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## **From silence to primary definer: The emergence of an Intelligence lobby in the public sphere.**

### **Abstract**

Until the end of the Cold War the UK intelligence services were not officially acknowledged, and their personnel were banned from entering the public sphere. From 1989 the UK government began to put the intelligence services on a legal footing and release the identity of the heads of the intelligence agencies. In 1993 Stella Rimington, then director of MI5, became the first intelligence chief to give a public speech in that role. Since then, public engagement by those involved with the intelligence agencies has gathered pace. What this paper hypothesises is that there is now, in the UK, an effective intelligence lobby of former insiders who engage in the public sphere – using on the record briefings - to counter criticism of the intelligence community and to promote a specific narrative and vision of what UK intelligence should do, how it should be resourced, what powers it should have and how oversight should be conducted.

Using content analysis and framing models of newspaper coverage of intelligence debates, this paper focusses on the three years after the Snowden revelations and indicates that a lobby of current and former intelligence chiefs, senior oversight appointees including lawyers and politicians coalesce to support the agencies' agendas. The paper concludes that there are serious political and democratic issues about the extent of the lobby's interventions in the public sphere.

Keywords: intelligence lobby, MI5, SIS, MI6, GCHQ, public sphere,

## Introduction

At the end of February 2015, Sir John Sawers, the former head of the Secret Intelligence Service (SIS also known as MI6) from 2009-2014, said on the BBC Radio 4 Today programme it was imperative for the British security services to have more the resources. 'We've got to have the capability to deal with things like the hybrid warfare that we've seen Russia deploy, first in Crimea and then in the Donbass region. We've got to have the ability to deal with cyberwarfare.' He added: 'The whole point is to move incrementally to ensure that the powers and resources available to the security services, intelligence services, are ahead of that threat' (Barratt 2015). In July 2015 Jonathan Evans, the former head of MI5, (2007-2013) wrote in the *Daily Telegraph* warning that ISIS posed a greater threat than al-Qaeda and that, in order to defeat terrorism, police and spies needed better tools. 'Against this background there is an urgent need to provide the police and intelligence agencies with the necessary powers to operate effectively in the digital sphere' (Evans 2015). Lord Carlile of Berriew, the former Independent Reviewer of Terrorism Legislation (2001-2011), said in the *Daily Mail* in November 2015 that the Investigatory Powers Bill 'gives our spies all the powers they need to fight terrorism in the aftermath of the Snowden leaks, which have shown terrorists ways to hide their electronic footprints' (Carlile 2015). These are just a few examples of former intelligence insiders lobbying for new resources and powerful new laws. Shortly afterwards, the UK's 2015 Strategic Defence and Security Review, a five year plan, was announced in which the security services were given a major injection of funds and permission to recruit 1900 more officers. In 2007/08 the Single Intelligence Account (SIA), the combined budget of MI5, MI6 and GHQ, came to just under £1.8bn. Expenditure from the SIA for 2019/20 is estimated at just over £3bn (ISC 2017). In December 2016, after years of lobbying behind the scenes by the intelligence services in Whitehall, the Investigatory Powers Act (IPA), viewed by some critics as 'draconian', was passed into law allowing those agencies greater access to the public's electronic communications.

The engagement of former intelligence insiders with the 'public sphere', by being prepared to be quoted on the record on intelligence issues, was a major new development. It was all the more significant because, it had been a Whitehall immutable rule that intelligence officers did not enter the public debate even if they were retired. Those who were or had been involved in intelligence were required to be publicly silent. The Spycatcher affair (1985-89)

was all about the government trying to prevent publication of the memoirs of a former dissident MI5 senior officer as a matter of principle. Since 2000, the intelligence community, accelerated by the so-called ‘war on terror’, have expanded rapidly. Alongside the growing number of media interviews by intelligence chiefs, a cohort of former intelligence insiders and regulators that have increasingly been prepared to discuss intelligence issues openly and engage with the public sphere. This paper hypothesises they are, to all intents and purposes, a lobby for the intelligence services and seeks to characterise this recent development in terms of its impact on the public debate over the size and powers of the Secret State.

## **Historical context**

### *Covert operations in the public sphere*

The British State has been noted for its penchant with secrecy compared with other liberal democracies, and thus has a reputation for its deep-rooted dislike of transparency (Aldrich 2004). In the post-war years a policy of opacity was successfully maintained. The signals intelligence agency, the Government Communications Headquarters (GCHQ), had operated since 1946 yet its existence was not revealed until thirty years later (Campbell and Hosenball 1976). Even the existence of its wartime predecessor at Bletchley Park had only been made public a few years previously. There has been a longstanding UK government policy to ‘neither confirm nor deny’ the existence of the constituent parts of the intelligence community or comment on their activities and operations (a policy known in Whitehall as the NCND). The government protected the identity of intelligence chiefs and officers and concealed intelligence capabilities from the public. Historically the British intelligence services have a long record of placing information, sometimes false or misleading but always to their own agenda, into the public sphere by surrogate or covert methods, often using trusted journalists in the UK and abroad. In the UK, as early as 1924, there was the ‘Zinoviev Letter’, an inflammatory document published in the *Daily Mail*, four days before the general election. A forgery, it appeared to be a directive from the Communist International in Moscow to the Communist Party of Great Britain ordering the intensification of agitation against British democracy. It played to fears of the Soviet threat and was designed to prevent the election of a Labour government. The evidence suggests the forgery was planted by MI5 officers (Jeffrey 2010, 214-222). Another example is on a much grander scale. During the Second World War, a global network of news agencies was set up and run by MI6 and

Special Operations Executive. Many of these continued during the Cold War with the aim of keeping a British voice in many parts of the world but also to disseminate grey propaganda and, if necessary, to support a range of MI6 operations (Lashmar and Oliver 1998, 72). They were run by the Foreign Office's Information Research Department (IRD), closely linked to MI6, and which was set up under by a Labour government in 1948. Secretly financed from the same budget as the intelligence services, IRD was tasked to wage cultural warfare against communism and, later, nationalist movements. IRD campaigned for nearly three decades using and supplying carefully selected journalists, politicians, academics and trade unionists (*ibid*, xv).

