Intelligence and State Surveillance in Modern Societies

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Intelligence and State Surveillance in Modern Societies: An International Perspective

SECOND EDITION

BY

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INVESTOR IN PEOPLE

To Rose-Lynn and Ophelia: In a world where the pursuit of utopia often over-shadows the beauty of the present moment, your unwavering belief in the radiance of happiness has illuminated my life. This book is dedicated to the two souls who understand that true joy is not found in distant horizons but in the state of mind we choose to embrace each day.

With all my love and gratitude,
Papa

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Foreword

For several years, I have been considering writing a book that addresses the problems related to intelligence agencies and surveillance activities in modern societies since the fall of the Soviet Union in 1991 until 2023. It is important to underline the challenge that writing a book on intelligence activities represents. The study of this field is particularly arduous, as access to information is complex. This information is often partially revealed during public inquiries or following leaks. In some cases, investigative journalism, through freedom of information requests, provides a unique insight into the operations of intelligence services as well as the methods and technologies used. Nevertheless, conducting thorough research in this field requires cross-referencing various sources and sometimes relying on partial or outdated data.

This contemplation was triggered and perpetuated by the multiple political, social, and financial events that occurred following the collapse of the Soviet Union, an event in and of itself, which certainly shaped and redefined the notions of threats and security on a global scale. Among these defining occurrences, I include Operation Desert Storm (1991), which was the first high-tech war necessitating a vast amount of real-time information to guide both missiles and ground troops toward their objectives. Due to these real-time technological capabilities, the US-led coalition was able to free Kuwait from the Iraqi invasion in about one week. There are a myriad of other important engagements that demonstrate how western military operations were guided and enhanced by various satellite surveillance and intelligence activities. The counteracting of transnational threats such as nonstate-sponsored terrorist groups in the Middle East (al Qaeda and ISIL), the participation in burgeoning conflicts around the world including Eastern Europe (Serbia, Bosnia and Herzegovina), and the monitoring of civil wars in Africa (Somalia) all were carried out with the aid of recent technological advances in intelligence and surveillance.

During the 1990s, knowledge of key technologies used and developed for military purposes was transferred to civilian institutions, most importantly the law enforcement agencies. Information technology hardware and software became available to police organization to better manage crime and other domestic risks. This decade witnessed a rapid growth of computerization and information digitalization in the criminal justice system in general. These technological advances became mission critical to many police organizations, provoking structural and operational transformations such as centralization of

information and adoption of new managerial models based on performance as well as data-driven security strategies.

The terrorist attacks of September 11, 2001, were unequivocally an historical turning point for intelligence and mass surveillance in modern societies. In response, many western countries passed anti-terror legislation that includes language pertaining to police powers enhancement and, in the United States specifically, limitations of certain civil liberties such as privacy rights, right against self-incrimination, and protection from arbitrary searches. These changes have directly impacted how intelligence agencies operate. For instance, the US National Security Agency (NSA) was permitted to routinely and systematically spy on its own citizens to uncover terrorist plots in the United States, while the Central Intelligence Agency (CIA) was allowed to conduct torture and rendition programs in order to collect intelligence from so-called "enemy combatants." The two long wars in Afghanistan and Iraq that followed the 9/11 attacks also impacted intelligence and surveillance activities by spurring the development of new intelligence practices such as predictive analysis of improvised explosive devices (bombing clusters) and the extensive use of drones for reconnaissance as well as bombings.

In 2007 and 2008, Russia launched two cyberattacks against Estonia and Georgia. These denials-of-services attacks were perpetrated against both government institutions such as parliament and ministries, as well as private organization like banks, newspapers, and broadcasters. These two attacks signaled a new type of warfare and the necessity to recognize the importance of the cyber world as a new battlefield where rogue states, violent nonstate actors, and organized crime can conduct activities that pose risks to modern and technology-dependent societies. Today, cyberspaces like the internet and the dark web are heavily monitored and constantly targeted by national security and law enforcement intelligence operations alike.

