


## The Polly Corrigan Book Prize Winner 2024, *The Regulation of Intelligence Activities under International Law*

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## BOOK REVIEW

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### **Introduction by Christopher Moran, University of Warwick, co-editor of *Intelligence and National Security***

The Polly Corrigan Book Prize is an annual award sponsored by The King's Centre for the Study of Intelligence (KCSI), *Intelligence and National Security* (Taylor & Francis), and the Women in Intelligence Network (WIN). It was established to honour the life and work of the late Dr Polly Corrigan, a teaching assistant at King's College London, whose research investigated the censorship and repression of Soviet writers by Stalin's political police during the era of the Great Terror. Polly blazed a trail in helping to reverse the gender imbalance in the academic study of intelligence and security work. As intelligence scholars increasingly unearth the vital roles performed by women in intelligence contexts, and as the field of intelligence studies increasingly diversifies its membership, there can be no greater legacy than the one left by Dr Corrigan.

The Prize acknowledges and celebrates scholarship within the realm of intelligence and security, written by female scholars and/or about women. It was established to encourage scholars to go beyond traditional lines of inquiry by recovering lost or marginalised voices in intelligence history. Specifically, it was created to recognise scholarly work that showcases the ways that women have contributed to, and participated in, the making of the 'Secret World'. This roundtable review is devoted to the winner of the 2024 Prize – *The Regulation of Intelligence Activities under International Law*, by Sophie Duroy.

Sophie's book is a masterful example of interdisciplinary intelligence scholarship that bridges theory and empirical research. Sophie has written a brilliantly original book that will serve as a point of reference in future conversations about international law and intelligence activity. The book invites readers to consider the importance of international law as an essential regulatory force in the national security realm, with Duroy's provocation being that compliance with legal controls helps rather than hinders the security interests of states. To advance this bold claim, she examines the political and public backlash that ensued in the post-9/11 era, when services like the CIA were chastised for running secret prisons in violation of international law. This illegality and resultant backlash, she argues, had long-term negative consequences for the services in question and more generally destabilised global security. In response to the missteps that were taken by services during the Global War on Terror, international courts and bodies have become much more assertive in holding intelligence powers accountable for breaches of international law, in a sweeping tide of oversight that Duroy argues will result in states striking a better balance moving forward between liberty and security.

For this roundtable, the editors of *Intelligence and National Security* reached out to several intelligence scholars for their reflections about the book, including those who were part of the Prize Committee. Sophie was then given the opportunity to say a few words in response.

### **Review by David Oakley, University of South Florida**

Sophie Duroy's book, *The Regulation of Intelligence Activities under International Law*, is a significant contribution to intelligence studies and a great resource for policymakers who must appreciate the costs/consequences of intelligence activity. Although the title focuses on international law and

intelligence activities, the issues explored are broader and the consequences considered far greater. The obvious audience for the book is intelligence studies and international law scholars, but it also contributes to the broader field of international relations and its sub-field of security studies.

For example, Sophie's normative claim that compliance with international law is in the state's interest, recalls the English School's distinction between the international system, international society, and world society. Her argument that states should respect international law embraces society over system, while highlighting that anarchy and power politics within the system are not insurmountable.<sup>1</sup> Her argument that an 'international legal order' that consists of 'a network of states and supra-national bodies unique to each state' 'is capable of holding a state to account in a decentralized manner', shares a similar logic to scholars who posit that shared norms and values can bring order in the absence of a centralized authority.<sup>2</sup> Her critique of a 'narrow conception of national security', focused on the 'security of governmental institutions', while neglecting 'individual security' touches on the tension between a pluralist perspective, where respecting 'state sovereignty and non-intervention' are key to maintaining the order that must precede justice and solidarism, where the necessity of justice before order is embraced.<sup>3</sup>

Beyond academia, Sophie's book is valuable for policymakers who must consider the consequences of their decisions. Most national security discussions myopically focus on responding to perceived immediate or developing threats, while neglecting the long-term consequences of policies. Policymakers embrace international law and international institutions when it suits them to counter adversaries but often remain unconstrained by these same institutions. Sophie's work highlights that policymakers are not merely hypocritical when they ignore these institutions, but the 'drastic and authoritarian measures' they embrace can erode the legitimacy, influence and effectiveness of the structure put into place to mitigate the system's anarchy. This weakening of the system is a repercussion or cost that should concern policymakers because it ultimately makes the state less secure.

