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Intelligence Studies, Universities and Security

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Abstract

This article offers a critical assessment of academic intelligence studies in higher education. It argues that universities (and academics) should value this subject far more highly than they currently do. Doing so will enhance better public understanding of an increasingly important and unique device in modern governance. It will also improve the quality of intelligence activity by raising awareness of both good and bad practice, encourage lawfulness by means of public understanding and so defending a vital public service from ill-informed attacks in today's conflicted world. This, rather than training potential officers, should be the primary purpose of intelligence studies.

The study of intelligence is a relatively new field of academic inquiry and teaching. This article explores key issues arising from the research into, and the teaching of, intelligence studies in higher education, with a focus on the subject in its current UK context. The aim is not to list the various sites at which it is researched and taught or offer an exhaustive account of exactly what is taught, and by whom. Rather it is to provide a critical assessment of the subject itself, and to suggest that universities (and academics) should value it rather more highly than they do, both to underpin good and lawful policy-making and because teaching intelligence is sound pedagogy, given the unique importance for government of intelligence activity in today's perilously conflicted world. This, rather than training potential officers, should be the primary purpose of intelligence studies.

There is no dearth of academic and media voices claiming that intelligence activity could subvert the core values of liberal democracy (free speech, for example, or academic freedom) by extending its reach into both universities and the media, two of the most important institutions on which liberty relies. The suggestion here is that in Britain, at any rate, this is to misrepresent the complexity of the issue.

The article begins by arguing that academic writing on intelligence studies is becoming too introverted, appearing too focused the 'training' paradigm for a variety of reasons. It ends by focusing on three discrete issues, each of which has political, moral and pedagogical urgency. These are: the ethics of intelligence activity (especially in respect of torture and human rights abuses by intelligence agencies), the interception of communications in the context of democratic acceptability; and,

finally, the social and moral obligations of intelligence departments in British universities.

The claim made here is for the study of intelligence as an academic subject in its own right so as to provide for the better public understanding of an increasingly important device in modern governance and, ultimately, to improve the quality of the intelligence communities of democratic liberal states. It also, more controversially, makes a case for defending secret intelligence activity in the UK, both now and in the future from an academic perspective. The proviso in doing so is that the work of our UK agencies continues to be framed by law and in particular by an adherence to the European Convention on Human Rights. Western liberal democracies need the best intelligence communities they can construct. For them to function properly they must have the support and understanding of the public. This in turn means strong academic voices are required to explain what they do, and why they do it.

Furthermore, the study of intelligence and better public understanding of its role in government is directly connected to the effectiveness of intelligence as a profession and thereby to the better safeguarding of our democracy (Glees, 2013). Without effective intelligence, pluralistic liberal democracy, far from being strengthened, would find itself fatally wounded. There is a tangible threat of this happening today. And were this to happen, rational free enquiry (which is the essence of higher education in any democracy) would also go under because without political freedom there can be no academic freedom and free intellectual discourse. It follows that the study of intelligence is not just intimately linked to sound pedagogy but also to the concept of the free university. If universities disseminate a better understanding of intelligence activity it will also make universities, and those who work in them, more knowledgeable about the security threats facing our free society and the unique role that higher education has to maintain it. In this way, universities will sustain liberty and genuine academic freedom within their institutional boundaries whilst promoting these liberal values in society more generally.

What is Intelligence? What are 'Intelligence Studies'?

We should start by considering what 'intelligence studies' actually consist of, and what they *should* consist of, not least because the term 'intelligence' has a different meaning in the UK from the one it is given in the USA, and is usually taught there in a different way. Rather more hangs on this distinction that might at first seem

apparent both for what is taught and how, but also how intelligence activity is evaluated by academics.

Leaving to one side for the time being the controversy that many intelligence operations cause quite properly once the public get to hear about them, it is vital to understand that in the UK it has to do with *secret* information, as the British government puts it: *'information acquired against the wishes and generally without the knowledge of the originators or possessors. Sources are kept secret from readers as are the techniques used to acquire the information* (UK Government: MI5). In the USA, on the other hand, 'intelligence' is generally held to be *any* information, secret and open source, that is passed to government and on which it may act.

The fullest official description of the nature of intelligence as it is defined in the UK comes, paradoxically perhaps, from the Review carried out by Lord Butler into the intelligence failures that hallmarked Britain's attack on Iraq in 2003, largely justified on intelligence indicating that Saddam Hussein had stockpiles of WMD (published in the government's 2002 dossier) which proved not to be the case (UK Government: Butler, 2004).

'Intelligence' Lord Butler stated in his Review 'merely provides techniques for improving the basis of knowledge...it can be a dangerous tool if its limitations are not recognized...the most important limitation is its incompleteness. Much ingenuity and effort is spent on making secret information difficult to acquire...it is often when first acquired sporadic and patchy and even after analysis may still be at best inferential...the necessary protective security procedures with which intelligence is handled can reinforce a mystique of omniscience. Intelligence is not only like many other sources incomplete, it can be incomplete in undetectable ways...A hidden limitation of intelligence is its inability to transform a mystery into a secret. In principle intelligence can be expected to uncover secrets...The enemy's intentions may not be known but they are...knowable. But mysteries are essentially unknowable. What a leader truly believes or which his reactions would be in certain circumstances cannot be known but can only be judged. Joint Intelligence Committee judgements have to cover both secrets and mysteries...but [judgement] cannot impart certainty' (UK Government: Butler, 2004).

Secret, intelligence-led activity has been, is and will always be a key, and probably a core, tool of governance whether in the UK, the USA or indeed anywhere else. Lord Butler listed several examples of where secret intelligence had a positive and decisive influence on Britain's security. If nothing else, they show the importance, breadth and the impact of intelligence on policy: 'the compliance with international law or international treaties, warning of untoward events, support of military and

law enforcement operations and in long-term assistance to planning for future national security operations' (UK Government: Butler, 2004). Specific cases included the uncovering of the work of A Q Khan who was 'at the centre of an international proliferation network' in helping states to illegally enrich uranium, the decision by Libya to abandon its WMD programme in December 2003, the validation of the existence of Iran's chemical weapons programme, of North Korea's development of WMD, in the fight against Islamist terrorism and the tracking of 'Usama Bin Laden' since November 1998.

There is a large literature the definition of intelligence and the nature of intelligence studies (Lowenthal, 1999). There is consensus that the subject must involve an investigation of intelligence activity, how governments utilise it and how, and in what circumstances, intelligence communities carry out their duties (Gill, Marrin and Phythian, 2008). It is obvious that the definition of intelligence must condition what is studied, both practically and conceptually. In a US context the subject would involve examining all information going to government in respect of any particular policy or event, whereas in the UK it ought, strictly, to mean the study of the use of secret information in policy-making (secret, that is, at the time of use). In the US context a massive number of government institutions would have to be looked at, in the UK the perspective would be limited to secret agencies and the national security policies associated with them.

In the event, however, the different definitions carry implications that go far beyond what is studied and researched. They impact on what is taught but also on the conclusions that are drawn about intelligence activity more generally. It is not just the case that the subject is conceived much more narrowly in the USA, it is that some of those teaching it in the UK seem to wish to brush over the significant conceptual differences in order to emphasise (or exaggerate) what they regard as the commonalities between US and UK intelligence. Several UK academics in the field point to what they claim is an intelligence 'Anglosphere', even suggesting that we in the UK may be its 'prisoners' to which the comparison of diverse intelligence cultures on a global scale could be an antidote (Aldrich and Kasuku, 2012).

