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The Political Regime Change and Security: The Political Science Theory and Reform of Security Bodies

Karel Zetocha

Abstrakt

Článek se zabývá tématem transformace bezpečnostních složek státu během přechodu k demokracii. Teoretický rámec pro analýzu bezpečnostních složek tvoří politologická teorie tranzice a konsolidace. Aplikace této teorie na oblast bezpečnostní politiky je založena na hypotéze, že teoretické předpoklady o charakteru předchozího režimu a způsobu změny režimu mohou být aplikovány i na specifickou oblast bezpečnostní politiky. V článku jsou zároveň identifikovány další nejdůležitější faktory ovlivňující tranzici a konsolidaci demokracie v oblasti bezpečnostní politiky. Zdrojem dat jsou případové studie, které popisují reformy zpravodajských služeb ve státech po přechodu k demokracii. Závěry učiněné na základě studia zpravodajských služeb jsou následně aplikovány na celou oblast bezpečnostních složek státu. Na vybraných případech bylo dokázáno, že předpoklady teorie tranzice a konsolidace je možné použít i pro studium bezpečnostní politiky. Vedle charakteristik předchozího režimu a způsobu přechodu k demokracii je transformace bezpečnostních složek významně ovlivňována i bezpečnostní situací státu a personálními možnostmi nové vlády.

Abstract

The paper deals with the topic of security bodies and their transformation during the transition to democracy. Theoretical framework for studying the security area lies in the transition and consolidation theory. Applying the theory to the security area is based on the hypothesis that theoretical assumptions with regard to the nature of the prior regime and the way the change of regime takes place can be applied to the area of security policy. At the same time, other significant factors may exist affecting the transformation process in the given area. The source of data consists in case studies of intelligence agency reforms following the transition to democracy. Conclusions conceived based on the example of intelligence services are consequently applied to the state security bodies as a whole. Selected cases have shown that assumptions of the transition and consolidation theory are applicable also in the area of security policy. Beside the original regime and the transition changes, the transformation of security bodies is also significantly influenced by the security situation and personal capacities of the new government.

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Klíčová slova

Změna režimu; transformace; tranzice; bezpečnost; zpravodajské služby; konsolidace demokracie.

Keywords

Regime change; transformation; transition; security; intelligence; democracy consolidation.

INTRODUCTION

Along with adopting a constitution or holding free elections, the decisions leading to securing safety have proved to be of fundamental importance for successful democratic transition and consolidation. The lack of favourable security conditions prevents consolidation of a democratic system. The theory of transition and consolidation applies not only to the political regime as a whole, but it can be applied to a narrowly specified area of state's policy. The first goal of the following text is the application of the theory of transition and consolidation only to the segment of security policy (intelligence organizations), which will verify whether the theory can be meaningfully applied to a specific area of policy of a state.

The nature of the preceding regime and the transition mode are reflected in decisions made on lower administrative levels including the manner of organization and use of their security bodies. The existing security institutions and experience with their activities necessarily condition further decisions on the way of setting up the new democratic regime. There are factors that influence the process of a democratic consolidation, which are specific to the segment of security policy. The most important are those of security situation of the state and personal capacities of the state. Securing safety is the primary goal of security bodies of the state. If the regime change and consolidation of democracy are accompanied with serious security threats, it can be expected that such a situation will influence the process of consolidation of the state's security bodies. Security bodies, however, are to a large extent closed organizations, whose members have specific type of knowledge. Therefore, it is very important whether the new democratic government has a sufficient number of people with appropriate skills who are loyal at the same time, so that they can replace the personnel related to the prior regime. The final outcome of the study will provide identification of the set of the most important variables, which have a crucial impact on the outcomes of the transition and consolidation process in the given area – security policy.

Security bodies of the state include all state institutions, which are connected with the state monopoly for applying force. In the following text, intelligence services have been chosen for a more detailed analysis. Knowledge gained during the analysis of the transformation of intelligence services should be nevertheless applicable to other security bodies. Despite the largely differing nature of activity of each of the security bodies, there are significant common features (nature of tasks, organizational structures with strong subordination and superordination relationships, service relationship), which allow transferring the knowledge obtained based on studying one of the security institutions of the state (in this case, the intelligence services). Security bodies also often represent the most important support for a non-democratic regime, and following the transition to democracy, they remain to be a symbol of the previous regime. Transformation of security bodies is not only practical, but also symbolic in its nature, and thus it represents one of the priorities of any newly established democratic government.

NON-DEMOCRATIC REGIME

Each political regime has certain characteristics, such as organization and execution of state's power or the way of legitimizing the regime. These characteristics are reflected not only in the organization and functioning of the state's bureaucracy, but they are also rooted in society, and manifested, for example, in the citizens' attitude to politics. These attributes, often being formed for many years, cannot be easily replaced by exchanging the political leaders, and the new political regime must deal with them for many years following the transition.

Classifying non-democratic political regimes is a complicated issue which spawned an extensive theoretical discussion in political science. The problem of classifying non-democratic regime, however, is not the focus of this study. We shall therefore employ the basic classification by Juan Linz, which is the basis for many other authors, or at least for their argumentation. The basic types

of non-democratic regimes, according to Linz, are totalitarianism, post-totalitarianism, authoritarianism, and sultanism. The listed regimes differ based on several criteria, the most important of which is the level of pluralism in society.¹

Internal functioning of intelligence services in democratic and non-democratic countries, though, is strikingly similar. Especially external intelligence services operate in the same international environment and the nature of the domestic regime is not of such an importance here. Even the functioning of internal intelligence services is the same in the form of its operation to a major extent. In democracy, there are narrower borders limiting the scope of intelligence services, and their functioning is closely monitored. The factor, which is fundamental from the point of view of functioning of intelligence services in non-democratic countries, is the distribution of power in the state. Individual types of non-democratic regimes are characterized by different manner of executing the political power. Intelligence services in non-democratic regimes represent one of the basic instruments for execution and preservation of political power.