Sophie's thoughtful analysis shows she appreciates the tension between national security and individual security, but she also pushes back on the post-9/11 notion that achieving security requires sacrificing liberty, violating law, or ignoring human rights. This naturally leads her to a consideration of what is the ultimate purpose of national security, with her arguing that 'we value national security not in its own right but because, and only because, it is a necessary part of protecting individual rights'. Although I might differ with Sophie on the degree of tension between national and individual security, her critique of securing the state over the individual and her discussion on the ultimate purpose of national security is a neglected, but important policy conversation. This discussion is particularly important now, as many policy pundits seemingly encourage a more aggressive approach as part of 'strategic competition'.

Beyond a valuable resource for scholars and policymakers, *The Regulation of Intelligence Activities under International Law* is a demonstration of the value that intelligence studies provide to the broader international relations and security studies communities. Congratulations to Sophie for earning the award and thanks for such a valuable contribution to our community.

## **Review by Ronan Mainprize, Ax:son Johnson Institute for *Statecraft* and Diplomacy**

The world of intelligence can often seem as if it were a lawless jungle. From tales of Cold War covert action to recent revelations about extraordinary renditions and mass-surveillance during the Global War on Terror, espionage services may appear as if they were operating beyond the control of their own governments, without any legal framework to constrain their secret campaigns. That, though, would not only be a misreading of the historical relationship between political leaders and their intelligence agencies but also a misinterpretation of contemporary international law.

As Duroy's impressive book clearly demonstrates, the argument that intelligence activities are, in essence, outside the reach of the law is one closer to fiction than fact. *The Regulation of Intelligence Activities under International Law* presents a clear, multi-layered system of

legality, accountability, and compliance which comprehensively covers espionage. While this system undoubtedly has its limits – most notably an effective enforcement mechanism – Duroy’s meticulous work will dispel any misconceptions surrounding the ability of international law to regulate intelligence work. Yet while the book is mostly focused on the granular details of the international legal system, Duroy’s findings pose an important question for the West’s policymakers and intelligence professionals. For if, in fact, espionage services are internationally regulated, should they ever knowingly step outside the bounds of the law to protect their nation’s security?

The acknowledgment that such regulation does exist will not preclude the arguments of those who advocate for intelligence agencies operating against international law should national security require them to do so. Both the Cold War and the Global War on Terror are littered with examples of intelligence excesses, where political leaders deemed it expedient and acceptable on grounds of national security to contravene laws and ethics in the attempt to safeguard their nation’s global interests. In the contemporary era, the West is now faced with a threatening smorgasbord of terror groups and rogue states – none of whom themselves could exactly be described as law-abiding – and it would perhaps be easy to once again fall back onto clichéd thinking about ensuring intelligence practitioners are not ‘fighting with one hand tied behind their backs’, with the rope being the international legal system.

For Duroy, however, compliance with international law does not damage national security, but conversely works to enhance it. The reputational harm inflicted by intelligence excesses in the 21st century is well known. Since September 2001, the CIA and other Western services became synonymous with black sites and torture, greatly damaging the public’s perception of their important work. Yet as Duroy aptly argues, operating outside the bounds of international law has a further, more nuanced detrimental effect on security, and subsequently brings into light numerous broader questions about the relationship between the state and the people, about both national and human security, and about the role of espionage in the contemporary world.

