



UNDER THE INFLUENCE

Jorge Marinho and Júlio Ventura lift the lid on foreign influence and academic espionage to give Portugal's University of Lisbon perspective

The possibility of one state seeking to directly or indirectly influence or even interfere in the decisions of another should not be ignored, especially by those responsible for defending national interests, most notably rulers. In this regard, we need to consider aspects related to the malignancy, legitimacy and illegitimacy of foreign influences or interference. This matter should warrant an in-depth reflection from policymakers.

Historically, from the outset, higher-education institutions (HEIs) have engaged in academic exchanges

involving professors and researchers. Over time, said exchanges have increased to also include both students and employees.

As part of international relations, education can be viewed as a soft power instrument. On the one hand, in terms of quantity and quality, the ability to attract professors, researchers and students from other countries contributes toward the prestige of HEIs and of the country where these institutions are located. On the other, the arrival of persons from abroad can constitute a certain hazard for HEIs, while acknowledging that some of those persons, though in relatively low numbers, could be arriving with malign intent. Such

individuals come to HEIs from other countries with the aim of benefiting their state by covertly engaging in academic espionage, under the guise of students, researchers, professors or even administrative staff in the event the latter also take part in academic exchange programmes.

It should be pointed out that intelligence services not only send their agents abroad, but can also attract and recruit a variety of members of the academic community in other countries. In pursuing the interests of their states abroad, said services seek to use their agents/collaborators to influence/interfere in diverse academic activities, at research centres and in scientific journals while gathering information on the various heads of the institutions in question, among other aspects. All this can go by way of direct and interpersonal contacts, as part of Human Intelligence (HUMINT). It is also significant to have someone on the ground who is able to be aware of their surroundings and to eavesdrop on a variety of conversations in person. While this human presence on the ground has its own merits, it can also serve to supplement other forms of remote espionage, such as cyber-espionage and wiretapping.

For intelligence services, it could be important to have undercover agents or to rely on collaborators who, both at the base and at the top of the hierarchical pyramid, work in the HEIs' various fields. All of them are or may become useful: for instance, from the gatekeeper controlling the entry of people and materials at a given building, to the dean making certain high-level decisions.

The relationship between intelligence services and their collaborators/informants can be formal or informal. In the latter case, those covertly working for intelligence services contact said collaborators; these, in turn, without being sure or even aware that they are actually collaborating with foreign intelligence services, provide information within a context of informal conversations, for example.

Intelligence services are interested in sensitive information and in the elites attending the HEIs of other countries. In the short, medium or long term, former students, professors and researchers could hold high-ranking positions at private institutions including the Government or at international institutions. Research conducted at HEIs can influence the decision-making both of upper management at public or private companies and of politicians, within the spheres of a country's domestic or foreign policy.

To combat situations of foreign influence and espionage, it's possible to present some countermeasures. From the outset, countering these situations should comprise raising the general public's awareness to the importance of this topic; to such end, the media has a notable role to play, given its ability to disseminate the subject matter. In terms of HEIs, it is wise to warn all employees, not just faculty and researchers, of the various possibilities of espionage while creating a structure that internally receives reports aimed at subsequent fact-finding. From the start, the state needs to find out who it hires to work at public institutions that have sensitive information, as is the case with HEIs. For domestic counterintelligence services, said institutions certainly constitute a field of work that should not be overlooked.

Internationally renowned HEIs and research centres are particularly targeted by foreign intelligence services, due to their high quality in the sphere of various sciences and in the domain of technology, especially when applicable to the military sector. The research that can be applied to the industrial sphere is also on the radar of intelligence services, to the extent that this can be meaningful to international competitiveness and, so, for a country's economy.