One of the fundamental characteristics of a totalitarian regime is the concentration of power in the hands of a single political party, which controls the entire society as well as the armed forces of the country. Political party in a totalitarian system is usually controlled by a single leader or a small ruling group.² Organization of intelligence services in totalitarian systems is centralized similarly to the decision making processes. We can find a unified intelligence organization fulfilling all intelligence functions, which are otherwise organized separately. Intelligence services are an important instrument that the regime uses to control the society, especially the security service thus becomes an extensive bureaucratic body extending into all levels of society. Intelligence services operate independently of other state institutions and are subordinated only to a narrow political leadership.

In non-democratic regimes, the army is usually one of the most important centres of power in the state, often the most important one. However, in totalitarian states, where only a single power centre exists, such as the political party headquarters, it is in the interest of the power centre to restrict the power of the army, not allowing the military elite to compete. Intelligence services of a totalitarian state include the military component, which becomes the means of controlling the army's loyalty to the totalitarian regime.

A classic example of the above described organization can be seen in Soviet Russia. The model used here consisted in controlling the army using a counter-intelligence agency, which was excluded from the military hierarchy and subordinated to the centralized intelligence organization. Roots of this organization reach back to 1918. During the civil war, the Red Army was forced to rely on former imperial officers to a large extent, and there were substantiated concerns about their loyalty to the Bolshevik regime. The army command at all levels thus had to include agents of the Bolshevik security services (future KGB), who controlled the political reliability of the military officers.³ The described organization remained applied in the following years and later it was also taken over by some communist regimes in central Europe. It is the fundamental principle of every army that it needs to have intelligence capacities. This was also the case of the Soviet army, who maintained its own espionage agency. The organization, however, did not avoid conflicts with the central intelligence organization, which saw the military intelligence as a competitor, and used each opportunity to weaken it, also attempting to integrate it several times.

Unlike totalitarian regimes, which exercise total control of society, post-totalitarian regimes allow a certain level of pluralism. However, this pluralism is limited and political power is under a full control of a single political party. From the point of view of intelligence services, post-totalitarianism does not differ from its totalitarian foregoer. There is still a centralized intelligence organization with extensive powers. Transition to the post-totalitarian stage of the regime is connected with the decline

¹ LINZ, Juan. J. *Totalitarian and authoritarian regimes*. Boulder: Lynne Rienner Publishers, 2000, 343 pp. ISBN 1555878660.

² LINZ, Juan. J., Ref. 1.

³ KNIGHT, Amy. W. *The KGB: Police and Politics in the Soviet Union*. Boston: Unwin Hyeman, 1988, 348 pp. ISBN 0044450354.

of attraction and mobilizing effect of the state's ideology. Officially, the ideological label remains, however, neither the citizens nor the representatives of the ruling party believe in the plausibility of their utopian goals.⁴

In such an environment, the importance of intelligence services for further functioning of the regime is even higher. The problem of a post-totalitarian regime lies in its own legitimacy being founded on ideology. If the regime lacks the ideological justification for its existence, it needs to utilize other instruments to maintain power. One of these instruments consists in employing the capacities of intelligence services. Due to the lack of legitimacy, post-totalitarian regimes cannot openly use the state apparatus to eliminate any resistance. Thus, the ruling elite must rely on undercover procedures of the security intelligence service even more. For such a regime, intelligence services are an important means to secure its further existence and to monitor the public opinions the regime has to react to. In order to maintain a positive image of the regime's functioning, not ignoring the public opinion at the same time, intelligence services are forced to take over a certain extent of responsibility. They cannot freely use the most brutal methods; the more they concentrate on covering the actual situation, indirect intimidation and manipulation of citizens.

During the transition to democracy, there is a strong pressure on abolishing the intelligence services, which are strongly connected with the previous regime. Intelligence services represent one of the main symbols of the previous regime and most of its political opponents have a negative experience with its functioning. Services employed by the post-totalitarian regime had to infiltrate deeply into the society and maintain an extensive network of informants and cooperators. Services of a new democratic regime that inherit the archives from their predecessors thus become a potentially very powerful organization. The successor of intelligence services in a post-totalitarian state, albeit an entirely new organization, takes over the negative heritage from its predecessor. The image of a security agency as a dangerous organization, that uses its capacities and powers against its own citizens, is strongly rooted among the public. Part of the political elite can be afraid of uncovering their collaboration with the previous regime, while they are trying to distance themselves from it in the new situation. The newly established intelligence organization can thus become a target for strong political pressures, which may hinder its standard functioning. Post-totalitarian regime thus presents conditions for a radical separation of services of the new democratic regime from their predecessors.

Authoritarian regimes allow certain level of pluralism. There are several regime-tolerated or privileged organizations that exist together. Their existence is conditioned by not challenging the regime itself. Entire power is not concentrated into a single centre and many institutions can maintain autonomous position in relation to the regime. The way to achieve part on the political power is not an open competition between political parties in order to win support from the voters, this, however, does not mean, that the distribution of power inside the regime does not change over time. Individual privileged social organizations (such as trade unions, industrial corporations, military bodies, police or church) compete for their part in decision making and try to pursue their own interests at the expense of others.

