

Foreign Influence and Academic Espionage: Portugal's University of Lisbon Perspective

Jorge Marinho

PhD in Communication Sciences, BA in International Journalism

Júlio Ventura

BA in Law, MA student in Political Science and International Relations at the Portuguese Catholic University (Lisbon, Portugal), member of the European Parliament trainee (Brussels, Belgium)

e-mail: marinho.mediaanalysis@gmail.com

Abstract

This article focuses on the issue of foreign influence / interference and academic espionage. As part of the fight against this issue, under a political dimension, this piece presents a few countermeasures, considering a variety of aspects such as defending national interests and the principles of universities' autonomy, academic freedom and open science. To exemplify the subject matter under analysis, this article includes an exclusive interview with Professor Luís Ferreira, Dean of the University of Lisbon (Portugal).

Keywords: academic espionage; foreign influence; foreign interference; Portugal; University of Lisbon

Introduction

This article comprises an analysis of the influence / interference directly or indirectly wielded / carried out by a foreign government, with malign purposes, on Higher Education Institutions (HEIs) and research institutes of another country, affecting both individuals and organizations. This piece is the result of bibliographical research and of an exclusive interview with Professor Luís Ferreira, Dean of the University of Lisbon (UL)*. Located in Portugal's capital, the UL has inherited an academic tradition dating back seven-plus centuries

(*About ULisboa*). Currently, the UL is the largest Portuguese HEI, with 50,000 students (*Welcome to ULisboa*).

Within the context of this piece, foreign influence is considered to correspond to open and transparent actions, on the part of foreign states, aimed at influencing major decisions (*Counter-Espionage and Foreign Interference*). With regard to influence over said decisions, foreign interference entails covert activities and includes deception and corruption (*Counter-Espionage and Foreign Interference*). In principle, for governments, foreign interference is more worrisome than foreign influence (*Defining Foreign Interference*), although, in practice, it isn't always possible to clearly distinguish both (Bauer, et alii October 2021). This difficulty in differentiating them is underscored by several experts (Berzina, Soula March 18, 2020, p. 8). This piece considers that the terms foreign influence and foreign interference can be synonymous (*Foreign Interference and You*, p. 2 / *Homeland Security Advisory Council Interim Report of the Countering Foreign Influence Subcommittee* May 21, 2019, p. 11).

To the extent predictable, the topic of foreign influence / interference is increasingly important (Bauer, et alii October 2021). However, Long and O'Connell (2022, p. 16 / 35) maintain that policymakers and scholars urgently need to pay more attention to said topic, in relation to which little research has been conducted.

International academic cooperation

Historically, since their inception, HEIs have welcomed scholars from all over the world, for the purpose of engaging in information exchanges and collaboration in producing new knowledge (McLennan July 17, 2021). International contacts have increased over time, both in the field of teaching and in the sphere of research (McLennan July 17, 2021). As part of international relations, education can be regarded as a soft power tool.

On the one hand, international scientific exchanges are important for the success of academic research institutions and for scientific progress (*Federal Focus on Inappropriate Foreign Influence on Research: Practical Considerations in Developing an Institutional Response* August 18, 2021, p. 5). On the other hand, opening HEIs internationally renders them vulnerable to foreign entities that harbor malign purposes (Long, et alii Summer 2021, p. 8). This reality needs to be properly managed, by taking full advantage of the

positive aspects while resolutely minimizing negative ones. This minimization comprises various spheres, including risk management (*Counter Foreign Interference Manual for Czech Academic Sector*, p.17). According to Professor Margaret Hyland, from Victoria University of Wellington (New Zealand), while international cooperation is necessary, we need to be aware of the risks related to it (*Guarding Against International Threats* April 28, 2021). The entry of foreign students and scholars in a given university, under international mobility programs, for instance, makes that institution more vulnerable to espionage (*Damaging and Dangerous: Espionage and Proliferation in the Academic Community* April 11, 2023). Still, most of the said students and scholars do not constitute a threat to institutions welcoming them (Folsom, Garretson May 4, 2020).