In making this argument, however, the authors take it as a given that this 'Anglosphere' really exists and that it provides a firm basis for the study of the UK intelligence community, often quoting in support an influential practitioner turned scholar, Michael Herman (Herman, 1995). Herman believes he has identified a commonality between the USA and the UK of 'dynamics and problems'. Elsewhere Herman has argued that (as Aldrich puts it) that 'despite their marked differences in size, intelligence in Whitehall has more in common than with any cognate continental European mechanism'. This idea has formed the basis of several other

academic studies including a recent two volume comparative study (which ironically actually describes in careful detail the myriad differences between the two systems) (Davies, 2012). In fact the differences are far more important than the similarities and it is not at all clear what weight should be given to the concept of an 'Anglosphere' in organisational ('intelligence machinery') or ethical and legal terms.

Despite the difference in the concept of 'intelligence', there are also of course deeply significant historical differences between the two communities (Britain has a much older intelligence community with a much less sinister record), differences in the number of intelligence agencies (seventeen major ones in the US compared to just three major ones in the UK). The current intelligence concerns of the USA and the UK are very similar but these are surely the concerns of every other western intelligence community (and several non-western ones as well). Equally (and importantly) the methods used to yield intelligence are, as is discussed below, very similar even if the capacity of the USA to collect it far exceeds that of any other western state. Yet even this latter fact of commonality points to a further key distinction, not a similarity. To be fair to Herman, his argument relies largely on the fact that both intelligence systems are concerned to provide analytical reporting and estimates on national security issues (although it is hard to think of agencies anywhere who do not do this). It is, of course, true that the 'special relationship' between the USA and the UK has at its heart the UKUSA intelligence-sharing agreements, hatched at Bletchley Park during the Second World War that give Britain much of its raw intelligence product as well as facilitating over the years (in a political sense) the purchase of state of the art US intelligence-gathering technology.

However any dispassionate observer would be right to conclude that the differences between the two communities are indeed far more significant in every way than their similarities and arguably that the similarities between the UK intelligence community and that of cognate European countries, for example Germany or the Netherlands, are greater than the perception that there exist differences between them. Former practitioners, especially those charged with cooperating with US agencies may find it too easy to confuse cooperation with sameness, a common language with common values. Perhaps some academics may think the concept of an 'Anglosphere' in intelligence is useful for another reason: to tar both intelligence communities with the same negative brush. Given the many failures and abuses hitherto endemic in the myriad of US intelligence agencies but particularly in the FBI and the CIA, it is intellectually only too easy to transfer on British (and 'cognate European agencies') the necessary criticism of American ones, along the lines that (to put it crudely) 'if the American agencies use torture, then we must do so too' rather than ask, perhaps, why it is that the story of America's intelligence community is, on the whole, such an unhappy one. This is a point to which we return. However,

with an emphasis on reporting and assessment, it is plain that those teaching the subject will have more than a passing concern with the teaching of analytical skills.

Precisely because intelligence has become such an important input into policy-making it could be claimed that all students of governance, politics and international affairs should understand it. However, the materials that are studied, whether in respect of the USA, the UK or any other democratic state, and where current political or military matters are concerned, will, by definition, be largely inaccessible, even, in the case of the UK, at the time of their use, totally secret; where they these matters lie in the past (and are history) it is possible that what was secret will today be known about. Historical intelligence documents are frequently destroyed and where intelligence failures have generated public inquiries of various kinds, definitive or complete evidence may not be rendered to them by governments (UK Government: Security and Intelligence Committee Annual Reports).¹ This is a major problem for intelligence studies where the subject is oriented towards policy and policy-making, although the attack on Iraq in 2003, for example, produced six inquiries most publishing important secret documentation (the sixth, the Chilcot Report, still awaits publication at the time of writing) but to date none have perhaps provided entirely convincing evidence to explain fully how war came.

In historical terms, the possibilities for the academic study of intelligence-led activity in the UK are, however, now immeasurably greater than they have ever been before. This is not least because of the publication of official or authorized histories of the secret agencies, partly because there is now a vast amount of secret material in the public domain, as releases to the National Archive, directly and via publishing ventures attest (e.g a current 2015 Taylor and Francis project). It is possible, of course, to entertain serious reservations about the way that authorized or semi-official histories have been given by the agencies to specific historians (one preferred historian received three major commissions) and deciding ultimately what should or should be published. Interesting, the German intelligence service, the BND, has dealt with this matter very differently: it has appointed a committee of a dozen independent historians and researchers, allowed them free access to the BND's files and to research what they will (the first publications have shown the early, post-

¹ MI5 told Parliament's Intelligence and Security Committee that BY 1998 it had destroyed 110,000 of its files on extremist subversion in the UK because it no longer worked on subversion (whilst the files will have related to Communist and Fascist subversion it remains the case, according to its website, that MI5 does not concern itself with subversion of any kind). The 1989 Act establishing MI5, the Security Service, in statute, does, in fact, lay on it an obligation to counter actions 'intended to overthrow parliamentary democracy by political, industrial or violent means'; however, a simple 'intention' to do so would today not arouse MI5's interest: there would have to be clear evidence of a 'capability' of doing so and this would be defined in terms of weapons or explosives, not in terms of political pressure or extremist activity per se.

1945 BND in an unfavourable light) (Federal Republic of Germany: Bundesnachrichtendienst).

In a significant article on the development of intelligence studies within the university systems of the west, published in 2009, the doyen of Canadian intelligence studies, Martin Rudner, noted that prior to the 1990s whilst some intelligence-related topics were being taught at various universities in the USA, the UK, Canada, Germany and Israel 'most academic programmes eschewed any reference to intelligence topics' (Rudner, 2009). He suggested that the reasons for this may have been 'the secrecy attached to intelligence matters, or the reluctance of academe to engage with clandestine services – or the fear of being subverted by secret organisations'. Nevertheless by 1985 there were over fifty courses on intelligence subjects being taught in US universities; it was in this year that two important journals on intelligence were launched (*Intelligence and National Security* and *The International Journal of Intelligence and Counter-Intelligence*).

The number of intelligence studies programmes increased in the next decade triggered in the UK by the emergence of a scholarly literature on the history of intelligence issues (the first the revelations about British intelligence successes in the Second World War had appeared in the mid-1970s), and in both the UK and the USA growing public concern at what seemed like a catalogue of intelligence failures and scandals. In the USA, the intelligence community undoubtedly embraced this interest, seeing, perhaps, a means of restoring its bruised reputation whereas in the UK the secret agencies remained resolutely secret. By 1993 the CIA, significantly, was even happy to convene a symposium on teaching intelligence in universities and ten years later the US Defense Intelligence Agency began to compile a list of university programmes it considered were 'committed to excellence in defence of the nation', implying that what they were doing was of value to the USA's intelligence community and that graduates from these departments might well get government jobs in the field.

One might have thought that 9/11 had produced would have led to a proliferation of intelligence studies programmes throughout the western world. After all, whatever else it was, it was a massive intelligence failure on the part of the US and all other western intelligence communities requiring proper scrutiny of the profession of intelligence and its effectiveness, and better educated intelligence professionals. In the event this did not really happen. Rudner points out that 'whilst 9/11 catapulted [this subject] to the forefront of international relations, universities were inexplicably tardy in developing academic programmes' to explore its implications. By the 2000s there were 'still only a few dedicated departments of intelligence studies' rather than departments who offered this module or that on an

intelligence-related subject. Whilst the latter could be found in the universities of all western states, this continued to be in the form of modules within other fields of studies, whether international relations, history, political science.

