

**The Handbook of Latin
American and Caribbean
Intelligence Cultures**

SECURITY AND PROFESSIONAL INTELLIGENCE EDUCATION SERIES (SPIES)

Series Editor: Jan Goldman

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Edited by
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Carolyn Halladay
Eduardo E. Estévez

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Preface

Peter Gill

While there has been significant growth in intelligence studies since the 1990s, viewed globally, this field has been very uneven—with the greatest preponderance of studies concerning intelligence agencies within the “Anglosphere,” especially the United States and the United Kingdom. Scholarly interest in intelligence studies owes to several factors including the broadening of perceived non-state threats, the “war on terror,” the rise of surveillance society, and an increasing number of intelligence organizations in the corporate sector and civil society. Thus, there are many more students of intelligence studies but also a clear need to increase the coverage of areas hitherto neglected.

The editors’ introduction notes that coverage of Latin America and the Caribbean, especially in English, is still relatively sparse, and they have set out to provide some much-needed correction. Intelligence studies in the UK/US started with examinations of history, especially the use of intelligence in the major twentieth-century wars, and only later developed into more contemporary concerns with governance, especially the related issues of the control and oversight of intelligence. The contrasting histories and political cultures of the countries analyzed here provide important context—for example, the precise institutional form of the authoritarian repression perpetrated by domestic security, intelligence, and police agencies during the second half of the twentieth century varied, but human rights violations were widespread. Therefore, it is entirely appropriate that the central theme of *The Handbook of Latin American and Caribbean Intelligence Cultures* is democratization—how intelligence must be governed so that it enhances rather than diminishes human security.

The so-called Third Wave¹ of democratization starting in 1974 raised multiple challenges for countries, which were also often struggling with such

serious economic and social challenges as corruption, poverty, and violence and, in many cases, these perils continue to prevent any consolidation of liberal democracy. Furthermore, while democratic progress can be identified through the first decade of the twenty-first century, a resurgence of authoritarian populism more recently has stalled this momentum—not only in Latin America—and with it, progress in democratic reform of intelligence.²

An essential precondition, some would say synonym, for democracy is rule *of* law rather than the rule *by* law that is common in what might be termed “defective democracies.” But even if the former is established so that laws are made by legislatures chosen in essentially free and fair elections, are enforced impartially by responsible ministers, and interpreted by independent judges, a very specific challenge remains as to whether intelligence agencies remain in a “reserved domain of power,”³ where they continue to operate according to authoritarian norms. The many Latin American regimes that have passed specific intelligence laws, purporting to increase the control and oversight of reformed—or at least renamed—agencies, fulfill one necessary condition for democracy. But this initial step is not sufficient. The central question is whether the law brings about real rather than just symbolic change.

Democratization is not an *event*; it is a *process*, and it requires constant vigilance and effort. As can be seen in even the older democracies—and as is well documented here in many chapters—there are many challenges to first establishing and then maintaining democratic control and oversight of intelligence. A legislative mandate for the agencies must clarify the rules of operation and determine that elected officials will establish national security policies, appoint agency heads, and in agreement with legislatures, determine their budgets. A key element of this process is to curtail the practice of many authoritarian agencies of maintaining their own (often illegal) sources of finance. The legislation must also determine which combination of legislative, judicial, and/or expert bodies will monitor the effectiveness and propriety of the agencies.

The challenges facing those people elected or chosen for these tasks are great: fundamentally, they must manifest the political *will* to carry out their tasks. In countries where there is (for very good reasons) such a historic lack of trust in security, intelligence, and police agencies, this step requires very strong personalities. They have two audiences for their work: first, policy makers and executives who may just not be interested in developing security and intelligence policies or who may lack any expertise as to how they might do so. Second, they (along with academics and researchers) must get involved in trying to educate a fearful or skeptical public into the realities of intelligence. This process may involve some necessary accounting for past abuses but must also include patient explanation of how current policies and

practices, not just the law (including intelligence law), are different from previous periods of repression.

The context for this work is now dramatically different from that of the 1990s with almost complete governmental secrecy having been at least modified by the free-for-all that is the Internet. To be sure, intelligence agencies still seek, quite properly, to maintain secrecy of their “sources and methods,” but in other respects—access to historical archives, greater journalistic interest, and civil society research—it is possible to understand a great deal more now than before about what intelligence does and whether it enhances or degrades security. On the other hand, because of endemic secrecy and its reflexive tendency to act repressively, intelligence agencies have always been a focus of conspiracy theorizing; the Internet and the current prevalence of “fake news” has only worsened this tendency. Therefore, such collections of scholarly research articles as the present volume are so important in that their wide promulgation can possibly counteract the growth of misinformation.

Finally, these country studies provide a solid basis for the further development of comparative analysis in an increasingly uncertain world—in terms of both security and democracy—and thus constitute an important contribution to the study of intelligence not only in Latin America and the Caribbean but globally. Ultimately, this global perspective on intelligence democratization is a key part of the intelligence studies field.

NOTES

1. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991).
2. Intelligence agencies have been either vilified by populist leaders or used by these leaders for political gain and consolidation of power.
3. Larry Diamond, *Developing Democracy: Towards Consolidation* (Baltimore MD: Johns Hopkins University Press, 1999).

rule, radicalization-cum-polarization, and the role of militaries in adjudicating high-stakes political disputes.” Omar Sánchez-Sibony, “Competitive Authoritarianism in Morales’s Bolivia: Skewing Arenas of Competition,” *Latin American Politics and Society* 63, no. 1 (2021): 118–44, DOI: <https://doi.org/10.1017/lap.2020.35>. Also see Brendan de Brun, “Bolivia: A Tale of Praetorianism,” in *The Routledge Handbook of Civil-Military Relations*, eds. Florina Cristiana Matei, Carolyn Halladay, and Thomas C. Bruneau (London: Routledge, 2021).

Chapter Five

Brazil

Marco Cepik¹

This chapter assesses Brazil’s intelligence democratization since the end of the military regime in the 1980s. Structurally speaking, Brazil’s state apparatus has been built in the context of persistent authoritarian political culture and a highly unequal society.² From an interactional perspective, rigid hierarchies historically reproduced in Brazil (figure 5.1) tend to afflict daily interactions between individuals and groups with low levels of mutual trust and the recurrent use of coercion to resolve conflicts.³ Such uncooperative political dynamics acutely stress democratic institutions, making the Brazilian political system a litmus test for democratization.

