



The use and 'ab-use' of intelligence in a transitional democracy: evidence from Nigeria¹

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Abstract

This work is concise evaluation of the use and abuse of the intelligence gathering efforts by any given State. This trend tends to be more pronounced in such transitional democracies as that of Nigeria. In carrying out this research, there was extensive reliance on ethnographic observation of events as they evolved, and are still evolving over the years in Nigeria spanning about fifteen decades. Other sources of information include critical analysis of archival Documents/ Reports, Nigerian Newspapers, Magazines, Academic Journals, Articles, Books and Internet Based Documented Source Materials. Similarly, data generated from convenient sample (clarification) interviews of selected individuals and officials from whom, in my opinion have something relevant to the validity and reliability of the work was used. The work tried to make modest, but valid attempt to identify the factors that have the capacity to increasingly dent the worth of the intelligence gathering capacity of the Nigerian State. These factors include; Colonialism, neo-colonialism, militarism of the polity, legitimacy crisis, and a significantly stunted democratization process in Nigeria. The study found out that a State battling with the aforesaid crises will most likely fall prey to punitive intelligence gathering that will serve the interest of the minority ruling and oppressive class. In the same way, intelligence gathering will be targeted at dissent and opposition voices, groups and regions to silence them and consolidate illegitimate political power. Nigeria as a nation state has been grappling with these myriads of problems in ways that so far, her intelligence community has been transformed into a tool of repression leading to magnified escalation of security crisis in the country .It is therefore pertinent that democratic principles including separation of powers be implemented to ensure parliamentary and judicial oversight of the intelligence sector to reduce executive recklessness and manipulation of the intelligence sector for undue executive advantage as a state policy.

Keywords: Intelligence, Democracy, Nigeria, Transition, National Security, Politics.

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Introduction

What Is Intelligence?

Because of misuse, the word “intelligence” means different things to different people. The most common mistake is to consider “intelligence” as synonymous with “information.” Information is not intelligence. Misuse also has led to the phrase “collecting intelligence” instead of “collecting information.” Although intelligence may be collected by and shared with intelligence agencies and bureaus, field operations generally collect information (or data).

Despite the many definitions of “intelligence” that have been promulgated over the years, the simplest and clearest of these is “information plus analysis equals intelligence.” The formula above clarifies the distinction between collected information and produced intelligence. It notes that without analysis, there is no intelligence. Intelligence is not what is collected; it is what is produced after collected data is evaluated and analyzed. Intelligence is not what is collected; it is what is produced after collected data is evaluated and analyzed.

If intelligence is analyzed information, what is analysis? Some agencies contend that computer software can perform analysis for them; thus, they invest in technology rather than in trained analysts. However, analysis requires thoughtful contemplation that results in conclusions and recommendations. Thus, computers may assist with analysis by compiling large amounts of data into an easily accessible format, but this is only collated data; it is not analyzed data or information, and it falls far short of intelligence. For information to be useful, it must be analyzed by a trained intelligence professional. In other words, intelligence tells officials everything they need to know before they knowledgeably choose a course of action. For example, intelligence provides law enforcement executives with facts and alternatives that can inform critical decisions.

Intelligence just like other social phenomenon has no shortage of definitions in a general usage, intelligence denotes three things (1) a particular knowledge; (2) the type of organization producing this knowledge; and, (3) the activity pursued by this organization (Kent, 1965). In a narrower Sense, intelligence is a subset of the broader category information which, in the hierarchy underlying modern knowledge management theory is a step in the chain of value creation, beginning with data which leads to information, then to knowledge and culminates into

wisdom. Since knowledge resides in the user and not in the collection of information, only human beings can take the central role in knowledge creation (DCAR, 2003). From the above arguments, it can be safe to define intelligence as the security-laden information gathered for the purpose of policy formulation to guarantee national security. This definition which is subject to further scrutiny as in all other social science discourses tries to operationalise the concept of intelligence and, reduce the raging controversies over the concept at least for academic utility.

However, intelligence for all intent and purposes is not information per se; rather, it is a product of evaluated information valued for its currency and relevance rather than its details or accuracy in contrast with data which typically refers to precise or particular information or 'fact' which typically refers to verified information. Sometimes called active data or "active intelligence," these typically regard the current plans, discussions, and actions of people as these may have urgency or may otherwise be considered 'valuable' from the point of view of intelligence gathering organisations. Consequently, active intelligence is treated as a constantly mutable components, or variables within a large equation of understanding the secret, covert or otherwise private intelligence of an opponent or competitor, to answer questions or obtain advance warning of events and movements deemed to be important or other wise relevant (Wikipedia, 2002).

No matter how intelligence is seen as a concept, certain fundamental assumptions are immutable. First, intelligence is more often seen as evaluated information aimed at external targets: second, the information so gathered and evaluated is usually used for the purpose of national or regional security by the state or government. These initial realities made intelligence fall into the domain of the military, and defence and more often, espionage as the nucleus of intelligence.

However, modern realities have made intelligence and intelligence gathering denote the assemblage of credible information with quality analysis. It refers to the information that has been evaluated and from which conclusions have been drawn. It is data that will be used proactively for strategic and tactical purposes (Onovo, 2004). Intelligence therefore include operational intelligence –used for planning and conducting campaigns and major operations, criminal intelligence used for tracking down criminals and for crime detection, competitive

intelligence – used by firms to outmanoeuvre one another, and such other covert information gathering for the purpose of national and regional security. It will also include business security in a globalised and competitive world (Nte, 2008)

Furthermore, it is needful to analyse the concept of 'Externality' and 'Foreign' which are the prime targets of intelligence activities, especially within a country with regards to criminal and business intelligence as it tend to pose some level of contradictions in the traditional meaning and focus of intelligence. However, this apparent contradiction can easily be resolved when a criminal is seen as a deviant and external to the prevailing norms and values of the society and when a competing firm approximates a "battle theatre" intelligence gathering aimed these situations clearly identifies the external factors from the deviant or competitor (Nte, *ibid*)

With respect to its mission, intelligence serves two purposes: first and foremost, to inform policy and second, to support operations, be they military, police or covert, with the ultimate goal of ensuring state security. The general consensus is that these two missions produce functions or roles which include; Collection, Analysis, Counter intelligence and Covert Action. These roles are common to most intelligence systems, although many others and policy makers would prefer to exclude covert action. How they are distributed between and among elements of the intelligence organisation differ from state to state depending upon different threats and resources (Bruneau, 2008). In the same vein, these elements operate most effectively as part of a process in close conjunction with one another. Consequently, Godson (1986) in Bruneau (2008) asserts that: "it is difficult to imagine an effective system for collecting intelligence without the analysis that provides effective guidance or "tasking" to collectors. Counter intelligence is necessary to protect collectors from becoming known, neutralised, and exploited by hostile intelligence services. Similarly, successful programme of covert action must be grounded in effective collection, analysis and counter intelligence. The implication there from is that the nature of intelligence is such that the several elements of intelligence are parts of "single united system, whose success depends in all parts working effectively. In short, it must be "full service" intelligence system".

Indeed, because of the covert nature of intelligence gathering over time, the process has been significantly perverse in quite a lot of cases and in many countries. Before the 1970s for instance, the intelligence services of many countries such as the United Kingdom functioned on

the bases of executive decrees, there was no legal control to obtain permission before acting (Lord Demings Report, 1963). It was also the same, for the United States until the mid -1970s when terrible scandals involving domestic spying on anti-Vietnam war protesters and the revelations about illegal covert operations and assassinations carried out by the Central Intelligence Authority (CIA). According to Leigh (2007), in the communist block, the utmost secrecy of intelligence blended perfectly and turned the agencies into repressive tools of the state.

Furthermore, intelligence covert actions included atrocious killings, toppling of un-cooperative governments or those with different ideological leanings and even the sustenance of tyrannical regimes as long as it suits the national interest of the "invading" nations especially the super powers (USIS Country Plan for Nigeria 1976; Stockwell, 1978; Chinedu, 2007). These and others horrible crimes committed by the intelligence community popularised the general consensus on proper intelligence oversight.

For neo-colonial and transitional democratic states like Nigeria, the situation is even more appalling as the intelligence community to a great extent is essentially an executive repressive tool. Colonial Nigeria for instance was a pure British colony completely under British control and surveillance. Intelligence activities was those that could ensure Nigeria's subservience to the economic interest of Britain (Smith, 2004).

