

The rise of an intelligence lobby threatens the rights of lawyers, journalists – and all of us

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A powerful intelligence lobby made up of former defence ministers, police chiefs and intelligence commissioners has emerged in British politics, determined to push for greater powers and resources for the police and intelligence agencies.

The attempt to pass a "Snooper's Charter" [via an amendment to the](#)

[Counter-Terrorism and Security Bill](#) as it passes through the House of Lords – the same provisions as the Communications Data Bill that were twice rejected by parliament – shows how keen they are to win greater powers before the general election. The old military-industrial complex is being replaced by a powerful political-[intelligence](#) technocracy.

The draft Communications Data Bill, re-inserted in full as an amendment, would require internet service providers and mobile phone companies to keep records (but not the content) of everyone's internet browsing activity (including social media), emails, internet gaming, calls, and text messaging for a year. Introduced by the home secretary, Theresa May, in the 2012–13 session, the deputy prime minister, Nick Clegg, [withdrew his support](#) over civil liberties grounds and the bill was blocked from being reintroduced during this parliament.

Do as I say, not as I do

So who are their lordships that would undermine the elected chamber in this way? They include former Conservative defence secretary Tom King, formerly chairman of the [Intelligence and Security Committee](#), parliament's intelligence oversight body, Liberal Democrat peer and reviewer of terrorism laws Alex Carlile, former Labour defence minister Alan West, and former Metropolitan Police commissioner Ian Blair.

Despite concerns over the rapid erosion of privacy the intelligence lobby seeks ever wider powers. Retiring GCHQ director Sir Ian Lobban [defended the work of GCHQ](#), and his successor Robert Hannigan controversially [argued](#) that: "privacy has never been an absolute right and the debate about this should not become a reason for postponing urgent and difficult decisions."

Other [intelligence service](#) bigwigs have made similar claims: after retiring as chief of the Secret Intelligence Service (MI6), Sir John

Sawers claimed that preventing terrorism was impossible without monitoring the internet traffic of innocent people. He [said](#):

There is a dilemma because the general public, politicians and technology companies, to some extent, want us to be able to monitor the activities of terrorists and other evil-doers but they don't want their own activities to be open to any such monitoring.

Yet the regard for human rights that might see them agonising over this dilemma seems in scant supply at MI5 and MI6, judging by [recent revelations](#) detailing their involvement with the Gaddafi regime in rendition and torture.

Too much safety, too little freedom

So the public are uneasy; a YouGov [survey](#) regarding the Communications Data Bill found that 71% of Britons did not trust that their data would be secure and 50% believed the proposal would be poor value for money.

The problem is that the Conservative side of the Coalition, with the support of the intelligence lobby, are always going to play the terror card. The Charlie Hebdo murders in Paris have been used to clamour for new powers, yet ironically it is journalists – as murdered by Islamist terrorists in Paris – who are also targeted by UK intelligence agencies alongside the terrorists themselves.

Further recent revelations from Snowden documents reveal that GCHQ was prepared to [monitor journalists' emails](#), suggesting the agency is confident of political support for an action – infringing the freedom of the press – that would have been considered completely unacceptable in a modern democracy until quite recently.

Surveillance is now so pervasive it makes the development of sources in the sector all but impossible, and consequently the press' duty to provide critical oversight of power is reduced.

There is always the suspicion that threat of terrorism is a card politicians play in order to distract from other issues. No government bureaucracy has ever asked for fewer powers or resources, and taxpayers are right to be wary. Where is the proportionality? How much terrorism, how much risk is required for us to surrender our rights and freedoms? There is little real discussion but there is considerable theatre – taking off our belts and shoes and no liquids at airports. None of this tackles terrorism. Politicians are not fighting a war so much as "[throwing red meat to their base](#)", as the writer Cory Doctorow memorably put it.

Invisible spies turn out to be outspoken

Laws passed after 9/11 are far more draconian than temporary measures passed during The Troubles in Northern Ireland, during which more than 3,000 people died. Many more people die of bad diets due to poverty – yet politicians are not striving for sweeping legislation that would combat inequality.

The British public's lack of reaction to the Snowden revelations has caused some astonishment abroad, especially among the Germans, with still-fresh memories of the Stasi. Writing in [Der Spiegel](#), commentator Christoph Scheuermann said it was "astonishing" to see the uncritical trust put in the UK's intelligence service, as if GCHQ was still "a club of amiable gentlemen in shabby tweed jackets who cracked the Nazis' Enigma coding machine in World War II".

What has become clear is that the ground has shifted. From the position where the government neither confirmed or denied the existence of the spy agencies, nor the names of those that ran them, to a position where

chiefs would make occasional speeches in public on matters of significant public interest, to that today, where chiefs and former chiefs speak as one – a lobby, in effect, for greater powers and resources for their organisations. The power and resources of the intelligence services should be a matter for serious public debate; instead of debate we have a monologue voiced by politicians, civil servants, police, much of the press and the intelligence agencies themselves. Disagreement is dismissed.

We seem to moving into what the philosopher Giorgio Agamben called a permanent "[state of exception](#)", where the safeguards of the past are discarded in the face of a risk that is unquantified. History shows repeatedly that if intelligence and security services are allowed to operate without scrutiny, the result is abuse of power.

Never before have government and [intelligence agencies](#) had such powers and technologies for mass surveillance – and with them the potential to control the population, investigative journalists and any who dissent. Faced with bringing down the Counter-Terrorism Bill entirely, the Lord's amendment that would introduce the "Snooper's Charter" was withdrawn at the 11th hour. But you can be sure that in some form or other it will be back.

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