Historically, Brazilian intelligence is oriented against “internal enemies,” labeled communists or corrupt actors in different contexts, and persistently resisted meaningful democratic accountability.⁴ As a result, weak democratic governance⁵ of intelligence caused chronic legitimacy deficits, inefficiencies, and political crises.⁶

HISTORICAL BACKGROUND ON THE MILITARY REGIME AND THE ROLE OF INTELLIGENCE

Between 1964, when a military coup overthrew the government of elected President João Goulart (1961–1964), and 1985, when the National Congress elected the first civilian president, Brazil was a non-democratic regime. The military regime used the intelligence services—most notably the National Information Service (SNI)—to repress the population under the pretext of combatting internal threats posed by subversion and communism, as defined in the Brazilian national security doctrine formed in the context of the Cold War.⁷

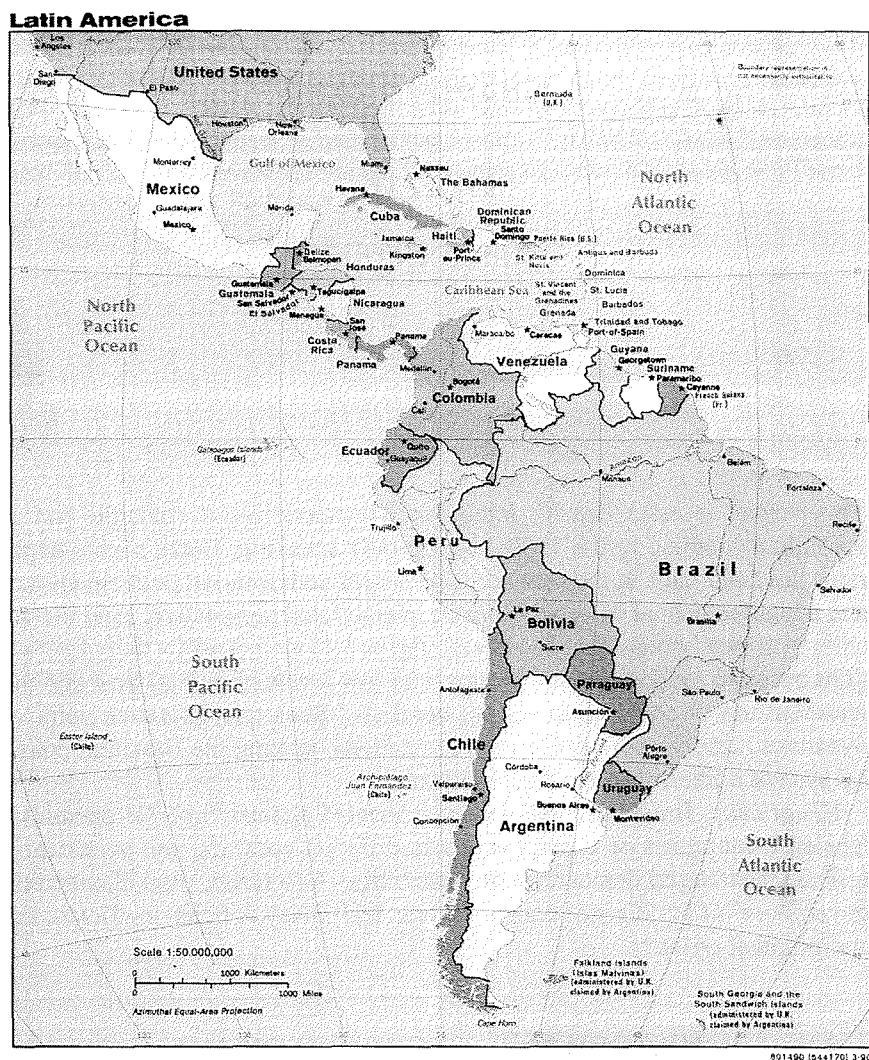


Figure 5.1. Map of Latin America

Courtesy of the Perry-Castañeda Library Map Collection at the University of Texas

As an entity under the president, the SNI was tasked with supervising and coordinating information and counterintelligence activities, establishing a national information apparatus encompassing every level of society.⁸ Nevertheless, its primary focus was eliminating dissent toward the military government.

Although the SNI was conceived initially as a civilian agency subordinate to the executive branch, this agency became a military-dominated organization.⁹ In 1968, the government created the National Internal Security System (SISSEGINT), an interagency arrangement comprised primarily of the SNI and the intelligence agencies of the three Brazilian military services (army, navy, and air force). Marco Cepik and Priscila Antunes revealed that this network engaged in “monitoring virtually every aspect of civilian life, especially those perceived as internal threats to national security. Its operations resulted in the violation of citizens’ rights, since torture, violation of correspondence, telephone bugging, and arrests without a warrant were accepted practices during the military regime.”¹⁰ In 1971, the National School of Information (ESNI) was created to further solidify SNI’s preeminence by monopolizing intelligence training of civilian and military personnel.¹¹ Between 1974 and 1985, the SNI lost legitimacy due to its politically repressive activities; however, it retained power in the slow transition to democracy.

In sum, the SNI became a “parallel power.” As illustrated by Scott D. Tollefson, it “served as the backbone of the military regime’s system of control and repression.”¹² It had high penetration of society and was insulated from external accountability.¹³ The SNI even survived the end of the military regime.

BACKGROUND ON DEMOCRATIC TRANSITION AND INTELLIGENCE DEMOCRATIZATION

After twenty-one years of military rule, in 1985, the military regime initiated a transition to democracy, by transferring its governing power to a civilian president, José Sarney (1985–1990). In December 1989, Brazil’s first democratic direct election led to the election of President Fernando Collor de Mello.¹⁴ In 1990, President Collor disbanded the SNI. Since then, three distinct periods have marked the development of the post-dictatorial Brazilian intelligence system: 1990–1999, 2000–2014, and 2015–present.¹⁵

The first period (1990–1999) was a transitional one, involving some minor structural reforms.¹⁶ The first step was changing the names of some intelligence agencies, to indicate a departure from past *modus operandi*. For instance, the secret services operating under the military included “intelligence” in their titles, to signal compatibility between their practices and those of their counterparts from democratic countries. In 1991, President Collor established the Secretariat for Strategic Affairs (SAE), a civilian body under the presidency that performed various functions, including intelligence activities.¹⁷ An executive decree authorized the remaining SNI personnel, facilities,

and technical means to operate within the newly formed SAE. The military and police intelligence branches continued to conduct surveillance against “subversive” social movements and political parties while simultaneously supporting “organic security” (internal affairs). The services established their priorities, responding to their threat perceptions.¹⁸

President Collor submitted a bill regulating intelligence activities to the National Congress in 1990, but the stigma of the secret services persisted.¹⁹ Due to past experiences and the fact that legislation inherited from the military dictatorship was still in place, concerns about human rights violations and power abuses were prominent among journalists, parliamentarians, academics, and civil society. Throughout the decade, the government and opposition parliamentarians, especially from the Workers’ Party (PT), debated new legislation to adapt Brazilian intelligence to what would become the democratic 1988 Federal Constitution. The main points of contention were determining the proper balance of power between the new civilian intelligence service and the legislative and judiciary’s proper roles regarding authorization and oversight.