In an authoritarian regime, intelligence services are not only a means to control the society, but they also become a tool for competition with prospective competitors within the regime. This condition, along with a low level of coordination and not clearly identified competences, leads to the situation that services of a particular state compete with each other. Their common interest is maintaining the existing regime, which ensures their share on power. Individual privileged groups try, as much as they are allowed to, to control or establish their own intelligence organizations, which they can consequently use to extend their own power at the expense of their competitors. Thus, we can find a bigger number of intelligence organizations in authoritarian regimes than it is practically necessary from the point of view of their function. Despite the fact that there can be more organizations that define themselves as intelligence services, the intelligence activity can be fully exercised only by some of them. A classic example is Spain during the regime of General Franco, where more than ten intelligence organizations

⁴ LINZ, Juan. J., STEPAN, Alfred. *Problems of democratic transition and consolidation: Southern Europe, South America and post-communist Europe*. Baltimore: John Hopkins Press 1996, 479 p. ISBN 0801851572 . pp. 42-51.

were functioning side by side. In addition to several military services, there was, for example, separate intelligence service of war veterans or unions.⁵

The effect of the nature of authoritarian regimes on the reform of intelligence services after a democratic transition depends on the particular form of the given non-democratic regime. Military intelligence services of a military-led bureaucratic-authoritarian regime concentrate powers largely exceeding the military interests in their hands. The goal of the new government is delimiting the scope of authority of these services, while transferring appropriate powers into the civilian sector. The transition from an authoritarian regime to democracy leaves significantly smaller pressure on the personal exchange in the new organizations, compared to the totalitarian or post-totalitarian regimes.

The last type of a non-democratic regime, according to Linz and Stepan, is called sultanistic. Simply put, it is a political regime that allows political and economic pluralism to exist, yet, everyone is subjected to the absolute power of the ruler. The ruler is the only holder of all political power and does not have any legal limitations in exercising it. A major role consists in family and clan relationships, when high posts in state administration are often occupied on the basis of kinship. Sultanism provides a strong interconnection or complete merging of private and public sectors.⁶

Speaking of the operation of intelligence services, the link between private activities and state administration plays an essential role, this bringing about a high rate of corruption. Sultanistic regimes do not have an extensive bureaucratic organization of the state administration that could independently control state policies in all segments of society. The state officer is not only an independent executor of the state's policy, but also a private person, whose personal interests are as a matter of fact reflected in their function.⁷ This, in turn, is also reflected in the organization of the state's security bodies. The regime possesses only a narrow legitimizing basis (the power is exercised by a small elite group), and thus it is prone to revolutionary changes. The ruler is, naturally, suspicious of the opposition in the state's security bodies, which, on one hand, help secure the existence of the regime, while on the other they represent a threat to the ruling elite (in the case of sultanistic regimes, often members of a single family or tribe). Thus, sultanistic leaders often impersonate political and military functions at the same time. Key positions in the leadership of the security bodies are occupied by the most loyal followers, often members of the ruling family. The intelligence service personnel, similarly to any other security body, is selected on the basis of loyalty to the ruler.

Loyalty to the leader has priority over effective operation, in order to secure protection of the existing regime against internal threats. Intelligence services in the sultanistic regimes operate mainly as a secret internal police, whose task is to pursue the will of the ruler and secure the loyalty of all parts of the state apparatus. The characteristics of a sultanistic regime, such as the corruption rate, or interconnection of private and state service interests, represent a limitation for the regime to build effectively operating intelligence services. Shortcomings of the organizational efficiency are thus compensated by extensive use of force. For majority of the public, intelligence services represent an instrument of the ruler's power, and following the transition to a democratic regime, a radical purging process has to take place in order to develop the security apparatus on a new basis.

WAY OF TRANSFERRING THE POWER

The second significant factor that influences the process of democratic consolidation is the way the power is handed over. The reasons that lead to the regime change and the situation in which the power transfer takes place are also important for the approach to the consequent reform of intelligence services. Intelligence services are integrally connected with the prior regime and function as a political

⁵ GIMÉNEZ-SALINAS, Andrea. The Spanish Intelligence Services. In: BRODEUR, Jean-Paul, GILL, Peter, TÖLLBORG, Denis, eds. *Democracy, Law and Security: Internal Security services in Contemporary Europe*, Hampshire: Ashgate Publishing Limited, 2003, 354 pp. ISBN 0754630021. p. 63.

⁶ LINZ, Juan. J., STEPAN, Alfred, Ref. 4., p. 51.

⁷ CHEHABI, Houchang. E., LINZ, Juan. J. A Theory of Sultanism. In: CHEBABI, Houchang. E., LINZ, Juan. J. eds., *Sultanistic Regimes*. Baltimore: Johns Hopkins University Press, 1998, pp. 3-48, ISBN 0801856930.

police, as one of the guarantees of the non-democratic regime's survival. For majority of citizens, they also become the symbol of the regime's power. Thus, it is not surprising, that the manner of replacing the ruling elite is also reflected in the way of reforming the intelligence services.⁸

Linz and Stepan identify several possible ways of the regime change:

1. power transfer between two moderate groups on both sides;
2. fall of the regime after the defeat in a war;
3. terminating the regime as a consequence of the pressure of the opposition (such as armed resistance, mass protests) and appointing a new government;
4. fall of the regime due to the pressure of a military organization.

