentina in 1984, with numerous editions almost immediately selling out. With the corroborated evidence, Alfonsin announced that the nine ex-commanders of the first three juntas would be charged and tried.[83]

Over significant political opposition, he asked the Supreme Tribunal of the Military to try its own, thinking that this would make a powerful statement about the institution's willingness to take responsibility and to enact a new moral code. However, the military refused, and so, beginning on April 22, 1985, the ex-commanders were publicly tried in civilian courts.

On December 9, 1985, General Videla and Admiral Massera were sentenced to *prision perpetua* (life in prison), their country's harshest legal punishment. The remaining seven ex-commanders received sentences ranging from 4 to 17 years; four of the other highest-ranking officers were cited for further investigations. Other members of

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[83] Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press, New York, 1998. P. 13.

the military and police were convicted in federal courts in both the nation's capital and in the interior.[84]

"Alfonsin wanted, above all, to reestablish democracy, gird its fragility, and guard its future." With the military restive and unrepentant, the balance was delicate. Even as the trials were going on, the military was promoting men who had committed abuses during the regime. Alfonsin greatly feared the destabilizing effects of widespread prosecutions and court cases continuing for years. In fact on February 14, 1984, he charitably promulgated the controversial law 23.049, usually referred to as the *Due Obedience Law,* which allowed lower-ranking personnel to claim that they had merely been "following orders."

In December 1986, Alfonsin set February 23, 1987, as the *Punto Final* (Final Point), or cut-off date for all trials related to the Dirty War. According to a 1988 study by the important human rights group CELS (Centro de Estudios Legales y Sociales), some 400 repressors benefited from "due obedience" and whereas 450 torturers or enforces were tried prior to the Punto Final deadline, hundreds of other cases had to be dropped.[85]

In 1983, President Alfonsin tried to demilitarize the SIDE but lacked a strategy for building a reliable intelligence service. Unhappy with SIDE's performance, he attempted to give the CNI supremacy without developing a clear plan for controlling the intelligence apparatus. The CNI board (five civilians and six military) was supposed to

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[84] Artemio L. Melo. *El Gobierno de Alfonsin, la Instauracion Democratica Argentina (1983-1989).* Homo Sapiens Editions, 1995. P. 43.

[85] Ibid., p. 51.

control the flow of intelligence information but, unfortunately, SIDE's Secretary Suarez was its director. From its inception it was unclear which agency was primarily accountable for intelligence matters.[86]

The major political parties (Radicals and Peronists) diverged on whether SIDE or CNI should be the senior intelligence agency, and both parties used the issue for political purposes. Concurrently, Alfonsin favored the application of "due obedience" laws (following orders), which exonerated military officers for being tried for human rights violations.

During the prolonged period of military regimes and weak civilian governments (1955-1983) in Argentina, the civilian intelligence organizations' products had no impact on the decision-making process. The most important intelligence products came from the armed forces, as the SIDE had limited operational capacity for processing classified information and conducting covert operations. With democracy's reestablishment in Argentina, there were significant changes in national defense and internal security matters, but less in the civil intelligence arena.[87]

In 1989-1999, President Menem, knowing that the military was guilty of human rights violations, and that retaining its internal security role was a sensitive matter for the armed forces, made two controversial decisions. He declared a general amnesty for the

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[86] Jose Manuel Ugarte. *"Sistema Nacional de Inteligencia Argentino, Cambiar Ya!"* Argentina, February 1997.

[87] Monica Peralta Ramos and Carlos H. Waisman. *From Military Rule to Liberal Democracy in Argentina.* Westview Press, Inc. Colorado, U.S.A., 1987.

military, and re-authorized the military's internal security role despite the new 1988 Defense Law expressly prohibiting the military from such a role.[88]

The Menem's administration was characterized by an imperial presidency, centralization of power and consolidation of coercive control by the executive over an increasingly impatient population. The administration weakened or bypassed the judicial and legislative branches of government. Military hostilities abated, and the armed forces did not challenge civilian government to the extent they did during Alfonsin's term. But they exercised political power and shaped political outcomes.

Menem returned political prerogatives and guardian capabilities removed by Alfonsin's administration to the military. He promoted and authorized internal security and intelligence functions for the armed forces, echoed their national security values, and expanded the state's capacities for repression and intelligence. In effect, Menem drew on military reserved domains and guardian capabilities to secure his own neoliberal project. Menem's partnership with the military *cupulas*, his economic restructuring, and his weakening of democratic institutions created the contours of a new form of exclusionary, guardian democracy.

In 2000, President De La Rua began sweeping changes. He appointed Santiabanes, a civilian banker, to head the SIDE. He also met with numerous civilian and military stakeholders, members of the National Intelligence Council, in the Presidential Palace for a two-hour meeting in which he ordered them to reverse the current trend and

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[88] J. Patrice McSherry. *"Argentina's Armed Forces: Redefining National Security."* Paper prepared for the XXI International Congress of the Latin America Studies Association, Chicago, 1998.

to coordinate their tasks. His new priority for intelligence is investigating terrorism, drug trafficking, corruption, smuggling, and tax evasion.[89]

The SIDE secretary is also working with legislators to draft a bill authorizing both executive and congressional oversight of the intelligence budget. Further, it would establish statute of limitations for maintaining intelligence budget secrecy, and that limit could be 5 to 20 years after the execution of a budget.

1. **The Strategy used to change from an Authoritarian Intelligence System to a Democratic Intelligence System**

a. Wicked Problem

Making a transition from an authoritarian intelligence system to a democratic intelligence system, in any country, is a difficult process. Analyzing Argentina's case, it meets some of the criteria highlighted in Chapter III.

First, in a democracy, all citizens have the right to become stakeholders, and regarding intelligence issues, to take into account all the different groups, who want to participate in this change is quite difficult. For example, in Argentina, the handling of human rights violations was the thorniest issue in the relationship between the new government and the armed forces. Human right organizations, which were supported mainly by the left, were led by a small group of highly dedicated activists, many of whom were relatives of victims of repression. Their demands were basically two: the trial of all officers implicated in the kidnappings, torture, illegal imprisonments, and killings of real

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[89] Interview with Fernando de Santibanes, head of the State Intelligence Secretariat, SIDE, by Fernando Gonzalez; date, place not given.

or imagined opponents of the regime, and the handling of these cases by civilian courts. The official position of the military was, on the other hand, that the armed forces had not committed any crimes: there had been a war, and those who died had fallen in combat.[90]

Second, a second thorn that developed in Argentina's restructuring process was the fact that as politicians leaders change over time so did their commitment to punishing the human right violators of the war. For example, as previously mentioned, President Menem, in 1989-1999, after Alfonsin's new laws, made two controversial decisions: He declared general amnesty for the military, and re-authorized the military's internal security role despite the new 1988 Defense Law. While formal electoral mechanisms seemed stable, civilian control of the military and intelligence organizations had actually diminished in key areas. Argentina was still not a full democracy, and the "military question" was still not resolved.

Third, a third sensitive issue involved the government's efforts to obscure the nature of the problem, and finally, regarding political issues, such as intelligence, it became difficult to define the need for "secrecy" by the different sectors of the population.

b. The Strategy Used to Change

In 1985, public discussion began over the issue of a new defense legal framework.[91] This began to overcome past influences and practices of the military

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[90] Monica Peralta Ramos and Carlos H. Waisman. *From Military Rule to Liberal Democracy in Argentina.* Westview Press, Colorado, U.S.A., 1987. P. 101.

[91] Jose Manuel Ugarte. *"Sistema Nacional de Inteligencia Argentino, Cambiar Ya!"* Argentina, February 1997.

regimes. A collaborative strategy was adopted to apply the principles of democracy, such as the one that says that: All political decisions require consensus from a plurality of key stakeholders about what it should be done and how it should be done.

Among the most controversial topics were defining the concept of national defense and internal security, and the armed forces' role in such activities. Secondly, the involvement of military intelligence in internal political intelligence operations. As a result of the debates a consensus was reached between the two major parties, the Union Civica Radical and the Partido Justicialista. The Defense Law was finally approved in 1988, setting a legal framework and replacing former national security doctrine later engendering de facto legislation.

2. Behaviorally

One of the principal purposes of Alfonsin's administration, which assumed control in December of 1983, was to establish the intelligence agencies within the framework of democratic principles. Three aspects, related to intelligence issues, summarize the new administration's efforts.

First, establishing civilian control over the intelligence system by appointing civilians as heads of the State Intelligence Secretary. This was one of the most important decisions. Since this period (1983-1989), politicians accepted this practice as an unwritten rule. In fact, President Menem appointed two civilians, a journalist and then a lawyer, to hold this position.

The second effort Alfonsin's administration focused on was the role of the National Intelligence Center as the coordination body in charge of producing strategic intelligence. This center gathered intelligence and assessments including the intelligence components of the armed forces from other agencies.

Alfonsin's third effort involved the jurisdiction of the various Argentinean agencies composing the national intelligence system. The National Defense Law established that the military intelligence agencies must not be part of domestic policy matters.[92]

3. Attitudinally

Nowadays, in consolidated, as well as in unconsolidated democracies, there is a wide consensus about the need of democratic control and oversight on intelligence agencies and activities. This consensus stems from the recent history of political violence in Argentina; such democratic control is not easy to achieve but the first steps, perhaps the most difficult ones, have already been taken.

This effort for Argentina society is vitally important to recover from the past. As one Argentine put it, "our people have been inert, only recently emerging from the stupor

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[92] Eduardo E Estevez. *"Argentina's Intelligence after Ten Years of Democracy: The Challenge of Reform and Congressional Oversight."* Buenos Aires, Argentina, December 1993. [http://www.fas.org/irp/world/argentina/estevez.htm]

of many years of authoritarianism, fear, and repression... Argentina society was anesthetized."[93]

4. Constitutionally

Under the new democratic scenario in Argentine, some new laws were proposed such as the National Defense Law No. 23.554 of 1998, which included several innovated aspects. To begin, the concept of National Defense was defined as follows:

> The national defense is the integration and coordinated actions of all the forces of the nation for the solution of those conflicts, which require the use of the Armed Forces, in deterrence or an effective way, to confront external aggression. (Article2)

One innovation was that both the roles of the Ministry of Defense and of the Joint Staff as an advisory body on military strategy to the minister of Defense were enhanced.