On December 7, 1999, Congress passed Law 9.883, enacted by President Fernando Henrique Cardoso (1995–2002) from the Brazilian Social Democracy Party, (PSDB). Article 1 of the law instituted a Brazilian Intelligence System (SISBIN), committed to defending the constitution and international treaties signed by Brazil.²⁰ The same article defined intelligence and counterintelligence activities. Under the law, intelligence should combine overt and secret efforts to acquire relevant domestic and international information. This information was aggregated, correlated, and identified immediate or potential threats and appropriate responses to decision makers. The law also defined counterintelligence as aiming to neutralize opposing countries, or organizations’ intelligence capabilities.²¹ Article 6 of the law has determined that the National Congress should exert external control and supervision of intelligence activities. Additionally, according to Article 11 of the law, the Senate brandishes the power to confirm or refuse the ABIN’s director-general candidate proposed by the president.²²

The Ministry of Defense and its subordinate entities—the intelligence centers of the navy (CIM), the army (CIE), and the air force (CIAER), the intelligence subsection of the Joint Chiefs of Staff (EMCFA), and the Center for the Amazon Security Protection System (CENSIPAM)—participate in the SISBIN. Ministry of Justice and Public Security also participate in the SISBIN, with the following entities: the intelligence departments of the Federal Police; the Federal Highway Police; the intelligence units of the departments in charge of the penitentiary system, ports, public security, special operations, asset recovery, and international legal cooperation. The Ministry of Infra-

structure—eight associated agencies—also participate in SISBIN, including regulatory and implementation bodies in the transport and infrastructure sectors. Brazil’s other sixteen ministries are part of the SISBIN council by at least one intelligence representative. Interestingly, of the forty-eight federal agencies, departments, and units participating in the SISBIN Council, less than a third directly support national security decisions.

The second period (2000–2014) involved SISBIN’s consolidation and expansion. President Cardoso introduced additional and lasting institutional changes during his second term (1999–2002).²³ First, ABIN became subordinated to the newly created Institutional Security Office (GSI) of the presidency. Formerly known as the Presidency’s Military Cabinet, the GSI is the ministry in charge of security affairs in the Brazilian federal government. Since then, the director of ABIN has been a civilian whose name has to be approved by the Senate. However, the person who heads ABIN is hierarchically subordinate to the chief minister of the GSI, since 1999 an army general appointed by the president of the republic.²⁴ Second, the president and the minister of justice created a Public Security Intelligence Subsystem (SISP) through an executive decree to better coordinate law enforcement intelligence at the federal and state levels.²⁵ Third, the minister of defense established an independent Defense Intelligence System (SINDE) through an administrative ordinance.²⁶ SINDE’s goal was to integrate the intelligence services of the armed forces’ three services, as well as the intelligence components of the joint chiefs of staff (EMCFA) and the Amazon Protection System Management and Operational Center (CENSIPAM). Fourth, an executive decree established which agencies would be part of the Brazilian intelligence system and belong to the interagency SISBIN Consultive Council. The SISBIN Council has no direct authority over the participating agencies but performs a potentially vital role to facilitate cooperation and intelligence policy implementation.²⁷

Finally, as mandated by the 1999 intelligence law, the Brazilian legislative branch formally established the Joint Commission for the Control of Intelligence Activities (CCAI) in 2000. Nonetheless, the National Congress took another thirteen years to approve CCAI’s powers, composition, and internal rules. According to the National Congress Resolution Number Two adopted on November 22, 2013, CCAI is a permanent commission of the National Congress, composed of six senators and six federal deputies, with powers to inspect all SISBIN’s participating agencies and any other intelligence and counterintelligence components of the national public administration inside Brazil and abroad.²⁸ CCAI approves the nominee appointed by the president to direct ABIN and can conduct inspections at any intelligence-related facilities, initiate investigations, further investigate after receiving any complaints, and request documents, regardless of classification level.²⁹

Additionally, the Joint Commission is responsible for evaluating the National Intelligence Policy (PNI) and the National Intelligence Strategy (ENINT), revising and amending budget proposals, conducting commission studies, preparing and requesting reports, proposing legislation, and holding public and secret hearings. Unjustified refusal to meet CCAI's demands constitutes a crime. Entrusted with such a range of formal powers, CCAI's poor performance over the years is frustrating.³⁰

Lula da Silva (PT) retained the legal framework of SISBIN during his two presidential terms (2003–2006 and 2007–2010). However, he increased the number of intelligence branches and boosted resource allocation significantly. Two factors facilitated the rapid expansion of the intelligence community.³¹ First, Lula's regional and global foreign and defense policy initiatives were diverse and ambitious—necessitating increased knowledge collection abilities and capacities—leading to employing a more significant number of personnel and facilities. Similarly, during Dilma Rousseff's (PT) first presidential term (2011–2014), Brazil hosted several important international events such as the United Nations Conference of Sustainable Development (2012) and the FIFA World Cup (2014). Additionally, Brazil's public security environment deteriorated alarmingly during Dilma's administration. In 2011, for example, there were 47,215 intentional violent deaths in Brazil, which rose to 53,646 in 2013 and 63,880 in 2017.³² The combination of more ambitious international goals and a public security crisis resulted in the expansion of military and law enforcement intelligence spending and activities between 2000 and 2014.

During Cardoso, Lula, and Rousseff's presidencies, political crises linked to reports of abuse or intelligence failures were dealt with under the general framework established by the 1988 democratic constitution.³³ In 2013, for example, the National Congress established a Parliamentary Investigation Commission (CPI) to assess the validity of accusations against the U.S. government of allegedly conducting espionage against Brazil's presidency and Petrobras. The CPI concluded that security and counterintelligence failures transpired, necessitating legislative and organizational reforms.³⁴ Another positive development was the legislative process leading to the enactment of the Law of Access to Information (LAI), a federal law that governed citizen's access to information and official government secrets, sanctioned by President Rousseff in 2011 (Law 12,527).³⁵ Generally speaking, between 1988 and 2014, Brazil obtained significant simultaneous gains in democracy, security, and socioeconomic development.³⁶

In striking contrast, the third period (2015–present) has been marked by the deterioration of previously achieved results. The economic situation worsened drastically following the international fall in commodity prices, the

consequences of the COVID-19 pandemic, and the macroeconomic policy choices made by the federal government. The average annual growth of the Brazilian GDP was –1.06 percent within the above date range, with more pronounced declines in 2015 (–3.5 percent), in 2016 (–3.3 percent), and 2020 (–4.4 percent).³⁷ Social unrest and political polarization followed the deteriorating economic environment, punctuated by the impacts of the Car Wash operation, the deposition of Dilma Rousseff by the National Congress in 2016, the imposition of a harsh austerity plan combined with labor and pensions deregulations during Michel Temer's transitional government (2016–2018), and former President Lula's arrest followed by Jair Bolsonaro's controversial election in 2018.³⁸

Between 2016 and 2018, as Temer's popular approval rates decreased to a mere 3 percent, the former vice president appealed to the armed forces to contain protests and intervene in Rio de Janeiro. Law enforcement and military intelligence agencies have benefited from the symbiotic relationship of government officials requiring assistance, and intelligence and security agencies providing it with associated resourcing and autonomous management with minor oversight. Commanded by an influential and prominent army general, the GSI established by executive decree a National Intelligence Policy (2016) and a National Intelligence Strategy (2017).