Besides the mentioned ways of changing the regime, the authors have set up the *out-of-type* category, which includes the regime changes that are specific for particular types of non-democratic regimes.⁹ From the point of view of frequency of occurrence, the most frequent is the transfer of power following an agreement and terminating the regime owing to a strong opposition pressure, leading to the establishment of a provisional government.

Handover of power by agreement is a model situation, assumed moderate opinion groups exist both, on the side of the government and the side of the opposition. If these moderate groups take the lead on both sides and achieve an agreement on holding free elections, we speak of a transfer of power by agreement. This way of transition assumes that the non-democratic regime representatives (or majority thereof) will be guaranteed certain level of indemnity. The agreement is likely to happen especially in such a situation when the political elite of the prior regime believes in their chance to succeed in the democratic political competition (typically by forming a new political party). From the point of view of the intelligence services, the effects of such power transfer can be foreseen. The political elite is not interested in uncovering the activities and collaborators of their political police. The agreement on the regime change can thus include restrictions of disclosing information that could compromise the reform part of the former elite in the democratic environment.

In such cases, there is no radical division among broader public regarding the prior regime, hence the pressure on radical changes inside the intelligence services is not so strong. Transition to democracy enforces changes in external conditions of operation of the intelligence services. Legislative restrictions of competences are established, reorganizing of services takes place and external control bodies are appointed. The changes in the internal functioning of the services need not be radical. The change of intelligence service personnel is gradual, and it is not an exception that leadership is given to those people who have gained their experience in the non-democratic regime. Transition by agreement also means a lesser pressure on disclosing the archives of the previous regime to the public.

There are many examples of the above described development. For example, the transition to democracy in South Africa was a result of years lasting negotiations between the regime led by De Klerk and the opposition representatives from the African National Congress. Intelligence services of the non-democratic regime were abolished and external controlling and coordinating institutions were established. Still, more than 50% of personnel of the new organizations originated from the prior regime's services. The democratic government also did not object against appointing individuals connected with the previous regime to leading positions of the newly established intelligence organizations.¹⁰ It should be added, however, that the situation in South Africa is a specific one. The reason is the relatively unique character of the original regime as well as a significant role of the intelligence services in negotiating the transition of power. There is also a rare case of the

⁸ WATTS, Larry L. Intelligence Reform in Europe's Emerging Democracies, *Studies in intelligence*. 2004, vol. 48., n. 1, Available from: <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol48no1/article02.html>

⁹ LINZ, Juan. J., STEPAN, Alfred, Ref. 4., pp. 57-60.

¹⁰ O'BRIEN, Kevin, A. *Controlling The Hydra: An Historical Analysis of South African Intelligence Oversight*. Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2003. [cit. 2012-05-10]. Available from: http://www.dcaf.ch/legal_wg/ev_oslo_030919_obrien.pdf

opposition running its own intelligence organization, whose members could immediately take part in the operation of the newly formed intelligence structures together with their former opponents.

An apt example can be found in the case of Poland, when the transition of power also took place following the negotiation between the government and the democratic opposition. Although the security service of the previous regime was dissolved and the Office for State Protection was established as the new intelligence agency, up to 2/3 of the personnel came over from the communist intelligence service (following the lustration process). The military services remained entirely unattended and carried its reform by itself.¹¹ In connection with the transformation in Poland it is appropriate to mention that unlike the surrounding communist countries, the Polish regime had been described as authoritarian already since 1956. The reason for such classification consists namely in the level of pluralism in society.¹² The authoritarian regime in Poland was also undertaking rapid development, although since 1981, when the power was taken over by the army led by General Jaruzelski, it can be classified as military-led bureaucratic. The restricted reform of intelligence services carried after the regime change resulted in the topic of the reform being repeatedly brought into attention. It also became a key topic of the Polish parliamentary elections in 2005.

Transition started by the fall of the previous regime is generally characterized by a higher extent of discontinuity. The power is handed over quickly and often in an unexpected moment, when the conditions (such as foreign support) do not allow the original government to hold their position. The persistence of the preceding government trying to maintain their power as long as possible leads to a more escalated situation following the fall of the regime. The power transfer takes place in the form of a revolutionary development, its result being the appointment of an interim government, whose task is to bring the country to a democratic election.

The political elite of the former regime was unable to negotiate more favourable conditions of the power transfer. The attitude of the public and the opposition towards the ruling elite is more radical. More radical stance to the ruling elite of the previous regime is necessarily reflected also in the area of intelligence services. Intelligence services represent a symbol of oppression from the non-democratic regime, thus a radical reform of these institutions can be expected after the transfer of power. Intelligence services of consolidating democratic countries, following the maximum resistance of the original regime against the opposition pressures, thus undergo a more substantial reform. In dealing with the past, there is a more prominent public demand and also political will to uncover the activities and information networks of the non-democratic intelligence services. We can expect not only abolishing former intelligence organizations, but also a more extensive personnel exchange. Newly established intelligence services are thus to a large extent separated from their foregoers, not only by means of organization, but also in personnel and mentality (due to loss of a large part of the archive information).

The revolutionary nature of transition brings about much larger chaos accompanying the process. Many key decisions are taken during the period of negative emotions towards the institutions from the previous regime. The fundamental reform of the services takes place under chaotic circumstances lacking long-term considerations. The succeeding consolidation stage requires revisions of the primary decisions, because these reflect the atmosphere and circumstances of the transition existing at the given moment. Thus, during the consolidation, other reform stages take place, in order to correct the previous decisions that have proved as insufficient in the meantime.