In his study, *"Argentina's Intelligence after Ten Years of Democracy"* Estevez argues that Article No. 4 clearly defines the difference between national defense and internal security.[94] He also states that one innovation of great importance, specified in Article 15, is the prohibition of the military intelligence agencies to conduct activities related to domestic political affairs.

The same article establishes an intelligence agency of a higher level, which would be in charge of producing national defense intelligence. This article also states that producing military intelligence would fall under a department composed of the

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[93] J. Patrice McSherry. *Incomplete Transition: Military Power and Democracy in Argentina.* St. Martin's Press, New York, 1997. P. 287.

[94] Eduardo Estevez. [http://www.fas.org/irp/world/argentina/estevez.htm]

intelligence agencies of the Armed Forces. This department would be under the authority of the Minister of Defense. Article 15 also provides for the drafting of several related bills, including one that provides congressional oversight for the intelligence system.

Another important improvement, cited by Estevez, has been establishing a legal framework for domestic security by enacting the Internal Security Law No. 24.059 of 1992. It is remarkable that this bill, based on two previous bills introduced during 1989, was approved with a consensus of various political parties, including, once more, the two major ones: the Radical and the Peronist. [95]

The new legislation has established, for the first time in Argentina, the basic system for planning, coordinating, controlling, and supporting the national law enforcement effort devoted to guaranteeing internal security (article 1). This legal mechanism is defined as:

> The factual situation under the rule of law in which liberty, life and property of the inhabitants, their rights and guarantees and the full validity of the institutions of the representative, republican and federal system established by the National Constitution are protected. (Article 2)

a. Mandate

Regarding the mandate and in order to reach the objectives of the new legal reforms, the law establishes the Ministry of Interior as the main coordination level. The Minister of Interior becomes responsible for the legal mandate or political command

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[95] Ibid.

of the national police effort. This office is also responsible for directing and coordinating the activities of the intelligence components of the federal police and the security forces.

The new law also proposes creating an Internal Security Council to advice the Minister of Interior. It is composed of the Minister of Interior, the Minister of Justice, the Secretary for Drug Abuse, Prevention, and Counter-Drug-Trafficking, the Undersecretary of Internal Security, the chiefs of the Federal Police, National Gendarmery and Argentinean Naval Prefecture, and a certain number of provincial police forces chiefs. All of these are permanent members.

The bill also provides for a National Direction of Internal Intelligence, with the main purpose of avoiding uncertainty about the role of the intelligence components devoted to internal security matters. This office is an organization under the control of the Undersecretary of Internal Security, which constitutes

> The organ through which the Minister of Interior will exercise the functional direction and coordination of the activities of the information and intelligence elements of the Federal Police, as well as those of the National Gendarmery and the Argentine Naval Prefecture, in these cases, exclusively for purposes of internal security. (Article 16)

Finally, another institution named The Planning and Control Center has been created as an assistance and advisory body, which is responsible for the logistics of all plans (Article 15).[96]

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[96] Taken from: [http://www.fas.org/irp/world/argentina/estevez.htm]

b. Structure

Today, the structure of the intelligence community in Argentina consists of the following components:[97]

- **Civilian Intelligence Agencies and Elements:**

  * *The National Intelligence Center (CNI)*, a coordination and analytical body with some operational activities. Created in 1972 and ruled by a secret presidential decree. Despite its name, this office hasn't had a prominent role and since 1983 several efforts were made to reinforce its role as head of the community.

  * *State Intelligence Secretary (SIDE) 2*, charged with collecting and producing foreign and domestic intelligence and counter-intelligence. This is the most important agency with delegations within as well as outside Argentine. It is subordinated to the President and is ruled by secret decrees and laws. Born under a different name in 1946, it suffered several changes until 1956, when its present name was adopted.

  * *National Direction of Internal Intelligence*, a coordination body of the intelligence efforts related to domestic security within the Ministry of Interior. It was recently created and is ruled by the Internal Security Law of 1992 and by a presidential decree (No. 1.273/92) related to that law.

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[97] Ibid.

- **Military Intelligence:**

  * *J-2 Intelligence*, Joint Staff of the Armed Forces.

  * *Army Intelligence*, including a G-2 within the Army General Staff and a Military Intelligence Collection Center (CRIM) 3, with several small units spread through out the country and formerly known as, *The Army Intelligence Battalion 601* (Batallon de Inteligencia 601).

  * *The Naval Intelligence Service*, under the jurisdiction of the Navy General Staff.

  * *The Air Force Information Service*, a component within the Air Force Staff.

- **Security Forces Intelligence:**

  * An intelligence component of the National Gendarmery.

  * An intelligence component of the Argentinean Naval Prefecture.

- **Other Intelligence Elements:**

  * Intelligence directions or units in provincial governments. An example is the Direction of Information under the Security Secretary of the Buenos Aires Province Executive.

  * Intelligence elements of the Argentina's Federal Police (PFA) 4 and of the police forces of the provinces.

* An intelligence element within the Federal Penitentiary Service of the Ministry of Justice.

* *The Federal Service Against Drug Trafficking (SEFECONAR) 5*, a small intelligence unit with police functions created through a secret Presidential decree (No. 717, April 18, 1991) under the jurisdiction of the Secretary for Coordination and Programming for the Prevention of Drug Abuse and the Fight against Drug Trafficking. A matter of controversy, its existence has not been acknowledged by the Menem Administration.

c. Oversight

One fundamental yet critical provision of the Internal Security Law was its mandate for congressional oversight. Title VII incorporated five Articles (33 through 37) devoted to the parliamentary control of internal security and intelligence agencies and activities. Article 33 created a congressional Joint Committee on Intelligence and Internal Security with the mission to supervise and control all internal security and intelligence agencies and organizations. This committee is composed of six senators and six deputies. For the first time, Estevez argued, in Argentina a permanent congressional committee would exercise oversight of those matters. Article 35 specifies that:

> The committee shall verify that the performance of the agencies and organizations referred in article 33 is adjusted strictly to the constitutional, legal, and regulating norms on force, stating the strictly observance and respect of the National Constitution individual guarantees, as well as of the measures contained in the Human Rights American Convention, known as 'San Jose de Costa Rica Agreement' and included in Argentina legal arrangement through the law No. 23.054.

> (More details are written in article 36:)

The committee shall have all the authorities and functions needed to fulfill its assignments and especially to make those investigations, which may be pertinent in the agencies and organizations mentioned in article 33. It shall be especially authorized to:

a.　Require from any agency or national, provincial, or municipal public entity, as well as from private entities, all the information deemed necessary, which must be supplied.

b.　Require the Judicial Branch to summon and make appear with public force assistance those persons which are deemed pertinent, in order to expose facts linked to the subject of the committee.

c.　Require the pertinent judicial branch components to prevent that those persons subjected to investigations to be undertaken, leave the national territory within permission.

d.　Propose to the Executive Branch those measures intended to overcome the deficiencies observed on the occasion of the investigations put forward.

In sum, the democratic advances achieved are largely the result of pressures from Argentina's civilian society and several organizations activated in the cause of human rights and democracy. Democratization has been pushed from below, Argentines have reacted to fortify its civil society to ensure democracy, respect for the rule of law and protection of human rights.

With Argentina's return to democracy in 1983 there was a general consensus about the need to rethink the role of the armed forces. The military problem is one of the major concerns related to the stability of the system and within it the intelligence issue is one of the most important concerns. Three main points have been identified that need urgently to be solved: First, the establishment of the intelligence agencies' limits. Second, to terminate the autonomy of those agencies and third, to end with the involvement of the military in domestic and political intelligence.

Using a collaborative strategy a great effort has been made to solve the military problem through judicial, political and legislative actions. Discussions and debates of intelligence organizations have always been part of other fundamental issues under public and political consideration, such as national defense and internal security. Although there have been improvements during some years of democratic regime, the challenge to fully adapt intelligence to democracy is still unfinished.

B. ROMANIA

Given the deteriorating Romanian economic situation and the growth of social unrest in the 1980s, the loyalty of the security and intelligence services was critical to the political future of the Ceausescu clan.[98]

Despite their treatment as a privileged caste, Securitate personnel showed signs of dissatisfaction with the regime and with the situation in the country during the late 1980s. Poor living conditions were so widespread that even these privileged individuals were affected, creating sympathy for a largely discontented population.

The intelligence services played a decisive role in the outcome of the leadership struggle between Ceausescu, his heirs, and other contenders for power. In 1989, when the dictatorial regime collapsed, the directorates of the Securitate were the largest component

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[98] Stephen Fisher-Galati. *Twentieth Century Rumania.* Columbia University Press, New York, 1991. P. 213.

of the Ministry of Interior. They also comprised Eastern Europe's largest secret police establishment in proportion per capita.[99]

Today, to the eyes of the world, Romanian is a constitutional democracy with a multiparty, bicameral system, a head of government (Prime Minister), a directly elected head of state (president), and a separate judiciary.

The Ministry of Internal Affairs supervises the police. The national police have the primary responsibility for security, but the government may call on the army and border guards to assist the police in maintaining internal order. The Romanian Intelligence Service (SRI) conducts intelligence functions. Elected civilian authorities are supposed to exercise control over the security forces, many of whose senior officers the government replaced in 1997.

Unfortunately, the parliament has not been able to integrate the country's diverse political forces or to provide a counterweight against the unrestrained use of personal power. Since October 1992, the government has shown a disinclination to co-operate with the parliament on major issues. It has been very reluctant to allow parliament a supervisory role over the state media or the security services, two areas that are regarded as crucial for the maintenance of political authority.[100]

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[99] Dennis Deletant. *Ceausescu and the Securitate: Coercion and Dissent in Romania, 1965-1989.* M. E. Sharpe Armonk, New York, 1989. P. 22.