Today actual degrees in intelligence studies, whether at undergraduate or postgraduate level, are in fact very few in number: about six in the USA, including the offer of the National Intelligence University (which describes itself as ‘the [US] intelligence community’s sole accredited federal degree granting institution’) and the Ridge Center at Mercyhurst University (The Ridge Center, 2015). However, very many universities offer modules on intelligence studies, usually in conjunction with international studies of one form or another. Very few teachers of the subject are tenured academic staff, a point to which we return.

Interestingly, the position of intelligence studies in the Federal Republic of Germany was uniquely different not least because of the appalling role that intelligence agencies had played in contemporary German history and politics (Scott and Jackson, 2008). The legacy left by the Gestapo on the one hand and the Stasi on the other meant (perversely one might think) thinking Germans wished to know as little as possible about intelligence-led activity and wanted it to play as small a role in their democracy as was feasible. Wolfgang Krieger, who used to be Germany’s only professor of intelligence history (now emeritus), described it more than once as ‘a field in search of scholars’. Yet perhaps surprisingly the German secret intelligence service, the BND, is today at the forefront both of promoting a scholarly interest in the subject and also not just teaching the subject internally but supporting outreach activity to a few British universities (Federal Republic of Germany: Bundesnachrichtendienst, 2015).

Why Study Intelligence? ‘Training’ versus ‘Education’

Having looked at what intelligence means when in conjunction with its study, a word on its teaching. The big divide is between those who see the subject as offering a broad ‘education’ in the nature of intelligence activity, and those who believe an intelligence degree should, largely and perhaps exclusively, consist of ‘training’ students to be intelligence officers (which, as we shall see, in fact means teaching students intelligence analysis, not how to be covert operatives which would be illegal). Once again, there is a revealing paradox between the UK and the USA, the two countries, as we have seen, that have most intelligence studies programmes: in the UK where the definition of intelligence ought to be very narrow, its study tends to be a broad one whereas in the USA, where its study should be broad in scope, it is often extremely narrow. This may come from the fact that the British intelligence

community believes that whilst it might be useful to them if some of their intelligence officers had degrees in intelligence studies, there is no particular reason why they should. Those, on the other hand, chiefly in the USA who push for intelligence 'training' plainly encourage students wanting to work for the US intelligence community to believe that it is 'intelligence training' the US intelligence community is chiefly focused on when recruiting, something some US agencies seem to encourage.

Consequently, most US departments of intelligence build their pitch to prospective students on the market for graduate analysts. There are said to be about 300-500,000 intelligence analysts working for the various US agencies and their contractors (the precise number seems to be secret). It is hard to quantify the precise number of intelligence analysts in the UK but we know that in 2012 our secret agencies employed 13,293 officers. If we add to these intelligence analysts working for the JIC and government departments such as the Ministry of Defence and the little known Defence, Science, Technology Laboratory it seems likely that there are about 30,000 intelligence analyst posts in the UK at the moment (UK Government: Organisations, 2015). Probably no more than hundred of these, at most, will have had any degree level intelligence qualification (own estimate). There are currently 3,638 vacant intelligence analyst posts including for the secret agencies and the UK police services on offer through one jobs portal (Indeed, 2015).

It is hardly surprising that in the USA, some universities should have seen a business opportunity staring them in the face, linking job prospects and fees. One of them, James Madison University, makes its pitch for them as follows: 'the concept for [our] intelligence analysis degree program was developed in 2002 when [our] faculty began working with industry and government agencies [...] to emphasize critical thinking, skills, pattern matching, data fusion, technical writing and creating intelligence from existing data' (JMU, 2015). A noted instructor there, Stephen Marrin, writes about his own work that his 'recent project is to understand and improve intelligence analysis by learning from other disciplines such as the social sciences, history, anthropology and journalism'. The Institute for Intelligence Studies at Mercyhurst University explains that its goal 'is to produce a graduate who is qualified to be an entry level analyst for the government and the private sector'. Whilst intelligence analysis is a core subject both in the USA and the UK, there is much evidence to show that in many, perhaps most, US universities it is *the* core subject. It is seen as a skill the acquisition of which can be monetized.

Whilst offering students a training in intelligence analysis as if it were an education in intelligence studies might seem attractive, given the market for intelligence analysts (which is almost certainly expanding, and deserves to be), it is, without

doubt, the wrong thing to do. Without intellectual depth, the subject has no purchase on the academy or on society more generally, the urgency in policy, pedagogical (and moral) terms is wholly removed. What is more, it is not clear that the market truly wants this either. Why would a student want to spend three years as an undergraduate being narrowly trained as an analyst (or one year if a postgraduate) to get an entry-level job in an organisation as an analyst where training is part of the job? Why would British secret agencies, at any rate, recruit good graduates of any discipline (who are then given in-house training) if it made more sense to specify that it would only accept candidates who had been trained in intelligence analysis at university? The answer is not hard to work out. Good analysts need broad minds not narrow ones.

Teaching intelligence analysis at universities certainly provides work for retired analysts (in the USA, unlike the UK, most intelligence teaching is done by former intelligence analysts, usually it seems from an FBI background). Website evidence indicates that only a small number of intelligence teachers are tenured academics and so unlikely to be able to play a formative role in their institutions or in how their subject can be developed in the academy. It is also likely to be true that if those delivering intelligence training are chiefly or exclusively former practitioners they are, unless they themselves have benefited from a broad academic education, likely to pass on to the next generations of analysts the flaws or errors in their own analytical skills, not to mention their own lack of a deeper understanding of international affairs and how these might impact on their homelands. As we shall see, one important reason for emphasising the research-led academic input into intelligence studies is precisely because it is from here that new insights and practices for intelligence agencies are most likely to emanate. Few institutions fail to benefit from that long and critical look from the outside.

In the UK, degrees in intelligence can be obtained at about half a dozen universities although here the emphasis is much more on 'education' rather than 'training'. Intelligence history is well-developed most notably at Cambridge University (but not, interestingly, at Oxford: here there is neither formalised intelligence history nor politics research and teaching although the 'Oxford Intelligence Group', not connected to the University but to one of its college makes a major contribution to the subject generally (Nuffield College, Oxford, 2015). This is partly because many UK universities balk at the very idea that universities should 'train' their students, partly because the market for graduate intelligence analysts is still undeveloped.

However, even in the UK there are signs that things are changing. There will be a demand for more intelligence analysts especially for the police services as the number of officers continues to decline and intelligence-led policing becomes

increasingly important. Mercyhurst College and Lockheed Martin have teamed up to promote a US style intelligence analysis programme in Dungarvan in the Republic of Ireland which seeks to pull in British students and personnel from the police and armed services from throughout the European Union. Most of the training is apparently provided by former middle-ranking FBI practitioners (Mercyhurst University, 2015).