This national economic policy of Britain was so strong that independence elections were covertly manipulated to pave way for the apparently docile North to take over power through fraudulent census figures and elections. The role of the British intelligence community in enthroning this debilitating seed of discord and the deliberate balkanising of the country into mutually suspicious ethnic groups cannot be over emphasized. Nigeria incidentally inherited this arrangement as a post-colonial state and created a repressive intelligence community that collaborated with the executive to sustain state oppression of her citizenry. This work will therefore investigate the factors that sustained the perversion of Nigeria's intelligence community with a view to offering useful suggestions that could drastically change the tide

Nature and Dynamics of Intelligence Gathering as a State Policy

No matter the type of state in time and space, intelligence gathering has remained an integral part of state policy for the purpose of maintaining national security and interest. However, intelligence agencies and their intelligence gathering capacities are usually predicated on the degree of power they possess, the level of autonomy from external political control and the oversight they possibly enjoy, and the degree of their penetration of the society. These prerequisites informed Peter Gills elaboration of W.W.Keller's work by creating a model for modern state and its intelligence security services into a guiding typology (Gill, 1994; Bruneau, 2008). The classification of the services was subsequently used to draw some conclusion about the nature of the state. He categorised security intelligence services in all types of political regimes whether authoritarian and democratic into three groups namely:

* **Bureau of Domestic Intelligence:** under this arrangement, intelligence gathering activities are governed by a legal charter or statute, to gather criminal intelligence and lead up to the prosecution of security offenders. In most cases it does not conduct aggressive countering operations against citizens. The British M15 is a classical example.

***Political Police:** These operatives tend to have greater autonomy from democratic policy making and are precluded from legislative and judicial oversight than the bureau of domestic intelligence. They are greatly tied to the elitist and political group in the state. Generally, this group focuses in internal political opposition groups, often gathering intelligence outside specific criminal offences and conducting repressive counter operations against domestic political opposition to the existing regime. Most authoritarian regimes in Latin America, South East Asia and Africa fit into this paradigm.

***Independent Security State:** This denotes lack of external controls and monitoring, even from the authoritarian regimes it is supposedly protecting. The basic difference between this and the political police is that it determines its own goals which could be at variance with those of the political elites. It enjoys a high degree of autonomy from the routine political process. Its funding and policies are shield from government policy making process. The South Africa intelligence apparatus of F. W. De Klerk regime and the security under President Nicolae Cenucesu of Romania are good examples. Drawing from these aforesaid types of security intelligence services, the independent Security State's penetration is the most extensive,

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most powerful and most repressive while the political police is the least (Gill, *ibid*; Bruneau and Dombroski, 2001)

Table 1: Gills typology of security intelligence agencies

	Penetration			
	High	High	Medium	Low
Autonomy	High	A Independent state	B	C
	Medium Low	D G	E Political police H	F I Domestic Intelligence Bureau

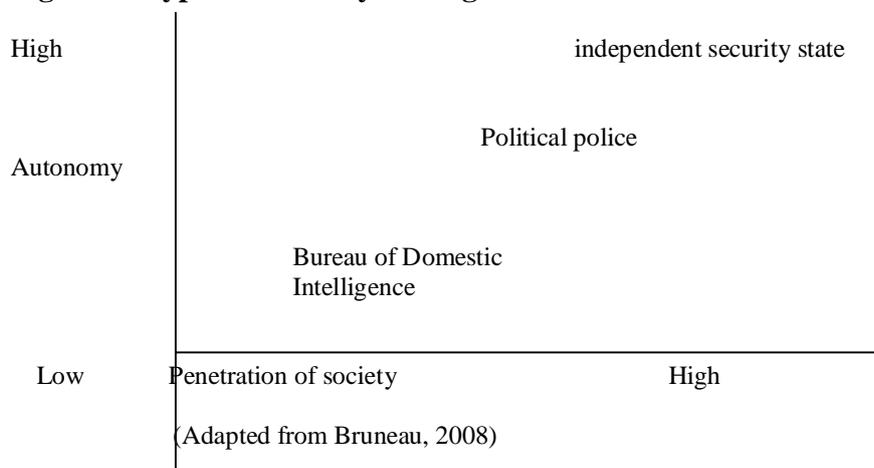
(Adapted from Gill's typology as produced by Bruneau, 2008)

The model above gives mere possible classifications for security intelligence services – Box A hold the independent security state- It is autonomous from the rest of the state and penetrates deeply into government and society. Conversely, in Box I, is the domestic intelligence bureau – subjected to the control of the state and laves deep penetration. In between the two extremes are the political police in Box E.

While the prospect of occupying box G and by the political police is feasible, the general consensus is that autonomy, self restrain penetrative and tight control should be the vital features of good intelligence services (Bruneau and Dombroski, 2001)

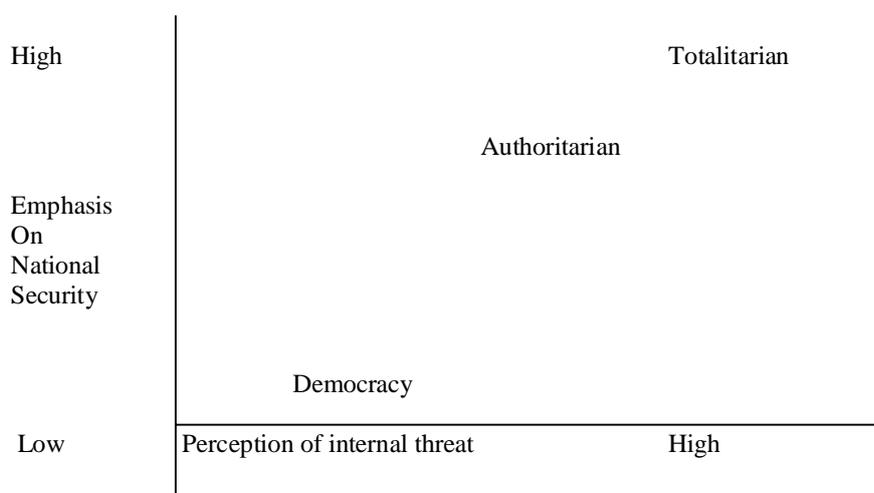
Critics of Gill's typology believe that this proposition did not make provision for comparative analysis and dynamics of intelligence agencies over time. This criticism led to the development of a graphical representation of intelligence agencies based on change in the independent variables of autonomy and penetration of society (Keller and Gill, 1994)

Figure 1: Types of Security Intelligence Services



Furthermore a more accurate tool for comparative analysis among states and within states over time would involve a pair of graphs showing the relative position of both states and their intelligence organisations. This is based on the assumption that there is a correlation between types of security intelligence apparatus and the classification of state regimes and that this relationship can be more easily compared in a graph rather than by simply using discrete boxes. In the same vein, rather than adopt Gill's classification of regime types (Poly archival state, National security state, and Garrison state), the use of the more generally accepted classifications of democracy, authoritarian regime, and totalitarian state was adopted (Gills, Ibid)

Figure 2 Gills Regime Paradigm



The citizens of democracy enjoy basic rights and freedom, seek alternative sources of information and rely on government policy making institution through elected officials. Thus policy makers try to balance security needs with social welfare expectations by ensuring that defence, police and security intelligence organization are subject to civilian oversight.

Typically, authoritarian regimes are at best pure formal democracies, if there is semblance of democratic institutions. This type of regime is plagued by political conflicts and the repression of opposition, restriction of civil rights and security agencies granted exceptional powers during emergencies or wars. An authoritarian regime may graduate into a totalitarian state when it becomes preoccupied with threats to political power, both real and perceived, when the military and security intelligence structures dominate political activity, and when the ruling regime retains powers over its populace by extra-legal means leading to intimidation and terror by the state (Rienner, 2000;).

The Nigeria state significantly fits into an authoritarian regime, where there are facades of democratic institutions since 1999, but with a state that is greatly intolerant to opposing views especially from (1999-2007) under Olusegun Obasanjo, a retired army general and former military head of state turned politician. Indeed, the level of intolerance resulted in the pervasive use of the intelligence community in Nigeria, especially the economic and Financial Crime Commission (EFCC) and the State Security Services (SSS) to hunt dissenting voices and opposition including his estranged vice president Atiku Abubakar, and indeed all those who may have disagreed with Obasanjo in the past in a classical show of vindictiveness (Nte, 2008)

This situation contrasts with the use intelligence gathering as a positive state policy such as helping democratic powers to defeat Nazi Germany, in restraining the spread of communist ideology by force; in preventing the cold war from turning hot and nuclear; and through the monitoring of arms control with Emergency intelligence (IMNIT) Electronics intelligence (ELINT) and Telemetry Intelligence (TELINT) in taming the arms race which has been embarked upon by super powers from getting out of hand.

Nowadays, in the global war of terrorism, the lessons are again obvious: that intelligence has proven to be the most effective weapon against terrorism and that there is no substitute for intelligence services (Council on Foreign Relations, 2000). It is therefore the purview of this

work to make useful suggestions that has make intelligence gathering less perverse and positively useful to the state and its citizens.