The Global War on Terror crystallised the liberty-security conundrum in the public mind, as intelligence services compromised the rule of law and infringed on previously held ideals of civil liberty in their pursuit of international terror organisations. But this was perhaps based on a myopic understanding of national security. As Duroy proposes, rather than seeing liberty and security as two opposing ends of a spectrum, security (and by extension intelligence) should instead be viewed as a key component that improves liberty, with any breach of the law being detrimental to security itself. In this new calculus, *The Regulation of Intelligence Activities under International Law* challenges us to look beyond narrow conceptions of national security to a subtler form of individual security, where the civil liberties of the population take precedence over governmental institutions.

The security landscape of 2025 may look somewhat different from those of the two preceding decades, with a new age of great power rivalry and rapidly emerging technologies, and Western intelligence agencies will have to reorientate themselves away from solely being the ‘tip of the spear’ against terrorism. Yet, as policymakers and practitioners begin to consider new measures to counter these evolving threats, Duroy’s findings can serve as an important reminder about the harms of extra-judicial intelligence operations. In a rhetorical climate where senior politicians have begun to describe adversaries as the ‘scum of the earth’ to justify targeted assassinations, such a reminder is now just as prescient as it was during the high tide of the Global War on Terror.

## **Review by Claudia Hillebrand, Cardiff University**

From the poisoning of former Russian intelligence officers on British soil to Chinese foreign interference operations against Australia and American covert efforts to combat Mexican drug cartels, international intelligence operations are a striking component of current global affairs. Today’s intelligence services do not act in a lawless, unregulated vacuum, however; neither at home nor in the international sphere. But how effective is the regulation of their activities; and how does international law influence state

behaviour in intelligence matters? These are key questions addressed by Sophie Duroy in her meticulous *The Regulation of Intelligence Activities under International Law* (Elgar Publishing, 2023).

The book provides a rich and compelling exploration of the extent to which states' intelligence activities are regulated by international law. Strikingly, the book underlines that it is in the national security interests of states to comply with international law in the intelligence realm. Duroy uses the extraordinary rendition, detention and interrogation programme by the American Central Intelligence Agency (CIA) during the War on Terror as a case study for examining state responsibility with regard to intelligence. She powerfully shows in the book how the US-led response to the 9/11 terror attacks by Al-Qaeda 'had an unintended consequence, namely state accountability for violations of international law resulting from intelligence activities' (p.1).

The book is rigorously structured and carefully outlines the research agenda, methodology and theoretical basis. The theoretical framework highlights three layers of regulation: legality – a well-defined legal framework for intelligence activities; accountability – the capability and power to enforce state responsibility; and compliance – states' responsiveness with regard to regulation by the international legal order. The scholarly precision and analytical strength underpinning this book are exemplary.

Chapter 5 focuses on effective accountability. Duroy maps state accountability mechanisms as networks, emphasising the unique set-up of state and supra-national accountability mechanisms in each state. She identifies three types of insights regarding international legal accountability: 'those related to the capacity of the network of accountability mechanisms to constrain and escalate sanctions; those related to the legitimacy of the network as a regulator and regulating authority; and those concerned with the accessibility and publicity of both the regulator and the proceedings' (p.176). Accordingly, she evaluates the existing national networks in the US, UK, Poland and other states with regard to their international legal accountability in the context of the CIA's extraordinary rendition and detention programme.

Duroy concludes that when domestic accountability mechanisms work effectively, it is those means at the national level which are the most efficient tools to inhibit and address wrongdoing in relation to intelligence activities: '(t)he role of the international legal order as a regulator of states' intelligence activities is thus inversely proportional to the effectiveness of domestic oversight mechanisms' (pp.298–99). Duroy also suggests that using domestic accountability mechanisms minimises the risk of exposing intelligence techniques and potentially harmful information to the public. International intelligence activities are ubiquitous in the current, fragile international security environment. Sophie Duroy's work deepens our scholarly understanding of the legal framework and accountability mechanisms of international intelligence activities and will act as a crucial reference point for future research in the fields of international intelligence law as well as intelligence accountability.