There are other indications that training rather than education is gaining ground in the UK. Training analysts without degrees is cheaper than hiring graduates whether in intelligence studies or any other subject. In the second half of 2012, for example, the British media gave prominence to a new 'apprenticeship scheme' as a trawl for recruits to our secret agencies (the Government's Communications Centre, GCHQ, was both the prime mover and intended chief beneficiary) (Channel Four News, 2012). The implication is that at a time when cyberspace is both a growing threat to national security but also a key source of intelligence about that threat, eighteen year old 'geeks' who play computer games and know a thing or two about cyber hacking may make better officers than brilliant students of ancient Greek.

A note written by a US intelligence analyst on whether a degree in intelligence analysis is worth having seems compelling at this point: he tells aspiring analysts that there is no point in doing an undergraduate degree because being an analyst is a 'practice' that should best be learned on the job (Mathew Burton Org, 2015). Whilst research is a skill, he says, which can be taught, it can be acquired in many different disciplines (Richards, 2010). The purpose of intelligence studies, Rudner argues is 'certainly not to provide *training* [my emphasis] in actual intelligence tradecraft. That is something best left to the national intelligence and security community itself' (Rudner, 2009). Rather, he suggested, its aims were 'to contribute to the building of public knowledge about the mandates, strategies, structures and functioning of intelligence organisations in statecraft, historically and contemporaneously [...] and to educate students about [these] matters whether they are seeking careers in the intelligence community [or elsewhere]'. At the same time he conceded that whilst 'in the past intelligence services were uneasy about research inquiries into their secretive domains...today academic research is recognised as contributing...to broader governmental and public knowledge...and might even be of value [to] the community itself for developing strategies and activities...improving operational capabilities especially in the domain of intelligence analysis [and] community outreach'.

One could argue that the opposition of 'education' and 'training' goes to the heart of questions about the relevance of higher education. Bearing in mind that asking Google what is the purpose of a university brings up 893 million hits, there is unlikely

to be any consensus on whether in general it is, or should be, 'training' or 'education'. Some years ago, the then Vice Chancellor of Brunel University, Steven Schwartz said that even in a university originally established as a university of technology, higher education should eschew a simple training role, noting with approval a comment made in 1975 by the US educationist Harlan Cleveland ('the outsiders want students trained for their first job out of university, and the academics inside the system want students educated for 50 years of self-fulfilment') (Schwartz, 2003).

What is plain is that without elements of tradecraft (that include intelligence analysis training), any intelligence studies programme will be seen as less than complete, it follows that pushing training without an education is a serious waste of an opportunity to extend understanding of intelligence matters. What is more, and this is perhaps extremely serious, concerning, there may well be a connection between the failures and excesses of the US intelligence community and the *lack* of a genuine broadly based education of the part of those who work within it. If 'training' becomes the core requirement of intelligence analysts, then those who acquire it run the risk of becoming 'trained', that is, doing the very thing they should not be doing, ticking boxes, obeying superior orders without question and oblivious to the fact that professional intelligence activity in a democracy demands high standards of judgement and ethics.

Ethics, Surveillance and Academic Freedom

Secret intelligence-led activity in an ever more dangerous world is an increasingly important part of modern governance. Yet in the UK it is, at the time it is employed, always a secret function of government and in the USA frequently secret, and precisely for this reason it is one that is always under close investigation by the media. It is also often under attack, especially from the media not unreasonably, often for alleged ethical failings sometimes severe. As has been argued, the US intelligence community has indeed got plenty to answer for and British intelligence has chalked up its own failures, albeit significantly if arguably mostly less wicked. But in Britain over the past decade, some parts of the media have displayed both an ignorance of UK intelligence activity and of the real progress made by the UK intelligence community towards greater openness and lawfulness. Bad practice on the part of our US allies has almost certainly shaped our attitudes towards our own community, often based on absurd ignorance. Yet now is not a good time to be unknowing, either for government or the public.

Intelligence studies should certainly contribute to public understanding of the ethics of intelligence activity (especially in respect of the observance of human rights) and to the social implications of the interception or non-interception of communications by intelligence agencies (Rudner, 2009).

On the whole, anecdotal evidence suggests that most university intelligence departments and teachers are instinctively, as it were, suspicious of any secret activity conducted by their own government; there is also a case that could be made anecdotally that most academics are left-leaning, or even of the left, and that they associate (again instinctively) intelligence services with secret police and Gestapo. Just as there were few books in university libraries at the time the Soviet Union collapsed about how communist regimes could be turned into capitalist and liberal ones, but many volumes about how this might work the other way round, one is likely to find in those libraries today very many more hostile critiques of intelligence-led activity, and policy, than broadly supportive and less critical texts (Tsang, 2007). However, and this is the important point, not only is academic dissent an important part of genuine academic freedom but it so often leads, automatically, to wider public debate.

But apart from ensuring the issues are debated and aired, academic intelligence study is a form of record-keeping and in a time when people are deluged with electronic data about this or that, it also serves to preserve the collective memory of what really happens and happened.

The ethical aspects of the use of torture to acquire intelligence are a revealing example of this. It is one thing to spell out why torture is likely always to be unacceptable (on the grounds that even if it produces actionable intelligence, it cuts against the grain of western ethics in general) but another to be able to demonstrate, with hard evidence, that it does huge and specific political damage to those regimes that use it. There is a critical distinction here between an act of torture carried out by an individual intelligence officer, perhaps under great pressure, and the deliberate, systematised, and authorised torture that a state can engage in. An understanding of the latter, however, is based on collective memory and the academic record. It is in academic circles that the issue has been most persistently discussed, and in academic writing that the fundamental facts can be found, are analysed and kept alive.

Intelligence and Torture: An Academic Perspective

The ethics of western intelligence agencies do not merely cause understandable public concern, they are one of the most important areas to which academic studies

of intelligence can add value as well as remind intelligence officers what is at stake here. British intelligence studies have concerned themselves with the issue extensively (Newbery, 2015).

In February 2010 *The Guardian* had reported that the then Master of the Rolls, Lord Neuberger, one of Britain's most senior judges had accused the British Security Service, MI5, of being 'devious, dishonest and complicit in torture' (*The Guardian*, 2010). The case related to a British resident (but Ethiopian national), Binyam Mohamed, who had been seized by US forces in Afghanistan after 2005 and held prisoner in Guantanamo Bay. Mohamed sued the British government, claiming he had been tortured by the Americans. The heads of MI5 and MI6, both denied their services used torture themselves (Evans, Sawers, 2010).

What academic analysis added to the discussion was clarification of the charges made (the use of torture and unethical behaviour by American and the complicity of British intelligence) and a neutral space to reflect on them. Out of a scenario where both the USA and the UK were widely seen as both being torturers, a more refined picture emerged in respect of the claims against Britain (despite Lord Neuberger's comments) (BBC News, 2010). This was a difficult thing to say about a very difficult subject. Ordinary people might think Evans and Sawers were either lying, or covering up their wickedness and conclude that British intelligence did indeed approve of the use of torture.

Certainly, the academic study of intelligence could highlight the fact that the British approach to the use of torture and the deriving of intelligence from human sources was different from that of the Bush White House. Here the infamous White House memo of 25 January 2002 allowed US interrogators 'to inflict pain and suffering up to the level of organ failure' but not beyond it, thereby defining torture as 'the experience of intense pain or suffering equivalent to serious physical injury, so severe that death, organ failure or permanent damage will likely result' but anything less than this as not being torture (US Government, The White House, 2002). The result was the use of waterboarding and other measures which may not have been torture in the eyes of the White House but certainly were as far as objective academic analysis was concerned (in addition to water-boarding in April 2003 the Pentagon approved 'slaps to the face and stomach and fear of dogs'; another prisoner was stripped naked, straddled by taunting female guards, threatened by dogs, placed on a leash, forced to bark like a dog and refused sleep for three days'.