Official intelligence leaks continued through the years to trusted journalists. Seventy years after the Zinoviev letter, in 1995, *The Sunday Telegraph* alleged the son of the then Libyan Leader Colonel Gaddafi was involved with Iranian officials passing off counterfeit notes and money laundering in Europe. When the paper could not provide evidence to back up their allegations they ended up paying damages in the libel action. The allegations were attributed to a 'British banking official'. In the trial it became clear the information had been leaked by MI6, whose officers had been plying the paper with officially sanctioned material (Leigh 2000). The respected journalist Phillip Knightley was scathing about the value of such leaks:

Those very few journalists who do have some sort of access or privilege are so jealous and guard it so clearly that it's almost worthless. They're in the pocket of the person who's providing them with what information they can get (Scholsberg 2013, 138).

There is no reason to assume that officially sanctioned leaks have ceased. The extensive use of journalists and journalistic cover by intelligence agencies in both the UK and US over the last 100 years has also been documented (Lashmar 2017). The secrecy surrounding the intelligence community propagated suspicions of the existence of a Secret State, a concept where those in power – notably politicians, the intelligence community, civil servants the police and the military — wield extra-democratic control, often covertly, over society from within, manipulating the public and maintaining control by surveillance and other repressive means. Schlesinger outlined in detail the significant features of what he saw as the authoritarian Secret State in the UK (1991, 33). Keeble, drawing on Guy Debord's *Society of the Spectacle*, proposed that the activities of the Secret State are largely repellent, illegal,

extremely costly, often in support of deeply obnoxious dictatorships – and difficult to justify in public.

Hence the need for the state to maintain constant vigilance and secrecy. Yet titbits of information are supplied to friendly media; carefully orchestrated leaks, denials, and lies feed the public's curiosity about the secret service, double agents and the like (1997, 20).

As a history of incompetence, bickering, defections and illegality by the UK Secret State emerged during the 1970s and 1980s (Wright 1987, Leigh 1988, Colvin 2009) critics challenged the right of the intelligence services to conduct their business with total secrecy and little accountability. As Prime Minister, Mrs Thatcher adhered firmly to the NCND policy, but her Government came under sustained pressure over the intelligence services. In the last year of her premiership legislation was passed to constitute the security service (MI5) as a proper legal entity. In May 1992, her successor as prime minister, John Major, officially acknowledged the existence of MI6 for the first in the House of Commons (Dorril 2000, 758) and proposed legislation that placed MI6 and its sister organisation, the signals intelligence organisation, GCHQ, on a statutory footing with some parliamentary oversight.<sup>i</sup> With a generational change in both the public and the media the intelligence services found it harder to use surrogates to set frames for the presentation of the intelligence services. While maintaining their covert methods they conceded a new strategy of apparent openness.

### *Opaque entry into the public sphere*

In the 1990s both MI5 and SIS , supported by Prime Minister Major, decided the time had come for the agencies to develop more formal 'open' relationships with some major media organisations. The UK intelligence community became more sophisticated in their dealings with the news media through discrete arrangements with news organisations and appointing press officers for the first time (Bakir 2015; Dorril 2015). A number of journalists have documented the 'accredited journalist' system within major UK news organisations (Bright 2002; Rose 2007; Lashmar 2013). Keeble expresses concern over the influence of British intelligence on the news media in this way:

While it might be difficult to identify precisely the impact of the spooks (variously represented in the press as "intelligence", "security", "Whitehall", or "Home Office"

sources) on mainstream politics and media, from the limited evidence it looks to be enormous (2008).

Scholars have discussed the deception during the Iraq War when official intelligence sources were briefing that there were Weapons of Mass Destruction in Iraq while unofficial confidential sources within agencies were briefing the evidence was very weak. Even to the experienced eye it was hard to distinguish the official from unofficial, confidential sources. The news media's use of intelligence sources is discussed in Lashmar 2013.

### *Overt entry into the public sphere*

In 1993, the name of the Director General of MI5 was revealed officially for the first time.. In the first public talk by a serving intelligence chief, Stella Rimington gave the 1994 Richard Dimbleby lecture titled 'Security and Democracy: Is there a conflict?' Since then public engagement by serving intelligence chiefs has gathered pace. In addition there has been growing body of oversight officials. Parliament's Intelligence and Security Committee was set up in 1996 as the primary oversight mechanism with cross party participation and has many former members still in public life (ISC 2017).<sup>ii</sup> Twenty-five years later, following 9/11 and the 'war on terror', the UK intelligence community is now greatly enlarged. The question in hand is whether the former intelligence insiders who engage the public sphere on intelligence matters constitute a lobby. For the purposes of this paper, a lobby is a group of people who campaign for specific narratives with shared desired outcomes. It does not have to be coordinated but must be shown to be concerted, sharing, as Bourdieu encapsulated the ethos, a 'doxa'. Evidence that the lobby's primary frames are successful in the public policy sphere would be useful supporting evidence for such deduction.

### *Lobbying for intelligence*

The concept of an intelligence lobby is not new and what was to become a powerful, public facing lobby emerged in the United States nearly fifty years ago. After the Second World War the US created a network of intelligence agencies that are the now the global intelligence hegemon in terms of national spending, size and influence. This expansion has taken place with both covert and overt support in the public sphere by a lobby of politicians, former staff and oversight personnel. The lobby was a response to some years of systematic revelations in the US media from 1967 of excesses by the U.S. Intelligence. The Watergate scandal in 1972,



after burglars, later linked to President Nixon's White House and the CIA, were arrested at the offices of the Democratic National Committee, in the lead up to the Presidential election. The Washington Post's exemplary investigation was to lead to the resignation in 1974, of the by then re-elected, Richard Nixon. The Watergate story sparked many media investigations into US intelligence and resulted in the setting up of inquiries committees by the Senate's under Frank Church and House of Representatives' under Otis Pike. In the wake of their critical reports 1975 was to become known as the 'Year of Intelligence'. Considering the flood of bad publicity the former chief of the Western Hemisphere department of the CIA, David Atlee Phillips, decided the CIA would have to have an 'acceptable' public face, and non-official lobby for political and public support. Phillips had specialised in the CIA in propaganda was by then infamous for promoting coups against left wing regimes in Latin America and assassination plots against Fidel Castro and he was instrumental in setting up the first pro-CIA lobbying organisation, the Association of Former Intelligence Officers (Olmstead 1996, 146). Not long after, President Reagan's national security adviser, Richard V. Allen, bemoaned that the lobby was already formidable in its reach and influence.