The Political and Historical Background of Nigeria

Several dominant themes in Nigerian history are essential for understanding contemporary Nigerian politics and society. First, the spread of Islam in the North and later in South Western Nigeria as well, began a millennium ago. The creation of Sokoto caliphate in the Jihad (holy war) of 1804 - 08 brought most of the northern region and adjacent parts of Nigeria and Cameroon under a single Islamic government. This history helps account for the dichotomy between the north and the south which the colonial authorities encouraged for their socio-economic benefits (Country Profile, 2008).

Formal colonialism was a product of the Berlin conference and the Dual Mandate which made Nigeria a British colony with Lugard as first the high commissioner of the Protectorate of Northern Nigeria and the Governor General of the colony of Nigeria after the amalgamation of 1914 against the wishes of people of Nigeria and without a recourse to consultation of the indigenous peoples of Nigeria. Thus Nigeria became a geographical entity, artificial in nature with less sense of a common Nigerian nationality. Inconsistencies in Britain policy reinforced cleavages based on regional animosities by attempting simultaneously to preserve the indigenous cultures of each area and to introduce modern technology and western political and social concepts. In the North, appeals to Islamic legitimately upheld the rule of the emirs so that nationalist sentiments there were decidedly anti- western. Modern nationalists in the South, whose thinking was shaped by European ideals, opposed indirect rule, which had entrenched what was considered to be anachronistic ruling class in power shut out the Westernized Nigerian elite.

Consequently, at independence, power was under controversial circumstances, handed over to favoured elites from the northern part of the country, apparently to compensate them for pre-independence loyalty. With the exit of the British, the nation became hollow with no solid background, no sense of commitment and no sense of nation building in what late Chief Obafemi Awolowo referred to as a mere geographical expression (Agbowo, 2008). The end result is a country still struggling to take off even after forty eight years of independence. It is a nation

entrapped in series of development crises characterised by avoidable poverty, leadership recklessness, mind blowing corruption and unpredictable future, so severe that a few years ago, American Intelligence Report predicted an end to the Nigerian State within fifteen years. Even if that prediction can be considered to be too harsh or down right wrong because of some inexplicable survival strategy of Nigeria so far, it gives useful insights into the shaky and fragile nature of the Nigerian State (Okaba and Nte, 2008). The import of these analyses to intelligence gathering is that, given these realities, the intelligence community and its integrity, efficiency and independence will heavily be compromised.

Nigeria's Intelligence Community

Traditionally, democratic states separate internal and external security, and thus also divide internal and external intelligence services. This underlines the different categories intelligence, by the fact that different rules and laws apply to intelligence operations on national soil and abroad, and by different missions (DCAF, 2003:23) Internal Intelligence obtain correlate and evaluate intelligence with regards to internal security while the missions may vary depending on the country. Be that as it may, all internal intelligence services have a common primary mission which is to provide support and assistance to the police and other law enforcement agencies, criminal justice, customs and boarder guards, and other regulatory agencies of the state. This is achieved by collecting security intelligence and building up a detailed body of knowledge for the prevention and countering of covertly organized threats, acts, and activities that relates to espionage, sabotage and subversion, terrorism, political, ethnic and religious extremism, organized crime, narcotics production and trafficking, money faking and money laundering, proliferation of weapons of mass destruction, illegal arms dealing, illegal immigration, arms and other smuggling, electronic attacks, hacking and dissemination of child pornography (Sokolski, 1994; Loch, 2002)

In addition to the aforesaid range of activities, internal intelligence services also have a mission to conduct security checks on, or to do the vetting of, or nominees for sensitive government positions. In the course of achieving these tasks, internal intelligence services draw extensively from such sources of secret intelligence as interception of communications,

eavesdropping, surveillance and its own agents within the target organisation (Scalingi, 1995; Shulsky, 1987).

At the external front, intelligence tries to obtain, correlate and evaluate foreign intelligence relevant to external security and for warning purposes. In doing this, external intelligence must try to accommodate the changing needs and aspirations of governments, and as well as national realities and requirements. The domains of external intelligence covers; support of security and foreign policies, detection of activities abroad that threaten security and national interest, information warfare, support for defence planning and military operations and economic intelligence (Shapiro, 2002; Sokolski, 1994; Johnson, 2002, Arquilla, 1994, Lind et. al., 1994; Gould and Spinney, 2001, Porteous, 1995 Augustini, 1995; Herman, 1998)

Drawing from the above, and with clear identification of the span of intelligence activities in democratic states, Nigeria has organisations that are charged with the internal and external security of the country. It should however be noted that after the attainment of independence in 1960, the method of operation and areas of emphasis of the former 'E' department of the Nigeria Police (the special branch) - which was the first intelligence outfit to be established in the force need to be reorganised. The impact of the abortive coup of 1976 accentuated the need to overhaul the security system and structures. This led to the establishment of the Nigerian Security organisation (NSO) by Decree No. 16 of 1976. This later became the State Security Services (SSS) and remains civilian and public oriented since it operates within the civil society (Onovo, 2004). This agency is commonly known with the acronym SSS (State Security Services), reformed from the old National Security Organization (NSO) and derived its current legal existence from the national Security Agencies Decree 1986 (Cap 278LFN) as well as instrument No. SSS (Abuja) of 23rd May 1999, with the following mandate

- Prevention and detection within Nigerian territorial borders of any crime against the internal security of the Nigerian Federation
- Protection and preservation of all non-military classified materials concerning the Internal security of Nigeria
- Prevention, detection and investigation of espionage, subversion, sabotage, terrorism, economic crimes with national security implications

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- Provision of protective services for designated principal government functionaries as the President, Vice President etc., sensitive installations and visiting diplomatic dignitaries while vetting prospective public office appointees and passport applicants as well as preventing undesirable individuals from venturing into Nigeria.

In meeting above oversight roles, security intelligence operations and surveillances are planned, coordinated, consolidated, then executed by the SSS with the primary objective to thwart, eliminate any threat to the internal security of the nation,

Today the Intelligence Community (IC) in Nigeria can be said to include the following organizations and agencies:

- The Nigeria Police
- Nigerian Armed Forces(Army, Navy and Air Force Intelligence)
- Nigeria Intelligence Agency (NIA)
- Directorate of State Security Services
- Security and criminal intelligence Bureau of the Nigeria Police
- Nigeria Immigration Services (NIS)
- Nigeria Prison Service (NPS)
- Nigeria Customs Service (NCS)
- National Drug Law Enforcement Agency (NDLEA)
- National Economic Intelligence Agency (NEIA)
- Economic and Financial Crimes Commission (EFCC) and any such Committees that may be charged with intelligence gathering and management in Nigeria.

While the above list includes more of law enforcement agencies, they are part of the intelligence gathering organisations in Nigeria. More so, the fact that proper reformation of the intelligence sector in Nigeria is yet to take place it makes it a bit difficult to effectively delineate the intelligence sector in the country. For this discourse, all the aforesaid agencies constitute the Intelligence Community.

Each of these agencies have various modes of operation designed to ensure the over all internal and external security of the nation in their own sphere of responsibilities. More so, it is the Directorate of State Security Services that has and ought to continue to have, a purely civilian focus in its responsibilities. The police on its part are, and should continue to be the largest consumer of its intelligence, although this important reality was undermined by the 1976 and to some extent the 1979 constitutional realities. More so, it is important to note that while most analyses try to separate pure intelligence agencies from law enforcement agencies, the nuance between them is so strong that for developing nations like Nigeria which focus more on internal threats and domestic intelligence, it seems better to integrate intelligence and law enforcement for any useful analysis. This is against the backdrop that even in advanced nations, the dichotomy is blurring by the day.

In Nigeria, it is also note worthy to assert that each member of the intelligence community has rules, regulations orders and directives, designed to ensure the security of intelligence. Consequently, within the community the classification of information into Top Secret, Secret, Confidential and Restricted, (internal security matters are usually, classified under Top Secret Categories) tends to remain a permanent feature. Personnel dealing with such classified information are usually sworn to an oath of secrecy to prevent leakages. The necessity of limitation of access to classified information is usually guided by the principles of

- (i) Need to know
- (ii) Need to hold and
- (iii) Need to take

The resultant effect of this is the obvious fact that inter-agency intelligence gathering and sharing has been fraught with barriers and poses obstacles to effective intelligence management in Nigeria. These barriers include.

- Lack of articulate process for generating and sharing intelligence
- Existence of restriction laws that hamper access to information
- The laborious hierarchical structures of intelligence sharing
- Deficits in criminal intelligence sharing
- Lack of modern technologies to support intelligence sharing (Ige, 2004; Onovo, 2004; Nwizu, 2004)

It is against this back drop that there is a strong call for radical intelligence reforms that will reposition the intelligence community in Nigeria to cope with challenges of intelligence gathering and management in a rapidly globalising world with myriads of internal and external threats.