It would have been easy without academic investigation to have either damned both US and UK intelligence services or to have damned neither of them, either to underscore the belief that all intelligence services are basically secret police forces

who abuse human rights, or regard as perfectly proper human rights abuses that are committed by intelligence agencies (The European Convention on Human Rights, 1950). Both choices would be quite wrong and unreflective. We need intelligence services but we need them to act lawfully and in accordance with human rights, not against them. This is a weighty case to be made in the academy, and through the academy to the outside world. It is not one just for politicians or journalists. The grave damage done not just to the US intelligence community but to the United States and the western way of life because of the serious mistakes made after 9/11 are actually a matter of record. In an interview in February 2011 with *The Sunday Times* in order to advertise his book (*Known and Unknown*), Donald Rumsfeld himself twice addressed the issue of torture (Rumsfeld, 2011). First, in response to an admittedly leading question ('why is America now so widely hated in the Middle East?'), he replied 'there's no question that the photographs from Abu Ghraib, the abuse of these people in American custody, harmed our country, harmed our military, and gave encouragement to the terrorists'. He added that he had offered his resignation to President George W. Bush when the story broke in 2004.

The academic study of intelligence can add to the dismal story of US intelligence activity in recent times by pointing out that government-sanctioned torture was the stock in trade of some of the worst regimes the world had seen in modern times of which the Third Reich was a prime example. A document dated 12 June 1944 sent by SS-Gruppenführer Heinrich Müller, chief of the Gestapo (Secret Police), to all his officers makes it crystal clear that 'harsh (that is, 'enhanced') interrogation' is allowed and encouraged by the Nazi state (NS-Documentation Centre, Cologne). This is defined here as depriving the detainee of bread and water, a mattress, light, and sleep; ordering stress exercising; and, finally, beating with a stick to a maximum of twenty strokes. Two officers must always be present when the beatings take place. Where more than twenty strokes are given, the presence of a medical doctor is required.

Müller adds that harsh interrogation is to be used only when the detainee refuses to divulge information relating to important matters of state or potential treason and only against Communists, Marxists, Jehovah's Witnesses, saboteurs, terrorists, resisters, enemy agents, social misfits, and 'work-shy' Poles and Soviet Russians (Jews, it should be added, were subject to special measures not covered in this document). For good measure, and to seem lawful, Mueller added that where torture had been used, and the detainee was brought before a court, the judges in the case were to be (secretly) informed that this has taken place. The themes that jump out at the scholar here are only too significant: secrecy, detention, torture and pseudo-legal codification, also in secret. It is plain this has to be the stuff of any intelligence education worth the name.

The Snowden Revelations

A further key area of academic intelligence studies has been, and will be, to investigate and assess the revelations made, in particular, by Edward Snowden in *The Guardian* and *The New York Times* in 2013 and subsequently. Snowden has self-evidently caused all western governments and their intelligence agencies acute problems. The NSA and GCHQ are tasked with uncovering the secrets of our enemies and potential enemies. Snowden's secrets had to do with the intentions and capabilities of the NSA, GCHQ and the BND themselves, to name but three agencies. The damage done by Snowden did not just come from the publication of secret material but from his making it clear that electronically transmitted communications on mobile phones or via the internet could be intercepted, collected, decrypted and acted upon if necessary.

On the one hand, the public was bombarded by the media and influential British opinion formers, inside and outside parliament, claiming that every citizen was now under constant surveillance and that a great wrong was being perpetrated (Danchev, 2015). On the other, the secret agencies publicly insisted this was quite untrue (Parker, Lobban, 2013). Even informed public opinion found it hard to form a judgement but, yet again, this difficulty highlighted the importance of the academic scrutiny of intelligence activity and the provision of more objective voices being heard.

Evidence that the revelations made by Snowden, and before him Assange, and what the media and public opinion have done with them, had made the work of intelligence agencies very much harder was serious and compelling. Professor Sir David Omand said Snowden's revelations had caused 'the most catastrophic loss to British intelligence ever' (Omand, 2013). His conclusion, however, was discounted by some commentators on the grounds that he had been the security and intelligence coordinator for Tony Blair's government at the time of the attack on Iraq and, before that, a director of GCHQ. Yet academic support for his case could be found (Glees, 2013). Indeed, the harm to intelligence had been done in part because Snowden had drawn the attention of Islamists (and serious organised criminals such as people traffickers and drug smugglers) to the fact that their electronic communications could be intercepted and decoded by the NSA, GCHQ and the BND and other agencies. The result, not surprisingly was that the use of such communications by these people declined sharply: as the head of MI5 put it 'it causes enormous damage to make public the reach and limits of GCHQ techniques' (The Daily Telegraph, 2013; CNN Security Blog, 2013).

But a different kind of damage had also been caused. Media reporting had, on the whole, attempted (and with considerable success) to give the thinking public the impression not only that everyone was under surveillance all the time but unlawfully so, implying there was a secret police at work 'snooping' on everyone. There may have been some mischievous intent at work but it is also the case that the issue was, on one level, very complicated, and revolved around the fact that vast numbers of people were now communicating with each other in an electronic format. What agencies had previously done (and done secretly), involving a comparatively small number of communications, was now very widely known about and, given the IT revolution, could be done with greater numbers of them. Telling everyone they were being spied on was a much better story than saying only a comparatively few very dangerous people were under genuine surveillance.

The opinion-formers had a field day. Graeme Archer in *The Daily Telegraph* wrote 'What right does the state have to snoop on the lives of others?' (Archer, 2013). Al Gore opined that 'evidence of secret blanket surveillance [sic] is obscenely outrageous' (Gore, 2013). Jonathan Freedland in *The Guardian* said 'the secret state is just itching to gag the press' (Freedland, 2013). Sir Tim Berners-Lee, inventor of the web, claimed that allowing agencies to mine data (which is what was in effect going on as Snowden made clear the following year) would lead to 'the destruction of human rights' (Berners-Lee, 2012). In respect of new laws requiring ISPs to make more data available to secret agencies, quickly dubbed 'the snoopers' charter' (as if intelligence were 'snooping' rather than 'investigation') Dominic Raab, a prominent Tory MP, insisted 'these plans will allow state snoopers to drain the swamp with powers that are broad and vague and invite abuse' (Raab, 2012). All this reinforced the earlier misgiving about intelligence activity following on from the use of intelligence to justify the attack on Iraq in 2003 and the subsequent allegations of torture. The spy novelist John le Carre had already gone on record to say that he, for one, was 'deeply dismayed by the performance of our intelligence services, who are alienated from government' (le Carre, 2011).

Glenn Beck the US radio journalist put it this way: 'they've been tracking your purchases, and your credit card activity, they've been capturing your phone conversations. They have your whole life' (Beck, 2013). Shami Chakrabati, chair of 'Liberty', the civil liberties pressure group, launched one of several attacks in the media on intelligence work (but before and after Snowden) which she claimed was constructing 'the snooping state' (Chakrabati, 2012). She said 'mass monitoring, the Data Communications Bill, would allow the state to record and store the entire population's web visits, emails, text messages and phone calls – for no other reason than the authorities' possible future interest' (the headline put it starkly 'the state

wants to spy on you in your home'). This would be, she insisted, like having the 'thought police on permanent duty in their homes'.