That they should exist as a lobby I have nothing against. However, my experience is trying to navigate the shoals of that intelligence lobby is that the moment you try to touch anything in that sacrosanct community's organizational structure, screams of pain and anguish go up and epithets begin rolling (Thompson 1980, 254).

#### On the record

The new 'openness' of the intelligence community had created opportunities in the public sphere. The huge expansion of the intelligence community, the 'war on terror' and the burgeoning oversight infrastructure, has meant intelligence has many more prominent public figures and alumni than in the past and who unlike serving intelligence staff, they are not as restricted in their public comments (Fang 2015). In the United States, TV channels hire former intelligence chiefs as commentators, for example, the former CIA head John Brennan was hired by MSNBC/NBC as commentator in February 2018 (Levine 2018). It is important to note that long before its existence was officially and legally acknowledged the UK's secret state had a behind-the-scenes ability to lobby in its own interests. As the historical record demonstrates, spymasters have always had privileged access to those in power; whether to Kings, Queens, Chamberlains, Prime Ministers, Cabinet Ministers or Whitehall, they have been able to lobby for powers and resources (Jeffrey 2010). This access extended to the

media and often took place in the old boy's network in London's gentleman's clubs. Revealing accounts of this cosy interaction have been given by Chapman Pincher, the Daily Express investigative journalist and Donald Treford, the Editor of the Observer from 1976-1993 (Moran 2016, 144-5; Treford 2017, 112).

### *Snowden*

Although UK intelligence agencies had several reputational blows after 9/11 with the politicisation of intelligence over the Iraq War over the existence of Weapons of Mass Destruction, the failure to prevent the 7/7 bombing and questions about MI6 involvement in torture and rendition, from 2007, in the face of the continuing so called 'war on terror', they had to some extent recovered public support. In late 2012 Davies and Johns released a new public attitudes dataset to provide the first ever analysis of British public confidence in MI6 and Government use of intelligence and which demonstrated that the public had a relatively high confidence in the intelligence produced by MI6 but are extremely sceptical about how the Government will present that intelligence. They reported: "Generally we see a fairly high level of confidence in the intelligence that MI6 produces, with 62 per cent of respondents being above the mid-point.." (2012, 679). However, in 2013 this reputational recovery was delivered a body blow as a result of Edward Snowden's revelations including that GCHQ was engaged in covert bulk collection of the public's metadata from their electronic communications on a scale hitherto unsuspected.<sup>iii</sup> The National Security Agency contractor Edward Snowden made available to the media, including the Guardian in the UK, a massive tranche of top secret material (estimated at 1.7m documents) that revealed that the Five Eyes agencies were able to conduct global surveillance. Reaction to the publication of Snowden's documents were polarised and the *Guardian* was criticised. The Snowden documents revealed the Five Eyes agencies to be operating under a web of over-extended laws to provide legitimacy for their intrusions, laws that were never intended for covering the collection of metadata (Kiss et al 2013). However, in the intervening years, the intelligence community have been able to recover political and public support (Dencik and Cable 2017) to the point that their budgets are now increased and they have tough new legal powers to allow them to operate a potential mass surveillance system — most notably the Investigatory Powers Act (IPA). Quantifying how much impact any lobby has had on winning the 'hearts and minds' of politicians, the media and the public is difficult, except by considering whether they actually achieve their bureaucratic aims. To help get some measure of the impact of the lobby, the paper draws on the work of Cardiff University's Digital Citizenship and

Surveillance Society project that examined UK State-Media-Citizen relations after the Snowden leaks and demonstrated that the majority of UK press coverage was pro-intelligence agencies rather than pro-Snowden or civil liberties. But the capture of the media does not necessarily mean that public opinion will follow. Miller and Dinan state that an important feature of their argument in their book *Century of Spin* is that spin, public relations and lobbying are not only about the ‘engineering of consent’. ‘To win the consent of the public might be desirable for the rulers of the world, but it is not always necessary. The key is to ensure public and political compliance’ (2008, 5).

The Snowden revelations raised concerns about the criticality of the Parliamentary oversight body, the Intelligence and Security Committee, who, in an annual report published in February 2013 had made no mention of the massive expansion of GCHQ, as part of the Five Eyes network, global surveillance capability. Five months after the Snowden leaks began to be published, The ISC began to hold hearings on the controversy. However, by then there was widespread criticism of its oversight function. Liberty director Shami Chakrabarti claimed there were ‘structural problems’ with the ISC and questioned whether the ISC sessions would be a ‘PR exercise’. She complained, “There are structural problems with his committee, which historically has been a watchdog that makes friends and doesn’t always bark in the night.” (Scotsman 2013)

### *Hypothesis*

This paper hypothesises that there is now in the UK an intelligence lobby that counters criticism of the activities of the intelligence community and promotes a specific elite narrative of what UK intelligence should do, how it is supported and how oversight is conducted. This paper seeks to establish the extent of these interventions, and whether they are providing a neutral commentary or seek certain outcomes. While acknowledging the opaque means by which the intelligence community has historically engaged with the public sphere, this paper concerns itself with the narrow question of the emergence of a lobby. As indicated above, the media are often embedded in the intelligence services: But for this paper it is reasonable to have a conceptual separation between the propagandists/sources on one side and the journalists on the other, even if in practice these lines can become blurred. The descriptor word ‘intelligence’ can be expanded to cover a wide range of organisations including some in the private sector. For the purposes of this paper, to keep the research

manageable but still credible, it considers the main intelligence services MI5, MI6 and GCHQ and its oversight bodies and regulators only.