[100] Tom Gallagher. *Romania after Ceausescu: The Politics of Intolerance.* Edinburgh University Press, Great Britain, 1995. P. 137.

1. The Strategy used to change from an Authoritarian Intelligence System to a Democratic Intelligence System

a. Wicked Problem

The collapse of the communist system is of course a great step toward democracy, but it is only the beginning of a hard, painful, and long road to face a wicked problem such as the development of democratic institutions. The problem is that communism not only has roots in the institutions that have remained behind, but that communism is engrained in the attitudes of the people, and continues to influence their behavior and habits, and determines their values. Mircea Codreanu, a former diplomat, noted that had Elena Ceausescu lived, she should have been tried "for genocide not of people but of culture and education."[101]

The change of the authoritarian intelligence system to a democratic intelligence system in Romania has been and is still a wicked problem to be solved. First, because in countries like Romania, on account of their delayed development, a strong civil society hardly rises, that is a society that independently express its interests and opinions and, equally important, control political power and not allow it to be abused. This characteristic can't allow stakeholders to make decisions beneficial to society.

Second, dictatorships like that of Ceausescu can exist only in an environment characterized by fostering and maintaining the low level of its culture. Culture is the greatest enemy of dictatorial power. Nicolae Manolescu said, "The dictatorship had smashed life into a thousand pieces, but what were we to do with our

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[101] Edward Behr. *Kiss the Hand You Cannot Bite: The Rise and Fall of the Ceausescus.* Villard Books, New York, 1991. P. 275.

freedom which had come to us, as it were, from the skies? Yes, hundreds of people had died for it; their sacrifice a wonderful gift, but we still feel very confused. It seemed that we had to learn everything all over again: thinking, speaking, trading, printing, papers and books, re-establishing connections with the rest of the world, and great many other things."[102]

Finally, the Ceausescu regime left Romania bankrupt politically, economically, and morally. Years of economic privation, social incarceration, intellectual abuse, and isolation from outside world had brutalized the population. Suspicion, jealously, and fear of institutions identified with the Ceausescu regime could not be erased overnight.

Under this scenario, the very means whereby the new power holders consolidated their position was reminiscent of tactics used in the past by the Romanian Communist party to railroad through decisions that would otherwise have been contested.

b. The Strategy Used to Change

In 1990, using an authoritative strategy, the Securitate was officially disbanded and replaced by the Romanian Intelligence Service and some other intelligence services. Since that year, waves of changing have been taking place in both the personnel and the leadership of the Romanian Intelligence establishment. With the view of getting rid of the communist style, methods, and mentalities, this affecting primarily former security officers who had failed to adjust to the new political environment. The presence

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[102] Cited in Tom Gallagher. *Romania after Ceausescu: The Politics of Intolerance.* Edinburgh University Press, Great Britain, 1995. P. 144.

in the beginning of a considerable number of former securitate officers within the SRI ranks was perceived as the main obstacle to a complete overhaul of the Romanian intelligence system.[103]

Combining authoritative and collaborative strategies, the press has very much supported the reform process. One of the most significant steps taken by the Romanian society was establishing the rules for the organizing and operating of the Romanian Intelligence Service by the vote of the first elected parliament after the 1989 revolution. However, the new National Salvation Front, which was composed of an elite group of leaders, had its own secrets, its own exclusive rules. General Kostyal, one of the primary leaders responsible for the revolution, discovered on the second day of the uprising, doors were very quickly closed nearly as tightly as they had been in the past.[104]

Some of Romania's dissidents very quickly lost their illusions. Ana Blandiana became a short-lived second vice-president of the first National Salvation Front government, then referred to as a council. After its first session, she said, it was composed of a few well-known dissidents, and students and others who had been on the streets during the revolution. Blandiana resigned as vice-president a few days later. At the council's second session in January, she noted, the 40-member council had 140 members, and there were no longer any students among them, "They had been squeezed out."[105]

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[103] V. G. Baleanu. *The Enemy Within: The Romanina Intelligence Service In Transition.* Conflict Studies Research Center. The Royal Military Academy Sandhurst, Camberlet, Surrey GU15 4PQ, January 1995. P. 3.

[104] Edward Behr. *Kiss the Hand You Cannot Bite: The Rise and Fall of the Ceausescus.* Villard Books New York 1991. P. 276.

[105] Ibid., p. 276.

2. Behaviorally

Despite some positive changes that have occurred in the last few years, like, freedom of political activity and of travel, a free press and the emergence from the international isolation, many critics of the present regime argue that Ceausescu's legacy lives on and still remains strong.

Indeed, after the December 1989 downfall of Ceausescu's regime, the carefully erected and brutally maintained security services structures disappeared and were replaced by some nine new independent secret organizations, set up on the legacy of more than 40 years of communist mentality.

Based on the legacy of former Securitate's methods, these successor services have managed in the last few years to greatly increase their power. And as a proper parliamentary scrutiny is still far from being achieved, they could very easily push Romanian society toward authoritarianism, especially when democratic institutions and processes are new and untried.

In Romania a clear and present danger capable of threatening this post-communist fragile democracy is indisputably coming from its overlapping secret services structures and their association with the notorious Securitate. Legitimacy is still a great challenge for the government to achieve.[106]

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[106] V. G. Baleanu. *A Clear and Present Danger to Democracy: The New Romanian Security Services are Still Watching.* [http://www.fas.org/irp/world/romania/csrc12045.htm]

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3. Attitudinally

Unfortunately, Romania's suspicious society with its little support for religious-cultural tolerance and individual self-reliant behavior, combined with the way in which the old system ruled and the way it collapsed, has not really helped to eliminate this inheritance. People are still afraid of the Securitate and afraid of a possible return to an authoritarian regime.

The people abolished the dictator, not so they could turn to the building of a democracy, but so that they could open up the borders and leave. Hundreds of thousands of Romanians are flooding into Europe today. They are emigrating because they do not believe in the chance of democracy and prosperity in their own country. That is one of the triumphs of communism: "It knows how to plant in people the conviction that communism, together with its prisoners and poverty, is an enduring and indestructible structure, impossible to reform or change."[107]

4. Constitutionally

The Romanian Democratic Intelligence Service was founded in March 1990, as part of the national defense system. It is a state specialized body, collecting intelligence related to the national security, and it is the only Romanian secret service under parliamentary scrutiny.

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[107] Edward Behr. *Kiss The Hand You Cannot Bite: The Rise and Fall of The Ceausescus.* Villard Books New York, 1991, xiii.

In its relation to other public authorities, the Romanian Intelligence Service is an autonomous administrative authority, which cooperates with the other departments engaged in national security, as well as with other public authorities.

The Romanian Intelligence Service was established by Decree No. 181 issued on the 26th of March 1990, as a necessity for a competent specialized body for collecting national security intelligence. The SRI operates according to a law, which defines its rules, duties, and attributions, and to a law referring to the defense of Romanian's national security.

The 1992 National Security Law defines national security very broadly and lists as threats not only crimes such as terrorism, treason, espionage, assassination, and armed insurrection, but also totalitarian, racist, and anti-Semitic actions, or attempts to change the existing national borders. Security officials can enter residences without proper authorization from a prosecutor if they deem a threat to national security to be "imminent."

The Constitution states that the privacy of legal means of communication is inviolable; thus, the Romanian Intelligence Service is legally prohibited from engaging in political acts. To ensure the political equidistant of the Romanian Intelligence Service, its military or civilian personnel is forbidden by law to adhere to political parties or to any organization with a political or secret character.

The role of the service is stipulated by the Romanian's Constitution (article 62, letter g) which provides that the two Parliament Chambers should gather in common

session to appoint the Director of the Romanian Intelligence Service and to debate upon its annual activity report.[108]

a. Mandate

The SRI is a Romanian authority qualified to collect and to evaluate national security intelligence, without causing violations to human liberties. Its jurisdiction extends, exclusively, to the national territory. It organizes and perform activities of collecting, verifying, and assessing intelligence for the evaluation, prevention, and countering of any actions that according to law, may pose a threat to Romanian's national security. It also engages in activities concerning the safeguarding of state secrets and the prevention of the disclosure of secret information, which according to law is not meant to become public knowledge.

By its specialized structures, the SRI develops intelligence and technical activities meant to prevent and to counter terrorism and also performs antiterrorist intervention against any target under attack or occupied by terrorists.

On special occasions defined by the Country's Supreme Defense Council, the Romanian Intelligence Service provides anti-terrorist protection for Romanian and foreign officials, as well as for persons who are under international protection, especially when threatened by terrorist acts.

At the same time, the SRI is engaged in activities for countering such crimes as the manufacture, possession or usage of illegal means for intercepting communications. By all these activities, the Romanian Intelligence Service is an

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[108] Taken from: [http://www.fas.org/irp/world/romania/sri.htm]

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instrument of law enforcement in national security, regularly and systematically informing the authorities that are responsible for law enforcement any time a law infringement occurs.[109]

The SRI is meant to be a non-repressive body with no responsibilities in criminal proceedings. The SRI Law provides that the SRI cannot undertake criminal proceedings, cannot arrest or detain persons, and has no imprisonment statutes. In complex cases, when specialized assistance is needed, at the request of competent judiciary authorities, certain nominated persons from the Romanian Intelligence Service may provide professional help in some criminal proceedings concerning offences against national security.[110]

According to law, all the activities of the Romanian Intelligence Service are controlled by the Parliament. Legally, the Romanian Intelligence Service activities are also controlled by judiciary authorities.

Unlike the case of the Securitate, activities that may temporarily restrain some fundamental citizen rights and liberties may be undertaken only under the power of a warrant issued by a prosecutor (attorney) specifically appointed by Romania's Prosecutor General. This is done only after the information possessed by the SRI concerning threats to the national security is judiciary evaluated. Any citizen who

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[109] Taken from: [http://www.fas.org/irp/world/romania/sri.htm]

[110] Ibid.

considers him or herself prejudiced by the prosecutor's warrants or activities may complain to a prosecutor higher in rank than the one who issued the warrant.[111]

The activities concerning national security conducted by the Romanian Intelligence Service are also controlled and coordinated by the Country's Supreme Defense Council, an authority created by Law no. 39/1990 (published in Monitorial Oficial no. 142/1990).