Determinants of Nigeria's Intelligence Gathering Capacity

In all societies no matter the level of development and type of government, certain conditions determine the intelligence gathering capacity of the state. These conditions can conveniently be located in the intelligence circle for proper understanding.

Intelligence professional are quite conversant with the intelligence circle which consists of five closely interconnected aspects:

- (1) Establishing collection requirements
- (2) The collection itself
- (3) Processing and exploitation of the collected materials
- (4) Analysis and production of the result, and
- (5) Dissemination of the product to the decision makers.

Because of the continuous nature of the intelligence circle, feed back is also continuous.

Figure 3: Intelligence Cycle Diagram

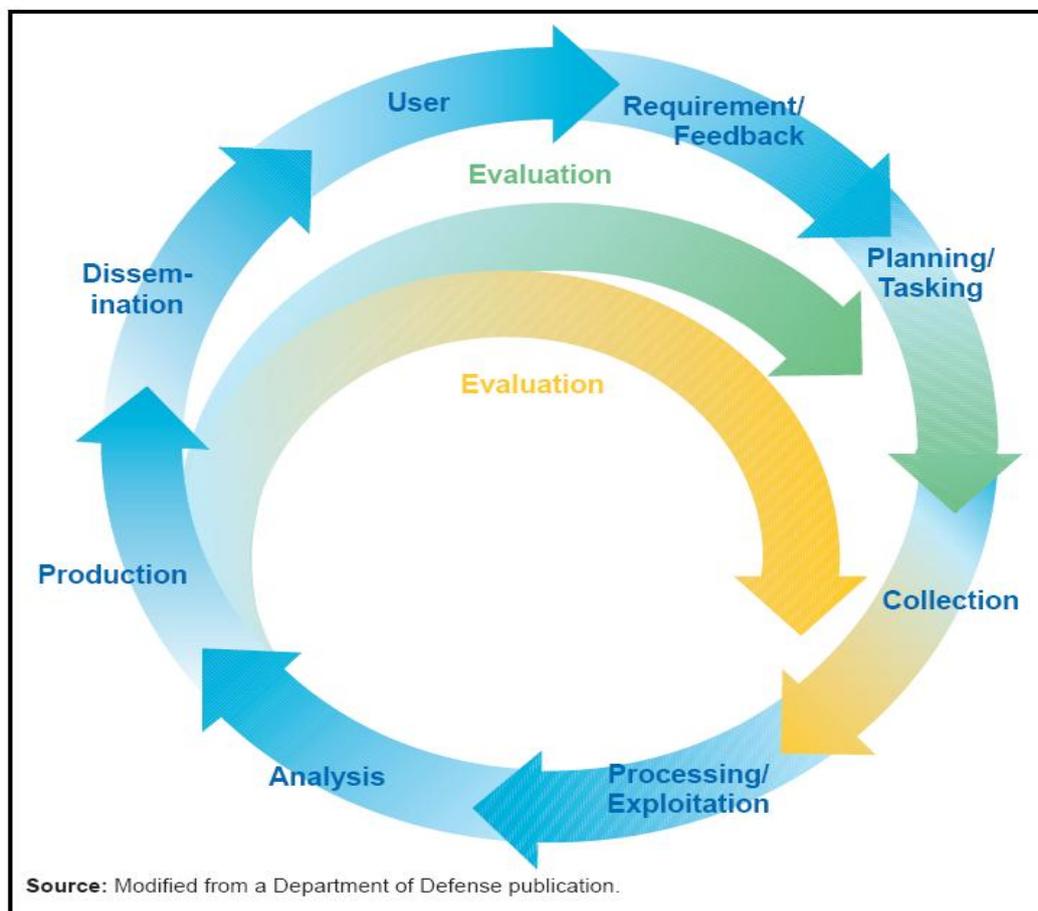


Diagram as illustrated by U.S. Department of Defense. DoD Security Institute (DODSI). *DODSI Security Awareness Bulletin 2-94* (August, 1994).

Based on the above illustration, the intelligence gathering capacity of Nigeria can therefore be determined by:

- (A) Requirements: How much do policy makers know with regards to what to ask for. The most serious problem is that they don't know what they don't know, and are therefore unable to define the requirement. Even if they do know what they don't know, can they clearly express what it is that they want to know?

Finally, do policy makers know who to ask if the intelligence community has more than one agency as in the case of Nigeria? The most common basic problem regarding decision makers

and intelligence is the pervasive ignorance of the capabilities, and limitation, of intelligence, accentuated by the neglect of both what intelligence professional can do and the politicisation of the organization and the product. A very serious problem for those working in the intelligence is that they at times forget that intelligence as a product, process, and organization, does not have a value unto itself but only in terms of informing policy makers so that they can in fact make the best possible decisions (Bruneau, 2008). This is more pronounced in a society characterized by extreme materialism and the privatization of the government by a few powerful elites

- (B) Collection: Another determinant is whether there are collection means that can answer the requirements? Or are the agencies and their collection means, committed to the past such as to ex colonial masters, Britain and subservient to American imperial influence and unable to appreciate and evaluate the realities of such threats as international terrorism, religious conflicts and insurgency within the country. This fixated interest on a particular target at the expense of others costs Americans massive losses of lives and property in the 9/11 attacks. In the same vein, how long will intelligence collection satisfy the policy makers' requirements and perhaps interests as intelligence must be prompt to retain its value. Finally, how reliable are the collection assets? In the lead up to the invasion of Iraq, there were strong indications that president Bush relied extensively on Dr. Ahmed Chalabi, head of the Iraq National Congress, who provided highly subjective information (Ricks, 2008)
- (C) Analysis: Furthermore, can effective analysis of raw intelligence be effectively handled by the Nigeria intelligence community. Experience has shown that even in advanced democracies such as the United States, this challenge is daunting. In transitional democracies world wide, the challenge is even magnified as they are faced with perhaps incompetent hands and ability to evaluate contemporary threats. More importantly is the use of analytic products. This is quite important because the consumption of this product could have far reaching consequences like in the case of the US and UK and the Iraqi invasion, and the ETA terrorist attack in Madrid, Spain in 2004 (Olmeda, 2005)
- (D) Dissemination: This looks at the distribution net work of intelligence. Do the products get to the right users in a timely manner? In Nigeria, the intelligence community from

the military, the SSS, Customs, Immigration, NDLEA, EFCC etc may share criminal intelligence with the police through the Inspector General of Police or State Commissioner, and during the monthly Joint Intelligence Board meetings. However, the current frame work is inadequate as it cannot respond swiftly to the growing rate of insecurity and the apparent sophistication of the perpetrators. This situation makes the need for national policy on inter-agency intelligence sharing imperative and urgent (Onovo, 2004)

The Democratic Challenges of Nigeria

The impregnable democratic challenges facing Nigeria and has greatly undermined the legitimacy of its government cannot fully be appreciated without a critical look of the nature of the post-colonial state in Nigeria. The crystallisation of post colonial social formations in Nigeria led to the emergence of the current state and the inherent class contradictions predicated on the endless struggle for the control of state power.

Interestingly, the emergence of the Nigerian post colonial peripheral state fell short of the real mature capitalist state based on a specific institutionalized modality of class domination and characterized by an apparent differentiation and dissociation of class domination from the hegemonic ruling class, the constitution, socio-economic forces, capital and labour, and ever from the civil society itself (Ake, 1985; Eteng, 1998, Nte, 2005).

The autonomization of the mature capitalist societies therefore tend to moderate a lot of extremities of exploitation by institutionalising the equal legal treatment of the unequal the unequal being 'capital' and 'labour' and other producers. A major implication of the foregoing is that capitalist social democracy strives to thrive in most leading western nations; largely because the core democratic values of FRATERNITY (Popular Sovereignty), LIBERTY (People's human rights embedded in the Rule of Law and Due Process) and EQUALITY (People's Socio-Economic Rights) are embedded and practised by the people who regard them as fundamental values supportive of democracy (Nnoli, 1994; Eteng, 1998)

Unfortunately, Nigeria's attempt to evolve towards capitalist lines, based on western models got convoluted and enmeshed with perennial legitimacy crisis, caused by the lack of the essential ingredients needed to nurture sustainable democracy. This stems largely from the nature

of state formation in Nigeria and the insincere colonial parliamentary democracy bequeathed to Nigeria at independence. As a result of this, cases of manifest violence and repression by the Nigerian state arose from its low grass root legitimacy, its perennial inability to deliver, the cupidity of the mangers of state power, and their desperation to perpetuate themselves in power, and their emasculation of the rule of law in the process (Eteng, Ibid; Nte and Irikana, forthcoming).