### *Primary definition*

To understand how the news media report intelligence, it is useful to characterise how journalists generally gather information to report. An important part of the journalist's skillset is using sources to identify and authenticate stories. Sources are anyone who provides information and/or is quoted. What concerns media theorists is how sources are selected — in particular those mechanisms that allow the privileged to appear in the news on a frequent basis. Stuart Hall and his co-authors suggested in their widely influential book, *Policing the Crisis*, that there were a group of sources who had privileged access to the media and called them *primary definers*. These are credible individuals and institutions granted media access which enables their initial framing of events that are assumed to be within their area of competence: for example, experts, official sources, courts, leading politicians, and senior religious figures (1978, 58). They proposed that the existence of the primary definers explained how, in routine structures of news production, the media 'reproduce the definitions of the powerful, without being, in a simple sense, in their pay' (ibid, 57). Hall et al's concept of primary definers attracted a good deal of debate. Schlesinger (1990) felt it did not give enough allowance for the subtleties of the journalism/source relationship including how it can change over time. Hall et al's framework may now be viewed as overly simple but, as Cottle observed, it had the advantage of, "identifying the structural and institutional linkages between the mass media and other centres of power — linkages that can be examined and that promise to help explain the 'hierarchies of credibility' (Becker 1967) and the differential opportunities of media access granted by the mass media to contesting voices and interests." (1998, 18)

Confirmation of the utility of primary definition came from scholars in the US such as Hallin (1986) and Bennet (1990) who mapped how elite discourse dissensus affects in news production. Hallin analysed the coverage of the Vietnam War and examined tensions in the elite discourse. Bennett's 'indexing' model relates how the degree of agreement or disagreement displayed in the news output reflects the degree to which an issue is debated by elites. This reinforced evidence that journalists rely on elite definitions and interpretations by sources to define the parameters of debate. Some seventeen years later, Bennett et al

confirmed the efficacy of this framework by analysis of the media coverage of the George W Bush administration's foreign policy (2007).

Closely linked to primary definition is source theory, as both provide explanations of how information enters the public sphere (Hall *et al.* 1978; Manning 2001; Franklin and Carlson 2011). Schlesinger stated that the study of sources must take into account, 'relations between the media and the exercise of political and ideological power [...] by central social institutions which seek to define and manage the flow of information in a contested field of discourse' (1990, 62). Anstead and Chadwick, in their study of think tank and media relations, stated that impartiality norms cause journalists to routinely reproduce a narrow spectrum of views. Thus primary definers become so embedded in news production that their views form the initial definitions of policy problems. These are, Anstead and Chadwick say, the:

...reference points to which all further news coverage and political action must be seen to respond. While counter-definers may emerge over time, the possibility of competition pushes primary definers to maintain their status through close relationships with media organizations (2018).

Thus, primary definers are in a strong position to set agendas and they do this often by picking 'frames' that provide the dominant narrative as to how an issue is addressed. Entman developed the concept:

Framing essentially involves selection and salience. To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described (1993, 52).

This paper also draws on previous investigations into lobbying in other sectors (Mearsheimer and Walt, 2006, Miller and Dinan 2008.) Mearsheimer and Walt have specialised in analysing the influence of the Israeli Lobby in the United States. They said:

We use "the Lobby" as shorthand for the loose coalition of individuals and organisations who actively work to steer US foreign policy in a pro-Israel direction.

This is not meant to suggest that “the Lobby” is a unified movement with a central leadership, or that individuals within it do not disagree on certain issues (2006).

Bakir has observed most research into the relationship between intelligence agencies and the news media is undertaken using case studies, given the difficulties of obtaining other forms of data:

Its popularity stems from its maximization of context and specialization in understanding contradictory details from multiple sources, as these are ideal attributes for unravelling intelligence agencies’ agenda-building processes (Bakir 2015)

That said the author, on this occasion, is using quantitative methods and then content analysis on documented material that is publicly available and therefore the usual strictures of secrecy do not apply. Secrecy is not an issue as these former insiders’ comments are on the public record.

## **Methodology**

### *Questions*

The primary research question of this paper is:

- Does the UK intelligence community have an associated lobby that operates in its interest in the public sphere?

Supplementary questions:

- Does this lobby counter criticism of that community and promote an orthodox narrative and operational vision of UK intelligence? For example; how intelligence is resourced, its legal framework and how oversight is conducted?

To confirm the existence of a lobby this paper needs to show that:

- 1) Current and former intelligence staffs have spoken on intelligence issues within a consistent set of frames.

- 2) The officials and politicians who have involvement with intelligence oversight have spoken on intelligence issues within a consistent set of frames.

This data will have to demonstrate enough engagement with the public sphere to suggest a concerted and strategic response that furthers the interests of the intelligence agencies.

### *Methods*

Several methods are combined to test the research questions. These are content analysis of text news media coverage employing simply quantitative measure over time, and then textual analysis of the coverage of part of the sample set. The framing research focusses on the three years after the Snowden revelations (June 2013-2016). This was chosen because it covers continuing contested issues such as the 'war on terror' but also considers the polarised response to the publication to the Snowden documents. Close reading of text enables the identification of agenda setting and framing. The approach to framing builds on work by Brinson & Stohl (2010, 2012) and Dekavalla (2016). The research design is to take a sample of prominent individuals who have had involvement with the intelligence community and have commented on intelligence in the public sphere subsequently. These individuals are either former intelligence chiefs or have been part of the official intelligence oversight mechanisms (and can be politicians, civil servants or from the judicial system).<sup>iv</sup>

Eight prominent individuals were selected as the sample set for the study. Since those involved with governance of intelligence began to speak publicly there have been approximately 30+ public individuals who fitted all or most criteria. The sample of eight was chosen on the basis of a spread of criteria in terms of the agency they may have worked for, their oversight role and whether they were politicians or officials. Individuals had to have worked within or overseen the intelligence agencies.<sup>v</sup> All eight fit the *Hall et al* criteria for being a primary definer in that they are seen as credible individuals granted media access to enable their initial framing of events which are assumed to be within their area of competence. Eight can also be considered to suggest a statistically significant number to test the hypothesis.

### *The sample group — Case studies*

1) David Omand

Sir David Omand (born 1947) was the first UK Security and Intelligence Coordinator. Having worked at GCHQ, he was Director from 1996-97. He served for seven years on the Joint Intelligence Committee.