The PNI document (Executive Decree 8,793 of June 2016) identified eleven priority threats to guide SISBIN's intelligence work, albeit in a generic fashion and without prioritization: espionage, sabotage, external interference, actions contrary to national sovereignty, cyber-attacks, terrorism, illegal use of sensitive technologies, weapons of mass destruction, organized crime, corruption, and activities contrary to the Democratic Rule of Law.³⁹ In December 2017, another executive decree approved a National Intelligence Strategy (ENINT) to complement the new policy.⁴⁰ ENINT has four structuring axes: networking, technology and training, international projection, and security. ENINT's objectives include, *inter alia*: foster a culture of knowledge protection; improve cryptography capabilities; consolidate foreign intelligence activities; target corruption; combat organized crime, transnational crimes, and terrorism; create protocols for integrated SISBIN actions; and establish an early warning system. Although ABIN remains the sole federal agency with an exclusive intelligence mission, both PNI and ENINT are tasked with guiding the intelligence components of all SISBIN participating agencies in their respective policy realms.

In 2018, the Temer government authorized ABIN to hire three hundred new employees. By then, the agency had specialized directorates for intelligence operations, analysis, counterintelligence, counterterrorism, transnational crime, the Intelligence School (ESINT), and the Center for Research and

Development of Secure Communications (CEPESC). ABIN has superintendencies in all Brazilian states and official attachés in twenty countries.⁴¹

Jair Bolsonaro's relationship with intelligence organizations has been contradictory. On the one hand, Bolsonaro's policies have favored intelligence agencies. For instance, he appointed thousands of military officers—active and retired—to relevant positions in the government. In parallel, the Bolsonaro administration has endeavored to dilute oversight and accountability of intelligence.⁴² On the other hand, he publicly declared his mistrust in established intelligence organizations, amid concerns with potential misuse of intelligence components obliged by hierarchy and loyalty in law enforcement and the armed forces, enabled by Bolsonaro's far-right stance against human rights.⁴³ In August 2020, for example, the Brazilian Supreme Court (STF) ordered the suspension of the compilation of a dossier against political opponents produced by an Intelligence Directorate (DINT/SEMPI) under the Ministry of Justice and Public Security (MJSP). In March 2021, Bolsonaro's attorney general argued before the STF to utilize the National Security Law (LSN) to investigate and prosecute people who criticize his government. LSN was adopted by the Military Dictatorship in 1983 and was only revoked by the National Congress in August 2021.⁴⁴ Conversely, Bolsonaro declared in a televised cabinet meeting in 2020 that he trusted his "informal" intelligence network, not the government's civilian intelligence agencies.⁴⁵ It has been difficult to reconcile a commitment to truth and respect for scientific evidence underlying intelligence analytical work with the president's far-right ideology. In May 2020, for example, a secret ABIN report released by the press indicated that Bolsonaro ignored and failed to act in response to the seriousness of the COVID-19 pandemic.⁴⁶

In sum, Bolsonaro's contradictory claims and actions vis-à-vis intelligence have obstructed intelligence democratization in Brazil. The expansion of SISBIN in the last two decades also poses challenges for assessing the control and accountability of intelligence activities.

ANALYSIS

The preceding discussion reveals that in contrast to the rapid expansion of the SISBIN, the institutions for oversight and control are fewer and weaker. The next section provides an evaluation of the gaps and unbalances between the size of the Brazilian intelligence system and the ability of the selected entities to exercise external democratic controls over the SISBIN agencies.⁴⁷ Table 5.1 summarizes the preliminary findings and an overall performance assessment of each selected institution.

Table 5.1. Oversight institutions, attributes, and performance

<i>Institution</i>	<i>Mandate</i>	<i>Focus</i>	<i>Scope</i>	<i>Resources</i>	<i>Profile</i>	<i>Performance</i>
CREDEN-CG	Decree	evaluate	cluster	insufficient	soft	weak
CISSET-PR	Decree	audit	agency	sufficient	hard	strong
CGU	Law	investigate	system	sufficient	hard	strong
TCU	Constit	audit	system	outstanding	hard	strong
CCAI	Law	evaluate	system	insufficient	soft	weak
CPI	Constit	investigate	system	sufficient	hard	weak
CNJ	Constit	evaluate	cluster	outstanding	soft	weak
CNMP	Constit	investigate	cluster	outstanding	soft	weak
MPM	Law	investigate	cluster	sufficient	soft	weak
MEDIA	Constit	evaluate	system	sufficient	hard	medium

Source: Elaborated by the author.

In the executive branch, there is a significant gap between CREDEN's potential to improve the democratic governance of intelligence in Brazil and its current level of irrelevance in this realm.⁴⁸ CREDEN's legal mandate includes monitoring and evaluating the PNI and ENINT implementation programs.⁴⁹ However, the GSI minister chairs the CREDEN. In other words, the same minister (an army general) who has direct authority over ABIN and coordinates the SISBIN council is responsible for evaluating and monitoring how well the executive branch of the federal government implements the intelligence policy/strategy.⁵⁰ As of March 2021, no evidence exists of technical groups and reports assessing any such objectives. In this sense, CREDEN-CG fails to provide vital control and oversight (monitoring and evaluation), is insufficiently resourced, displays low assertiveness (soft), and achieves poor overall performance.

The CGU is the central organ of an Internal Control System for the Federal Executive Branch.⁵¹ The comptroller general's mandate extends to all civilian bodies of SISBIN (the military has its own legal and disciplinary regime). The Internal Control Secretariat of the Presidency (CISSET-PR) is also part of the Federal Internal Control System, so the GSI and the ABIN are under its purview. Under the terms of law 13,844 of 2019, CGU has auditing powers and executive functions of ombudsman, inspectorate, and internal affairs.⁵² The power to sanction individuals contributes to making CGU and CISSET effective oversight instruments regarding the legal conformity of officials' conduct. CGU is well funded and has been assertive in performing its mission in general.⁵³ There is one glaring problem, however. The CGU is also a member of the SISBIN Council, which precludes it from being considered an external and independent overseer. For example, in 2020, CGU and ABIN signed a Technical Cooperation Agreement for information sharing and anti-corruption training.⁵⁴

In the legislative branch, there is a similar contrast between the Federal Court of Accounts (TCU) high performance within its narrow mission and the low performance of the CCAI. Based on the Federal Constitution (Article 71) and its organic law,⁵⁵ the TCU is empowered to inspect, audit, investigate, and judge the accounts of all the institutions and persons responsible for the money, assets, and currency of the Federative Republic. Transparency measures (online Budget Panel) allow citizens to critically monitor public spending on security, defense, intelligence, and even secret actions.⁵⁶ With outstanding resources and an assertive approach, the TCU has demonstrated a strong performance in auditing intelligence spending, at least in the case of ABIN.⁵⁷

In contrast, despite its broad formal powers to evaluate, investigate, and audit, CCAI lacks minimal resources and displays low levels of expertise and interest (soft profile) as an overseer.⁵⁸ Its activities are intermittent and unfocused, setting a low standard for what Loch Johnson described as “sporadic patrolling and ad hoc responses to fire alarms.”⁵⁹ Even further regulatory action from the Joint Commission, which could be expected in such situations, has failed.⁶⁰ For example, in 2015, the CCAI leadership introduced Bill 3,578 to regulate intelligence operations. The bill was shelved in 2019 without being voted upon.⁶¹ Without a clear definition of what constitutes intelligence operations and analysis, something the original SISBIN law failed to provide, it is challenging to have effective oversight over such an elusive puzzle.