In 2011, several countries in North Africa and the Middle East experienced civil unrest and civil war in the wake of the so-called "Arab Spring." This global phenomenon was not foreseen by any intelligence communities in the western world and emerged as a surprise to most international news outlets. Not only did foreign intelligence agencies fail to predict this social and political awakening, but most secret police systems in the countries affected by the unrest were totally blindsided by the technological prowess of the youth, who used social media avenues such as Facebook and Twitter in particular to circulate activist information and organize logistics for events. Before the events of the Arab Spring, the intelligence community never fully grasped the idea that political activists were capable of rapidly igniting a vast social movement, thereby challenging the status quo in several countries simultaneously.

The interpretation of both existing knowledge and signals of new dangers has been challenging for law enforcement and national security intelligence agencies at many points during the past 30 years. The aforementioned critical political and social changes have demonstrated the limitations of states' knowledge about emerging global and national threats. Furthermore, the influence of international and national events on the security of modern society and the evolving mission of

intelligence agencies have raised concerns among citizens about the lack of limitations on surveillance and the pitfalls of a state's control. The content of this book is geared toward anyone who seeks to understand the intelligence environment in modern times and is important reading for the general public, government and civilian employees, law enforcement leaders, military officers, private sector professionals, academics, and students. As a useful tool to support teaching at the graduate and professional education level, this book provides a broad understanding of current and emerging issues related to intelligence activities and offers a unique way of thinking about contemporary challenges in this field.

A comprehensive understanding of issues in the fields of intelligence and state surveillance is essential to the modern workforce and public that must function successfully in this current security climate. Members of the government, military, and private sector industry may find particularly interesting the reflection and research results related to the implementation of successful intelligence and surveillance strategies as well as frameworks for creating such strategies. This work also addresses the complexity of the world in which intelligence activities occur and, as such, is a useful tool for mid-level managers and high-level public sector administrators. It also explains both wanted and unwanted impacts of certain policies, laws, and regulatory frameworks on intelligence and surveillance activities.

Building on this existing material, the second edition expands on additional dimensions of intelligence and surveillance activities conducted in modern societies. First, I have incorporated a crucial and central concept in the field of intelligence in this book, namely police cooperation. The importance of this cooperation is manifested at several levels. First, intelligence activities and police cooperation are intrinsically linked and often inseparable. This fusion is particularly evident in anti-terrorism operations and the fight against organized crime, where the collection and sharing of information between intelligence agencies and law enforcement are vital. Police cooperation in the context of intelligence is not limited to the exchange of information but also extends to the joint planning and execution of operations. For example, intelligence agencies can provide critical information that helps law enforcement target and dismantle criminal networks. Conversely, information gathered during police investigations can enrich the intelligence database, thus contributing to a broader understanding of threats and the development of more effective security strategies. Furthermore, police cooperation in the field of intelligence is not limited to national borders. With globalization and the increase in transnational threats, it has become imperative for intelligence agencies and law enforcement of different countries to collaborate closely. This international collaboration not only allows for effectively countering global threats but also for developing standardized practices and joint approaches to address security challenges. This book, therefore, aims to highlight the growing importance of police cooperation in intelligence activities, illustrating how this synergy can strengthen national and international security. I also explore the challenges and opportunities that arise from this cooperation, while examining the legal, ethical, and operational implications of these close interactions between

intelligence and law enforcement. Therefore, the second edition includes two new chapters on this theme: one exploring the modalities of police cooperation across jurisdictions and a second chapter on a case study based on the Drug Enforcement Administration (DEA) international operations.

Additionally, the book addresses intelligence's role in counterterrorism operations since September 11, 2001. Counterterrorism operations have profoundly changed how intelligence activities are conducted, integrating new technologies, new partnerships, and raising new ethical dilemmas. An additional chapter expands on the intelligence operations undertaken in cyberspace to describe the emerging cyber threat intelligence field comprehensively. Finally, the chapter on intelligence technologies has been enhanced to include the role of artificial intelligence in intelligence functions.

This book assumes the readers have a basic understanding of intelligence operations, though it does not illustrate points through use of excessive jargon or overly elliptical theoretical discussion. However, it is not a purely descriptive manuscript and does not aim to oversimplify matters at hand. The book, while not overly technical, still requires basic knowledge of intelligence collection, information analysis, international affairs, homeland security, protection of infrastructure, and related disciplines. I hope the reader gains a more thorough understanding of how the dynamics between state security and risk society influence intelligence and surveillance activities.

Frederic Lemieux, PhD
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