## **Review by Paul McGarr, King's College London**

Sophie Duroy's *The Regulation of Intelligence Activities under International Law* is a welcome, intellectually ambitious, and meticulously researched examination of an increasingly pertinent and contentious legal question. Duroy's book asks how, and indeed if, intelligence activity should be regulated in the context of long-established legal frameworks designed to control and mediate overt conflict and international diplomacy. Utilising an impressive array of theoretical and empirical evidence, Duroy presents a cogent and nuanced case for approaching international law as an essential mechanism for intelligence regulation. In addition, Duroy states that such regulation should be seen as a useful vehicle for strengthening the performance of national security communities. In essence, Duroy approaches regulation as a pragmatic means of enhancing the effectiveness of intelligence activity rather than constraining or limiting its utility. In intelligence terms, adherence to international law, Duroy argues, is normatively attractive as a means of upholding behavioural standards and checking inhumanity. It is also a method of reinforcing national security by rejecting excessive secrecy and unilateralism in favour of transparency and legitimacy.

Duroy's study is framed around three strata of regulation, encompassing legality, accountability and compliance. In interrogating the first of these, legality, Duroy examines aspects of existing international law that touch on intelligence, however obliquely. Through a case study focused on the CIA's prosecution of a 'war on terror' after 11 September 2001, Duroy teases out how intelligence practice often came into tension, with established legal principles surrounding state sovereignty, universal human rights and the appropriate use of force. Subsequent attention is placed on accountability, and the means by which states can be sanctioned for intelligence activity that violates international law. A rich and diverse range of empirical evidence is marshalled. This includes discussion of intelligence operations conducted in the UK, US, continental Europe and Africa, and is used to tease out challenges inherent in holding state power to account. When turning to consider the question of compliance, Duroy presents a finely grained analysis of how normative state behaviours are influenced by international law and, moving forward, what a common and effective template for intelligence regulation might look like.

Structurally, Duroy's book establishes a clear and innovative framework for interpreting the disjointed and diffuse literature on intelligence and the law. Empirically, it adds breadth and depth to current understanding of state accountability for intelligence actions. In exploring how the CIA's liaison relationships with a variety of states worked on the ground, Duroy demonstrates why these came into tension with established theories covering institutional legal checks and balances. Moreover, by taking an expansive view of intelligence practice and reflecting on the legal landscape not only of espionage but also of counterterrorism, surveillance, and enhanced interrogation, Duroy exposes the complexities and contradictions at the heart of contemporary approaches to intelligence and the law. Crucially, the book is anything but utopian. It carefully balances debates on the benefits of intelligence regulation alongside its anticipated costs.

As with any work that critically scrutinises a multifaceted and understudied question, Duroy gives less space to some subjects than others. Little is said about the legal protocols informing cyber operations, propaganda, hybrid warfare, or Information Manipulation and Interference by Foreign Actors. Traditional modes of intelligence generally receive more attention than newer domains. Equally, while the incorporation of African case studies into Duroy's book is welcome, it remains largely an Anglocentric affair. Ample scope remains to utilise methodologies pioneered by Duroy in non-Western or geographically comparative intelligence contexts. Considering how the secret state beyond the Anglosphere has approached accountability and regulation in the context of diversity in social, political, legal and institutional norms, offers fertile ground for future study. Likewise, while cognisant of the strength of resistance that the state could be expected to mobilise in response to calls for intelligence reform and regulation, Duroy leaves this essential question underdeveloped. Duroy's book, which is otherwise strong on the issue of prescription, is tentative in suggesting ways in which bureaucratic opposition to reform could be surmounted.