An apt example of fall of the regime and transfer of power via an interim government can be found in Czechoslovakia. The communist government did not take continual steps in reaction to the weakening foreign support from the Soviet Union and the development in neighbouring countries. The political elite of the non-democratic regime did not contain a reform group, because the communist party had been entirely cleansed of the representatives of the reform wing by the beginning of the

¹¹ ZYBERTOWICZ, Andrej. *Transformation of the Polish Secret Services: From Authoritarian to Informal Power Networks*. Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2002. [cit. 2012-05-10]. Available from: <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.111.2945&rep=rep1&type=pdf>

¹² LINZ, Juan. J., STEPAN, Alfred. Ref. 4.

1970's. The inability of the regime's representatives to start up an internal reform prevented gradual liberalization of the post-totalitarian regime. The fall of the non-democratic regime took place very quickly, started up by a series of demonstrations. The members of the ruling elite were forced to start negotiations with the opposition and give up the power within a few weeks. The revolutionary circumstances also brought about revolutionary steps against the power structures of the old regime. Eliminating power of the intelligence organization was among the priorities of the interim government. New intelligence organizations quickly stripped themselves of the highest possible number of members from the previous regime.¹³ The example of Czechoslovakia shows the transition of a post-totalitarian non-democratic regime. Still, it can be assumed that the change of regime via its fall and establishing an interim government can have similar effect on the transition from authoritarian regimes. A revolutionary change always brings up pressures on more radical steps against the institution of the overthrown regime.

Unlike the previous two ways of regime change, defeat in a war represents a significantly different type in its quality. It is the only type of regime change that allows the transformation of a totalitarian or sultanistic regime into democracy.¹⁴ In this case, it is more appropriate to speak about implementation rather than transformation of the regime. Establishing a democratic regime in similar cases presumes a long-term occupation of the defeated country, because direct intervention from outside is the only chance of establishing a maintaining conditions that are necessary for the survival of democracy. There are certain factors in post-totalitarian and authoritarian regimes that allow the development of democracy. Their defeat in a war can start the transition to democracy even without subsequent occupation and military rule. However, it is likely that the winning party retains a significant influence in the defeated country and will secretly or openly intervene in the transformation process. Thus, the interests of the winning power are also important for the course of transformation.

The winning power is interested in taking pragmatic steps and the fact that the intelligence services took part in persecuting the people of the defeated non-democratic regime need not be an obstacle for utilizing their capacities and personnel. There is a fundamental difference here between the defeat in a war and the transformation following the collapse of the regime and establishing an interim government, when new elite takes the power. Government politicians, when still in opposition, were the target of persecution by the political police, and thus their attitude to the members of the power structure of the previous regime and their employment in services of a democratic country is negative. On the other hand, occupation institutions prioritize the interests of the winning party in their decision making. Knowledge of former enemies is also very valuable for the winner and can be utilized for the benefit of their interests (e.g. search for a *mole* in their own organization). The limiting factor in this case is primarily a question of credibility of thus gained new associates. A classic and very interesting example of such a development is the defeat of Nazi Germany after the Second World War. Since 1946 the U.S. utilized an intelligence organization composed of former members of the German military service. This organization became the basis of the intelligence service of the Federal Republic of Germany.¹⁵

When democracy is established after the defeat of a totalitarian or sultanistic regime, the situation is more complicated. The positions of people in a broader leadership of security bodies are entirely depending on the survival of the regime they support. Together with the fall of the regime, a spontaneous dissolution of security bodies takes place, their members being afraid of the consequences of their own activities for the previous regime. Based on the nature of the totalitarian and sultanistic regimes, the former members of intelligence services of the previous regime are

¹³ ZETOCHA, Karel. *Zpravodajské služby v nové demokracii: Česká republika*. Brno: Společnost pro odbornou literaturu – Barrister & Principal, 2009, 244 pp. ISBN 978-80-87029-64-0.

¹⁴ LINZ, Juan. J., STEPAN, Alfred, Ref. 4., pp. 57-60.

¹⁵ GEHLEN, Reinhard. *The service; the memoirs of General Reinhard Gehlen*, Translated by David Irving, New York: World Publishers, 1972, 386 pp. ISBN 0529044552.

unacceptable for the newly developing democracy, and also their experience has only limited use. Intelligence organizations have to be built entirely anew.

A recent example can be found in the experience from building the security bodies in Iraq. After the defeat of Saddam Hussein, security bodies disappeared from Iraq almost overnight, their members leaving their service en masse. The occupation rule of the winning power thus had no basis to build the new security bodies upon. In addition, any continuity linked to the infamous security organizations of the previous regime was unacceptable for majority of the society.¹⁶

Assessed by the frequency, the first three types are the most important, and from the point of view of consolidation of intelligence services of the new state, they are similar to one of the above described cases. Apart from the mentioned case of regime collapsing under the pressure of its own military organization, there is the option of ending the non-democratic government depending on the support from abroad after such support is terminated. Other specific options listed by Linz and Stepan are not relevant for the sake of this paper, as they are unlikely to lead to transformation into democracy.