Subsequently political developments in Nigeria exposed the lucrative nature of politics as government was conceived more of a vehicle of distributing bounties to party faithfuls than an agent of economic development. Access to state power was and still remains a passport to appropriate the social surplus generated by oil wealth which has emerged as the pivot of the economy. Misappropriation of public funds by public officers remains rife. Cohen (1974) noted that where finance on any scale has available to Nigeria, it was loosely linked to the capture of political power by the elite group. Public corporations and some companies were indeed run as an extension of political parties, while unreserved access to political power, particularly at the regional level was used as a means to finance private investment or more private consumption. Although, this tend to be the regular feature of most petro-economies in the developing world, some of them have actually broken away from pure primitive accumulation and are moving towards significant national development. Nigeria seems to be locked up in this development quagmire due to the aforesaid reasons.

The "juicy" Nigerian state therefore created a lot of 'money bags, military adventurist and desperate politicians who institutionalised corruption and fuelled conflicts between the different classes, subgroups and regions to maintain the status quo. The net result is failed attempts to conduct the business of government along democratic lines (Nte, 2005)

The democratic challenges of Nigeria is a story of tall dreams and failed dreams of men and women willing to tow the line of global democratic dictates but cannot because of the inherent internal contradictions in the state, of failed aspirations, and of failed democracy. The seed of Nigeria's failed democracy was sown by the departing colonial powers who wanted certain groups to take over, even by crook, apparently to protect their economic interest. Thereafter, democratic transitions in Nigeria have been tales of woe. From the violent general elections of 1964 to the first military coup of January 16, 1966, the democratic culture of Nigeria

was rooted in violence and counter violence laced with ethno-religious coloration by the ruling class to gain popularity and acceptance (Nte and Ekpenyong, 2007; Ekpenyong and Oarhe, 2007; Nte and Irikana, forthcoming). Out of the fifty years of post independence Nigeria, the military ruled for about twenty eight years while a semblance of democracy has been in practice for just over twenty years.

However it must also be noted that parliamentary, democracy was practised from 1960-1966 while the American model of presidential democracy, was introduced in 1979. In the same vein, the military regimes in Nigeria were characterized by unprecedented violence resulting from coups, counter coups and indeed the Nigeria- Biafra civil war that lasted from 1967-1970. During the civilian regimes, violence has not been less. The 1964 general elections were mired with violence of unprecedented proportion. The 1979 and 1983 elections also witnessed exponential orgy of violence leading to murders and arson on a reckless scale. For each of these democratic mistakes, the military will step in, in a coup de tat with a pledge to "correct" the ills of the civilians only to magnify the problem. The trend continued in this classical trend and led to the annulment of the most credible election ever conducted in Nigeria in 1992 which was supposedly won by late Chief M.K.O.Abiola by General Ibrahim Babaginda.

By 1999 when the military had ruled Nigeria for the greater part of her post independence history, expectations were high that genuine democracy would emerge out of one of the most brutal regimes under General Sanni Abacha in Nigeria. Unfortunately, the military 'midwifed' an electoral process that enthroned one of their own, Olusegun Obansajo who for eight years could not break away from the garrison mentality and conducted state affairs in military style. Courts' and other judicial proclamations were flagrantly ignored and the presidency was essentially personified around him. Opposition voices and groups were repressed. Military invasions were rife, especially in the Niger Delta region and parts of the country where his opponents come from. These were the lots of Odi and Zaki Ibiam. The zenith of his arrogance of Military democracy was his ambitious attempt to change the constitution to enable him run for a third term.

It was the combined efforts of the opposition that thwarted this ambition before he reluctantly selected Umaru Yar'adua in an election that all the observers - both local and international adjudge to be the worst election conducted so far in Nigeria's democratic history.

All the observers are unanimous that the elections fail significantly below local and international standards. A summary of the Human Rights Watch Report on the 2007 polls indicated that National polls in 1999 and 2003 were systematically rigged and local government polls in 2004 was plagued by similar abuses. It stated that 2007 poll was among the worst in the world as the elections reflected deep seated patterns of abuse that characterise the day to day conduct of many public officers. In the same vein, the report noted that many political figures openly recruited and armed gangs to unleash terror upon their opponents and ordinary members of the public. Some of these groups, such as the ones in the Niger Delta have become a law unto themselves, spreading violence and insecurity throughout the rest of Niger Delta. Indeed these groups keyed into the genuine agitations in the region to become the terrorising insurgents in the Niger Delta region of Nigeria (Human Right Watch, 2007, Nte; 2008).

Although the current president Yar'adua who came into power through a flawed election has shown serious respect for the rule of law and significant aversion to corruption so far, it is yet to be seen if he can effectively sanitise the electoral process and lay a solid foundation for sustainable democracy in Nigeria. His presidency is suffering from severe legitimacy crisis and requires concerted efforts by the current regime to vigorously pursue genuine reconciliation, demilitarisation of the polity and national integration for a take off into standard democracy. So far, most analysts see this regime as vestiges of the immediate past military democracy, and see Yar'adua as being too slow for a dramatic overhaul of the polity. The veracity or otherwise of these positions remain largely conjectural.

The impact of the failed democratic experiences in Nigeria on the Intelligence Community and her intelligence gathering capacity cannot be over emphasised. This is because the credibility of intelligence in a polity that is over shadowed by primordial and nepotic sentiments cannot be guaranteed. More so, evidence abound, while certain person were hunted by the internal criminal intelligence agencies, others are treated as sacred cow.

Similarly recent probes into the activities of the Petroleum Technology Development Fund (PTDF) and the Nigerian National Petroleum Corporation (NNPC) revealed monumental fraud linked to Obasanjo's presidency and his cronies under the watch of the Economic and Financial Crime Commission (EFCC) which embarked on differential investigation and arrests of perceived opponents of president Obasanjo. These democratic anomalies in Nigeria also call

for dramatic reform of intelligence along democratic norms which most transitional democratic regimes have embarked upon with reasonable success.

Conflicts and Intelligence Gathering in Nigeria

Conflicts of various shades have been pervasive in Nigeria from colonial Nigeria till date. The Aba Women riots of 1929 and the Iseyin riots against the Indirect Rule Policy of colonial Britain were some classical examples of resistance in colonial Nigeria and remained landmark political historical epochs in the country. Similarly, the Enugu Coal Miners Riots of 1953, through to the Maitasine Riots of 1980, the Ahmadu Bello University Riot of 1986 to the 1993 Political/Demonstration /Riots created challenges that queried the readiness of the intelligence community to handle internal security threats in Nigeria.

Furthermore, in Nigeria conflicts tend to fall into three major categories, each of which has the capacity to destabilise the country if not properly managed. These include; ethno-religious conflicts which has cost the lives of more than 10,000 Nigerians in the North since 1999, where Muslim predominate. This in addition to such conflicts as the Zagon-Kataf riot in Kaduna, the Kano Riots, the Bauchi Riots and such other sectarian riots that have remained significant threatening forces to the corporate existence of Nigeria (Suberu, 1996 ; Ekpenyong and Oarhe 2007). According to the United States Commission on International Religious Freedom, Islamic extremist activities in the northern part are being funded by foreign sources. Although the report did not specify the foreign source, it cited Libya, Saudi Arabia, and Sudan as funding the construction of Mosques and religious schools and asserted that Nigeria clerics trained in Saudi Arabia had been indoctrinated in Islamic extremism. This group according to the report promotes hatred and violence against non-Muslims (USCIRF Report, 2005). It was not until a year later, and perhaps acting on the above report that the Nigeria intelligence community raised an alarm of the existence of a possible militants belonging to this group in the intelligence gathering and jihadist operations at the behest of foreign powers (Country Profile, 2005). This reactive and some what lousy posture of the Nigerian Intelligence community has been responsible to series of intelligence fiasco and monumental losses in lives and property resulting from ethno-religious conflicts in Nigeria.