This law was created in order to coordinate and to organize jointly all activities concerning country defense and state security, both in times of peace and of war. In this respect, the Country's Supreme Defense Council analyzes the data and intelligence collected by the Romanian Intelligence Service and assesses the state of national security. This establishes the main lines of action.[112]

The whole SRI activity is characterized by observance of the Constitution of citizen rights and liberties and of the other laws that establish the legal framework for national security defense. Within the Service, internal rules were adopted to create a demanding legal framework that requires a strict observance of the law during the process of fulfilling its functional attributions. The SRI has a legal division that checks upon the legitimacy of the actions and measures undertaken in all phases of intelligence activity.

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[111] Ibid.

[112] Taken from: [http://www.fas.org/irp/world/romania/sri.htm]

b. Structure

After the downfall of Ceausescu's regime, in December 1989, the old security services disappeared to be replaced by new independent secret organizations, set up on the legacy of more than forty years of communist mentality. They are as follows:

- *Romanian Intelligence Service (SRI);*

- *Protection and Guard Service of the Presidency;*

- *Intelligence Directorate of the Ministry of Internal Affairs;*

- *Operative Surveillance and Intelligence Directorate of the General Police Inspectorate* (subordinated to the Ministry of Internal Affairs);

- *Foreign Intelligence Service* (attached to the Ministry of Foreign Affairs);

- *Counterintelligence Directorate and the Intelligence Directorate of the Army* (the Ministry of National Defense); an intelligence structure within the General Directorate of the Penitentiaries (the Ministry of Justice);

- *Special Telecommunications Service,* which claims to be a military body, although it is not subordinated to the Defense Ministry.[113]

The Guard and Protection Service (SPP), established on May 7th, 1990 as the Special Guard and Protocol Unit, is a new version of the former Directorate V of the Department of the State Security, but is a different entity that inherited neither the structures, nor the equipment of the Old Security Department. The main task of the service is to ensure anti-terrorist protection for Romanian dignitaries and their foreign

guests, and to guard their headquarters and residences. The SPP is an autonomous, military-administrative authority controlled by the parliament and coordinated by the Supreme Council for the Defense of the Country (CSAT).[114]

The Foreign Intelligence Service (SIE) is the first new secret service to be built on the ruins of the old regime. It was set up on 18 January 1990, and its personnel and leadership have also known various transformations.[115]

The Special Telecommunication Service, set up in June 1993, is officially defined as a "central body specializing in the field of special telecommunications." Its "organization, functioning and main prerogatives are set out by the Supreme Council for the Defense of the Country." The position of a STS director is equivalent to that of a secretary of state.

The Operative Surveillance and Intelligence Directorate appears to focus on specific police-related tasks, and especially on combating organized crime, including cross-border criminality.

c. Oversight

The SRI Establishment Act (Decree no. 181, March 26, 1990) provides that the Romanian Intelligence Service will be responsible for its activity before the Parliament, and its Director will present periodic reports containing the conclusions resulting from its specific activities.

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[113] Taken from: [http://www.fas.org/irp/world/romania/g43.html]

[114] Taken from: [http://www.fas.org/irp/world/romania/spp.htm]

For exercising the Parliamentary control over the activities of the Romanian Intelligence Service, according to Decision no. 30 from 1993 of the Romanian Parliament (published in the Monitorul Oficial no. 183, June 1993), a Permanent Joint Parliamentary Commission of the Senate and the Deputies Chamber was established. The Commission has nine members, two are senators and seven are deputies. According to this Decision, the members (no members of other commissions) are elected in a Common Session of the two Chambers, by a vote of the majority of senators and deputies.

The Commission is elected for the period of the Parliamentary Mandate. In fulfilling its duties, the commission may request from the Romanian Intelligence Service reports, intelligence, written explanations, and it can interview individuals in connection with the analyzed problems. The principal activities of the Commission are:

- It is authorized to verify whether during the fulfillment of its duties the Romanian Intelligence Service observes the provision of the Constitution and of other laws;

- It examines the cases where law infringement appears;

- It analyzes and verifies citizens who claim that their rights and liberties have been violated, by the means or methods used by the SRI;

- It verifies how the SRI budgetary funds are used.

Besides the control of the Parliamentary Commission, the Romanian Intelligence Service presents yearly or whenever the Parliament requires, reports about the way it fulfills its functions. The Commission presents to the Parliament an annual report regarding its control activities and its conclusions. The Commission Report will be

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[115] Taken from: [http://www.fas.org/irp/world/romania/sie.htm]

presented to the Parliament at the same time as the report of the Romanian Intelligence Service.[116]

In sum, the Romanian revolution is a case of an unfinished revolution. The leader has gone, but his people remain. The leader has gone, but the world he has created, or at least many of its structures, institutions, and customs, lives on, quite often to the astonishment and disillusionment of those who, fought against it had counted on a rapid and final victory.

In a 1993 poll, twenty-seven per cent of Romanian responders when asked what sort of government they would like, expressed a preference for 'an authoritarian, iron-fisted leadership.' Later in the same year, a different poll found that 58.8 percent of responders had no confidence in the ability of the government to solve outstanding national problems, while 66.8 per cent felt that a government reshuffle would make no difference. To make matters worse, thirty-nine per cent of responders in a further 1993 poll doubted the ability of the reformist opposition to rescue the country, fifty per cent of responders had no confidence in any party, and sixty per cent were disenchanted with the performance of both parliament and government.[117]

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[116] Taken from: [http://www.fas.org/irp/worl/romania/interior.htm]

[117] Tom Gallagher. *Romania After Ceausescu: The Politics of Intolerance.* Edinburgh University Press 1995. P. 137.

C.   EL SALVADOR

Before 1984 it was unthinkable to talk about negotiation with the Salvadoran guerrillas. The armed forces were convinced that they could control the situation by repression. Negotiation by that time would have meant showing weakness and legitimizing the insurgents. Before 1984 it was easy to the military to sustain the war effort, for the military controlled the national resources and the government. The military initially had no intention to compromise the military power, but to arrange the FMLN demobilization. At the same time the hard-liners within the FMLN demanded the armed forces capitulation and a substantial share of power.

In 1992, after thirteen years of war, the Salvadoran Government and the guerrilla's front, Farabundo Marti para la Liberacion Nacional (FMLN), signed the Peace Agreements in Mexico. This agreement was a watershed event in achieving control over the military by the elected civilian government, placing the country on the road to a consolidated democracy.

The most important achievement of the Peace Agreement was the recognition of the need for social, political, and military changes that had to be carried out in El Salvador in order to move the country out of the civil war. And the most important lesson was that the process of pacification is not dependent solely on the good will of the guerrillas or on the offensive military operations. It is a national responsibility in which labor unions, traditional parties, and the rightists groups have to accept that the negotiation process implies mutual concessions.

In short, the peace agreements were approached through four main topics: 1) the role of the armed forces; 2) the creation and strengthening of democratic institutions; 3) the economic and social matters; and, 4) the end of the FMLN military structure and legal reentry of its members into civil, political, and institutional life.

With the end of the war, a long period of national reconstruction began. The FMLN demobilized its military force and became a legal political party. The old repressive state security structures were dissolved and a new National Civilian Police (PNC) was created. The armed forces learned that they can participate in the building or strengthening of a democratic system, by keeping four essential attitudes: first, to avoid interfering in the political process. Second, to modernize their organization to meet the new military threats. Third, not to allow any member to act above the law, which they are supposed to defend and fourth, to use their intelligence service to serve both the security of the nation and a respect for human rights.

The civilian government, under Cristiani's administration, assessed the intelligence organization and created a new State Intelligence Agency (Organismo de Inteligencia de Estado, OIE) on April 28, 1992. The OIE was created as an advisory organism of the president of the republic in political, economic, social and security issues.[118]

The Reglamento del Organismo de Inteligencia del Estado (OIE) establishes the structure, missions and responsibilities of this organism. The way the *Reglamento* is

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[118] Executive Decree. Reglamento del Organismo de Inteligencia del Estado, OIE. Ministerio de la Presidencia, Corte Suprema de Justicia, Junio 29, 1992.

written lacks of clarity and allows one to use it according to his or her conveniences and interests. It also gives too much authority to the president and it lacks of specific laws of Judicial or Legislative control and oversight.

By June15, 1992, the dissolution of the DNI (Departamento Nacional de Inteligencia) was carried out. The OIE conducted an evaluation of the personnel working at the former DNI, and offered employment to those interested. The majority of the personnel who passed the selection process accepted the offer and started working for the OIE. However, not all the files collected by the DNI during the war were transferred to the new intelligence agency. As Philip J. Williams and Knut Walter noted, "The military refusal to turn over these files raised doubts about its sincerity in removing itself from the intelligence functions."[119]

The final consideration in this aspect is that the only school for intelligence training is under military control and all personnel, civilians and military who are interested in intelligence must attend this school.[120]

In this process of achieving control over the military, the Salvadoran military completed the transition of relinquishing the control over the strategic intelligence agencies. However, the military retained the capability to perform strategic intelligence gathering without civilian supervision. Therefore the civilian control over this issue has not been completed yet. It still remains a wicked problem.

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[119] Philip J. Williams and Walter Knut, *Militarization and Demilitarization in El Salvador's Transition to Democracy,* (Pennsylvania: University of Pittsburgh Press, 1997). P. 162.

1. Still a Wicked Problem

Clearly among the principal four topics of the peace agreements: 1) the role of the armed forces; 2) the creation and strengthening of democratic institutions; 3) the economic and social matters; and, 4) the end of the FMLN military structure and legal reentry of its members into civil, political, and institutional life, the role of the armed forces has been the most complicated issue related to the peace accords.

The intelligence issues have remained almost as in the past, which is a problem that needs an immediately resolution. This is a wicked problem for several reasons. First, historically, the *coups d'etat* against authoritarian regimes have been led by the military. Therefore the military services perceive themselves as the leaders of the democratic movement rather than the followers, and are reluctant to surrender this position. Regarding intelligence issues they know they are the only ones knowledgeable in these matters.