Set against these views, there were the statements of the heads of Britain's secret agencies who naturally took a different line. Andrew Parker the head of MI5 said publicly in October 2013 'the idea that we either can or want to operate intensive scrutiny of thousands of people is fanciful. This is not East Germany....'. The next month he said: 'The raison d'être of MI5 is to protect the sort of country we live in against threats to it...We live in a free society, a democracy where we prize our individual liberty and privacy. These values are extremely important to all of the men and women who work in our agencies...they don't want to live in a surveillant society' (Parker, 2013). Sir Iain Lobban, then head of GCHQ, put it no less emphatically: 'We do not spend our time listening to the telephone calls or reading the emails of the vast majority. That would not be proportionate, that would not be legal. We do not do it. I don't employ people who would do it. If they were asked to snoop I would not have the work force. They would leave the building'. His service also made a rare statement ('we do not target anyone indiscriminately ...our activities are proportionate to the threats we face, and we follow the law meticulously') (Lobban, 2013).

However, the point is that large swathes of the media and politicians (most interestingly, perhaps, from the right and the far left and Greens, but not from the moderate left) plainly did not believe the intelligence chiefs. And this happened, to an extent that seems absurd, despite the facts in respect of the realities of interception and data mining and what should have been the reasonable assertion that gaining intelligence about jihadist terrorism, one of the NSA's and GCHQ's key duties, did not threaten liberties but protected them. Asked by Parliament's Intelligence and Security Committee in the autumn of 2014 whether she would oppose the bulk collection of electronic data even if it provided evidence of terrorist activity, Isabella Sankey of Liberty said 'absolutely' (Sankey, 2014). Asked if 'you believe so strongly that bulk interception is unacceptable in a free society that you would say it was a price we should be willing to pay rather than allowing agencies to use bulk interception' she replied 'Yes...that is the price you pay for a free society'.

The thought that the price that is paid for a free society is an attack on that freedom is as absurd as the argument that doing so was 'giving the terrorists the very thing they wanted' or 'doing the terrorists' work for them'. Making democracy resilient is surely the last thing they would want. But the point, again, is that the only way of exploring issues like these in any reflective depth is via sober, objective and independent academic scrutiny.

What academic departments could point out was that for more than 100 years the communications of Britain's enemies and potential enemies had been regularly intercepted and, where possible, decoded and acted upon. With the development of the internet and the massive increase in the use of mobile phones, the number of wireless communications had also grown exponentially (about 50% of the world's 7bn people now use mobile phones, they send each other 300bn emails each day; perhaps 10,000 text messages are sent in the UK every second) (International Business Times, 2014). Modern software allowed a very large number of communications to be collected, and some of them to be mined for intelligence. This was not 'mass surveillance' even if it was the mass collection of data. Words matter and no one knows this better than academics. 'Surveillance' implies 'being observed': when undertaken by intelligence officers, it means being observed on a twenty-four hour basis. This is self-evidently not happening.

Oddly enough, Snowden himself did not actually allege that everyone was under 'surveillance' and did not (as far as one can tell) imply this until 2014. The mass surveillance claim was made in particular by *The Guardian* in its headlines and its editorial writing (perhaps to justify that somewhere it did understand that it had put national security at risk and so needed something very serious indeed to justify what it had done). Snowden showed there had been bulk collection of data and has always been vague on whether or not this constituted actual surveillance (arguably because he knew that it did not).

On 17 June 2013 in a piece written up by Glenn Greenwald for *The Guardian* Snowden did say, apparently, that his documents had revealed 'the largest programme of suspicionless surveillance in human history' (Greenwald, 2013). Again on 3 May 2014 in another *Guardian* story (headlined 'Everyone Is Under Surveillance Now') we were told that in a video for a debate in Canada Snowden had said 'It's no longer based on the traditional practice of targeted traps based on some individual suspicion of wrongdoing. It covers phone calls, emails, search history, what you buy, who your friends are, where you go, who you love' (Snowden, 2014).

Whilst the software programme Snowden revealed may be large and therefore logically it follows that its use could lead to the surveillance of large numbers of people (because extremely large numbers of people use the internet or send wireless messages to each other), it is not 'suspicionless' surveillance because there must be a suspicion for true surveillance to be triggered – without suspicion the state breaks the law. Snowden himself, it should be stressed, does not actually say that 'everyone is under surveillance'. Furthermore Snowden's own words ('It's no longer based...') can be understood to mean this would be a definition of 'mass surveillance' if the 'you' were everyone rather than someone. Nor is it clear what the 'It's' refers to, whether he means 'collection' or 'surveillance' (the debate to which he was contributing was concerned with by 'surveillance' we in fact mean 'mass surveillance').

It is simply not true that every intercepted communication was read by an intelligence officer (whether in the US, the UK or Germany) and in a philosophical sense this activity is hardly new. After all, the work undertaken at Bletchley Park during the Second World War was widely regarded as perhaps Britain's greatest intelligence success. None of this had made Britain less free. Rather the opposite: in helping to resist the Third Reich, Soviet Communism and now Islamism, interception had sustained liberty. What is more, adherence to the European Convention on Human Rights, and an insistence that intelligence activity be lawful, accountable to parliament and the public, if anything citizens should be less anxious about the existence of secret agencies today than ever before, when none of the kind existed.

Two years on from Snowden, the debate about his revelations still rages. To date no evidence has been adduced by his revelations (or those of Julian Assange) that any major infringement of any law has taken place in Britain (or the United States), nothing has suggested there has been unlawful intelligence activity. It is true that in the case of Germany (for historical reasons it is indeed a special case) there is evidence that Snowden revealed that specific German laws were broken either by the NSA or the BND but the price paid for any public good in uncovering a particular set of issues in relation to Germany has been totally exorbitant in terms of the assistance Snowden's revelations have given to the mortal foes of liberal democracy, both in evading detection via the best possible means for doing so (namely the interception of their communications) and in causing intelligence agencies to be portrayed as the enemies of a free society, rather than its protectors (CNN, 2015).

This is not to suggest that the debate about the implications of contemporary intelligence collection and analysis should be stifled (even if it were possible which it patently is not). It is not far-fetched to believe that just as the possession of nuclear weapons (which, after 1945, could never be used) came to define what was, and was not, a major world power, so today the possession of intelligence (and information more generally) may come to serve the same function. Certainly, in the case of the USA, the vast quantities of information now being collected (but, we are assured, not analysed) would indicate that part of being the world's superpower is having, at its disposal, as much of the world's data as it is possible to intercept (Hertzberg, 2013).

The academic study of intelligence is (and ought to be) a space between public opinion and the practice of intelligence, able to give objective, research-led insights into what it does and whether it does so well, and lawfully. There are many further examples where an academic standpoint can and should play an important role in helping to infuse some objectivity and context to an otherwise dangerously confusing and polarised picture. It is of course the case that there is no settled

academic view on whether or not mass collection of electronically stored data, allowing some of it be decrypted and used as intelligence, constitutes 'mass surveillance' or whether if it does and it can be used to avoid violence and death, it is a 'good' or a 'bad' thing. But it is academic study that will produce some answers.