After twenty years, CCAI remains poorly institutionalized; therefore, the efficacy of its functioning depends on who presides over it, which alternates between the chairs of the Defense and Foreign Affairs Commissions of the Chamber of Deputies and the Senate. In 2019, for example, the son of the president, Federal Deputy Eduardo Bolsonaro, held the vice presidency of CCAI, creating an egregious conflict of interest. The Parliamentary Commissions of Inquiry (CPIs), designed to react with greater incisiveness and granted special investigative powers to rectify exceptional situations, cannot fulfill their roles in the absence of CCAI’s cooperation. They tend to produce inconclusive and generic reports, as was the case with the CPI’s investigation into allegations of espionage activities conducted by the U.S. government against Brazil in 2013–2014.⁶²

In the judicial branch, the National Council of Justice (CNJ) is the body mandated by the constitution to guarantee the independence of justice and to inspect, audit, sanction, monitor, and evaluate the Brazilian judicial system. Experts contend CNJ is generally not very effective in performing oversight functions. Between 2007 and 2018, the average annual incident rate of sanctions was 0.14 percent of the total procedures initiated.⁶³ Concerning SISBIN, a potentially relevant area of activity for the CNJ would be monitoring and evaluating judicial authorizations for interception of communications,

signals, and data. ABIN does not possess police powers and cannot request judicial approval to conduct wiretaps. However, law enforcement organizations conduct information interceptions in criminal investigations and intelligence operations with judicial authority. Data from the National Telephone Interception Control System (SNCI) indicates 19,213 court decisions regarding communication transmission intercepts between 2015 and 2020.⁶⁴ The CNJ should investigate the rationale behind such interception requests and possible abuses of power from law enforcement and intelligence agencies. However, no evidence of discussions about such matters by the council can be found.

Similarly, since the 1988 Constitution, the National Council of the Brazilian Public Prosecutor’s Office (CNMP) has been the supervisory, audit, and evaluation body of the public ministry (MP), a Brazilian body of independent public prosecutors at the federal and state levels. Over the years, the MP has acquired increasing autonomy and enormous resources, with positive effects in several areas like environmental protection and human rights. However, more power was coupled with lackadaisical accountability and great latitude to individual agenda setting and engendering legal abuses and political biases that became evident in the aftermath of the Car Wash anticorruption operation.⁶⁵ Regarding intelligence oversight, there are two additional problems. First, the CNMP effectively renounced its constitutional duties to oversee and carry out external control of the police forces, including police intelligence.⁶⁶ Second, although the intelligence units of the various public prosecutor branches are not formally part of SISBIN, there are many informal collaboration channels, joint training, socialization mechanisms, and coordinated agendas limiting CNMP’s independence as an external control institution.⁶⁷ An even softer profile characterizes the Military Public Ministry (MPM) relationship with military intelligence agencies.⁶⁸ As the delineation between intelligence and intelligence oversight entities becomes blurred, the net results are costly and potentially harmful to the citizens.

In the case of the media, the Brazilian Constitution guarantees freedom of expression and independence. Sufficient resources exist within Brazil for critical and independent coverage. Following the pattern identified by Loch Johnson,⁶⁹ the Brazilian media has been assertive in denouncing abuses, failures, and scandals (“fire alarms”).⁷⁰ However, coverage was intense only during crises and primarily focused on ABIN.⁷¹ The relative scarcity of complaints about abuses committed by the intelligence services against citizens, compared with those against police violence, may indicate that SISBIN does not perform direct repressive functions. Even so, little is known about the system’s social penetration and surveillance capacity, topics essential in determining democratic consolidation.

Moreover, the Brazilian media is weakened by dependence on selective leaks and official sources. Brazil ranks 107th among 180 countries in the World Press Freedom Index of the organization Reporters Without Borders.⁷² Three main factors hinder freedom of the press in Brazil: excessive concentration (TV, radio, printed, and online media cross-ownership), recurrent violence against journalists, and the exponential amount of disinformation circulating through social media and unchecked digital outlets.⁷³

CONCLUSION

The institutional design of Brazil's intelligence oversight is comprehensive, especially considering Latin America's legacy of opacity.⁷⁴ However, three serious problems persist.

First, more than twenty years after the establishment of SISBIN, the most effective oversight mechanisms are neither evaluation nor investigation but auditing. Considering what Russell Swenson and Carolina Sancho called the forward-looking and preventive governance model, simultaneous evaluation policies and investigating agencies are the most crucial tasks for attaining intelligence democratization.⁷⁵ In the case of Brazil, the institutions that should evaluate intelligence policies of the federal executive (CREDEN-CG), legislative (CCAI), and judiciary (CNJ) branches are those with the weakest performance. According to Frans Leeuw and Jan-Eric Furubo,⁷⁶ the four conditions for evaluation systems to become institutionalized are an explanatory (not merely normative) epistemological perspective, clear organizational responsibilities, permanence, and a focus on the uses of evaluation reports to improve the policy cycle. In 2019, a Public Policy Monitoring and Evaluation Council was created in the federal government, creating no distinguishable impact thus far in intelligence oversight.⁷⁷

The second problem arises from the vague definition of intelligence adopted in the law that devised SISBIN, which allowed excessive growth (forty-eight federal agencies so far) and the risk of undue securitization in various public policy realms. Additionally, military intelligence and law enforcement agencies are not subjected to any meaningful external oversight mechanisms by the executive, legislative, judiciary, and prosecutorial powers. They receive only a fraction of the media's attention in comparison with ABIN. Further research remains essential to assess intelligence oversight's challenges at the federal, state, and municipal levels, including private companies.

Third, since 2016 democracy has weakened in Brazil, a trend that has only worsened under Bolsonaro. Systematic attacks on social and civil rights are coupled with a weakening of accountability institutions. Building a legitimate

and effective intelligence system depends on national and international political dynamics. Authoritarian temptations, either from government officials or sectors of military, police, and intelligence bureaucracies, can only be averted if society ascertains a minimal consensus around democratic rules of coexistence among a plurality of interests and opinions, as well as harmonizing sustainable and equitable development goals. To be part of the solution, all components of the SISBIN should adopt a strong ethical commitment to intelligence based on evidence, logical consistency, rule of democratic law, critical thinking, and self-reflection.