The transformation of the regime conducted by the pressure of the army can be considered in the case of authoritarian regimes, in which the power is held by the army. We speak of the situation when the army organization concludes that it is the most beneficial to give up the political power and force the military government to hand over the power in elections. The military organization is super-temporal in many respects and its position is also guaranteed in the democratic country. Under certain conditions, it can be acceptable for the army to give up its part on the political power.¹⁷ From the point of view of approaching the intelligence services, this situation is similar to the transfer of power by agreement between the government and the opposition. There are no radical changes or purges to be expected in such cases. During the transformation, the army secures its privileged position within the democratic regime. Especially strong position during the democratic consolidation will be probably maintained by the military intelligence services.

Non-democratic regimes depending on the support from abroad are forced into transformation, if such support is lost. Regardless of the specific progress of such type of transformation, the reform of the intelligence services will be similar to one of the above described types. It will be important how much the former regime relied on the external support, and which part of its legitimacy was based on internal resources. The ruling elite either recognizes the impossibility of maintaining its position, starts negotiating with the opposition, and eventually organizes the elections, the result of which will provide legitimacy to the new government. The effect on the ensuing reform will be similar to the case of transferring the power by agreement. The other option is that the government will try to maintain the regime even without the external support, e.g. by higher restrictions and social mobilization. If the attempt does not succeed, rapid collapse of the regime will result, followed by establishing an interim government led by the opposition and consequent elections (or possibly setting up another type of a non-democratic regime). The consequences for the ensuing reform are similar to the above described case of the collapse of the regime followed by an interim government.

CHANGE OF THE REGIME ON THE BASIS OF SECURITY THREATS

Because the primary goal of the intelligence services (and security bodies in general) of any political regime is securing safety, we can assume that the security circumstances of transition and consolidation will have an important effect on approaching the reform of the intelligence organizations. Securing its own survival and at least minimal level of security has key importance for any country. If the change of the regime takes place along with the existence of a prominent security threat to the country, the new political elite must take this situation into account in its decisions on further progress in the intelligence service area. The most significant security threats come along with the so-called

¹⁶ BREMER, Paul L., DOBBINS, James, GOMPERT, David C. *Early Days in Iraq, Survival: Global Politics and Strategy*. 2008, vol. 50., n. 4, pp. 21 -56. ISSN. 0039-6338 DOI: 10.1080/00396330802328925.

¹⁷ LINZ, Juan. J., STEPAN, Alfred, Ref. 4., p. 67.

triple transition. It is the situation when the changes in the political sphere take place together with the transformation with the economic sector and also redefining of the territorial organization of the new democratic country.¹⁸ The process of transferring political power into new centres is connected with conflicts that can grow into an armed form of competition. The security situation of the newly established regime is an important condition affecting the decisions on the reform steps of the intelligence bodies made by the new government. Principal reform brings about a significant decrease in performance, which can be unacceptable given the emergency security situation. The inability to establish satisfactory security situation can be taken as a failure of the new ruling elite. This aspect could be used against the newly established democratic regime and endanger its further survival.

The key motivation of the new government lies in securing the functioning of the intelligence services, despite the fact that this can occur at the expense of certain democratic standards. Intelligence services are one of the key elements of the security structure of any country. It can be assumed that the governments will not compromise their functionality by carrying out a democratic reform in such cases, when the country has to face serious security threats. The reform of the intelligence will be driven by more important issues than the general goal to achieve democratic standards.

We can cite the countries of former Yugoslavia or the Soviet Union as examples. Transformations taking place during a conflict or an open war require especially securing the function of the intelligence services and their loyalty to the new political leadership. Securing democratic standards of controlling the intelligence services is not among the priorities of the reform leadership. Dramatic circumstances of the breakup of multinational countries overcame the characteristics of the prior non-democratic regimes. The countries the regime was connected with ceased to exist. In the case of the Russian Federation, the service in the Soviet security organizations was not taken as an obstacle, and the organizational changes that took place were enforced mainly by the new international situation.¹⁹ For the succession countries of the Yugoslavian Federation, securing the loyalty and functioning of the newly established organizations were the priorities. Intelligence organizations of newly appearing countries tried to purge themselves of potential enemies and the personnel was thus evaluated by ethnic or religious criteria. The level of participation in the previous regime was not a key measure. Changes in intelligence services took place based on disintegration surrounded by the internal conflict. If the personal or institutional reform of the intelligence services takes place based on ethnic criteria, it is a factor that undermines the course of the new state to a consolidated democracy.

Aside from security threats connected with the internal development of the country there is a number of cases when the transition is accompanied by the presence of an external security threat to the country. Security threats can include the attempts of neighbouring countries to take advantage of the country's instability and intervene, secretly or openly, into the course of transformation in pursuit of their own interests. Another option is the transformation of the regime during an open conflict with a neighbouring country. Immediate security threats enable the intelligence and security bodies to keep their power positions even under circumstances of political regime change.