2) John Scarlett

Sir John Scarlett (born 1948) was chief of the British Secret Intelligence Service (MI6) from 2004–2009 and held other intelligence related posts. He retired in 2009.

3) John Sawers

Sir John Sawers (born 1955) was Director-General of MI6 from November 2009 until November 2014. Since he retired from MI6 he has become a director of the Ditchley Foundation and makes selected interventions around intelligence issues.

4) Iain Lobban:

Sir Iain Lobban (born 1960) joined GCHQ in 1983 and undertook a variety of roles before joining the GCHQ Board in 2001. Before being appointed Director, Lobban was Director-General (Operations); He retired on October 2014.

5) Jonathan Evans:

Lord Evans (born 1958) was Director General of MI5 from in April 2007 to April 2013. He joined the Security Service in 1980 and he first worked on counter-espionage investigations.

6) Hazel Blears MP (born 1956) was a prominent Labour MP and served on the ISC from September 2010 to March 2015. She stood down as an MP in May 2015.

7) Lord Carlile of Berriew (born 1948) became a QC in 1984. In 2001, a former LibDem MP, Alex Carlile was appointed Independent Reviewer of terrorism legislation, a post he held until 2011.

8) Malcom Rifkind



Sir Malcolm Rifkind (born 1946) elected as an MP in 1974 and served as a cabinet minister under Prime Ministers Margaret Thatcher and John Major. He was appointed chairman of the Intelligence and Security Committee on 6 July 2010. Sir Malcolm stepped down as chairman of the committee after five years in September 2015 over ‘cash-for-access’ claims.

### *Nexis method*

The quantitative content analysis of the sample set’s public comments in the UK print media on intelligence issues is divided to contributions before, during and after their role in intelligence or regulation.

For the project the Nexis database for ‘UK Publications’ was used consisting of 1070 professional newspapers (national, regional and local), newsletters, journals, magazines, UK news websites, available in the UK. It is better for comprehensive coverage than the ‘UK National newspapers’ database, which has only 18 newspapers within its scope. Newswires were excluded and where possible non-relevant items like birthdays, funerals, obituaries, court circulars, dinners and sports events excluded by the use of operators. Website hits are recorded but duplication with related newspaper content discarded. Timeframes were chosen on the basis of each individual’s career and provide insight into their public and media profile.

### *Data Grids*

Two grids: One grid for the five intelligence chiefs and the second for three former oversight officials. The first row in each case identifies the person and then number of media cuttings found for that individual. With the former intelligence chiefs there are five columns, identifier, early career, senior career, post intelligence career and the fifth column for the Snowden period. The second row shows how frequently the person is quoted in these roles rather than just referred to, so an additional operator is used to indicate they are quoted by using the common terms ‘said’ or ‘says’ within five words of the name and description. With the three oversight appointees there are only four columns, identifier, as oversight appointment, post oversight and the fourth column represents the Snowden period. It is worth noting that Nexis data does not become extensive until the middle of the 1990s. Given

the variance of individual criteria and imprecision of search operators all results are indicative rather than precise.

## Results

Text analysis using Nexis search database (cut-off date 01/05/2016) UK publications. Search terms Column 1: name Columns 2/3/4: name and organisation. Second row: name and former organisation within five words before 'said' or 'says'. Additional search terms used in italics

Table 1: Intelligence chiefs

Name	Early Career	Senior career	Post government service	<i>And Snowden</i> (13/06/2013 to 01/05/2016)
<b>Lord Jonathan Evans MI5</b> Referred to	Common name no viable data	21/04/2007 to 22/04/2013  1760 cuttings	23/04/2013 to 01/05/2016  317 cuttings	  52 cuttings
Quoted	Not applicable	406	41	15
<b>Sir Iain Lobban GCHQ</b> Referred to	01/01/1971 to 30/06/2008  6	01/07/2008 to 24/10/2014  694	25/10/2014 to 01/05 2016  54	  336
Quoted	>5	163	14	77
<b>Sir David Omand GCHQ</b>	01/01/1971 to 1/7/1996	01/07/1996 to 30/4/2005	01/05/2005 to 01/05/2016	

Referred to	13	84	395	172
Quoted	0	2	97	75
<b>Sir John Sawers</b> <b>MI6</b> Referred to	01/01/1971 to 16/06/2009 9	16/06/2009 to 01/11/ 2014 — 1407	02/11 2014 to 01/05/2016 356	309
Quoted	>5	229	100	104
<b>Sir John Scarlett</b> <b>MI6</b> Referred to	(01/01/1971 to 30/08/ 2001) 11	01/09/2001 to 30/11/2009 1367	01/12/2009 to 01/05/2016 — 512	35
Quoted	0	147	58	6

Table 2: Senior Oversight Appointees

Search terms name plus additional search terms noted in italics

Second row – quotes – name and post identifier’ within five words before ‘said’ or ‘says’

Name	As Oversight	Post Oversight	<i>And Snowden</i> (13/06/2013 to 01/05/2016)
<b>Hazel Blears</b> <b>MP</b>	(01/09/2010 to 28/02/2015)	(01/03/2015 to 01/05/2016)	

<b>(ISC)</b>	<i>Intelligence and Hazel Blears</i>	<i>Intelligence and Hazel Blears</i>	
Referred to	187	114	88
Quoted	38	54	23
<b>Lord Alex Carlile (IRTL)</b>	(11/09/2001 to 21/02/2011) <i>Independent reviewer and Carlile</i>	(22/02/201 to 01/05/2016) <i>Independent reviewer and Carlile</i>	
Referred to	592	711	48
Quoted	279	144	10
<b>Sir Malcolm Rifkind MP (ISC)</b>	(06/07/2010 to 06/05/2015) <i>Intelligence and Malcolm Rifkind</i>	(07/05/2015 to 01/05/2016) <i>Intelligence and Malcolm Rifkind</i>	
Referred to	1930	144	436
Quoted	566	932	126