Academic espionage and Human Intelligence

HEIs are of interest to foreign powers, for several reasons, namely because they contain sensitive information and since they are attended by students that are part of the national elites, in a variety of spheres, such as cultural, social, business and political (*Counter Foreign Interference Manual for Czech Academic Sector*, p.13). Generally speaking, HEIs are vital to nations (*Foreign Interference and You*, p. 3). According to Ali (May 5, 2021), said institutions should be regarded as critical infrastructures, given that they play a significant sociopolitical and economic role on the local and national scene. This is why HEIs' physical and virtual aspects need to be duly safeguarded, for example, by applying anti-phishing IT programs and controlling access to their premises (*On Campus Pod-Cast – Critical Infrastructure and College Campuses* July 19, 2023). In the U.S., recognizing HEIs as critical infrastructures enables them to receive funds earmarked for security training (*On Campus Pod-Cast – Critical Infrastructure and College Campuses* July 19, 2023). Though protecting HEIs against foreign powers' possible hostile activities is important, this should be proportional to the risk (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 6 / Grubbs 2019, p. 259 / 265). Adopting balanced measures geared to countering foreign interference activities in an academic setting implies grasping the threats and risks (*Governance and Risks Framework* June 3, 2022).

For instance, HEIs in the U.S. are deemed to be top targets for foreign intelligence services (Folsom, Garretson May 4, 2020). In general, in several countries, foreign espionage, when looking for sensitive information at HEIs, involves technological means and Human Intelligence (HUMINT)

(*Consultation Document: Legislation to Counter State Threats (Accessible Version)* July 12, 2022). This article focuses on HUMINT, including espionage, and on foreign influence / interference, chiefly through direct interpersonal contacts.

In academic and research settings, foreign intelligence activities, among several aspects, aim to access research projects and sensitive information, while seeking to steal and transfer know-how (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 10). Said activities also include gathering information concerning strengths and weaknesses of individual employees and the work atmosphere in diverse departments (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 10). In this context, an intelligence officer is someone working under the guise of a student or researcher, for example, using their relations with others to achieve their goals, while benefitting the Government for which they work (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 10). Foreign intelligence services can recruit students from their own country, when they are or will be studying abroad, as well as students of the country where such services are in operation (*National Security Concerns for Study Abroad Students*).

Intelligence service recruiters gather information on individuals targeted for recruitment, using a variety of means, such as, inter alia, social media, wiretapping and personal contacts forged with neighbors, friends and family of said individuals (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 35 / 43). Recruiters achieve initial contact with the targeted individuals only after having gathered enough information on them (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 36). When the person is actually recruited, they then consciously begin working for a foreign intelligence service. Another basic intelligence technique uses personal contacts and other means to cause the individual to provide information, without the latter being aware of that, let alone the fact that they are collaborating with a foreign information service (*Counter Foreign Interference Manual for Czech Academic Sector*, p. 40). This can occur via casual conversation (*Foreign Interference and You*, p. 4).

On top of students, faculty and researchers, foreign intelligence services have highly diversified targets, such as administrative and research support staff (*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 20). Within this context, it's also important that those operating covertly, that is, foreign intelligence service officers and their collaborators, be selected and placed in strategic positions at HEIs and research institutes

(*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 20). This entails influencing decisions with regard to selecting staff and promoting their academic career (*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 19). In this regard, we need to pay attention to those occupying every position, from the lower echelons to the higher-ups at HEIs. All of them may be useful for intelligence services of adversarial powers.

In reality, foreign espionage on research institutes is on the rise, which is why research security becomes particularly necessary (Wilner, et alii August 11, 2022). (A Government can engage in espionage activities in both adversarial and friendly countries (Braw June 4, 2021)).

Peer review and corruption

Interference from foreign actors in academia and at research institutes also includes peer review processes (*Foreign Interference and You*, p. 4). In fact, there are programs created by foreign entities to influence peer reviewers, so that the latter, for instance, unduly share confidential information or tamper with assessments they conduct, to the detriment of scientific merit (*ACD Working Group for Foreign Influences on Research Integrity* December 2018, pp. 5-6). According to the Association of American Universities and the Association of Public & Lang-Grant Universities, interference from foreign governments can also include bribing the peer review process, (*Principles and Values to Guide Actions Relevant to Foreign Government Interference in University Research* May 2021).

In order for a Government to attain its foreign policy goals, it can corrupt institutions in another country (MacLachlan 2019, p.19). Actually, corruption also affects academia (Camacho November 9, 2021 / Kulkarni December 13, 2016), in several domains, such as recruiting staff and professional promotion, where some play favorites (Albisu, Chêne 2017, p. 4 / Kyria 2019, p. 11). This corruption can result in what is known as brain drain, to the extent professors leave the institutions and even the country, to look for better working conditions and professional development (Albisu, Chêne 2017, p. 2). This way, the quality of the education sector diminishes (Albisu, Chêne 2017, p. 2), thereby benefitting the interests of (an) adversarial State(s). The risk of corruption is heightened when the academic autonomy denotes a lack of control and oversight (Camacho November 9, 2021, p.2).