Public opinion is an important aspect of democratic government and winning the consent of the public to secret and intrusive operations is necessary if it is to take place. Without public support, security services will be reluctant to intervene to keep people safe. The irony is that polls suggest the public itself (at any rate the non-Muslim public) is far less concerned about 'surveillance' than the media and the opinion formers inside and outside the British parliament. 71 per cent of those asked in one polls in February 2014 (some six months after the Snowden revelations) said they believed the government was justified in eroding their right to privacy in the pursuit of terrorists or serious criminals (YouGov, 2014; Cable, 2015). Only 29 per cent polled by YouGov believed their right to privacy should be a priority over efforts to track terrorism.

If intelligence activity with public consent can keep us safe, the perception that the public, or at least the Muslim public, may withhold their consent is also true. The travel to the Islamic State of three British Muslim school girls (two aged 15 and one aged 16) from Bethnal Green Academy in London in Spring 2015 could almost certainly have been prevented if there had been better intelligence-led surveillance of these school students who, following the earlier departure to the Islamic State of one of their friends were very clearly at risk. We do not yet know why this surveillance did not occur but intelligence service anxiety about public opinion could well be one reason.

Campus Radicalisation

If we are to contain the current threats to our way of life without conflict, it will have to be achieved through the use of intelligence by our intelligence community including the police service who are increasing their reliance on intelligence activity. In respect of Islamism, intelligence has already been used successfully to disrupt plots against targets in the UK (for example the 'Crevice' chemical fertiliser plot in which students from Brunel University played a leading part, or the 'Transatlantic Airliner Plot' again involving British university students and graduates) (BBC, 2007; BBC, 2009). Intelligence allowed these conspiracies to be disrupted at any early stage. With sufficient public support and understanding, intelligence could also be used preventatively: to stop the process of radicalisation and prevent young British

Muslims from turning to terrorism in the first place. There is, then, a direct link between the study of intelligence, promoting the effectiveness of lawful secret activity and the securing of democracy.

Academic intelligence studies, therefore, have a third task. It is to underpin the moral and philosophical (rather than the technical) case for resisting the threats to our liberty by using intelligence studies within universities to reflect back onto the academy itself (Glees, 2014, 2009-10). If there is a moral obligation on intelligence departments to explain why torture is always unacceptable, why bulk data collection is not mass surveillance and therefore does not put our democratic way of life at risk, there is also a moral duty to alert the academy to the threats posed by the radicalisation of young British Muslims and their conversion to violent extremism either (depending on one's view) from within higher education, or despite its taking place. Higher education plays a double role here: both as a critical space to examine this phenomenon and teach its students to avoid it but also as a space where radicalisation takes place.

Those who have been through the process of higher and further education but have willingly turned to murderous and sadistic jihadism have plainly lost their moral compass. Whether it was during their time as students of higher and further education that they turned to terrorism, whether university life enabled their radicalisation and recruitment to take place, may be a matter for legitimate debate. However, it is incontrovertibly the case that whatever higher and further education may have done to set out a moral compass of decency for students to follow, it has, self-evidently, not been enough. There is a sin of omission here, even if there may be no sins of commission on the part of academics (the impact of visiting speakers on students' thinking is another matter altogether).

For a young British Muslim to go off to be a jihadist killer, or a sex-slave/jihadist bride, two things need to have happened. First they need to be radicalised. Then they need to be recruited. Radicalisation of young minds is primarily but not exclusively a matter of education. Education can prevent it from happening but it is also within sites of education, especially higher education that much of it takes place.

The academy could (and probably should) even help make the moral case to reject violent and illiberal activity within them, usually using the camouflage of 'free speech' or 'academic freedom' to justify them. Islamist extremism, like any other form of revolutionary extremism, seeks to destroy the essential freedoms of the liberal state. Yet, fortified by an ignorance of intelligence on the one hand, and a refusal to see that in the UK intelligence activity is not about the lawless attack on

liberty that is sometimes claimed, many universities as liberal institutions find themselves in the parlous position of using liberal values (and institutions including universities themselves) to support entirely illiberal activity, whether it is the justification of violence as perpetrated by the Islamic State in Iraq and Syria or even of the gender segregation of Muslim student groups by Universities UK, since apparently rescinded (Dandridge, 2013).

There is significant evidence to show that there is a direct link between higher education and Islamist extremism although the precise nature of that link awaits further research. A whole host of UK Islamist terrorists have been university students, from Mohammed Emwazi (aka 'Jihadi John') who had studied at Westminster University, Umar Farouk Abdulmutallab at University College London, Michael Adelbalajo (who beheaded Lee Rigby) at Greenwich University and Mohammad Sidique Khan (the lead of the 7/7 London bombers) at Leeds Metropolitan University. Seifeddine Rezgui who murdered thirty British tourists in Tunisia was a student at a university in Kairouan. Statistics presented by the Minister for Security at the time, James Brokenshire MP, show that by 2015 some 40 per cent of those convicted of terrorism offences were either students or recent graduates in higher education. Statistics presented in 2011 to the parliamentary Home Affairs Select Committee gave the number of convicted terrorists with a higher or further education background as 45 per cent, of whom 10 per cent were students at the time the offences were committed (UK Government, 2012). It is not unsafe to infer that as many as many 55 per cent of those committing terrorist offences but not convicted come from a university background, perhaps more. This chimed with findings made about the position in the UK some five to ten years ago.

One early study pointed out that campuses were likely to be one major site of extremism, radicalisation and recruitment (Glees and Pope, 2005). This conclusion not only pointed to an area of potential interest to the UK security community but raised the question as to what, if anything, universities were doing to act against radicalisation and extremism and why places of learning and free inquiry should in some way be supporting those who wanted to destroy liberal democracy. The argument was *not* that universities *taught* young British Muslims to become extremists and terrorists but that they did little or nothing to prevent this from happening (either by preventing campuses from being used as sites of radicalisation or by educating Muslim students to turn them away from terror). However an analysis of this kind was not welcomed by higher education authorities. Universities UK insisted at the time that 'there was no evidence' to connect 'student radicals' with violent extremism or that 'speakers who are offensive to many people cause violent extremism in the student audience; there is no evidence of that' (Dandridge, 2011).

A key paper published in 2007 took the argument further and in a different direction (Gambetta and Hertog, 2007). The authors pointed out not only that 69 per cent of a cohort of 326 jihadist terrorists, on whom there was biographical material, came from a higher education background but that 44 per cent were students of engineering. For Gambetta and Hertog it was as much the subject studied as the higher education background that was of significance. More research is needed to be sure that the subjects studied have any relevance (there is evidence to suggest that the subject studied may be of much greater significance in Middle Eastern and North African populations than in western Europe). But the two fundamental points would appear to stand: an important source of jihadists have a higher education background and for this reason this is a matter of pedagogical, security and more general social concern. Britain's universities are perhaps still in denial about this. A 2015 report claims, credibly, that in 2014 123 extremist Islamist speakers visited UK campuses and more than 20 students were convicted of terrorist related offences in connection with seeking to join IS fighters in Syria and Iraq (The Daily Mail, 2015).

Conclusion

Britain faces an increasingly serious problem of radicalisation on the one hand, and a security community that is finding it increasingly hard to contain it. Currently intelligence-led activity is almost wholly focused on disrupting the recruiters either in real or virtual terms (where they operate on the internet) leading to the arrest and conviction of terrorists before they have a chance to act.