The military services also feel that receiving orders directly from civilians is not right because the civilians do not know or understand military objectives. From my point of view, "Civilians don't even know what intelligence is about." A civilian elite knowledgeable in military issues and capable of exercising effective oversight doesn't exist. Therefore, despite the fact that according to the national Constitution the president is the Commander-in-Chief of the Salvadoran military, the top military officer, or the minister of defense is actually in charge of the military and is still a military person.

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[120] *The National School of Intelligence (Escuela Nacional de Inteligencia, ESNACIN)* is currently under the C-II of the General Staff of the Salvadoran Armed Forces. The school offers basic and advanced intelligence courses at level II and level III for civilians and international students.

Another problem that makes the military issue so complicated is the fact that the Salvadoran legislature has not historically been involved in defense matters. The military actions have always been controlled directly by the military without any civilian supervision. Until the end of the world in 1992, the OIE was created and for the first time, the military is now dependent on the budget approved by the Legislative Assembly.

To summarize, civilians must exercise oversight over the military, but achieving military subordination to civilian authority is difficult due to the absence of civilian leadership that is knowledgeable about defense matters.

In El Salvador, just recently with the creation of the *Colegio de Altos Estudios Estrategicos* (High Strategic Studies), some civilians have started receiving education in national defense and military related matters. This will be helpful, but naturally it will take some time before these graduates acquire some experience and start filling the vacancies in governmental and ministerial positions.

To change the Salvadoran's Intelligence System is still a wicked problem, but El Salvador has a strong civil society, which will not allow anybody to commit the abuses of the past again.

D.   COMPARATIVE ANALYSIS

There are many dimensions in which the changes in Argentina and Romania can be compared. However, we need to keep in mind that we are looking for relevant criteria to explain the different attitudes toward the changing process.

Broadly speaking, and as shown in Table 2, there are three relevant differences between them:

Table 2
INTELLIGENCE UNDER DEMOCRATIC REGIME

	STRATEGY	BEHAVIORALLY	ATTITUDINALLY	CONSTITUTIONALLY		
				MANDATE	STRUCTURE	OVERIGHT
ARGENTINA	Collaborative	Democratic Behavior Legitimacy Transparency	On the Way to Strong Society	Constitutional	Both under Civilian Control	Parliament, Judicial Branch
ROMANIA	Authoritative (Presidential Decree)	Fragile Democratic Behavior	Weak Society Lack of Confidence	Constitutional	Under Former Officers (constant reminder of the past, threat to democracy)	Parliament, Weak Judicial Control

First, behaviorally Argentina, through the use of a collaborative strategy and everybody's participation, is on the road to establishing legitimacy and transparency. On the other hand, with the imposition of former intelligence officers, Romania's government still exhibits a fragile democratic behavior.

Second, attitudinally, Argentina has improved a stronger civil society, Romania, on the other hand, still has a weak society characterized by its citizens' lack of confidence in its government.

And third, constitutionally, both nations have reached civilian control through the parliament. Argentina has implemented a judicial control based on the Canadian model; Romania still has a weak judicial control. The main difference under this dimension is that Argentina has appointed civilians to oversight and control intelligence, and Romania, has appointed former intelligence officers, reminding the Romanian society of the past, which in itself looms as a threat to its democratic consolidation.

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In Chapter III we examined several methods to evaluate the possible strategies used to solve wicked problems. Some of these methods included ousting the old leadership, generating social capital, changing network structures, altering attitudes and behavior, and establishing new laws. The following lists the questions presented in Chapter III to evaluate the two strategies:

- Did the outcome satisfy the real issue in dispute?

- Did the stakeholders feel they affected the decision?

- Do the governments have legitimacy?

- Have the civil societies become stronger with confidence in their governments?

- Have the changes improved the shifts in power distribution?

- Have the changes improved the creation of shared meanings?

- Have the new roles reached the balance between the security of the state, intelligence activities and individual liberties?

The next Chapter concludes that using a collaborative strategy instead of an authoritative strategy is the best approach.

VI. COMPARATIVE ANALYSIS/CONCLUSIONS

A.   MATRIX OF COMPARISON

The following matrix of comparison shows the characteristics of intelligence systems under authoritarian and democratic regimes. The comparison allows one to establish some conclusions and recommendations, which are useful to design the new role and structure of intelligence systems for emerging democracies.

Table 3. Intelligence under Authoritarian and Democratic Regimes

INTELLIGENCE UNDER AUTHORITARIAN REGIME					
	STRATEGY	BEHAVIORALLY	ATTITUDINALLY	CONSTITUTIONALLY		
				MANDATE	STRUCTURE	OVERIGHT
ARGENTINA	Authoritative	Repression Coercion Violations of Human Rights	Weak Society Fear & Terror	Imposition of Law (to satisfy elite's interests)	Under the Head of the State	Lack of Accountability & Transparency
ROMANIA	Authoritative	Repression Coercion Isolation Violations of Human Rights	Weak Society Fear & Terror	Imposition of Law (to satisfy elite's interests)	Under the Head of the State	Lack of Accountability & Transparency
EL SALVADOR	Authoritative	Repression Coercion Violations of Human Rights	Strong Society Fear & Terror	Imposition of Law (to satisfy elite's interests)	Under the Head of the State	Lack of Accountability & Transparency

INTELLIGENCE UNDER DEMOCRATIC REGIME					
	STRATEGY	BEHAVIORALLY	ATTITUDINALLY	CONSTITUTIONALLY		
				MANDATE	STRUCTURE	OVERIGHT
ARGENTINA	Collaborative Authoritative	Democratic Behavior Legitimacy Transparency	On the Way to a Strong Society	Constitutional	Both under Civilian Control	Parliament, Judicial Branch
ROMANIA	Authoritative (Presidential Decree)	Fragile Democratic Behavior	Weak Society Lack of Confidence	Constitutional	Under Former Officers (constant reminder of the past, threat to democracy)	Parliament, Weak Judicial Control

El Salvador's intelligence system cannot be incorporated within the matrix because it still hasn't totally changed from an authoritarian intelligence system to a democratic intelligence system. No strategy to change has been applied yet. It still remains a wicked problem lacking a clear legal mandate, structure and oversight.

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B.   CONCLUSIONS

Even if countries adopt a more restrained policy toward protecting the nation and its people, security threats will inevitably emerge from time to time. In a dangerous, turbulent, and unpredictable world, the intelligence agencies will be the first line of protection, and their effectiveness will largely determine how many nations live or die.

The use of a collaborative strategy to create a new role of security intelligence and to design the model seems to be the most appropriate one. Most of the problems that Romania still faces are due to the use of authoritative strategies, for example, the appointee of the former intelligence officers in the new democratic institutions. However, the use of an authoritative strategy for executing functions and the fulfilling of the new role is undoubtedly the most appropriate. Of course, this would only be true if the stakeholders embraced the principles of democracy. These principles include accountability, rule of law, respect of human and civil rights, and protection of the state.

To make intelligence agencies more effective and democratic, two obstacles must be overcome. First, the intelligence agencies should focus on genuine threats to national security, such as terrorism, and not political interests. Second, politically, the president and his advisors should view the intelligence agencies as institutions that are most valuable when they question the premises of existing policy. That is, admittedly, difficult but history demonstrates the consequences of refusing to believe intelligence that contradicts the views of the political leadership.

Behaviorally and constitutionally the civilian leaderships must seek to control the intelligence apparatus in such a way that the undemocratic practices can be reduced to a

minimum without diminishing the efficiency of the intelligence agencies. Only under a scope of a clear legal framework, can intelligence be controlled democratically.

To be clear and efficient, the democratic legal framework must be able to rule at least three areas where the intelligence has to be controlled. First, it must determine what function to implement clandestine, collection and analysis and must estimate covert actions, and/or counterintelligence. Second, the legal framework must be able to balance between the civilian and military organizations, both in terms of production (collection and analysis) and consumption. Third, the legal framework must address the relationship between intelligence and policy. This also involves the issue of coordinating the intelligence organizations and Congress.

Congress in turn should relate to the intelligence community essentially in three ways: by annually providing funds for intelligence, by performing oversight of intelligence, and by receiving and using intelligence.

In determining the degree and quality of civilian control, one must distinguish between military participation in government and the military actually generating policy. Additionally a high degree of military independence in executing the policies can eventually degrade the power of civilian authorities as "mission creep," which can in turn, be used as an excuse to distort the original plans that were ordered.

There are some prerogatives in intelligence that must be denied to the military to achieve civilian control over the military and therefore, complete the transition to a true democracy. First, the civilian Minister of Defense should have more control over the intelligence system. That office should have jurisdiction over the policies related to

intelligence activities. That office should also act as a presidential advisor for national security using intelligence as one of its main tools.

Behaviorally, civilians should be informed of intelligence issues. Civilians also need to improve society, seeking a society capable of repelling any threats to its human and civil rights.

In sum, the new democratic intelligence systems must focus on their main mission, safeguarding the security of their people. Their main role, must be reaching a proper balance among the three main elements: the security of the nation, the intelligence activities, and individual liberties.

C.   TO WHAT DEGREE SHOULD SECRECY BE APPLIED?

This question involves three points. First, to be sure, secrecy in intelligence is still required, but it should be refocused. As with all strategies, the use of secrecy has advantages, such as the reduction of the stakeholders; and disadvantages, such as the lack of citizens' confidence in their government.

Second, new democratic governments may at times insulate themselves from public opinion and prepare some plans in secret because they are still unconsolidated democracies and some degree of secrecy, as in consolidated democracies, is required.

Third, using this tactic correctly doesn't weaken democracies. Its use should be circumscribed by the need to build a safer world, based on law and cooperation and should be integrated to the needs of an open and dynamic foreign policy. An appropriate

balance must be struck between openness and secrecy in matters of political, social, and economic reforms.