Some minor quibbles aside, Sophie Duroy's book is a very worthy winner of the King's Centre for the Study of Intelligence Polly Corrigan Prize, 2024. Duroy's contribution to developing critical thinking on the role of international law in intelligence regulation and oversight is timely and represents a considerable intellectual achievement. In pioneering a fresh methodological approach that brings theories of international law into direct contact, with empirical case studies detailing global intelligence activity, Duroy advances understanding of how intelligence regulation currently works, and does not work, and what a more effective system of oversight and accountability might look like in the future.

Given current levels of geopolitical instability, and with threats from terrorism, climate change, economic warfare, rising regional inequality and a host of other concerns closing in on policymakers, Duroy's book could not have appeared at a more opportune moment. Temptations for states to use and abuse their intelligence agencies in pursuit of short-term economic and political advantage have perhaps never been greater. Duroy makes an important and compelling case that international law must inform intelligence practice. Ethical and moral considerations aside, Duroy establishes through an exemplary forensic analysis of intelligence regulation, that ineffective and weak oversight corrodes rather cements long-term security.

Sophie Duroy's superb book, *The Regulation of Intelligence Activities under International Law*, is a model of intellectual endeavour. Its thesis, that compliance contributes to rather than constrains national security, is likely to prove provocative in some quarters. It is certain to provoke ongoing debate within legal and intelligence communities. It will set scholars talking. It is, in short, a work that the late Polly Corrigan could have been expected to approve of and to admire. There can be no higher praise.

### Review by Kate Vigurs, University of Warwick

What set Sophie Duroy's book ahead of its competitors in the Polly Corrigan Book Prize for 2024 was the international nature of the multifaceted material covered which, despite its complexity, allows the reader to navigate and identify Duroy's main arguments and threads, seeing them through to a structured and cohesive conclusion.

Using the terrorist attacks of 9/11 as a lynchpin, Duroy argues that this unique and devastating world event can be identified as changing 'the legal climate governing intelligence activities which had so far been widely considered as outside international law's realm'.<sup>4</sup> She also states that 'this era ushered in what is commonly termed the "liberty – security conundrum"', in which she claims that 'security and liberty are often seen as competing interests, with the protection of security sometimes requiring sacrifices of the rule of law and human rights'.<sup>5</sup>

Using legality, accountability and compliance as its main tropes, Duroy delineates 'the international legal framework governing intelligence activities'.<sup>6</sup> She then explores the concept of international legal accountability before investigating the relationship 'between state accountability and compliance with international law' in which she identifies 'accountability as a key driver in shaping decision-making processes'.<sup>7</sup>

Duroy makes the persuasive argument that intelligence operations are (in the wake of 9/11) able to operate lawfully (where it had previously been unlawful) if they adhere to narrowly defined restrictions. While intelligence, espionage and associated activities have previously been deemed illegal by their very definition, this has developed into a grey area which frequently borders on pushing both legal and ethical boundaries.

Indeed, the legality of intelligence is primarily dependent on the methods employed. Certain methods such as reconnaissance from (for example) space or offshore fall within accepted diplomatic norms. However, covert actions that border on intervention, intrusion or even political manipulation do not. Duroy argues that when national security is heightened (such as in the wake of the 9/11 terror attacks) or during times of conflict, the ethical boundaries are stretched, thereby compromising the legality of the intelligence world and its remit.

Historically, the secrecy and clandestine nature of intelligence was deemed to be justified and indeed a necessity. Duroy argues that the UN sanctioned international war on terror has reshaped modern intelligence and thus weakened existing restraints on both surveillance and human rights.

Duroy identifies that 'scholars' writing about the relationship between international law and intelligence often endorse one of either side of an unresolved debated 'the realist view or the formalist view'.<sup>8</sup> The former maintains that 'intelligence protects the very existence of states, the latter that international law naturally applies in intelligence services ... and thus intelligence activities are subject to the same international legal constraints as other state activities'.<sup>9</sup>

This compelling monograph successfully challenges these perceptions and is a breath of fresh air in the world of intelligence studies. The complexity of her subject could become overwrought and verge on overbearing, but Duroy's fresh approach and innovative writing technique in addition to her obvious skill and knowledge of this subject makes her work relevant and current in today's complex political and diplomatic climate.