It must follow that in order to prevent terrorist attacks, the process of radicalisation needs to be given much more attention and where higher or further education campuses are involved, this must be a matter for those who run our universities and colleges. Not every radical is a jihadi, but every jihadi has been a radical. If extremism can be contained, so can jihadism. It would seem self-evident that universities see that in addition to studying terrorism, they are themselves a site of extremist activity. Yet they still seem reluctant to acknowledge this and the government's 2015 counter-terrorism and security bill (which sought to place a duty on universities to work with the government to counter radicalisation) was successfully amended to please significant numbers of academics, vice-chancellors and other notables in the higher education and political spheres (UK Government: Counter-terrorism and Security Act, 2015).

Former LibDem government ministers (Ed Davey and Vince Cable) and 'celebrities' like Eliza Manningham-Buller, the ex-head of MI5, and Lord MacDonald, the former

director of public prosecutions, both of whom now work for universities, worked with five hundred professors and over twenty vice-chancellors to demand that universities be exempted from being required to accept guidance from the government in executing its Prevent counter-radicalisation strategy (at the time of writing this exemption is still in force). Their opposition to what seemed to some observers an eminently sensible measure was based on their insistence that the needs of 'academic freedom' and 'free speech' were not being upheld and that a failure to do so was illegal.

It is not possible here to explore the intricacies of a complex legal situation. Baroness Manningham-Buller and others relied on section 43 (1) of the Education (No 2) Act 1986 in respect of 'freedom of speech' and section 202 (2) (a) of the Education Reform Act 1988 as far as 'academic freedom' was concerned (UK Government, 1986, 1988). What was not pointed out was that the 1986 Act required universities to uphold 'freedom of speech within the law' for 'members, students and employees' of the institution and for 'visiting speakers', rather than suggesting that freedom of speech within universities was an *absolute* freedom which is currently what the 2015 Act implies (because it lacks any qualification). Equally, in respect of 'academic freedom' the 1988 Act stated that this applied only to 'academic staff' whereas the 2015 Act omits this vital qualification and allows a case to be made that it applies to everyone in a university (including students) as well as speakers visiting a university.

Baroness Manningham-Buller, now chairman of the Court of Imperial College, London, said in parliament: 'it is a profound irony that in seeking to protect our values against this pernicious ideology we are trying to bar...non-violent extremism which falls short of incitement to violence or to racial or ethnic hatred'. Now an Oxford college head, Lord MacDonald, wrote in similar vein: 'the idea that universities should play a formal role in state surveillance and control is new; and it matters because it envisages a new relationship between academics and the security and law enforcement agencies. We should treat this unforgiving ground with great care...this is a society that, far from feeling secure in its values, is surrendering the essence of academic freedom – the belief that the state should lay off the intellect unless thoughts amount to real crime' (MacDonald, 2015). Using the argument that 'free speech' and 'academic freedom' must be maintained, they succeeded in forcing the government to back down over demands universities monitor and report extremism and giving the Home Secretary powers of guidance to them.

Support for jihadist doctrines are rather more than simply 'pernicious'. Islamism is not a form of legitimate democratic thinking, inviting extremists to address young British students is not like asking controversial democratic politicians onto campus.

As much to the point, freedom of speech ought not to be absolute (incitement, for example, should qualify it) and academic freedom applies to academic staff and no one else. In fact, extremist speeches made by 'preachers' on campus have nothing to do with academic freedom which is the freedom of academics to speak as they find on academic subjects and to disagree with their colleagues without fear of dismissal. It has nothing to do with inviting onto campus extremists who rail against gays, Jews and adulterous women. As for free speech as every writer and speaker knows, absolute free speech in the UK does not exist, nor should it. Whilst this law exists, there is no evidence that universities have ever enabled the prosecution of campus extremists. Libel and anti-incitement laws keep our multi-ethnic country safe and rightly so.

The refusal to accept that campus radicalisation may present a national security problem is bad enough. But its corollary, that universities do not need to do be under guidance to prevent it, is no less disturbing. Rather, they should be more than ready to help a democratically elected government keep this country, and in particular our young Muslim students, as safe as they can.

Unless something very remarkable and unexpected happens to bring peace to the global community, intelligence-led activity will not only continue to be needed to keep us safe (and keeping citizens safe is one of the very few core duties of every democratic government), it will have to be deployed with greater effectiveness and by a growing number of professionals. Intelligence studies has a real role to play in assisting this process by explaining to students and the public why intelligence activity is necessary, why it must always be lawful and how its effectiveness can be improved. It does not have to educate the next generation of officers, still less 'train' them. But if it does what it is meant to do, in a practical and morally perceptive way, it will also help develop the professionalism of our intelligence community and, in its own way, make us all safer. These are its most important tasks today.

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Notes:

Taylor and Francis, the academic publishers, are due to digitize and publish a vast swathe of secret documents from the 1930s to the 1950s (I have an interest in this, as a member of their editorial advisory board).

In his above-mentioned 2009 article on what intelligence education should consist of, Rudner mentions 'ethics' just once, and only in an appendix right at the end of his study (he suggests it could be a putative 'optional' subject in an ideal intelligence studies programme); the word 'torture' does not appear at all (although 'intelligence and interrogations' is another – optional – subject, along with intelligence in literature and film).

For further thinking on this nature of intelligence analysis teaching see Julian Richards *The Art and Science of Intelligence Analysis* (Oxford University Press 2010) and William J Lahneman and Ruben Arcos (eds) *The Art of Intelligence: Simulations, Exercises and Games* Security and Professional Intelligence Education Series (Rowman and Littlefield (Lanham 2014).

A noted British academic, Alex Danchev, echoes the thinking of many fellow academics by referring to Snowden as a 'whistleblower' in 'Laura Poitras and the problem of Dissent' in *International Affairs* Vol 91 No 2 March 2015 pp 381-392. In his panegyric to Snowden and Poitras, Danchev suggests that

Snowden is a 'model citizen'. In fact, of course, Snowden was not a whistleblower (where that term is used to describe someone who exposes criminal activity within an institution): the only crimes revealed by his revelations were his own, in stealing British secret documents, and perhaps those of *The Guardian* in publishing them.

Articles 5, 8 10 of the European Convention on Human Rights do not simply lay down the nature of those rights, they make it clear that where national security is involved, those rights may be restricted; similarly the US Patriot Acts of 2001 and 2005/6 and Article 10. 2 of the Federal German Constitution Art 10 1 restricts right of the privacy of communications to safeguard democracy or national security. See too the 2015 Report of the Intelligence and Security Committee of Parliament on 'Privacy and Security' [online] Available at: <http://isc.independent.gov.uk/committee-reports/special-reports> I should declare an interest: I was invited to give written and oral testimony to the Committee.

The Binyam Mohamed case to which *The Guardian* had referred was in one sense resolved a year later when Mohammed was awarded a large sum of money in damages by the British government in return for not proceeding with his action. However, in another sense it was not resolved because the payment prevented further examination in a court of law and no judgement was given. [online] Available at: <http://www.theguardian.com/world/binyam-mohamed>

Nicola Dandridge, the chief executive of Universities UK, had argued that 'voluntary' gender segregation in British universities was not in conflict with liberal British values.

As in all academic fields there are fault lines in intelligence studies in the UK, built on shared interests, approaches, loyalties and the hard truth that academic advancement and the procurement of grants depend on peer approval. Other considerations to bear in mind, including the professionalization of intelligence, are discussed in GLEES, A (2007) 'In Search of a new intelligence system: the British experience'.