Thus, being unconsolidated or new democracies in which institutions are new and legitimacy has yet to be achieved, some risks must be taken and secrecy becomes a necessity to perform some reforms. As one economist pointed out, "We could not subject economic policies to great debates because this would have weakened our ability for implementation."[121]

In regard to the advantages, secrecy could be considered an authoritative strategy; however, if it is well used, it has advantages in coping with political and economic problems. Reducing the number of stakeholders decreases the complexity of the problem solving process. If a large number of people are involved, it is hard to get anything done. Problem solving can be quicker and less contentious with fewer people involved. It is on this basis that citizens elect representatives to govern their country rather than resort to a direct democracy, and they keep some residual command and control structures in organizations even when they are flattening hierarchies.

Reliance on experts can also make problem solving more professional and objective, especially when specialization provides them with knowledge and sophisticated problem solving tools that laymen do not posses.

Taking time to update non-experts who do not understand the finer points of complex issues and who are not familiar with expert procedures wastes valuable time and

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[121] Catherine Conahan. *"Capitalists, Technocrats, and Politicians: Economic Policy Making and Democracy in the Central Andes,"* in Mainwaring et al Eds. Issues in Democratic Consolidation, University of Notre Dame Press, 1992. P. 219.

resources. Sometimes it is more important for authorities to get on with the work because they have the knowledge and skills to deal with; that is why they were given the jobs in the first place.

Secrecy as an authoritative strategy to cope with political problems also has its disadvantages. Among these disadvantages, first and foremost, authorities and experts can be wrong, about the problem and about the solution. If problem solving is left to experts, especially in a democratic society, then citizens can become further distanced from the important issues of their time.

A democracy rests on an informed citizenry, and it is not clear how authoritative strategies keep them informed and engaged in the governing process. Overusing secrecy can destroy transparency, one of the principles of democracy. Governments can lose legitimacy and can lose their international support and investments.

Finally, the correct use of secrecy does not weaken a democracy. Its adequate use can end in a win-win solution for everybody. For example, if secret economic reforms are successful, people will feel comfortable with these reforms and democracy prospers.

Economy and politics run together, if a population is economically satisfied, and its civil rights are respected by the rule of law, democracy is going to survive and everybody will benefit from social and economic progress.

Przeworski, in his book *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America,* argues that in the face of political reactions, governments are likely to vacillate between the technocratic political style inherent in market-oriented reforms and the participatory style requires maintaining

consensus.[122] They abandon or postpone some reforms, only to try them again later. The vacillations of financially bankrupt governments become political destabilizing.

In Przeworski's analysis about the political implications of implementing these reforms, he states, "To be consolidated, democratic institutions must at the same time protect all major interests and generate economic reforms."[123] He also argues that the durability of the new democracies will depend not only on their institutional structure and the ideology of the major political forces, but to a large extend on their economic performance. Similarly, both democratic consolidation and progress rest on a common foundation: the reinforcement of stabilizing expectations. If to perform these reforms secrecy is required, governments must act under the principles of the rule of law and of accountability.

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[122] Adam Przeworski. *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America.* Cambridge University Press, United Kingdom, 1991, xii.

[123] Ibid., p.188

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VII. THE NEW ROLE AND STRUCTURE OF INTELLIGENCE IN A NEW DEMOCRACY: EL SALVADOR

Undoubtedly, the role of intelligence in a democratic society is too important to be left without any discussion. In this sense a relevant topic is the prevention of abuses which can emerge as consequences of a lack of a tight control on intelligence activities, or of politicization.

A primary goal of the actual government should be to confine the intelligence system within the frame of democratic principles. Three aspects should be undertaken in the field of intelligence. One establishing civilian control over the area. Two, establishing a clear legal mandate and structure. Three, establishing Legislative control and oversight. Four, establishing the delimitation of the fields of actions, and five, establishing judicial control to ensure the fulfillment of law and respect of human rights.

A.   STRATEGY TO BE USED TO CHANGE THE AIS TO A DIS

In order to create a model for non-consolidated democracies, it is important to start by building a new culture for the nation's institutions. To do this, the national interests must be placed before special interest groups. Legality must control the political function, the abuse of power, and the violations of human rights. A collaborative strategy should be used to create the new role, mandate, oversight, and the functions of the intelligence services.

Even though this thesis has suggested the use of a collaborative strategy to create a new role for emerging democracies, this work sets the basis for a democracy designed with the collaboration of all the stakeholders. The following suggestions are based on the analysis of the intelligence systems from Argentina and Romania under their authoritarian and democratic regimes and on El Salvador after its authoritarian rule.

B.   BEHAVIORALLY

The Intelligence Service must be dedicated to the protection of El Salvador's national security interest and the safety of the Salvadorans. Its fundamental goal should be an outstanding national intelligence organization dedicated to serving the people of El Salvador through its government with effectiveness and integrity.

Transparency, accountability, rule of law and respect of human as well as civil rights must be the basis for all intelligence activities in order to safeguard the fragile democratic values and institutions recently created.

This vision will only be achieved by employees who will be guided by the principles of excellence, integrity, and respect for the rights of all. Each main task will be to produce "good intelligence" which should have at least four qualities. First, the intelligence must be timely, getting the information to the policy-makers is more important than waiting for every last shred to arrive. Second, tailored, good intelligence focuses on the specific information needs of the policy-makers, to whatever depth and breadth is required, but without extraneous material. This must be done in such a way that it does not lose objectivity or politicize the intelligence. Third, digestible, good intelligence has to be in a form and of a length that will allow policy-makers to grasp

what they need to know as easily as possible. And fourth, it must be clear regarding the known and the unknown. Good intelligence must convince the reader of what is known, of what is unknown, and of what has been added by analysis. The degree in confidence of all of the material is also important.[124]

C.   ATTITUDINALLY

To develop and to fortify confidence in El Salvador, political and civil society must face together all the threats to the national security. Everybody's welfare should be a result of commonly shared values, freedom, truth and justice, respect for the law and human rights to benefit posterity.

D.   CONSTITUTIONALLY

In democracies, intelligence systems tend to be a shared responsibility of the executive, legislative, and judicial powers. Based on this principle, the following suggests that democratic laws and procedures can fortify the Salvadoran civil and political society toward consolidating its democracy.

1. Mandate

The Salvadoran legislation must establish a clear mandate for this service. In meeting its mandated commitments the primary mandate of El Salvador Intelligence Service, known as Organismo de Inteligencia de Estado (OIE), must be to collect and

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[124] Mark M. Lowenthal. *Intelligence: From Secrets to Policy.* CQ Press, a division of Congressional Quarterly Inc., Washington, D.C. 1999. P. 94.

analyze information and subsequently to provide reports, in the form of security intelligence, to the government.

The OIE must produce intelligence in order to provide advance warnings to government departments and agencies about activities, which may reasonably be suspected of constituting threats to El Salvador's security. Other government departments and agencies, not the OIE, must have the responsibility to take direct action to counter the security threats.

As established in the Canadian Security Intelligence Service Act,[125] the OIE must not have law enforcement powers. All law enforcement functions should be the responsibility of police authorities. The splitting of functions, combined with comprehensive legislated review mechanisms, will ensure that the OIE remains under the close control of the government.

The Salvadorian way of life is founded upon recognizing the rights and freedoms of the individual. The OIE needs to carry out its role of protecting that style of life with respect to those values. To ensure this balanced approach, the OIE Law should strictly limit the type of activity that may be investigated, the ways the information can be collected and who may view the information.

2. Structure

One of the primary values of intelligence gathering is the timely delivery of perishable information to policy-makers in government. The seven phases of the process that produces these results is known as the "security intelligence cycle," and they are

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[125] Taken from: [http://www.csis-scrs.gc.ca/end/backgrnd/back2e.html]

described in Chapter II, Process of Intelligence. All of these phases are of equal importance, but analysis is considered the mainstay of the process, providing civil and military policy makers with information directly related to the issue they face and the decisions they have to make.

Intelligence can be divided into two main categories, External and Internal Intelligence. Both must be under the control of the Organismo de Inteligencia de Estado (OIE), which is controlled by the president of the republic under the oversight of the Legislative and Judicial branches.

To be effective, efficient, and democratic in every sense, the OIE should create three intelligence organisms: Interior Security Intelligence (ISI), Exterior Security Intelligence (ESI), which corresponds to the Internal Intelligence, and the Strategic or Military Intelligence (SMI), which corresponds to the current External Intelligence. These three agencies should be dedicated to these principles: ISI, intelligence to protect the Constitution of the Republic and Democracy. ESI, to gather information to political and economic information important to the nation's external policy from foreign states. SMI, to produce intelligence for the defense of the nation against external threats, maintaining the sovereignty and integrity of the territory.

More specifically, the internal, known as domestic intelligence (the ISI and the ESI) must be the responsibility of the different ministries that constitute the executive branch. These intelligence agencies must always be under the control of the OIE and the president of the republic. Furthermore, the internal intelligence law should establish this

service domestically fulfilling a uniquely defensive role of investigating threats to El Salvador's national security.

According to the executive's structure, the Salvadoran Intelligence System can be sub-divided into three main branches: internal, economic, and external or foreign affair issues. Each branch can be integrated as follows:[126]

- **Internal Issues:**

  Ministry of Interior

  Ministry of Education

  Ministry of Justice

  Ministry of Health

  Ministry of Labor

  Ministry of Public Security

- **Economic Issues:**

  Ministry of Economy

  Ministry of Treasury

  Ministry of Agriculture

- **External or Foreign Issues:**

  Ministry for Foreign Affairs

  Diplomatic Body (oversea)

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[126] Richard A. Haggerty. *El Salvador: A Country Study*. Library of the Congress Cataloging-in-Publication Data, 1990. P. 154.

The strategic or military intelligence must be the responsibility of the military, under the control of a civil Minister of Defense. It also must have some other divisions, such as Army Intelligence, Air Force Intelligence and Navy Intelligence.