### Response by Sophie Duroy, University of Essex

I am deeply grateful to the contributors for their thoughtful, generous and incisive engagements with my book, *The Regulation of Intelligence Activities under International Law*. Each of the

commentaries demonstrates a careful reading not only of my arguments but also of the broader ambitions that animated the project. It is profoundly encouraging to see that the book's core message resonates beyond the community of international lawyers and speaks to scholars of intelligence, security studies and international relations, as well as to practitioners who grapple with the concrete dilemmas of national security decision-making. This was, ultimately, one of the book's main aims: to bridge disciplinary boundaries and to make the language and insights of international law meaningful to those working in and studying intelligence practice.

The roundtable contributions collectively achieve precisely the kind of cross-disciplinary dialogue that I hoped the book might provoke. The contributors approach the book from distinct disciplinary and methodological perspectives, engaging not only with its framework of legality, accountability and compliance, but also with its broader claims about the relationship between law, power and security in the contemporary international order. Taken together, the contributors' insights provide an opportunity to return to the central ideas that animated the book and to reflect on their continued relevance.

The book's central argument can be expressed quite simply: for intelligence to protect national security effectively, it must comply with international law and respect human rights. This claim challenges the entrenched assumption, prevalent in both government and scholarship, that law is necessarily a constraint on intelligence effectiveness. This idea may appear self-evident when stated abstractly, yet the post-9/11 security environment entrenched a deeply counterproductive narrative: that respect for the (international) rule of law and human rights must be curtailed to safeguard national security. My analysis, particularly through the case study of the CIA's extraordinary rendition, detention and interrogation programme, shows that violations of international law are not only wrong in principle but also ineffective in practice. They undermine legitimacy, damage international cooperation and perpetuate the very insecurity they purport to address. The lesson is pragmatic, rather than moralistic: violating international law corrodes the long-term foundations of security itself.

Several contributors, notably Claudia Hillebrand and Paul McGarr, engage with the book's three-layered framework of regulation – legality, accountability and compliance – and explore its implications. I am grateful for their recognition that the framework offers an analytical structure capable of unifying an otherwise fragmented literature. As Kate Vigur highlights, this layered framework was designed precisely to help readers navigate the post-9/11 security landscape and to show how intelligence can be both lawful and effective without abandoning the rule of law.

The first layer, legality, establishes that intelligence activities are not beyond the reach of international law. As Ronan Mainprize aptly summarises, the notion that espionage exists in a lawless void is closer to fiction than fact. International law does regulate intelligence, albeit imperfectly. Identifying those legal rules is a first step towards understanding how states internalise and operationalise them.

The second layer, accountability, concerns the domestic and international mechanisms through which legal rules are enforced. As Hillebrand notes, my research highlights that domestic oversight mechanisms remain the most effective means of ensuring accountability for intelligence misconduct, provided they function independently and transparently. Where national systems fail, however, international processes can and should step in. Still, the inverse relationship between the strength of domestic oversight and the necessity of international accountability mechanisms remains a crucial point for intelligence services seeking to balance accountability and confidentiality.

The third layer, compliance, moves beyond formal legality to ask how and why states choose to comply (or not comply) with legal norms. It is at this level that the argument about effectiveness emerges most clearly. Compliance with international law enhances the legitimacy and sustainability of intelligence practices, both domestically and internationally. Non-compliance, by contrast, yields reputational, diplomatic, and operational costs that ultimately weaken states' capacity to safeguard national security.