### *Part one – Quantative - Media references*

The total number of results indicates a great deal of media coverage for the sample set and suggests that they meet the criteria to be considered primary definers. Taking David Omand in some detail, he is first referred to on the Nexis database on 14 November 1991. Using the

selector 'David Omand' — as he has an unusual name this enabled a high degree of data veracity — all UK Publications were searched across the dates 1 April 1971 (the start of his career) and 1/7/1996. He is referred to 13 times. Omand was not always in intelligence and the references in this period are mostly to do with his other responsibilities as a civil servant. He is then in senior posts until 1/04/2005 with 84 references. He rarely, if at all, was interviewed directly by the media before retirement. After his retirement his name with the 'and GCHQ' filter from 1/4/2005 to 30/3/2016, gives 395 references listed. As can be seen from the grid he is often quoted post retirement. Since he retired from the civil service he is often referred to as 'the former GCHQ boss/chief/head' or 'the former director of GCHQ'. Issues he is quoted on include: drones, Snowden, encryption, Scottish security, Trident and other non-intelligence issues. By including 'and Snowden' there are 172 references and he is quoted 75 times and close reading shows he is engaged in the Snowden debate and confirms Omand is one of the vociferous and active supporters for the intelligence community's agenda in both Whitehall and the public sphere.

Sir Malcolm Rifkind was chairman of the ISC for nearly five years. In news coverage he is frequently referred to in his role at ISC. He is quoted approximately 566 times in that post. Since Snowden, he was referenced 436 times if the search term 'Snowden' is added. He is quoted some 126 times. His position on Snowden was consistent and unequivocal. When asked if he thought Snowden did the world a service by exposing the extent of state snooping in the West, Rifkind stated 'I don't think he is a whistle-blower... Snowden stole — and I use the word explicitly — he stole a million highly classified documents, top secret documents'. He adds:

And he hands them over to *The Guardian* or other newspapers. Now that is not whistleblowing. That is a political act. It is a criminal act as well but it was essentially an expression of his own political ideology and I don't think he deserves sympathy (Ross 2015).

Rifkind was attacked while chair of the ISC by critics for what was seen as his cheerleader stance towards the intelligence community (Norton-Taylor 2015). He stood down in 2015 both as a MP and as Chair of the ISC following a cash-for-access allegation for which he was later cleared. Subsequently he is hardly quoted and ceases to have primary definier value. Lord Carlile retired as Independent Reviewer of Terrorism Legislation (IRTL) in 2011 but is

often quoted on intelligence matters. In 2016 he told the BBC Today Programme he supported the intelligence community's preference not to have judges involved in the IPA processes saying:

Judges are, of course, very good quality men and women, [but] if judges are going to authenticate these issues, they have to learn about national security... At the moment, there are a handful of judges who have real understanding of national security (Perrudin 2016).

Hazel Blears MP was vocal as an ISC member. Quoted in the *Daily Mail* in March 2015, she said the 'two main claims' made off the back of the Snowden leaks were untrue and surveillance was neither blanket nor indiscriminate.

What we've found is that the way in which the agencies use the capabilities they have is authorised, lawful, necessary and proportionate. But what we've also found is there is a degree of confusion and lack of transparency about the way in which this is authorised in our legal system. It is that lack of transparency that leads to people reaching the conclusion that there is blanket surveillance, indiscriminate surveillance (Doyle 2015).

As with Rifkind here are individual patterns in each of the results. The general coverage of Sir John Scarlett often refers to his controversial role in politicising intelligence for the Iraq War. He is quoted after Snowden but he is not a frequent public speaker. Ian Lobban does occasionally speak in the public sphere but not with any frequency. It was noted that many former senior intelligence staff are now regularly quoted on intelligence issues after retirement and appear to have elite access to certain section of the news media.

#### *Part two – Frames – setting an agenda*

To establish whether the sample group were significant in creating frames by which controversial intelligence related stories were debated, the following method was used. The 'corpus' was created from the coverage of stories in the research period on Nexis where members of the sample group were cited and or quoted. The issue under discussion was problematized and the author noted the position of the individual in terms of support for,

opposition to or neutrality of the intelligence organisation's official position or the position held by the responsible cabinet minister. The author then close read the corpus again to see whether other (non-intelligence insider) commentators provided different frames. By analysing the data – the articles in which the sample group are individually identified, the frames that are being set are identifiable as well as frames that are ignored. In each case the author sought to establish whether individuals were seeking to make more salient in their comments a frame that promoted a particular problem definition, causal interpretation, moral evaluation and/or treatment for the issue under discussion. The proposition was that if the frames chosen by the individual members, support the intelligence status quo, rather than express any criticism or divergence, that would suggest the existence of an intelligence lobby.<sup>vi</sup> Close reading of the articles where case study individuals were quoted in the Snowden period 01/06/2013 to 01/05/2016 (last column of each grid) provides a manageable yet rich data set. It reveals the sample individuals engaging publicly in a range of issues. As Millar and Sabir have noted, messages can be analysed in terms of their relationship with truth and/or selectivity (2012, 78). The sample group speak to issues including terror attacks, intelligence powers, intelligence resources, the effectiveness of both the intelligence and security forces. The discussion often centres on the Snowden publication and its fall out but the related issues of the need for more covert data collection, cybersecurity and encryption problems are also often discussed. When it comes to public comments in intelligence it was possible to identify a number of frames that reoccurred across the study group. The six most dominant frames promulgated by the sample group of eight individuals are outlined below:

Frame One: More legal powers for intelligence agencies. This was reflected in support for a range of legalisation most notably supporting that the Communications Data Bill (CDB) and/or later its successor, the Investigatory Powers Act, are a good and necessary thing. For example the then Chair of the ISC Sir Malcolm revealed the Committee strongly supporting the so-called 'snoopers' charter' – the Communication Data bill - for mobile phone companies to retain records of calls, emails and internet messages for intelligence agencies to use if needed. 'We concluded that that was justifiable and necessary,' he said (Ross, 2015).

Frame Two: Edward Snowden's leaks from 2013 were damaging to intelligence agencies and wrong. An example was Sir John Sawers, head of SIS, when appearing in front of a parliamentary committee in November 2013, addressed the impact of the Snowden

revelations (see below) by questioning the qualifications of journalists and senior editorial staff in deciding what can be published.