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    ┌────────────────────┐
┌ ─ ─ ─ ─│    LEGISLATIVE     │
│        │    ASSEMBLY        │              ┌──────────────┐
│        └────────────────────┘              │  NATIONAL    │
┌───────────┐                                │  SECURITY    │
│  SUPREME  │                                │  COUNCIL     │
│  COURT    │        ┌──────────────┐        └──────────────┘
└───────────┘   ┌ ─ ─│  PRESIDENT   │
                     └──────────────┘
            ┌────────────────────────┐
            │   STATE INTELLIGENCE   │
            │   ORGANISM (O.I.E.)    │
            └────────────────────────┘
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| INTERNAL SECURITY INTELLIGENCE (ISI) | EXTERNAL SECURITY INTELLIGENCE (ESI) | STRATEGIC MILITARY INTELLIGENCE (SMI) |

- Ministry of Interior
- Ministry of Education
- Ministry of Health
- Ministry of Justice
- Ministry of Labor
- Ministry of Public Security
- Ministry of Agriculture
- Ministry of Economy
- Ministry of Treasury

- Ministry for Foreign Affairs
  - Diplomatic Body

- Ministry of Defense
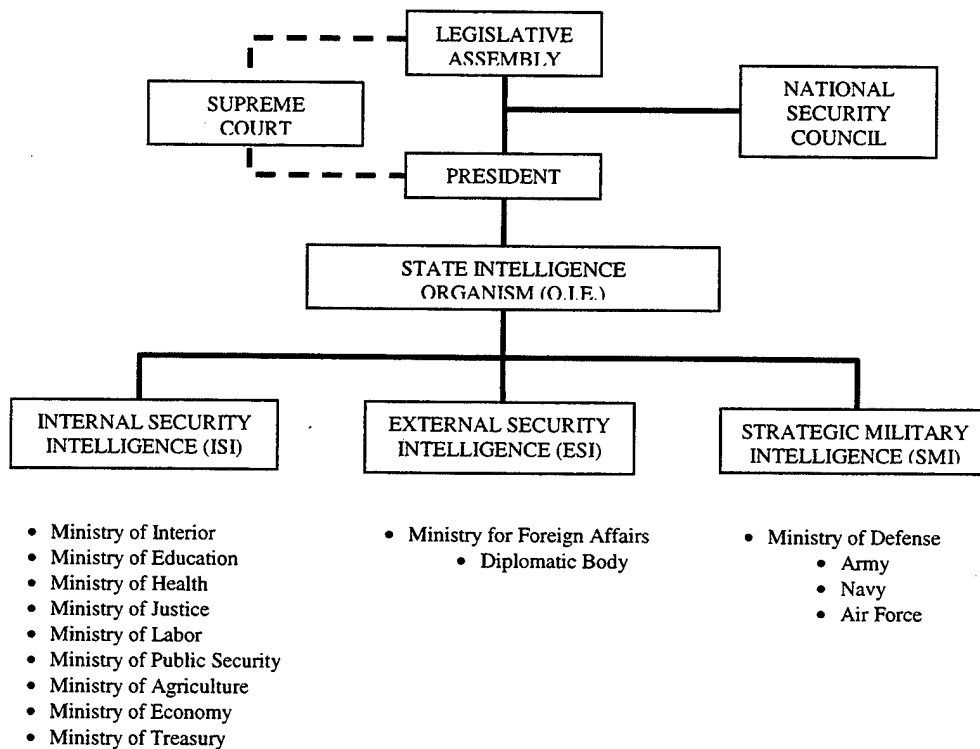 - Army
  - Navy
  - Air Force

Figure 5. Proposal for El Salvador's Security Intelligence
(Accountability and Review)

3. Oversight

In El Salvador, the oversight of intelligence has always been and is still a critical problem. According to the present Vice-President of the Republic, Dr. Carlos Quintanilla Schmidt, in an interview on January 4, 2001, El Salvador still doesn't have clear legislation for the oversight and control of intelligence activities. He also recognized the necessity of new laws to regulate these activities.

On the other hand, General Fausto Segovia Batres, a member of the Military Joint Staff, during an interview on January 3, 2001, explained the ways of controlling the military still have to oversight intelligence. And it still lacks congressional oversight and control.

In democracies, oversight tends to be a shared responsibility of the executive, legislative, and judicial branches. The oversight issues are somewhat generic: budget, responsiveness to policy needs, control of operations, propriety of activities.

The Salvadoran legislation must establish a clear mandate for this service, and for the first time, legislate a framework of democratic control and accountability for a civilian security intelligence service. This system must be composed of a series of interlocking parts that ensures open and accountable security intelligence service.

El Salvador, having a presidential system with the three main branches, executive, legislative, and judicial, should construct a system of checks and balances. Within this frame, each branch will have the responsibility to oversight the others. In the case of intelligence, the oversight can be performed as follows:

- *The Executive Branch* focuses its oversight on issues related to espionage and covert actions. The president as the head of the state can ratify any act, should be the only leader who can authorize covert action.

- *The Judicial Branch* focuses its oversight on the strict fulfillment of the laws established in the Constitution of the Republic. Its principal function is to prevent the abuses of civil and human rights and not to allow impunity for the guilty.

- *The Legislative Branch*, represented by the Legislative Assembly, must have the principal tools to oversight, such as budget for the intelligence services, the requesting of information and reports, the moment the intelligence commissions require such information. Regarding these measures, the following aspects are essential:

1) *Budget:* Control over the budget should comprise two activities, authorization and appropriation. Authorization will consist of approving specific programs and activities that will be funded. Appropriation will consist of allocating specific dollars amounts to authorized programs, which should make the following quote not only amusing but also true: "Authorizers think they are gods, appropriators know they are gods."[127]

2) *Hearings:* These should also be essential to the oversight process, as a means of requesting information from responsible officials and of hearing alternative views from outside experts. Hearings could be open to the public or closed, depending on the subject under discussion.

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[127] Mark M. Lowenthal. *Intelligence: From Secrets to Policy.* CQ Press, a division of Congressional Quarterly Inc., Washington, D.C. 1999. Pp. 136-141.

3) *Nominations*: The power to confirm or reject nominations is an extremely political power, which should reside in the Assembly.

4) *Treaties*: Advising and consenting to an act of treaty ratification should also be a power of the Assembly. Nominations should require a majority vote of the deputies; treaties should also require at least a two-third vote of those present in the assembly.

5) *Reporting Requirements*: Another essential duty of an assembly in a democracy is that each branch of the government has the legal right to request information that pertains to their functions. The executive tends to forward information that is supportive of its policies; the legislative tends to seek fuller information so as to make decisions on more than just the views that the executive volunteers. One of the ways in which the Assembly could institutionalize a broad access to information is by levying reporting requirements on the executive branch. The Legislative Assembly must mandate the executive report on a regular basis (often annually) on specific issues, such as human rights practices. The judicial branch may request information that assists it in obtaining evidence for a case.

6) *Investigations and Reports*: The intelligence committees must report publicly on issues that have come before them. These reports may be brief because of security concerns, but they will help to assure the rest of the Assembly and the public that effective oversight is being conducted, and they can create policy documents that the executive must consider.

7) *Hostages*: If the legislative cannot reach an agreement from the executive branch on some issue, the legislative can attempt to force the executive branch to agree. One way is to withholding actions (commonly termed: "taking hostages") on issues that are important to the executive until the desired action is taken.

8) *Prior Notice and Covert Actions*: In new democracies, one of the Assembly's main concerns is that it receives prior notice of presidential actions. Most members understand that "prior notice" is not the same as "prior congressional approval," which is required for very few executive decisions. As is the case of the United States, one of the areas where prior notice has been fought is covert action. As a rule, Congress receives advance notice of a covert action in a process that has been largely institutionalized, but successive administrations have refused to make prior notice a legal requirement.

The oversight system is, of necessity, adversarial but not necessarily hostile. Any system that divides power is bound to have debates and friction, but they do not have to be played out antagonistically. When antagonism rises, it is more often the effect of personalities, issues, and partisanship rather than the oversight system itself.

E.   FINAL RECOMMENDATIONS

Intelligence is not without its ethical and moral dilemmas, which can be excruciating. That these intelligence dilemmas exist also means that policy-makers have choices to make that can have ethical and moral dimensions.

Intelligence, perhaps more than any other government activity, must operate on the edge of acceptable morality, occasionally dealing in techniques that would not be

acceptable elsewhere in government or private life. For most citizens, the trade-off between ethics and increased security is acceptable, provided that the intelligence community operates with rules, oversight, and accountability.

In this sense, the following recommendations must be taken into account to have democratic and efficient intelligence services:

1) *A robust system of independent oversight:* Without a robust system of independent oversight, the intelligence system is wide open to abuse. In most of the cases the security services are unable to resist the temptation to indulge activities that have no place in a democracy.

2) *Legislative will:* The final and the biggest problem of the Legislative oversight of the intelligence community is the will to do it. The mechanism to do it must be in place. The Assembly must have the power to make the mechanism work. Members of the intelligence committees should regard themselves as agents of the Legislative and, indeed, of the Salvadoran people to ensure that what the intelligence community does in secret is in accord with what the government says in public. The people, perforce, have to trust the committees.

3) *Judicial oversight:* According to the rule of law, government officials are subject to the same rules of law and conduct as are citizens. This should provide one of the main checks on the abuse of power by the state or, more precisely, the one means of guarding against the guardians.

3) *Analyst's training:* Analysis is the mainstay of the process of intelligence, providing civil and military policy makers with information directly related to the issues

they face and the decisions they have to make. Analysts must learn to cope with the information they get from the collectors and to write as succinctly as possible. Another important skill that analysts must learn is objectivity. Every intelligence analyst has three wishes: to know everything; to be believed; to influence policy for the good. But they main purpose must be to serve in defense of the state.

In sum, intelligence must be gathered by adhering to such democratic principles as transparency and a respect for human rights. A government must establish legal mandates and execute oversight at all levels. By following such standards, the abuses of human rights and financial abuse and even civil war can be avoided.

This ideal should stand as the expected role and structure of intelligence systems for emerging democracies. When this standard is accomplished, a proper balance between the security of the state, all intelligence activities, and a full respect for human rights will exist in harmony and mutual respect, as they should in a democracy.