A recurring theme across the symposium contributions is the question of what security means and whose security intelligence ought to serve. David Oakley and Ronan Mainprize both highlight the book's challenge to a 'narrow conception of national security', one that prioritises the protection of

governmental institutions over that of individuals. The book argues that such a conception is not only normatively problematic but also strategically flawed. National security derives its value from its capacity to protect the security of individuals. If safeguarding the state comes at the expense of human rights and individual security, the concept collapses under its own contradictions. Respect for human rights and for the rule of law is not a luxury to be enjoyed in times of peace; it is a precondition for lasting security. The history of intelligence excesses and their disastrous consequences – from covert interventions during the Cold War to the abuses of the ‘global war on terror’ – demonstrates the enduring truth of this proposition. The book’s purpose was to provide the legal vocabulary and empirical evidence to sustain that claim within the intelligence studies community.

Another motif that threads through the roundtable is the idea that law enables, rather than restricts, effective intelligence. McGarr observes that I approach regulation not as a straitjacket but as a pragmatic mechanism for strengthening intelligence performance. I am grateful for his reading, which captures the book’s spirit. International law should not be imagined as a rigid external constraint imposed upon a dynamic security apparatus. Rather, it is an integral part of the strategic environment in which intelligence operates. Relatedly, Vigur points to the tension between realist and formalist approaches to the relationship between international law and intelligence, while Oakley highlights the value of the book to policymakers. As the book seeks to demonstrate, intelligence can be both grounded in law and attuned to the realities of security politics.

International legal norms embody the international community’s shared values, structure expectations, reduce uncertainty and provide a common language for cooperation between states. When intelligence activities are conducted within the bounds of law, they benefit from legitimacy, trust, and reciprocity – all essential resources in an interconnected security landscape. To put it differently, compliance with law forces decision-makers to think twice, to question whether a given action could be justified if exposed to public scrutiny or legal review. This reflexive process does not impede effective intelligence work; it refines it, steering it away from courses of action that are both morally suspect and strategically counterproductive. Law, in this sense, protects states from their own short-termism and from the cognitive biases that crises tend to trigger.

Several commentators note that *The Regulation of Intelligence Activities under International Law* occupies a relatively new and still small field – one historically dominated by former government and military lawyers and rarely connected to the broader currents of international law or critical intelligence studies. Against that backdrop, the book’s ambition was both descriptive and normative. Descriptively, the book maps how international law already regulates intelligence activities and demonstrates that the idea of intelligence exceptionalism lacks an empirical basis. Normatively, it argues that compliance with international law is not only required but beneficial for intelligence effectiveness. The convergence of these two claims – law’s relevance and law’s utility – forms the intellectual core of the project.

The roundtable contributions show that my argument about the role of international law in regulating intelligence has begun to take root beyond legal scholarship. The engagement from international relations and security studies scholars suggests that the book has helped open a new space for dialogue. This interdisciplinary exchange is, I believe, the most promising avenue for future research. The challenges posed by new technologies, cyber operations, and hybrid warfare – areas that McGarr rightly identifies as underexplored – demand precisely this kind of integrated analysis.

Since the publication of the book, my research has turned to the other side of the relationship between intelligence and international law: how intelligence practice influences law.<sup>10</sup> States increasingly justify controversial intelligence activities by asserting that their actions are lawful. These efforts at strategic legal justification, while appearing to promote compliance, can in fact undermine international law by stretching or hollowing out its substantive meaning. Courts’ deference to governments on national security matters often reinforces this process, transforming international law into a procedural ‘tick-box’ exercise rather than a set of substantive principles grounded in shared values. The legitimization of mass surveillance through human rights law and the repeated invocation of self-defence to justify

targeted killings are clear examples. The result is what might be termed bad-faith compliance: a formal adherence to the letter of the law that empties it of its purpose.