What I can tell you is that the leaks from Snowden have been very damaging, they have put our operations at risk. It is clear our adversaries are rubbing their hands with glee, al Qaida is lapping it up (Marszal 2013).

Frame Three: Adequate surveillance capability requires reduction in personal privacy. Sir John Sawers said intelligence agencies had to have access to private information:

If you allow areas which are completely impenetrable then you might feel comfortable that your communications are private and no one else can see them, but so are those who are trying to do you down and undermine your society (Barrett and Freeman 2015).

Frame Four: The intelligence agencies are effective. Sir David Omand attributed the success of the security services to deep cooperation between the police and national intelligence, information frequently volunteered from the community, a specialist team within the Crown Prosecution Service and US-led attacks on al-Qaida. 'But perhaps most important of all, the UK has benefitted from having good - but of course never perfect - pre-emptive intelligence' (MacAskill and Cobain 2015).

Frame Five: The existing oversight and accountability mechanisms are effective. In 2013 Omand said the heads of the intelligence agencies should not be directly accountable to parliament. He did say they should make more public appearances to make it easier to see 'the kind of people they are', but that accountability was a different matter and would 'build up the agency heads into something they are not' (Rawlinson and Owen 2013). This contrasted with the former Home Secretary David Blunkett who was to say that UK Intelligence agencies needed tougher oversight (Travis 2014).

Frame Six: Intelligence Agencies are hampered by public access to encryption. For example in a speech at the Good Exchange cybersecurity summit in London in 2015 Lord Evans said that encryption technology makes things significantly harder for authorities, and that British spying laws needed updating (Price 2015).



The case study individuals almost always supported these frames when addressed. There was clear consensus, only very occasionally one might express minor differences. The unanimity of the case study group is striking but, and raise the question of whether these the only appropriate frames in which to discuss intelligence? As described above an alternative set of frames were identified being those adopted by UK commentators in the Snowden period who had not worked within the intelligence community. Ignoring the counter-position for each of those six frames above, these frames emerged as reoccurring (an example is provided by the reference) and reflects a range of more critical positions.

- 1) Snowden's decision to leak may have been justified or have some justification, given that the growth of the surveillance had never been publicly discussed. (e.g. Kiss et al, 2013)
- 2) That Snowden was able to access the material shows how poor the Five Eyes (UK, US, Canada, Australia and New Zealand pact) security was. (e.g. Hopkins 2013)
- 3) The public are justified in being worried about bulk collection or mass surveillance (e.g. Cusick 2013)
- 4) There have been many examples of intelligence and security forces exceeding their powers (e.g. Cusick 2013)
- 5) The then proposed Investigatory Powers Bill legislation (later enacted) needs to allow for the protection of sources for politicians, journalists, lawyers, priests, doctors and other professionals that meet the requirements of their professional bodies (e.g. Stanistreet, 2016).
- 6) The cost of extra resources in addition to the substantial budget of the intelligence complex is not appropriate during austerity (e.g. Mitchell 2016).
- 7) Concerns about the growth of the intelligence-industrial-academic complex. Since 9/11 the intelligence agencies and their associated private and academic research capacity has grown enormously, all in great secrecy – which is why the Snowden leaks were such a shock. This expansion makes it harder to provide oversight on questions such as their effectiveness, value for money or the legality or ethical nature of their operations. The haystack has grown and makes it harder to spot the needle (of illegality, incompetence or corruption) (e.g. Plame Wilson and Wilson 2013).

The eight case study individuals did not propose any of those alternative frames in their discourse.

## Discussion

The dataset used here is all from Nexis and therefore is from the traditional text news media, with some website coverage, and not broadcast media. From Google searches it is clear the sample set are also frequently interviewed for broadcast. Some are also closely involved in organisations like Royal United Services Institute (RUSI), Chatham House and the Ditchley Foundation, influential think-tanks which have considerable impact on policy. Analysing the press coverage data, there is sharp increase after the Snowden publications in the frequency that the case study individuals are referred to and quoted with the exception of Iain Lobban who left GCHQ after the Snowden revelations and rarely comments in public (Oct 2014). As to whether public opinion has been influenced the evidence is contradictory, but it is more likely that the media and politicians have been influenced (see Bakir et al forthcoming). Dencik and Cable of Cardiff University's Digital Citizenship and Surveillance Society project that the public were more pro-intelligence agencies than pro-Snowden or civil liberties. They describe this as 'surveillance realism' (developed from the concept of 'capitalism realism') where those they interviewed were worried about the development of surveillance.

At the same time, worries about privacy and the extent of (state) surveillance do not translate into active resistance or outcry about these developments. Rather, we see a kind of resignation to the overpowering nature of contemporary surveillance deeply embedded in everyday life and predominantly justified in terms of terrorism and crime (Dencik and Cable, 2017, 772).

It is worth noting that the DataPsst! research team produced a more nuanced picture of public perceptions (Bakir et al 2015, 4).<sup>vii</sup> However the Cardiff team's research supports the proposition that newspapers normalize surveillance by highlighting concerns over national security and focusing on surveillance of elites, and minimize the attention given to the mass surveillance of citizens.

The prominence of opinions that justified surveillance in the name of national security in mainstream media is not accidental. Rather, there is evidence to suggest a longer-standing legitimization of state interventions through a reference to concerns about state security in the British context. Arguments that justify the restriction of civil liberties

have increased in both prevalence and significance since the 7/7 attacks in London (Wahl-Jorgensen, Bennett and Taylor 2017, 750).

What is significant is that the agencies, especially with sympathetic support from the government and parts of the news media, and arguably their lobby, have created a non-critical climate that favours extra resources and tough new surveillance laws. A direct correlation is hard to prove but there is some strong causal evidence here. While much of government spending has been subject to cuts, the intelligence budget is protected and has actually grown substantially year on year since 9/11 as a response to the 'war on terror' (ISC 2017). Various pieces of legislation to give additional powers to the intelligence and security community have gone through despite serious concerns from human rights, civil liberties and other critics. The 'Snoopers Charter' was rejected by Parliament in 2013, but reappeared with tougher clauses and was passed as the IPA into law in autumn 2016. Whether the intelligence community's lobbying for additional resources and powers is necessary or has made them more effective is hard to judge. Secrecy prevents any external, critical public or fourth estate assessment. Meanwhile the lobby sets a very clear non-critical agenda for resourcing without additional oversight.