The selection process is related to peer review, insofar as, through judgments and evaluations, peers decide, for instance, which research projects will be funded, which people will be hired, which professionals will be promoted or which scientific articles will be published (Forsberg, et alii 2022, pp. 7-8). Relative to this latter aspect, dishonesty can also be present in double-blind peer reviews (McDermott January 31, 2014).

Countermeasures

To combat situations of foreign influence / interference and espionage, such as the ones previously touched on, it's possible to present some countermeasures, among others. 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 have a notable role to play, given their ability to disseminate the subject matter in question. In this respect, awareness-raising initiatives also need to be conducted, specifically geared to academic circles (*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 33 / 41).

At HEIs and research centers, ideally with a strong governance system, foreign influence / interference and espionage need to be safeguarded against, both at individual and institutional level (*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 35). In this context, the best defense comprises endowing potential targets with information, so that they can identify and report the situations at issue to the appropriate bodies (*Countering Foreign Interference* June 5, 2023). HEIs' and research institutes' cooperation with counterintelligence services is essential (*Scholars or Spies: Foreign Plots Targeting America's Research and Development* April 11, 2018 / Subbaraman March 12, 2020). (At universities, covert activities can also be undertaken by domestic (counter)intelligence services (Strauss October 25, 2017)).

Obviously, to tackle the problem under analysis, the role of the law must not be disregarded (Toman, Famfollet 2022, p.11), as there is even a certain tendency to create new legislation (Long, O'Connell 2022, p. 35). HEIs and research centers can also create a Code of Conduct for Foreign Interference as well as a Foreign Interference Committee (*Tackling R&I Foreign Interference. Staff Working Document* January 14, 2022, p. 42). All of this needs to be suited to each institution's specific circumstances (*Tackling R&I*

Foreign Interference. Staff Working Document January 14, 2022, p. 11).

Also as part of the countermeasures, screening and clearance processes can be added by the Government or by the HEIs and research centers themselves, with regard to foreign students, researchers, scholars and other kinds of staff seeking to be part of said institutions and centers (*Mission Focused: Addressing the Threat Environment 2022 / Research Security Background Screening*).

According to Kirya (2019, p. 31), corruption at HEIs is a global reality that is growing. This expert finds that corruption needs to be countered, firstly, by their intervening parties, such as the academic institution itself, higher education regulatory agencies, professional regulatory bodies and education ministry officials (Kirya 2019, p. 17). It should be added that civil society has a role to play in mitigating the situation at issue (Kirya 2019, p. 17). Everything becomes more difficult when corruption is present in various sectors of society (Kirya 2019, p. 4).

There are several measures to tackle corruption, such as the following, among others: university governance needs to base itself on the principles of transparency, accountability and participation; as part of its autonomy, each university should have a code of conduct and whistleblowers policies / procedures (Kirya 2019, p. 18).

The fight against foreign interference and academic espionage not only requires a great deal of time, attention and determination (Ziemnick June 21, 2022), but also depends on political will and decision-making. It may happen that, at a given point in time, a government decides to break a sort of tacit agreement (I'll turn a blind eye to your spies and you do the same to mine) and to no longer tolerate certain espionage activities engaged in by other States, knowing that, with such a decision, it could suffer reciprocal retaliations (Martin March 28, 2018).

University of Lisbon, Portugal

In an exclusive interview for this piece, Professor Luís Ferreira, Dean 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. This Dean 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, Luís Ferreira maintains that universities have to make decisions that abide by the law, that are balanced and that amount to common sense.



1. University of Lisbon logo

The UL Dean 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 program intended to raise awareness to the national academic community regarding the possible dangers of foreign influence. The UL Dean recognizes 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 defense, to be called upon to stay vigilant in relation to foreign activities. However, this interviewee 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, the Dean finds it acceptable that security services, the Science, Technology and Higher Education Ministry and universities could engage in contacts among each other.

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

Conclusion

Universities are vital institutions for a country: not only do they contain sensitive information, but they also comprise the current and future elites in the social, cultural, scientific, economic and political fields. At international level, with the aim of pursuing their interests, several States, through their intelligence services and other bodies, have many ways of spying and influencing / interfering, including HUMINT, at a variety of universities and research centers worldwide. As such, this reality largely exceeds the number of cases disseminated in the media, involving only a handful of countries. In defending national interests, countering said issue can include passing laws and putting in place countermeasures that, in a number of countries, some HEIs adopt and others reject, with the naysayers arguing in favor of university autonomy and the principles of open science and academic freedom. In this regard, the Government and HEIs need to make decisions with proportionality and a sense of responsibility. We need to bear in mind that, in reality, intelligence services, depending on what they wish to achieve, look abroad to try to find universities and research centers they deem to be easy targets.

The topic of influence / interference, espionage and corruption 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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