The most well-known example of such a situation is the transformation of the regime in South Korea. Maintaining economic prosperity and security were the key features of legitimacy of the authoritarian regime in South Korea 1961-1987. All opposition groups pursuing liberalization of the regime were outlawed on the precondition of securing protection against undermining activities of the northern enemy. This established approach of the intelligence services to the opposition persisted during the course of consolidation of the regime and the intelligence services maintained their significant influence on political decision making. The permanent Northern Korean threat accompanied by enemy activities (paramilitary actions, terrorism, developing a network of agents) led to building

¹⁸ KARL, Terry L. *From Democracy to Democratization and Back: Before Transitions from Authoritarian Rule*. CDDRL Stanford Institute on International Studies Working Papers, 2005. Available from: http://cddrl.stanford.edu/publications/from_democracy_to_democratization_and_back_before_transitions_from_a_authoritarian_rule/

¹⁹ KNIGHT, Amy, W. *Spies Without Cloaks: The KGB Successors*. Princeton: Princeton University Press, 1996, 318 pp. ISBN 0691025770.

an exceptionally strong position of the intelligence services within the political system. After the democratic transition, the change in the leadership of the services took place along with establishing basic control mechanisms and restricting intelligence operations inside the Korean state. However, the strong influence of the intelligence services on domestic policy still remained. More significant changes inside the intelligence organization took place in the late 1990s, i.e. more than a decade after the political transformation had started. Working in the intelligence services of the previous regime was not an impediment to further political career or becoming part of the leadership of the reformed intelligence organization.²⁰

PERSONAL CAPABILITIES OF THE NEW GOVERNMENT

The personal capacity factor differs from the previous three in quality. This factor does not have a direct effect on the public demand and political decision making related to the intelligence service reform. Personal capacities, however, have a fundamental impact on the implementation of the reforming decisions and on the results of the reform process. Thus, this factor is on a different level compared to the other mentioned ones. The previous three factors influence mainly the outputs of the political decision making, while personal capacities influence the implementation of these decisions and the results. Political decisions formulated into directives, codes and acts make one part of the matter. Actual implementation of these decisions, however, always depends on particular groups of people who put them into practice. This statement is generally applicable to any organization, in the case of intelligence services the question of personnel being even more prominent. The personnel of the intelligence services cannot be quickly exchanged without a long lasting loss of their abilities. Specific tasks in connection with organizational autonomy and secret operation complicate the possibilities of replacing the personnel. Members of intelligence services form a closed group of people who share the knowledge necessary to carry out their intelligence activities. Specific knowledge of the problem is limited to a narrow group of people also in democratic regimes, and in non-democratic regimes it is accessible only to selected individuals. It is not surprising that the information is inaccessible to the opposition group members in the non-democratic regimes. Following the transition to democracy, it is exceptional if the new political elite includes such individuals who orient themselves in the matters of intelligence. And it is true, that the new democratic regime needs people who are not only able to work in intelligence services, but lead them, plan their operation and implement the internal reform steps.

The possibilities of carrying out the exchange of personnel of the intelligence services are important for implementing the transformation steps in the course of consolidation. The reform and functioning of intelligence services in the new democratic regime are conditioned by the existence of the ability to acquire quickly a qualified group of people capable of implementing the internal transformation of the services. Several scenarios are possible. The first one consists in using a reform group. It is the process when the intelligence services of the previous regime include a reform opinion group, which can be entrusted with the task of making necessary changes. The disadvantage of such a situation is the existing risk of maintaining former procedures. Keeping individuals connected with the former regime on their posts in intelligence services of the democratic country also presents difficult issues of a moral nature.

Another case is the existence of a so-called persecuted group. It is a group of people who were previously ejected from the intelligence services of the non-democratic regime in personal purges or similar situations. These people possess the scarce knowledge of the intelligence activities and are also familiar with the operation of intelligence services of the former regime. They are also motivated to support the new regime. Employing the persecuted group to carry out the reform brings the danger of the group members having spent a long time out of the service and having lost touch with the current

²⁰ MORAN, Jonathan. The Role of the Security Services in Democratization: South Korea's Agency for National Security Planning. In: BORN, Hans, JOHNSON, Loch, K., LEIGH, Ian, eds., *Who's Watching the Spies: Establishing Intelligence Service Accountability*, Washington: Potomac Books 2005, 255 pp. ISBN 157488896X.

situation. We can learn a lot from the experience of Czechoslovakia, when the purges carried after 1968 left a numerous group of people ejected from the communist intelligence services. After the transition started in 1989, this group applied to carry out the reform of the communist intelligence services and its members were appointed into leading positions of the new intelligence organizations. It was found very soon that those people did a valuable job in destroying the non-democratic intelligence organization, but they had limited capabilities in building new services of the democratic country. They remained rooted in the cold war reality and their opinions on the function of democratic intelligence services were not in concordance with the views of the new political elite and the demands of the period.²¹

Similar case is building the intelligence services with the help of people living abroad. In such a case, the government of the new democratic country can use personal resources from abroad. People living in emigration often have personal experience with the functioning of democracy and its institutions. If engaging the members of emigration in the reform of the intelligence services is acceptable for the domestic political elite, it can be one of plausible ways of overcoming the lack of personnel. An ideal case is, of course, if the emigration provides people who have experience with the functioning of security bodies, or intelligence services directly. An example of successful engagement of a group of emigrants in building the institutions of a new democratic country is provided by the Baltic states. The non-democratic regime was, however, associated with the Soviet Union, and the members of the national emigration were not seen as a foreign element, after the state sovereignty had been regained.

Aside from the above mentioned possibilities of employing the country's own citizens, there are various ways of foreign help. Engaging a foreign partner in the process of reforming the intelligence services faces many obstacles, though. Especially, the intelligence services remain a confidential matter of any country, and there are even restrictions on cooperating with the allies in this area. The government of the new democratic country is not often inclined to allow citizens of another country to take part in dealing with the matters of its own intelligence services. Certain forms of international assistance in building intelligence organizations still exist. We can speak of a direct or indirect assistance. An indirect assistance consists in foreign help with training the new personnel. This type of assistance is the most frequent form of foreign help to new democratic countries. The next stage includes exchange of experience in practice in conducting joint operations. Intelligence services of post-communist countries in central Europe have wide experience with foreign assistance. Later on, similar help was also provided to consolidating democracies in the Balkans.