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BIBLIOGRAPHY
BOOKS

Peter Gill. *Policing Politics: Security Intelligence and the Liberal Democratic State.* Bookcraft Ltd. Midsomer Norton, Great Britain, 1994.

Mark M. Lowenthal. *Intelligence: From Secrets to Policy.* CQ Press, Washington, D.C., 1999.

Douglas Porch. *French Intelligence Culture: A Historical and Political Prospective.* Intelligence and National Security. Frank Cass, London, 1995.

Craig Eisendrath. *National Insecurity. U. S. Intelligence after the Cold War.* Temple University Press, Philadelphia, 2000.

Michael Herman. *Intelligence Power in Peace and War.* Cambridge, 1996.

Pat M. Holt. *Secret Intelligence and Public Policy: A Dilemma of Democracy.* CQ Press, 1995.

Juan J. Linz and Alfred Stepan. *Problems of Democratic Transitions and Consolidations: Southern Europe, South America, and Post-Communist Europe.* The Johns Hopkins University Press, 1996.

Cynthia J. Arnson. *Comparative Peace Processes in Latin America.* Standford University Press, California, 1999.

Larry Diamond, Juan J. Linz, and Seymour Martin Lipset, Eds. *Democracy in Developing Countries: Latin America.* Boulder: Lynne Rienner, 1998, 1989, xvi.

Alfred Stepan. *Rethinking Military Politics: Brazil and the Southern Cone.* New Jersey: Princeton University Press, 1998-97.

Samuel P. Huntington. *The Soldier and the State. The Theory and Politics of Civil-Military Relations.* The Bbelknap Press of Harvard University Press, Cambridge, Massachusetts, London, England, 1998.

Paul Christopher Manuel and Anne Marie Cammisa. *Checks & Balances? How a Parliamentary System Could Change American Politics.* Westview Press, Boulder, Colorado, 1999.

E. Jeffrey Conklin and William Weil. *Wicked Problems: Naming the Pain in Organizations.* United States, 2000.

Grant T. Savage, Timothy W. Nix, Carlton J. Whitehead, and John D. Blair. *Strategies for Assessing and Managing Organizational Stakeholders.* Texas University, 2000.

Barbara Gray. *Collaborating: Finding Common Ground for Multiparty Problems.* Jossey-Bass Publisher, San Francisco, 1991.

Barbara Benedict Bunker and Billie T. Alban *Large Group Interventions: Engaging the Whole System for Rapid Change.* Jossey-Bass Publishers, San Francisco, 1997.

Catherine Conaghan, *Capitalists, Technocrats, and Politicians: Economic Policy Making and Democracy in the Central Andes,"* in Mainwaring et al, Eds. Issues in Democratic Consolidation, University of Notre Dame Press, 1992.

Adam Przeworski. *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America.* Cambridge University Press, United Kingdom, 1991.

ARGENTINA

Marguerite Feitlowitz. *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998.

Prudencio Garcia. *El Drama de la Autonomia Militar.* Alianza Editorial, Madrid, Spain, 1995.

Nora Tarnapolsky. *Murdering Memory in Argentina.* New York, 1994.

Monica Peralta Ramos and Carlos H. Waisman. *From Military Rule to Liberal Democracy in Argentina.* Westview Press, Inc. Colorado, 1987.

Eduardo E. Estevez. *Argentina's Intelligence after Ten Years of Democracy: The Challenge of Reform and Congressional Oversight.* Buenos Aires, Argentina, 1993.

Gerardo L. Munck. *Authoritarianism and Democratization: Soldiers and Workers in Argentina, 1976-1983.* The Pennsylvania State University, 1998.

Artemio L. Melo. *El Gobierno de Alfonsin. La instauracion democratica Argentina (1983-1989).* Homo Sapiens Ediciones, Argentina, 1995.

Jose Manuel Ugarte. *Seguridad Interior.* Fundacion Arturo Illia para la Democracia y la Paz, Argentina, 1990.

J. Patrice McSherry. *Incomplete Transition: Military Power and Democracy in Argentina.* St. Matin's Press, New York, 1997.

ROMANIA

Dennis Deletant. *Ceausescu and the Securitate: Coercion and Dissent in Romania, 1965-1989.* M. E. Sharpe, Inc. Armonk, New York, 1995.

David Yallop. *To the Ends of the Earth: The Hunt for the Jackal.* Cox & Wyman Ltd., Reading Berks, Great Britain, 1993-94.

Edward Behr. *Kiss the Hand You Cannot Bite: The Rise and Fall of the Ceausescus.* Villard Books, New York, 1991.

Robert Bishop and E. S. Crayfield. *Russia Astride the Balkans.* Robert M. Mc Bride Company, New York, 1948.

Stephen Fisher-Galati. *Twentieth Century Rumania.* Columbia University Press, New York, 1991.

Tom Gallagher. *Romania after Ceausescu: The Politics of Intolerance.* Edinburgh University Press, Great Britain, 1995.

Romania, use of Internet:

Ministry of Interior: Romanian Intelligence Agencies.

[http://www.fas.org/irp/world/romania/interior.htm]

Department of State Security

[http://www.fas.org/irp/world/romania/securitate.htm]

Department of External Information

[http://www.fas.org/irp/world/romania/die.htm]

Romanian Intelligence Service

[http://www.fas.org/irp/world/romania/sri.htm/]

Guardian Protection Service

[http://www.fas.org/irp/world/romania/spp.htm]

Foreign Intelligence Service

[http://www.fas.org/irp/world/romania/sie.htm]

Independent Operative Service

[http://www.fas.org/irp/world/romania/sio.htm]

CANADA

Canadian Security Intelligence Service

[http://www.csis-scrs.gc.ca/eng/backgrnd/struct.html]

EL SALVADOR

Tom Barry. *El Salvador: A Country Guide.* Inter-Hemispheric Education Resource Center, Mexico, 1991.

Salvador A. Girald Barraza. *On the Road to Democracy: Civil-Military Relations in El Salvador.* Naval Postgraduate School, Monterey California, 1998.

Equipo Maiz. *El Salvador, Imagines para No Olvidar.* Algier's Impresores, El Salvador, 1999.

Equipo de Educacion Maiz. *Historia de El Salvador.* Equipo de Educacion Maiz, El Salvador, 1995.

Louis R. Mortimer. *El Salvador: A Country Study.* Richard A. Haggerty, Federal Research Division, Library of Congress, 1988.

Philip J. Williams and Walter Knut. *Militarization and Demilitarization in El Salvador's Transition to Democracy.* University of Pittsburg Press, Pennsylvania, 1997.

Estado Mayor Conjunto de la Fuerza Armada, *La Fuerza Armada y los Acuerdos de Paz,* San Salvador, Imprenta de la Fuerza Armada, 1993.

Tulchin, Joseph S. and Gary Bland. *Is There a Transition in El Salvador?* Boulder & London, Lynne Publisher, 1992.

Mario Salazar Valiente. *"El Salvador Crisis, Dictadura, lucha...(1920-1980)"* in *America Latina: Historia de Medio Siglo,* Buenos Aires, Siglo Veintiuno Editores S. A. 1981.

NEWSPAPERS, ARTICLES, AND DOCUMENTS

Snider Britt. *"Sharing Secrets with Lawmakers: Congress as a User of Intelligence."* CSI 97-10001, February 1997.

Stanley Kober. *"Policy Analysis: Why Spy? The Uses and Misuses of Intelligence."* Cato Policy Analysis No. 265, December 1996.

Thomas C. Bruneau. *"Intelligence in New Democracies: The Challenge of Civilian Control."* The Center for Civil-Military Relations, Naval Postgraduate School, July 1999.

Eduardo E. Estevez. *"Modelos de Inteligencia, Estructuras y su Aplicacion en Policias en Proceso de Reforma."* Document presented during the Seminar in Police Intelligence, Instituto de Ensenanza para el Desarrollo Sostenible (IEPADES), Guatemala, July 1999.

Eduardo E. Estevez. *"Argentina's Intelligence after Ten Years of Democracy: The Challenge of Reform and Congressional Oversight."* Buenos Aires, Argentina, December 1993.

Nancy Roberts. *"Coping with Wicked Problems."* Naval Postgraduate School, Monterey, California, 2000.

Videla's speech, copy from La Prensa, March 27, 1976 by Marguerite Feitlowitz in her book: *A Lexicon of Terror: Argentina and the Legacies of Torture.* Oxford University Press 1998.

La Nacion, Argentina, March 29, 1976.

Viola made this statement on May 29, 1979. In Abos, El Poder Carnivoro, 31.

"Se abatio en Buenos Aires a 12 Terroristas." La Prensa, Argentina, January 6, 1977.

Nora Tarnapolsky. *"Murdering Memory in Argentina,"* New York Times editorial, December 12, 1994.

Jose Manuel Ugarte. *"Sistema Nacional de Inteligencia Argentino, Cambiar Ya!"* Argentine, 2000.

Communication with Americas Watch, January 23, 1990.

J. Patrice McSherry. *"Argentina's Armed Forces: Redefining National Security."* Paper prepared for the XXI International Congress of Latin America Studies Association, Chicago, 1998.

Miguel A. Pesce and Eduardo E. Estevez. *"Los Gastos Reservados en el Gobierno Nacional."* March 1996.

Eduardo E. Estevez. *"Inteligencia: El Desafio de la Reconversion."* December 1996.

Eduardo E. Estevez. *"La Reformulacion de la Inteligencia Estrategica: Estado del Debate y Proyectos Legislativos."* Buenos Aires, September 1997.

Interview with Fernando de Santibanes, head of the State Intelligence Secretariat, SIDE, By Fernando Gonzalez; date, place, not given.

V. G. Baleanu. *"The Enemy Within: The Romanian Intelligence Service in Transition."* Conflict Studies Research Center. The Royal Military Academy Sandhurst, Camberlet, Surrey GU15 4PQ, January 1995.

[http://www.fas.org/irp/world/romania/g43html]

V. G. Baleanu. *"A Clear and Present Danger to Democracy: The New Romanian Security Services are Still Watching."*

[http://www.fas.org/irp/world/romania/csrc12045.htm]

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