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Another threatening conflict in Nigeria which has greatly undermined the intelligence efficiency of the intelligence community in Nigeria is political conflicts which has led to wide spread killing, arson and destroyed the democratic foundations. It has also exposed the weakness of the intelligence community in handling high profile political related assassinations in Nigeria as shown in the table below:

Table 2 List of Unsolved Murders in Nigeria

NAME	DATE	POLITICAL IDENTITY
Sunday Ugwu	Sept 9, 1999	Killed in mistaken identity for his elder brother, a member of Enugu State House of Assembly
Lai Balogun	Dec. 2000	A frontline politician and Architect
Dan Kemibagha	Dec. 2001	Counsel to Odi Youth and Bayelsa
Bola Ige	Dec. 23, 2000	Serving Minister of Justice and Attorney General, and former Power minister
Odunayo Olagbigu	Dec. 21, 2001	Member, Osun State House of Assembly
Monday Ndor Tambari	Dec. 18, 2001	Minority leader, Rivers State House of Assembly
John M. Agatutu	Dec. 2002	PDP, Delta central senatorial district aspirate
Isyaku Mohammed	Dec. 2002	UNPP Party Captain
Janet Olapaole	Aug. 13, 2002	PDP leader in Odigbo Local Government, Ondo State
Ade Awonusi	Jan. 7, 2002	Confidential Secretary to the Chief Justice of the Federation
Prof. Chinere Ikoku	Oct. 2003	PDP Captain and former vice chancellor University of Nigeria
Ajibola Olanipekun	June. 20, 2003	PDP Captain in Ibadan Oyo State
Joyce M. Fatai	May 3, 2003	Former Commissioner for Women Affairs
Young Dimegwu	April 20, 2005	ANPP Member, Imo State House of Assembly
Onyewuchi Iwuchukwu	April 19, 2003	ANPP Stalwart in Ikeduru, Imo State
Yemi Oni	March 2003	AD Stalwart in Ekiti State Counsellorship candidate and ANPP member in Anambra State
Anthony Nwodo	March 21, 2003	Secretary to ANPP Oza north local council
Rasaki Ibrahim	March 20, 2003	PDP Stalwart in Kwara State
Marshal Harry	March 5, 2003	PDP Student and South –South Vice Chairman of the party before directing to the ANPP
Theodore Agbatu	Feb. 22, 2003	Principal Secretary to Imo State Governor
Ogbonaya Uche	Feb 8, 2003	A Chieftain of ANPP in Imo State
Ayo Daramola	August 14, 2004	Governorship Aspirant in Ekiti State
Philip Olorinipa	March 7, 2004	Kogi State Electoral Commissioner
Luke Shingaba	March 4, 2004	Chairmanship candidate in Bassa local Council Kogi State
Andrew Agoma	March 3, 2004	PDP member Board of Trustees
Aminasoari Dikibo	Jan. 6, 2004	South – South Vice Chairman of PDP
Anthony Ozioko	July 27, 2005	PDP Assistant National Director of Research and Planning
Lateef Olaniyan	June 3, 2005	Association of the Strongman of Ibadan Politics Lamido Adedibu
Alabi Olapokun	May 15, 2005	Associate of Rauf Aregbasola of Lagos State

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Sunday Atte	Feb. 5, 2005	Leader of the legislature General Yagba East Kogi State
Omolulu Falobi	Oct. 6, 2006	Founding Executive Director of JA Aids
Mohammed Iman	Sept. 2006	ANPP State Chairman, Bornu State.
Funsho Williams	July. 27, 2006	PDP Governorship Aspirant Lagos State
Jesse Anikwu	June 30, 2006	ACD Governorship Aspirant
Godwin Agbroko	Dec. 2006	Editor of This Day News Paper
Segun Oladimeji	Sept. 2007	PDP House Member, Federal House of Representatives for Oyo State.
Segun Awanebi	May 30, 2007	Former Chief Security Officer to Olusegun Agagu Governor of Ogun State

Sources: - Nigeria Police Crime File and Weekly Spectator; Nov. 4, 2007.

First, it must be noted that beyond the above year, a lot of unsolved murders have remained quite high till date with the rise of ethnic militias, sectarian violence and ideological primitivism in the country. An analysis of the above table shows that the bulk of the murders over of 95% were politically motivated and virtually all investigations into these murders have reach a dead ends without any results. The list is also not all inclusive as most other assassinations of other innocent Nigerians are either not reported or the victims regarded as not prominent enough to be documented. The reasons are not far-fetched. Firstly, the fact that there are several cases of covert obstruction of the investigation process by the political class undermines the collection of criminal intelligence. Secondly, the non independence of the intelligence community to the executive and its subservience further undermines its effectiveness in criminal and internal intelligence gathering. The bottom line to be drawn here is that political conflicts which are quite pervasive in Nigeria have remained a challenge to the internal security of the country.

The third threatening conflict in Nigeria in the Niger Delta crisis which started as genuine agitation against the oppressive nature of the Nigeria State dominated by the majority groups against the oil producing minorities of the Niger Delta. These agitations were initially political prior to independence leading to the famous Willink's Commission of 1958. By 1996, Major Adaka Boro staged a 12-revolution against the Nigeria State which was crushed. Today the struggle has ballooned into a full fledged insurgency currently spearheaded by a militant group known as the Movement for the Emancipation of the Niger Delta (MEND)

MEND is seeking a more equitable distribution of Nigeria's oil wealth and since 2006, the Militias have attacked oil instillations and kidnapped foreign oil workers in an effort to press home their demands. Today the activities have widened to include the kidnapping of high profile

politicians and their relations for ransom. In the same vein, oil production has been reduced by about 30%, aggravating the pressure on the world oil prices. The emergence of criminal dimensions and terror further complicates the security situation in the regime and the nation in general (Nte, 2008).

The current insurgency in the Niger Delta poses critical dilemma to the intelligence community (IC) and the local populace because "The citizen live continually under the threat of violent death. In the presence of the permanent danger surrounding them, they have the depressing feelings of being isolated and defenceless targets. The fact that the public authority and the police are no longer capable of ensuring the security adds to their distress. They lose confidence in the state whose inherent mission it is to guarantee their safety. They are more and more drawn to the side of the insurgents, who alone are able to protect them (in the most active stages of the insurgency) (Trinqueir, 1961).

This is the pitiable paradox of insurgency who can the average person trust? How can he /she continue rely on for his /her welfare? How can he/she continue to earn an honest and honourable living? All law and order are in jeopardy, because chaos serves the cause of the insurgents (Cordesman, 2005). Though seemingly uncontrollable public violence, attacks against government establishments, its buildings, infrastructures. Officials, against the local authorities, insurgent cells break down public faith in and reliance on the government in-being. Popular support (or at least public passivity) is the mean by which the insurgents can exist, but chaos is the way by which they sever government authority over the local populace. The insurgents achieve this favourable condition of chaos through mass terror, public murder, coercion, sabotage of the economy, and intimidation. According to Galula (1964) "if anarchy prevails the insurgents will find all the facilities they need in order to meet, to travel, to contact people, to make known their programmes, to find and organise the early supporters, to receive and to distribute funds to agitate and to subvert, or to launch a wide spread campaign of terrorism".

Intelligence in a counter insurgency is usually, a difficult task because in most cases the insurgents' intelligence is far superior to that of the government forces. This is due to the fact that the insurgents operate on the terrain that is most familiar to them and their supporters. They grew up in the terrain, understand its advantages and traps, know where their supporters are

located and where they can procure men and materials to support and sustain their base of operations (Trinquier, 1961:63).

Furthermore because the “insurgents having no responsibility are free to use every trick; they are judged by what they promise (and in this case resource control for the Niger Delta region) and not what they actually do. Consequently propaganda is a powerful tool for them. On the other hand, counter insurgency must be tied to tangible responsibilities not propaganda (Galula, 1964). How can therefore the intelligence community sustain an intelligence effort when its local agents are assassinated and the local people intimidated? Unfortunately, the best information will come from these sources. This creates a full circle, for the Nigerian state to create a secure environment, to ensure a steady flow of intelligence from the local populace, and to contain the current rage of insurgency in the Niger Delta region of Nigeria.

Conclusion

This study in all modesty, has tried to comprehensively tackle the phenomenon of intelligence gathering which is a state policy in all societies no matter the level of development. In doing that the study tried to provide useful insight into the concept of intelligence gathering taking into considerations the basic elements of intelligence gathering which could significantly be influenced by the type of government prevalent in a state. In the same vein, intelligence gathering is a subjective enterprise. However, some countries especially in the advanced countries of the world try to give some semblance of objectivity through democratic intelligence reforms. This does not however completely insulate the business of intelligence gathering and management from abuse by the executive arm.

In developing countries such as Nigeria which is currently battling with a shaky democratic experience, intelligence gathering could be largely perverse. This perversion stem from the colonial and post colonial experience of Nigeria which created a repressive state that is constantly battling with legitimacy and the consequential violent posture against dissenting voices and groups.

In the same vein, the study also found out that the lumping together of unrelated groups for the socio-economic convenience of Britain and subsequent manipulation of independence election to favour a section of the country created deep seated ethnic sentiments in the country.

The result of this is an intelligence community which is plagued with nepotism, ethnic segregation and subservience to the ruling class. It is therefore common to manipulate the intelligence community to suit the whims and caprices of the executive.

The result of this is the abdication of the traditional responsibility of the intelligence community and the manipulation of same to the advantage of the executive. Furthermore, the failed democratic efforts of Nigeria so far have further cast serious doubt on the efficiency of the intelligence community. The faulty colonial political foundation, long period of militarism, and convoluted albeit 'twisted' democracy represent a dark epoch in Nigeria's political history and further compounded the intelligence quagmire in the country.