Direct foreign assistance, on the other hand, is an entirely different level. It is the situation when the intelligence agency employs foreign individuals who provide expert control and supervision of the intelligence service activities. Direct foreign assistance is a serious intervention into the sovereignty of the transforming country, because a foreign country gains access to controlling its intelligence service activities. Thus, this option is neither typical nor desirable in the cases of an independent transition to democracy. Direct foreign assistance is connected with a foreign intervention, when the transforming country does not exercise full sovereignty. Direct foreign assistance can be considered after the defeat of a non-democratic regime in a war, when the transformation takes place along with the military occupation.

²¹ ČERNÝ, Otakar. Czechoslovak (Czech) Intelligence After the Cold War, *Geneva Centre for the Democratic Control of Armed Forces*, 2000, p. 5. [cit. 2012-05-10]. Available from:

http://www.dcaf.ch/pcf/ev_geneva_021002_prog_cerny.pdf

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<http://www.civicpole.net/images/Ebooks/Czech%20Transformation%20Experience%20ENG.pdf>

ZEMAN, Petr. Positive and/or Negative Impacts of the Abolishment of Former Secret Services Immediately After Democratic Change, (Paper presented at International Conference "Security Sector Reform in Serbia – Achievements and prospects" Belgrade 29 – 31 October 2006), Geneva: *Geneva Centre for the Democratic Control of Armed Forces*, 2006. Available from: <http://www.gees.org/documentos/Documen-02107.pdf>

CONCLUSION

The theory of transition and consolidation can be successfully applied to a more narrowly specified area than the political regime as a whole. The studied examples have shown that the nature of non-democratic regimes and the ways of their transition influence the consolidation of security bodies of new democratic regimes in a predictable manner. The power characteristics of specific non-democratic regimes have proved to be of fundamental importance for the selected institutions (intelligence services). The power structures in a non-democratic regime are reflected in the organization and function of security bodies. Intelligence services, being an important power tool of non-democratic regimes, are organized in concordance with the distribution of power in the state. Specific types of non-democratic regimes thus give rise to similar organizational structures fulfilling similar functions. Individual manners of changing the regime also induce similar reactions on the system level. The above described characteristic qualities are thus necessarily reflected in the nature of the issues the new democratic government has to deal with regarding the transformation of security bodies.

Security situation and personal capacities represent significant factors in the process of consolidating the security bodies of a democratic regime. Complications arise when trying to answer the question in what way and to what extent these factors affect the consolidation process. Each change of regime is accompanied by *common* security risks, such as increased criminality. The factor of higher security threats is thus part of each case of political transition and consolidation. The course of consolidation is crucially influenced only by substantial security threats. These are cases when external or internal threats (or combination of both) exist, which are so serious that they actually put the integrity of the state or the survival of the democratic political regime in danger. The emergency security situation can override the presumptions ensuing from the characteristics of the preceding non-democratic regime. In the case of a conflict break out in the original non-democratic state, the issues connected with the preceding regime are backgrounded. Consolidation of democratic security bodies can also be significantly slowed down by the presence of a substantial external threat. An external threat can, for instance, allow the army to defend its position in the new political regime and thus obstruct the reform steps, which would otherwise be necessary following the transition to democracy.

Personal capacities of the new government cannot be left out, as they constitute a determining factor for the course of consolidation. The personal capacity factor has different nature than the previous three, but leaving it out could mean ignoring important limitations affecting the reform of the security segment. The importance of personal capacities consists in the specific nature of security bodies with regard to the preparation of the personnel. Whether and how the reform of non-democratic security bodies will take place, it depends on the availability and suitability of the personnel. Plausible personal capacities are connected with the nature of the prior non-democratic regime. If the consolidating democracy follows former totalitarian or sultanistic regimes, it cannot be expected that groups of people with suitable knowledge and without connection to the original regime exist. The new democratic government thus cannot cope without a direct foreign assistance. Democracies arising from post-totalitarian or authoritarian regimes can rely on using various forms of indirect foreign assistance or taking the reform steps using solely domestic resources.

The reform of security bodies in democratic consolidation is thus to a major extent influenced by the set of several conditions that determine the space for the reform to be carried out. Based on studying individual cases, there were factors identified that affect the course and outcomes of the security service reform in new democracies in a predictable manner. The following can be identified as the most important:

- Nature of the prior regime;
- Way of transferring the power;
- Security situation of the state;

- Personal capacities.

Each particular case has to be viewed in several angles, while all of the four aforementioned factors have to be taken into consideration, if valid results are to be achieved. Similar steps of analysis should be applied also when a comparative approach to the problem is taken. Transitological theories that came to being as a part of political science, present a suitable ground for analysis in a more narrowly defined area of the security policy of the state. The presented theoretical framework was examined on the basis of cases of transformation of intelligence services. It is, however, applicable to transformation of other security institutions of the state. Factors related to the functioning of security services are present also in other security institutions of a democratic state. The theoretical framework for analysis of transformation of the security segment in new democracies has also practical meaning. During recent years, transformation and stabilization of democratic regimes have become an important agenda for foreign and security policies of democratic countries. Analysis of the most feasible options of development in transformation of security bodies of a particular state should be the basis for making political decisions on taking specific steps.