MEMBERS OF THE ACADEMIC COMMUNITY NEED TO REMAIN ALERT TO POSSIBLE DANGERS

In general, HEIs and research centres need to establish thorough security procedures in relation to the way, in terms of clearance and beyond, people can have in-person access to the various facilities and to how they can be monitored while inside such facilities. Obviously, all this needs to be in agreement with the regulations of the HEIs themselves and with the law, where applicable. This way, it is up to the state to pass laws or to decide not to do so, in relation to the situations previously laid out, and it is incumbent on said institutions to establish or, if legally possible, decide not to set out certain regulations. For starters, easy targets become appealing to intelligence services. Based on legal intelligence, these seek to take advantage of other countries' legal voids, gaps and weaknesses. In principle, HEIs that are less protected make the work of foreign espionage easier. This subject matter has warranted particular attention from various countries, such as Australia, Czech Republic, the UK and the US.

The autonomy of a country's HEIs and research centres can constitute a hindrance to controlling or restricting entry to foreign students, faculty, researchers and employees. This autonomy can be used as an argument against the state creating laws aimed at regulating the situation in question. This depends on the applicable legal framework of HEIs and research centres. This legal framework determines the means and extent of the action of government authority over public and private HEIs, and research centres. The applicable legal frameworks and their changes depend on certain political contexts. That which is understood to be the national interest and the means to uphold it goes by way of debate and decision-making by the political powers that be. Experts on the matter should not be ignored, which is why they can influence political decision makers. The Government and HEIs need to make decisions with proportionality and a sense of responsibility.

In the sphere of the debate and, chiefly, of the political decisions, there can be direct or indirect influences/interference, including behind the scenes or by domestic and foreign authorities. The latter seek to uphold their interests, at times competing with the interests of other states. Of course, as part of foreign policy and cooperation, a convergence

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of interests may also exist. This matter needs to be politically and realistically addressed, since the lack of realism can be used by other states to obtain various kinds of benefits, impairing the development of a given country, through malign influences/interference on HEIs and research centres.

THE AUTONOMY OF A COUNTRY'S HEIS MAKES IT HARD TO CONTROL FOREIGN STUDENTS

Professor Luís Ferreira, Rector of the University of Lisbon (UL), acknowledges that, in the context involving instances of potential foreign influence/academic espionage, there is a basic contradiction, perhaps even irreconcilable, between the principle of open science and the political constraints of the Nation-State, going by way of restrictions to the entry of persons and the disclosure of ideas from abroad, while justifying that national security and interests should prevail. The Professor considers that, on the one hand, universities need to allow international academic mobility, but, on the other hand, these institutions should bear in mind the political reality surrounding them. In this regard, he maintains that universities have to make decisions that abide by the law, that are balanced and that amount to common sense.

The Professor feels that the Portuguese Government should not specifically legislate on the issue of foreign influence/interference at universities, since this would seriously counteract the basic principle of autonomy and academic

freedom. This interviewee adds that the UL aims to go international and not have its own programme intended to raise awareness to the national academic community regarding the possible dangers of foreign influence. They recognise that matters related to national security and interests can occasionally be the subject of reflections.

According to Luís Ferreira, the UL's Code of Conduct and Best Practices does not involve students, faculty and staff, as the first line of defence, to be called upon to stay vigilant in relation to foreign activities. However, he clearly states that members of the academic community, as citizens, need to remain attentive to the public interest and alert to possible dangers.

As concerns defending Portugal's interests, Luís Ferreira acknowledges the importance of security services, underscoring that the activities of said services should not violate the principle of academic autonomy. With this in mind, he finds it acceptable that security services, the Science, Technology and Higher Education Ministry and universities could engage in contacts among each other.

Professor Ferreira stresses the frequent link between scientific knowledge, chiefly in the field of natural sciences, and the military/defence sphere. From his standpoint, even though social and human sciences, compared with natural sciences, do not comprise the same practical application potential to said sphere, they are also strategically important for outlining public policies.

The topic of influence/interference and espionage at HEIs, given its growing relevance, needs to be the subject of further research by academics and debated not only in closed circles, but also in society in general. This is a political issue ●

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