Today, the intelligence community is grossly ill equipped to manage the internal threats and to a greater extent the external threats from a rapidly globalizing and insecure world. With the emergence of President Umar Musa Yar'Adua who for some time has shown reasonable respect for the rule of law apparently due to his purely civilian background holds some level of hope. Although his government is facing serious legitimacy crisis arising from a disgraceful election of April 2007 adjudged by both local and international observers as the worst so far, and falls below local and international standards, Yar'adua appears serious with the idea to reposition governance and to enthrone real democracy. This if achieved will greatly enhance the efficiency of the intelligence community in Nigeria. The death of Yar'adua and the subsequent emergence of Goodluck Jonathan has signalled some level of democratic consolidation and better civil-military relations. Be that as it may it is the view of this work that certain steps must be taken by the Nigerian State to ensure an intelligence community and intelligence gathering process that can perform its traditional function of guaranteeing the internal and external security of the country. This is against the backdrop of renewed insecurity in the country with new dimensions such as bomb blasts and ideological extremism.

Recommendations

Intelligence gathering and administration tend to thrive best under democratic environments where the rights and freedom of citizens are protected, and where the security of the nation is monitored and protected for the benefits of the entire citizens. In the light of the foregoing and based on the failed democratic experience of Nigeria so far, it is important that the

first step for Nigeria under President Umar Yar'adua should strive to expedite action to ensure the passage of the freedom of information bill which will enable Nigeria peel back the veils of secrecy that allow many government officials to conceal the evidence of their misdeeds by denying access to even the most basic government held information.

There should be a sincere electoral reform programme that will guarantee the independence of the electoral body to be able conduct credible election that will reflect the wishes of the masses. There should be a transparent and comprehensive enquiry into allegations of corruption, vote rigging and sponsorship of political violence at all levels of government since the return to civilian rule, beginning with an examination of Nigeria' April 2007 Elections. The investigation should uncover the architects and sponsors to send the right message for a sound democratic foundation. The Nigeria police must make political violence an investigative priority and be given the autonomy and resources for effective and impartial investigations.

Nigeria's international partners should be forthright in criticising the short comings of Nigeria's democracy that infringe upon the rights of its populace and insist on meaningful reform.

Finally, the political class in Nigeria must recognise the need to organise elections in civilised manners that will guarantee and respect the wishes of the masses.

For the intelligence community and intelligence gathering in Nigeria, Massive reforms need to be embarked upon to ensure.

Relevance and Effectiveness: While it is well known that change is a hardly ever easy, redirecting intelligence service from a repressive agenda to that which upholds new democratic principles and accepting democratic control is particularly difficult task. This is prominently evident for governments which have been slow to enact reforms and which –mainly due to economic problems, short comings of privatisation, and other legacies of the past –see themselves confronted with mounting social unrest and waning popular support.

Some reforms have been hampered due to the lack of democratic experience (Linz and Stephen, 1996) and the weakness of the law. The weakness of the law is particularly visible in the 'security sector' where the major institutions have all too long claimed primary responsibility for security from foreign enemies and a chiefly undefined range of domestic challenges. In most countries of transition including Nigeria, that claim is bolstered by the absence of civilian knowledge of an experience in the military, intelligence and national security domain.

Thus assembling the most knowledgeable civilian brains is one of the prerequisites to reform. More over, a sufficient number of civilians need to be trained and outside advice and assistance might be required. In the face of these challenges, intelligence reforms in transitional democracies like Nigeria should strive to:

Define and delineate clearly defined mission upon each of the intelligence services, and limit regular intelligence collection to specific categories of security concerns, while at the same time recognising human rights and fundamental freedom of citizens there should be

- Clear guidance and co-ordination of the intelligence services
- Control, supervision and oversight of the services
- There should be the Professionalisation of the intelligence service
- There should be the strengthening the relationship between legislation and reform and
- Ensuring practical measures to enforce the programme of change and reforms (Bozhilov, 2002)

Finally, one of the most contemporary issues in intelligence sector is democratic oversight of the intelligence sector which is a follow up of the proposed reforms enunciated above and remains the major pre occupation of experts in intelligence. The fundamental difficulty that intelligence oversight poses is the conundrum of how to provide democratic control of a governmental function and institutions which are essential to the survival and flourishing of the state, but which must operate to a certain extent in justifiable secrecy.

In the case of security and intelligence and in contrast to many other areas of government activity, it is widely accepted that official communications and operations can only be transparent to a limited extent; otherwise, the relevant operations, sources and assets will be compromised. This therefore suggests that the prevailing pattern of oversight for the government activities needs to be adapted for the circumstances of security and intelligence, yet that the need for rigorous control is greater, not less, than in the case of more mundane activities such as education or welfare (Born and Leigh, 2007).

The necessary secrecy surrounding security and intelligence runs the risk of encouraging and providing cover for illegal and ethnically dubious practices on the part of the agencies involved. The democratic process itself may be subverted by the infiltration of political parties,

trade unions or civil society groups in the name of security and intelligence. The privacy of countless of individuals may be interfered with by the collection, storage and dissemination of personal data, whether accurate or flawed. Inefficiency and corruption may go unchecked. In the midst of these, and the fact that in Nigeria, so far legislative oversight of the intelligence sector has been just the frequent hearings and budgets approvals (Ndubuisi, 2008). Intelligence oversight in Nigeria should involve the following:

Ensure transparency to ensure increased intelligence community effectiveness. This should be followed by proceedings to establish and augment accountability and openness of the intelligence process while moving away from the "culture of secrecy" inherited from the military regimes.

There should be effective democratic control (executive, legislative and judicial) of the intelligence agencies. The executive control (tasking prioritizing, and making resources available) should be exercised by the executive. The legislative control and oversight by (Standing/Permanent Committees) should include: setting the legal framework on the organization and mandates of intelligence; assessing the implementation of the legislation; producing IC funds and holding IC accountable for its expenditures, reviewing IC activities; and consuming intelligence. Judicial control consists of ensuring the legality of the intelligence community activities (for e.g., obtaining a warrant from the public prosecutor in order to carry out acts that infringe upon the privacy of citizens).

There should be informal oversight such as from the press – the press should step in to inform Nigerians and the international community of the activities of the IC and its excesses and this will encourage government to make reforms (Ndubisi, 2008).

The aforesaid steps it taken in the opinion of the author will greatly transmute perversive intelligence gathering and management into responsible intelligence gathering for national security and the ultimate guarantee of the rights and freedom of Nigerian citizens.

Limitations of the Study

In the course of this study, certain facts have and will continue to challenge the quality of the work. These factors did not however erode an acceptable credibility of the study. Some of the factors are;

Lack of co-operation: the covert nature of intelligence gathering made it difficult for officials of the intelligence community to provide all the needed information. Consequently the study turned to secondary sources for data collection.

Limited Time: The time needed to prepare a work of this magnitude is inadequate. However, within the available time the author made use of the available time to present this study in this form. A longer time could definitely have produced a better work.

Limited resources: The resource available for the conduct of research is quite limited. Besides, this area of study is new and not encouraged by the state as it tends to divulge the weakness of the state especially in transitional democracies. It is therefore the opinion of the author that funding should be directed into this relatively new area of study in Nigeria and indeed Africa.

Finally, the tone of this paper is significantly radical. This may not go down well with bourgeois scholars. I accept full responsibility for all the views expressed there in and whatever loop holes found should be accepted as part of my oversight and could stimulate further research to fix the study properly.

References

Agbowo, D. A. (2007). *Nigeria: The Truth Census, Elections, Revenue Allocations and the Way Forward*, Ibadan: Spectrum Books.

Ake, C. (1985). *Political Economy of Nigeria*, London: Longman.

Arquilla, J. (1994). "Strategic Implications of Information Dominance", *Strategic Review*, Vol. 22 No. 3, pp. 24-30

Augustini, J. (1995). "From "Goldfinger to Butterfinger. The legal and Policy Issues Surrounding Proposals to use the CIA for Economic Espionage", *Law and Policy in International Business*, Vol. 26, No. 2, pp. 459-462.

Born, H and Leigh, I. (2007). "Democratic Accountability of intelligence services" Geneva Centre for the Democratic Control of Armed Forces, policy paper No. 19, pp. 5-7

Bozhilov, N. (2002). "Reforming the Intelligence Services" Paper Presented at the Workshop on Democratic and Parliamentary Oversight of Intelligence Services held in Geneva 3 -4 October.

Nte, N. D. (2011). The use and 'ab-use' of intelligence in a transitional democracy: evidence from Nigeria. *International Journal of Human Sciences* [Online]. 8:1. Available: <http://www.insanbilimleri.com/en>

Bruneau, T. C. and Dombroski, K. R. (2006). "Reforming Intelligence: The challenge of Control in New Democracies" in Bruneau, T.C. and Toilefson, S. (Eds). *Who Guards the Guardians and How? Democratic Civil-Military Relations*, Austin, UTexas Press.