According to Peter Gill⁷⁸ and Patrick Obuobi,⁷⁹ effective oversight may be prevented by official secrecy and the power derived from technical expertise. According to Edward Shils,⁸⁰ secrets are compulsory retention of knowledge reinforced by the prospect of sanction in case of unauthorized disclosure. Therefore, official secrecy is a public form of regulating information flow, with limits and procedures that require public justification, legal and administrative procedures, and proper control and oversight. For David Luban,⁸¹ first-order justifications for government secrecy are potentially valid and compatible with a democratic regime. However, when the very foundations of secrecy rules become secret, second-order reasons became increasingly incompatible with democracy. In Brazil, the federal information access law is very recent (2011) and has been under attack since the beginning of Bolsonaro's government. Intelligence oversight bodies could use LAI more frequently to address official secrecy from both perspectives, material (how many documents are being classified and by whom?) and ethical (which justifications, if any, are being offered by the authorities?).

The technical complexity of intelligence activities also hinders democratic accountability. Obtaining information, overtly and clandestinely, from human sources and the electromagnetic spectrum (cyberspace) is technically demanding.⁸² The cryptology and cryptography legal framework and practical consequences are challenging topics to be addressed by the National Congress.⁸³ However, public policies in different areas require technological and scientific knowledge. To effectively conduct intelligence oversight, one possible remedy would be to increase staff and officials' expertise.⁸⁴ In contrast, the fact that CCAI has only one staff person in 2021 to support the Joint Commission in the National Congress to oversee forty-eight federal agencies tells a lot about Brazil's current state of democratic intelligence governance.

NOTES

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2. Lilia Moritz Schwarcz, *Sobre o Autoritarismo Brasileiro* (São Paulo: Companhia das Letras, 2019).

3. Bruno Reis, *Modernização, Mercado e Democracia* (Porto Alegre: Editora UFRGS, 2020).

4. Marco Cepik, "Intelligence and Security Services in Brazil Reappraising Institutional Flaws and Political Dynamics," *The International Journal of Intelligence, Security, and Public Affairs* 23, no. 1 (2021): 81–102, doi: 10.1080/23800992.2020.1868784.

5. According to the distinction proposed by Peter Gill, the democratic governance of intelligence systems involves control, authorization, and oversight. Peter Gill, "Of Intelligence Oversight and the Challenge of Surveillance Corporatism," *Intelligence and National Security* 35, no. 7 (2020): 970–89, doi: 10.1080/02684527.2020.1783875. By control, the author understands the direction exercised by governors and leaders on intelligence agencies' priorities and actions. Authorization would mean the responsibility assumed by government officials and supervisory bodies regarding the authorized activities. Finally, oversight involves scrutinizing the intelligence actions carried out, both by internal and external agencies. In this sense, oversight is a precondition for the existence of accountability, which would be the obligation to explain, be accountable, and, if necessary, suffer consequences for errors and violations.

6. Marco Cepik and Christiano Ambros, "Intelligence, Crisis and Democracy: Institutional Punctuations in Brazil, Colombia, South Africa and India," *Intelligence and National Security* 29, no. 4 (2014): 523–51, doi: 10.1080/02684527.2014.915176.

7. The first civilian intelligence agency of the country was created in 1946 under the name of Federal Information and Counter-Information Service (SFICI), which was later incorporated to the National Security Council. Two decades later, the first comprehensive and integrated intelligence system in Brazil emerged during the military dictatorship (1964–1985). In June 1964, the military regime replaced SFICI with SNI. Priscila Antunes, *SNI & ABIN: Uma Leitura da Atuação dos Serviços Secretos Brasileiros ao Longo do Século XX* (Rio de Janeiro: FGV Editora, 2002).

8. Alfred Stepan, *Rethinking Military Politics: Brazil and Southern Cone* (Princeton, NJ: Princeton University Press, 1988), 16.

9. Scott D. Tollefson, "National Security," in *Brazil: A Country Study*, ed. Rex A. Hudson. (Washington, DC: Library of Congress, 1998), 358.

10. Marco Cepik and Priscila Antunes, "Brazil's New Intelligence System: An Institutional Assessment," *International Journal of Intelligence and CounterIntelligence* 16, no. 3 (2003): 353, doi: 10.1080/713830446.

11. Stepan, *Rethinking Military Politics*, 19.

12. Tollefson, "National Security," 359.

13. Peter Gill, *Intelligence Governance and Democratization: A Comparative Analysis of the Limits of Reform* (New York: Routledge, 2016).

14. According to Linz and Stepan, "The Brazilian transition's origins in a hierarchically controlled military regime did, of course, have numerous deleterious consequences for the democratization process." Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore: Johns Hopkins University Press, 1996), 166.

15. On this historical background and the role of intelligence, see Marco Cepik and Priscila Antunes, "Brazil's New Intelligence System"; Thomas C. Bruneau, "Intelligence Reforms in Brazil: Contemporary Challenges and the Legacy of the Past," *Strategic Insight* 6, no. 3 (May 2007); Marco Cepik, "Structural Change and Democratic Control of Intelligence in Brazil," in *Reforming Intelligence: Obstacles to Democratic Control and Effectiveness*, eds. Thomas C. Bruneau and Steven C. Boraz (Austin: University of Texas Press, 2007), 149–69; Marco Cepik, and Thomas Bruneau, "Brazilian National Approach towards Intelligence: Concept, Institutions and Contemporary Challenges," in *PSI Handbook of Global Security and Intelligence: National Approaches*, eds. Stuart Farson, Peter Gill, Mark Phythian, and Shlomo Shpiro (Westport, CT: Praeger, 2008), 112–29; Thomas C. Bruneau, "Intelligence Reform in Brazil: A Long, Drawn-Out Process," *International Journal of Intelligence and CounterIntelligence* 28, no. 3 (2015): 502–59.

16. Antunes, *SNI & ABIN*.

17. See Cepik and Antunes, "Brazil's New Intelligence System"; and Tollefson, "National Security."

18. It is worth mentioning that it is common for the security and intelligence services to conflate internal affair investigations as "counterintelligence" in Brazil. Thomas Bruneau and Florina C. Matei, "Intelligence in the Developing Democracies: The Quest for Transparency and Effectiveness," in *The Oxford Handbook of National Security*, ed. Loch Johnson (New York: Oxford University Press, 2010), 757–73.

19. Priscila C. Brandão, *Serviços Secretos e Democracia no Cone Sul: Premissas Para uma Convivência Eficiente, Legítima e Eficaz* (Niterói: Impetus, 2010).

20. Lei 9.883, 7 de dezembro de 1999. Available at https://www.planalto.gov.br/ccivil_03/leis/19883.htm.

21. Lei 9.883, 7 de dezembro de 1999. Available at https://www.planalto.gov.br/ccivil_03/leis/19883.htm.

22. Lei 9.883, 7 de dezembro de 1999. Available at https://www.planalto.gov.br/ccivil_03/leis/19883.htm. Between 2002 and 2021, the number of federal agencies participating in SISBIN increased from twenty-two to forty-eight. Such bodies are subordinate to nineteen different ministries. Agência Brasileira de Inteligência, "Seis órgãos têm ingresso aprovado no SISBIN," <https://www.gov.br/abin/pt-br/assuntos/noticias/seis-orgaos-tem-ingresso-aprovado-no-sisbin>.