## **Conclusions**

This paper describes how the once invisible and silent intelligence community has gradually entered into the public sphere over the last 25 years through increasing, if still occasional, interventions by senior staff, by the opaque briefing through 'accredited reporting' agreements and interventions by an expanding body of former staff and oversight officials. While it is difficult to demonstrate media effects, the author believes, on the basis of the presented evidence, that there is now evidence of an ad-hoc intelligence lobby in operation with a changing cast of characters over time. All of the individuals in the case study meet the criteria for being a primary definer. Indeed several are sufficiently prominent that they author media articles. It is likely, that outside of the agencies themselves, this is a not an organised lobby but a loose confederation sharing a 'doxa' who as primary definers are able to influence public policy. The UK intelligence lobby meets the criteria that Mearsheimer and Walt use in their work on the Israeli lobby to define a lobby.

Back in the 1980s the critics' idea for post-Spycatcher openness in the intelligence community was that senior officers would account publicly for their organisation's actions. What has also occurred is that the intelligence community and its associates have developed proactive organised political communication strategies to further its own ideology and aims. These strategies have been quite effective in deflecting criticism as we have seen with the Snowden affair. The author suggests that the central issue here is not to prevent past or present senior intelligence figures from entering the public sphere, but concern with how they seek to influence the public debate rather than respond to it. Is it a two-way discussion, a debate about necessary resources or are they intervening to achieve the bureaucratic objectives of their organisation? There is a distinct lack of discussion or critique by these individuals when they speak publicly. While questions still hang over the effectiveness of the official accountability structures, the intelligence community have engaged effectively in the public sphere. The sample group propagate the dominant elite discourse about intelligence and the significance of Snowden's documents. Underpinning the dominant discourse is the government's prevailing 'politics of fear' rhetoric on terrorism (Miller and Sabir, 2012, 77-92) which in turn enables the intelligence community's lobbying for resources and powers. This evokes Miller and Dinan's observation that the objective of public policy PR and lobbying is not necessarily to have the public agree, but that the public should not 'effectively and aggressively oppose them'. 'This is what makes a melding of ideology and action so powerful' (20008, 5). Agamben, proposes that modern democracies can create a 'State of Exception' to justify its intrusive actions (2005). The question remains as to whether the lobby's frames on terrorism are proportionate and whether the balance of resource provision and legislation is appropriate.

Compared to Bennet's research there is little dissensus in the data, and the only area where there was a serious disagreement was over the security implications of Brexit (October 2016) and this was later than the research parameters. Close reading of the data collected for this paper suggests the lobby are best characterised, in Johnson's terms, as cheerleaders, and that regulators also risk 'going native'. Of course, one person's accusation of 'going native' can be countered by those accused saying they have investigated thoroughly, everything is in order and they are happy to publicly state that. Some, though, attract far more accusations of going native than others — for example Sir Malcolm Rifkind as chairman of the ISC (Norton-Taylor 2015). Using Johnson's vivid analogies, we don't need ostriches but we do need guardians as well as cheerleaders and lemon suckers.

Given the considerable media impact of the sample in this research this paper concludes that there are serious political and democratic issues about the extent of the lobby's interventions in the public sphere and the growing, if opaque, power of the intelligence services.

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<sup>i</sup> NCND is still used when government deals with sensitive operational matters

<sup>ii</sup> A detailed account of UK (and other Five Eyes) intelligence agencies and oversight arrangements can be found at: [researchbriefings.files.parliament.uk/documents/CBP-7921/CBP-7921.pdf](https://researchbriefings.files.parliament.uk/documents/CBP-7921/CBP-7921.pdf)

<sup>iii</sup> GCHQ is part of a global surveillance network run by the US, UK, Canada, Austria and New Zealand.

<sup>iv</sup> Public statements by subsequent MI5 heads can be found at <https://www.mi5.gov.uk/news-and-speeches>. They number 18 starting with a 1994 talk by Stella Rimington. GCHQ shows 13 speeches by senior staff dating back to 2012 but MI6 list just five speeches by SIS chiefs. Public relations methods from within the services are discussed in Lashmar (2013). They are very orientated to improving the image of their service and for instance, are known to emphasise that there agency is an equal opportunity employers and recruit across gender, ethnicity, religion and sexuality.

<sup>v</sup> Other individuals considered for the sample included Lord Reid (former Defence Secretary), Baroness Neville-Jones former Chairman of the Joint Intelligence Committee, Lord King Dr Kim Howells, Dame Margaret Beckett MP, Paul Murphy MP, (all former chairs of Intelligence and Security Committee (ISC), David Anderson (Former Independent Reviewer of Intelligence Legislation), Sir Eliza Manningham-Buller, Dame Stella Rimington Stephen Lander (all former heads of MI5), Sir Richard Dearlove (Former head of MI6), Sir David Pepper, Sir Richard Francis (former Directors of GCHQ) Nigel Inkster (ex-MI6) and Hazel Blears a former MP and member of the ISC of Parliament who all could be said to have been part of and have commented on the intelligence community. It is worth noting that some individuals, who otherwise meet the criteria, have never spoken about intelligence matters after to leaving their posts for example, Sir Anthony May, the former Interception of Communications Commissioner (and who suffered serious ill health) or Sir Mark Waller, the former intelligence services commissioner and so they were excluded.

<sup>vi</sup> The research, which was conducted in 2016, was designed to be as consistent as possible across the sample. Given the variations of roles and timespans of each individual the results are not always directly comparable. The results are meant to be indicative rather than exact given the complexities of Nexis searches, including repeated stories, news agency copy profusion and the difficulties of linking quotes to the searched individual.

<sup>vii</sup> For example the Data Pssst! Report states: “The EU and UK Public think that although certain surveillance technologies are useful for combatting national security threats, they compromise human rights and are abused by security agencies. These concerns especially apply to deep packet inspection.” (2015, 4)