Bruneau, T. C. (2007). "Intelligence Reforms in Brazil: Contemporary Challenges and the Legacy of the Past" *Strategic Insights*, Vol.VI Issue 3

Bruneau, T.C. (2008). "Democracy and Effectiveness: Adapting intelligence for the Fight against Terrorism" *International journal of intelligence and counter intelligence*, Vol. 21, No. 3 pp 448-460

Bureau of Justice Assistance (2005). *Intelligence-Led Policing: The New Intelligence Architecture* September .NCJ 210681.

Chinedu, U.K. (2007). "The CIA in Nigeria: Coups Past, Present, and Future" *Controversies, The Beacon*, Friday July 27- August 2 P12.

Cordesman, A. (2005). "The Iraq War and its Strategic Lessons for Counter Insurgency" Centre for Strategic and Intelligence Studies, accessed via the internal web site www.csis.org/public-affairs, pp. 16-17.

Cohen, R. (1974). *Labour and Politics in Nigeria*, London, Heinemann publishers.

Council on Foreign Affairs, (2000). *Report on Intelligence Reforms*, Washington.

Democratic Control of Armed Forces, (2003). "Intelligence Practice and Democratic Oversight: A Practitioner's View" DCAF intelligence working group, Occasional Paper No. 3 July, Geneva

Ekpenyong, N. S and Oarhe, O. (2008). "Ethno-religious Conflicts and Management in Nigeria: A Study of the Period 1999 -2007," *Africa Journal of Emergency and Disaster Studies*, Issue 1.

Eteng, I. (1988). "The Nigerian State, Oil Exploration and Community Interest", *Human Rights Defender* Vol. 2 No. 5 Last Quarter.

Galula, G. (1964). *Counter Insurgency Warfare: Theory and Practice*, New York, Frederick A. Praeger Publishers, p. 29.

Gill, P. (1994). *Policing Politics: Security Intelligence and the Liberal Democratic State*, London, Frank Cass.

Godson, R.F. (1986). *Intelligence and Policy*, Lexington MA: Lexington Books

Gould, H.A. and Spinney, F.C. 2001." *Fourth Generation Warfare is Here*", Defence Week, October 15.

Nte, N. D. (2011). The use and 'ab-use' of intelligence in a transitional democracy: evidence from Nigeria. *International Journal of Human Sciences* [Online]. 8:1. Available: <http://www.insanbilimleri.com/en>

Herman, M. (1998). "Where Hath our Intelligence Been? The Revolution in Military Affairs", *RUSI Journal*, No. 143

Ige, N. (2004). Inter-agency Intelligence Gathering and Sharing for Effective Crime Control: Perspective of National Drug Law Enforcement Agency (NDLEA) in Crime and Policing in Nigeria; Challenges and Options, Alimeka, E. E. O. and Chukwuma, I. C. (Eds.), Lagos, NOPPRIN.

Human Rights Watch Report, (2007). "Criminal Politics, Violence, Godfathers and Corruption in Nigeria, New York.

Johnson, L. K. (2002). Bombs, Bugs, Drugs and Thugs: Intelligence and America's Quest for Security, New York University Press.

Kent, S. (1965). Strategic Intelligence for US World Policy, Hamden: Archon Books.

Leigh, I. (2002). "The UK Intelligence and Security Committee" Paper Presented at the Workshop on Democratic and Parliamentary Oversight of Intelligence Services 3-5 October, Organised by DCAF, Geneva.

Lind, W.S et al. (1994). "Fourth Generation Warfare: Another Look", Marine Corps Gazette.

Linz, J. and Stephen, A. (1996). Problems of Democratic Transition and Consolidation: Southern Europe, South America and Post Communist Europe Baltimore, John Hopkins University Press.

Lord Demnings Report, (1963). Washington DC, USA.

Ministry of Interior, (2008). Country Profile. Abuja, Nigeria.

Ndubuisi, M. (2008). "Democratising Intelligence and the Challenges of the Niger Delta Security", Paper presented at the First Port Harcourt Conference on Community Policing at Beverly Hills Hotel, Port Harcourt, Nigeria, September 30.

Nnoli, O. (1994). Quoted in Eteng, I. 1998 "The Nigerian State, Oil Exploration and Community Interest" *Human Rights Defender*, Vol.2 No.5.

Nte, N. D. (2005). "The Irrelevance of the Nigerian State and the Criminalisation of the Niger Delta Youths," *Journal of African contemporary Research*, Vol. 1 No. 1

Nte, N. D. and Ekpenyong, N.S. (2007). "Dead end to Niger Delta Development: An Analysis of Bourgeois conspiracy", *Journal of Social Policy* Vol. 2 No 1

Nte, N. D. (2008). "Rural intelligence Gathering and the Niger Delta Security Management", Paper Presented at the First Port Harcourt Conference on Community Policing, held in Port Harcourt, Nigeria, September 30

Nte, N. D. (2011). The use and 'ab-use' of intelligence in a transitional democracy: evidence from Nigeria. *International Journal of Human Sciences* [Online]. 8:1. Available: <http://www.insanbilimleri.com/en>

Nte, N. D. and Irikana, G. (forthcoming). "State Making, State Failure and the Niger Delta Question".

Nte, N. D. and Eke, P. (2008). "Understanding the Historical Determinism of Violence in the Niger Delta: A Discourse", *Journal of Adult Education and Community Research*, Vol. 1 No.1.

Nte, N. D. (2011). *Securing Humanity: Issues in Intelligence and Security Studies*, London, Oxford Academic Publishers.

Nwizu, U. C. (2004). "Inter-Agency co-operation for Effective Crime Control in Nigeria: The Nigeria Immigration Service (NIS) Perspective" in *Crime and Policing: Challenges and Options*, Alemika, E. E. O. and Chukwuma, I. C. (eds). Lagos NOPRIN

Okaba, B. O. and Nte, N. D. (2008). "Youths, Conflicts and Urban Africa: A Review of Some Niger Delta Cities" *Common Wealth Youth Development Journal* Vol.6. No.2

Olmeda, J. A. (2005). "Fear or falsehood? Framing the 3/11 Terrorist Attacks in Madrid and Electoral Accountability" Madrid, Real Institute Elcano Working Paper 24

Onovo, O. O. (2004). "Inter Agency Intelligence Gathering and Sharing for Effective Crime Control: Perspectives from the Police" in *Crime and Policing in Nigeria: Challenges and Options*, Alemika, E. E. O and Chukwuma, I. C. (eds). Lagos, NOPRIN.

Porteous, S. D. (1995) "Economic/Commercial Interests and the World's Intelligence Services: A Canadian Perspective", *International Journal of Intelligence and Counter Intelligence*, Vol. 8 No. 3.

Renner, C. (2000). In Bruneau, T. C. "Democracy and Effectiveness: Adapting Intelligence for the Fight against Terrorism" *International journal of intelligence and counter Intelligence*, Vol. 21, No. 3 pp 448-460.

Ricks, T. E. (2006). "The Lessons of Counter-insurgency" *The Washington Post*, February 16.

Scalingi, P. L. (1995). "Proliferation and Arms control", *Intelligence and National Security*, Vol. 10. No.4.

Shipiro, S. (2002). "Stabilität im Nahen Osten? Der Beitrag der Geheimdienst zur konflikt-Prövention", *Internationale Politik*; No 12' pp 39 -44.

Smith, J. (2004). *Revelations of the British Colonial Policy in Nigeria*, British archives, London.

Sulsky, A. N. (1987). "Intelligence and Arms Control Policy", *Comparative Strategy*, Vol. 6 No. 1.

Nte, N. D. (2011). The use and 'ab-use' of intelligence in a transitional democracy: evidence from Nigeria. *International Journal of Human Sciences* [Online]. 8:1. Available: <http://www.insanbilimleri.com/en>

Soloski, H. (1994). "Fighting Proliferation with Intelligence", *Orbis* Vol. 38 No. 2.

Stockwell, J. (1978). "In Search of Enemies; A CIA Story Quoted in Chinedu, K.U. 2007" The CIA in Nigeria: Coups Past, Present and Future (2) Column, *The Beacon*, August 24-30.

Suberu, R. T. (1961). *Ethnic Minority, Conflicts and Governance in Nigeria*, Ibadan, Spectrum Books.

Trinquier, R. (1961). *Modern warfare: A French view of Counter insurgency Translated from the French by Daniel Lee*, New York: Frederick A. Praeger Publisher.

United States Council on International Religious Freedom Report (2005). Washington, USA .
US State Department of State Bureau of Democracy, Human Rights, and Labor (1998). January, 30.

United States Information Service (USIS) 1976. Country Plan for Nigeria.

Wikipedia (2002). "Intelligence and Intelligence Gathering.