23. Cepik, "Structural Change and Democratic Control of Intelligence in Brazil."

24. Medida Provisória (MP) 1.911-10, 24 de setembro de 1999. Available at http://www.planalto.gov.br/ccivil_03/mpv/antigas/1911-10.htm.

25. Decreto 3.695, 21 de dezembro de 2000. Available at http://www.planalto.gov.br/ccivil_03/decreto/d3695.htm.

26. Portaria Normativa 295/MD, 3 de junho de 2002. Available at Portaria Normativa No 295/MD, de 3 de junho de 2002.
27. Decreto 4.376, 13 de dezembro de 2002. Available at http://www.planalto.gov.br/ccivil_03/decreto/2002/D4376compilado.htm.
28. Resolução 02, 2013—CN. Available at <https://cutt.ly/fcEbUpD>.
29. Resolução 02, 2013—CN. Available at <https://cutt.ly/fcEbUpD>.
30. Bruneau, “Intelligence Reform in Brazil.”
31. Cepik, “Intelligence and Security Services in Brazil.”
32. Fórum Brasileiro de Segurança Pública [FBSP], *Anuário Brasileiro de Segurança Pública* no. 9 (2014). Available at https://forumseguranca.org.br/storage/8_anuario_2014_20150309.pdf.
33. Cepik and Ambros, “Intelligence, Crisis, and Democracy,” 534–38.
34. Senado Federal, *Relatório Final da CPI da Espionagem*, Brasília: Diário do Senado Federal, Ano LXIX, Sup. “C” n. 51, 17 de abril de 2014.
35. Karina Rodrigues, “The Politics of Brazil’s Access to Information Policies: History and Coalitions,” *Rev. Adm. Pública* 54, no. 1 (2020): 142–61, doi: 10.1590/0034-761220180369x.
36. Cepik, “Intelligence and Security Services in Brazil,” 16.
37. Banco Central do Brasil. Available at <https://www3.bcb.gov.br>.
38. Ernesto Lodofo and Leticia Casado, “A Collapse Foretold: How Brazil’s COVID-19 Outbreak Overwhelmed Hospitals,” *New York Times*, March 27, 2021. Also, see <https://cutt.ly/Nx9W3p4>. <https://calhoun.nps.edu/handle/10945/59691>.
39. Decreto 8793, 26 de junho de 2016. Available at http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2016/decreto/D8793.htm.
40. Decreto de 15 de dezembro de 2017. Available at http://www.planalto.gov.br/ccivil_03/_ato2015-2018/2017/dsn/Dsn14503.htm.
41. Gabinete de Segurança Institucional, *Relatório de Gestão 2018* (Brasília: Gabinete de Segurança Institucional, 2019). Available at <https://bit.ly/3h8Vcql>.
42. He repudiated transparency mechanisms established by Rousseff’s government, like, for example, the National Truth Commission (CNV) and the Information Access Law (LAI). In 2019, his government attempted to extinguish federal collegiate councils and bodies with civil society representatives (Decree 9,759) and reduced the access to information made through LAI requests. Raul Durló, *Relatório: Negativas de Acesso à informação pioram sob governo Bolsonaro* (São Paulo, Transparência Brasil, 2020). Available at https://www.transparencia.org.br/downloads/publicacoes/Negativas_de_acesso_a_informacao_pioram_sob_governo_Bolsonaro.pdf.
43. Cepik, “Intelligence and Security Services in Brazil,” 14.
44. Rayssa Motta and Pepita Ortega, “STF é pressionado para derrubar Lei de Segurança Nacional,” *Terra*, March 25, 2021, <https://bit.ly/2P6R6V4>.
45. “Brazil court releases explosive Bolsonaro video as coronavirus cases soar,” YouTube video, 5:25, posted by “DW News,” May 23, 2020, <https://www.youtube.com/watch?v=R45NG9tsNJK>.
46. Mateus Vargas, “Informes da Abin destacam benefício da quarentena e citam subnotificação,” *O Estado de São Paulo*, May 31, 2020. Available at <https://cutt.ly/VxSXQXq>.

47. A relevant sample of national oversight institutions was selected for evaluation. The following ten oversight institutions were selected from the three coequal branches of government, the public prosecutor, and the media:

- From the Executive Branch, the National Defense and External Relations Chamber of the Government Council (CREDEN-CG), the Internal Control Secretariat of the Presidency (CISSET-PR), and the Comptroller General of Brazil (CGU).
- From the Legislative Branch, the Federal Court of Accounts (TCU), the Intelligence Activities Control Commission (CCAI), and Parliamentary Investigation Committee (CPI).
- From the Judicial Branch, the National Council of Justice (CNJ).
- In the Public Prosecutor system, the National Council of the Brazilian Public Prosecutor’s Office (CNMP) and the Military Public Ministry (MPM).
- The Media, in general, not particular business corporations or outlets, will be treated as an institution. Scores were assigned to each based on political science concepts, Brazilian documents, scientific articles, books, and the author’s direct observation. Luciano Da Ros kindly shared thoughts on their insightful concept of accountability as the sum of transparency, oversight, and sanctioning, moderated by overseers’ capacity, plus engagement minus political dominance of those under scrutiny: $A = (T + O + S) * (C + E - D)$. Luciano Da Ros and Matthew M. Taylor, “Accountability na Era Bolsonaro: continuidades e mudanças,” in *Governo Bolsonaro: Retrocesso Democrático e Degradação Política*, ed. Leonardo Avritzer et al. (São Paulo, Editora Autêntica, 2021), 187–204. The preliminary assessment for each institution is based on five attributes. First, the institutions’ oversight varies as the legal mandates come primarily from the Constitution, public laws, or executive decrees. The second attribute is the focus of the oversight, classified as evaluation, investigation, and auditing capacity. The third attribute was the scope of the oversight authority exercised by each institution, classified as encompassing one single agency, a cluster of agencies, or the entire SISBIN. Fourth, the oversight institutions were categorized according to the general level of resources they can marshal to conduct their respective missions. Finally, following the division proposed by Loch Johnson, the overseers’ ability to compel responsiveness and accountability of the intelligence agencies and their leaders they were responsible for monitoring were classified as hard (positive) or soft (negative). Loch Johnson, “Governing in the Absence of Angels: On the Practice of Intelligence Accountability in the United States,” in *Who’s Watching the Spies? Establishing Intelligence Service Accountability*, ed. Hans Born, Loch Johnson, and Ian Leigh (Washington, DC: Potomac Books, 2005), 57–78.

48. Andreia Verdélio, “Bolsonaro preside hoje 39ª Reunião do Conselho de Governo,” *Agência Brasil*, November 19, 2020, <https://agenciabrasil.ebc.com.br/politica/noticia/2020-11/bolsonaro-preside-hoje-39a-reuniao-do-conselho-de-governo>.