This line of inquiry deepens the argument made in the book. If, as I argue, the effectiveness of intelligence depends on its substantive compliance with the purpose of international law, then compliance that focuses solely on formal legality cannot make intelligence more effective. Compliance has value only when it serves international law's purpose, namely, the maintenance of international peace and security (UN Charter, Article 1(1)). The fact that international law and intelligence share a common purpose, so that the effectiveness of intelligence is aligned with its substantive legality, is not a coincidence. The core principles of international law were agreed upon in the wake of World War II to prevent its horrors from recurring and alleviate the security dilemma by restraining future governments in times of crisis. States would do well to remember this history when trying to safeguard national security today.

The book's message remains simple but, I think, urgent: international law is not an obstacle to effective national security; it is its precondition. Violating international law in the name of security weakens both the moral and the practical foundations of the state. The rule of law protects us from ourselves: from our biases, our fears and our recurrent tendency to compromise on our values in the name of security. I am particularly heartened that the roundtable demonstrates the interdisciplinarity that I see as essential for progress in this field. If we are to learn from past failures and to design intelligence practices that genuinely enhance rather than erode security, we must continue to break down the silos between disciplines and professions. My hope is that this exchange will encourage further dialogue among scholars and practitioners who, though approaching these issues from different perspectives share a common purpose: to ensure that intelligence serves the security of individuals, nations and the international community within the bounds of law and with respect for human dignity.

Finally, I want to express once more how deeply honoured I am to have received the Polly Corrigan Prize for this book. Polly's work and the Women in Intelligence Network she helped to build embody the same spirit of intellectual curiosity, feminist commitment and cross-disciplinary engagement that I hope my research contributes to in some small way. To have her name attached to my work, and now to this conversation, is a privilege and a reminder of the collective effort required to make women's voices more visible within intelligence studies.

## Notes

1. Buzan, *English School of International Relations*, 12.
2. Mellish, "Hedley Bull."
3. Buzan, 15–6.
4. Duroy, *Regulation of Intelligence*, 1.
5. <https://hrcessex.wordpress.com/2024/02/12/the-regulation-of-intelligence-activities-under-international-law>.
6. *Ibid.*
7. *Ibid.*
8. Duroy, *Regulation of Intelligence*, 33.
9. *Ibid.*

## Notes on contributors

**David Oakley** is the Academic Director at the University of South Florida's Global and National Security Institute. He is a former U.S. Army field artillery officer/strategist and CIA Staff Operations Officer with over two decades of practitioner experience. Prior to GNSI, he taught at U.S. Special Operations Command's Joint Special Operations University and the U.S. National Defense University.

**Ronan Mainprize** is an Ax:son Johnson Postdoctoral Fellow at the Center for Statecraft and Strategic Communication. His research explores how intelligence communities shape strategy and grand strategy. He is currently writing a book on Lyndon Johnson, the CIA, and the Global Cold War.

**Claudia Hillebrand** is Senior Lecturer in International Relations at Cardiff University. She is the author of *Counter-Terrorism Networks in the European Union: Maintaining Democratic Legitimacy after 9/11*, published by Oxford University Press. She has a long-standing interest in the tensions between secrecy and transparency, while her recent work has focused on parliamentary inquiries into intelligence in Germany. Her work has been funded by the ESRC, the European Commission, and the GW4 Community.


**Paul McGarr** is a lecturer in intelligence studies at King's College London. He is the author of two monographs, *The Cold War in South Asia: Britain, the United States and the Indian Subcontinent, 1945–1965* (Cambridge University Press, 2013) and *Spying in South Asia: Britain, the United States and India's Secret Cold War* (Cambridge University Press, 2024).

**Kate Vigurs**, FRHistS, is an historian author and researcher. She is currently a visiting academic in the Department of Political & International Studies (PAIS) at the University of Warwick. With a PhD in history from the University of Leeds, her first book *Mission France – The True Story of the Women of SOE*, was published in 2021 to critical acclaim. *Mission Europe* was published in May 2025 and focuses on SOE's female agents across Europe and was helped greatly with funding from the Gerry Holdsworth Special Forces Charitable Trust.

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