49. Decreto 9819, 03 de junho de 2019. Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9819.htm.

50. “Conselho de Governo,” Brasília, March 30, 2021. Available at <https://www.gov.br/planalto/pt-br/acao-governamental/conselho-de-governo/conselho-de-governo>.

51. Decreto 3591, 06 de setembro de 2000. Available at http://www.planalto.gov.br/ccivil_03/decreto/d3591.htm.

52. Lei 13.844, 18 de junho de 2019. Available at http://www.planalto.gov.br/ccivil_03/_Ato2019-2022/2019/Lei/L13844compilado.htm.

53. Portal da Transparência, “Controladoria-Geral da União—Unidades com vínculo direto—CGU,” <https://portaldatransparencia.cgu.gov.br/orgaos/37000-ministerio-da-transparencia-e-cgu>.
54. Controladoria Geral da União, “Acordo de Cooperação Técnica n. 11, de 10 de julho de 2020,” <https://repositorio.cgu.gov.br/handle/1/46082>.
55. Lei 8.443, 16 de julho de 1992. Available at http://www.planalto.gov.br/ccivil_03/leis/18443.htm.
56. SIOP—Sistema Integrado de Planejamento e Orçamento. Available at <https://www.siop.planejamento.gov.br/>.
57. Tribunal de Contas da União, “Relatório de Auditoria TC 023.480/2016-5 Gastos Sigilosos ABIN.” Available at <https://bit.ly/3jLwSga>.
58. “Atividades Legislativas: Comissão Mista de Controle das Atividades de Inteligência,” Senado Federal. Available at <https://legis.senado.leg.br/comissoes/comissao?codcol=449>.
59. Loch Johnson, “A Shock Theory of Congressional Accountability for Intelligence,” in *Handbook of Intelligence Studies*, ed. Loch Johnson (New York: Routledge, 2009), 343–60.
60. Matthew D. McCubbins and Thomas Schwartz, “Congressional Oversight Overlooked: Police Patrols versus Fire Alarms,” *American Journal of Political Science* 28, no. 1 (1984): 165–79, doi: 10.2307/2110792.
61. “Publicações,” Agência Brasileira de Inteligência. ABIN. Available at <https://www.gov.br/abin/pt-br/centrais-de-conteudo/publicacoes>.
62. Senado Federal, *Relatório Final da CPI da Espionagem*.
63. Fábio Kerche, Vanessa Elias de Oliveira, and Cláudio Gonçalves Couto, “The Brazilian Councils of Justice and Public Prosecutor’s Office as Instruments of Accountability,” *Revista de Administração Pública* 54, no. 5 (2020): 1334–60, doi: 10.1590/0034-7612201900212.
64. “Painel do Sistema Nacional de Intercepções de Comunicações—SNIC,” Conselho Nacional de Justiça. Available at <https://bit.ly/31LnAad>.
65. Rogério B. Arantes and Thiago M. Moreira, “Democracia, instituições de controle e justiça sob a ótica do pluralismo estatal,” *Opinião Pública* 25, no. 1 (2019): 97–135, doi: 10.1590/1807-0191201925197.
66. Murilo Strätz, “O Sistema Brasileiro de Inteligência e a amplitude do controle externo da atividade policial federal exercido pelo Ministério Público da União,” *Revista da SJRJ* 19, no. 34 (2012): 209–23, <https://www.jfrj.jus.br/revista-sjrrj/artigo/o-sistema-brasileiro-de-inteligencia-e-amplitude-do-controle-externo-da>.
67. Carlos S. Arturi and Júlio C. Rodriguez, “Democratization and Intelligence and Internal Security Agencies: A Comparative Analysis of the Cases of Brazil and Portugal (1974–2014),” *Brazilian Political Science Review* 13, no. 02 (2019), doi: 10.1590/1981-3821201900020005.
68. Ministério Público Militar, “MPM em Visita ao Centro de Inteligência do Exército,” January 27, 2021, <https://www.mpm.mp.br/mpm-em-visita-ao-centro-de-inteligencia-do-exercito/>.
69. Johnson, “A Shock Theory of Congressional Accountability for Intelligence,” 345.

70. Bela Megale, “Chefe da Abin depõe por 3 horas em inquérito sobre ataques de Bolsonaro às urnas eletrônicas,” *O Globo*, August 26, 2021, <https://blogs.oglobo.globo.com/bela-megale/post/chefe-da-abin-depoe-por-3-horas-em-inquerito-sobre-ataques-de-bolsonaro-urnas-eletronicas.html>.
71. Jaseff Raziel Yauri-Miranda, “Principles to Assess Accountability: A Study of Intelligence Agencies in Spain and Brazil,” *International Journal of Intelligence and CounterIntelligence* (2020), doi: 10.1080/08850607.2020.1809954.
72. “Brazil,” Reporters Without Borders, accessed March 15, 2021, <https://rsf.org/en/brazil>.
73. Observatório da Imprensa, <http://www.observatoriodaimprensa.com.br/>.
74. Russel Swenson and Carolina Sancho, “The Governance Model of Intelligence Services in the Americas: A Comparative Assessment” (unpublished manuscript, 2021), 27.
75. Swenson and Sancho, “Governance Model of Intelligence,” 1.
76. Frans L. Leeuw and Eric Furubo, “Evaluation Systems: What Are They and Why Study Them?” *Evaluation* 14, no. 2 (2008): 157–69, doi 10.1177/1356389007087537.
77. Decreto 9.834, 12 junho de 2019. Available at http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9834.htm.
78. Gill, “Intelligence Oversight and Challenge of Surveillance Corporatism,” 13.
79. Patrick Obuobi, “Evaluating Ghana’s Intelligence Oversight Regime,” *International Journal of Intelligence and CounterIntelligence* 31, no. 2 (2018): 328, doi: 10.1080/08850607.2017.1375841.
80. Edward Shils, *The Torment of Secrecy* (Chicago: Ivan R. Dee Inc, 1996), 26.
81. David Luban, “The Publicity Principle,” in *The Theory of Institutional Design*, ed. Robert Goodin (Cambridge: Cambridge University Press, 1996), 154–98.
82. Michelle Cayford, Wolter Pieters, and Constant Hijzen, “Plots, Murders, and Money: Oversight Bodies Evaluating the Effectiveness of Surveillance Technology,” *Intelligence and National Security* 33, no. 7 (2018): 999–1021, doi: 10.1080/02684527.2018.1487159.
83. Diego Canabarro and Paulo Rená, “Veja dez razões para rejeitar artigo 10 do projeto sobre fake news, que rastreia mensagens,” *Folha de São Paulo*, August 4, 2020, <https://www1.folha.uol.com.br/poder/2020/08/veja-dez-razoes-para-rejeitar-artigo-10-do-projeto-sobre-fake-news-que-rastreia-mensagens.shtml>.
84. Thorsten Wetzling, “Options for More Effective Intelligence Oversight,” Stiftung Neue Verantwortung, 2017. Available at <https://www.stiftung-nv.de/de/publikation/options-more-effective-intelligence-oversight>.