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## **REVIEW**

*Los servicios de inteligencia al servicio de la sociedad democrática y el orden constitucional*

*Daniel Sansó-Rubert Pascual*

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Daniel Sansó-Rubert Pascual

### **LOS SERVICIOS DE INTELIGENCIA AL SERVICIO DE LA SOCIEDAD DEMOCRÁTICA Y EL ORDEN CONSTITUCIONAL**

Reflexiones socio-jurídicas  
en torno a la inteligencia jurídica,  
las estrategias de desinformación  
y el Lawfare

 **Atelier**  
LIBROS JURÍDICOS

**D**aniel Sansó-Rubert Pascual is a prominent academic and criminologist specialising in security, defence and intelligence, with multiple degrees and postgraduate qualifications in Law, Political Science and Criminology. He has had a prolific teaching and research career and is the author of numerous books and articles on organised crime, terrorism and national security. His professional and academic career includes collaborations with institutions such as the Higher Centre for National Defence Studies (CESEDEN) and the Spanish Institute for Strategic Studies (IEEE), establishing himself as a key figure in studies on democratic security.

The book reviewed here belongs to the academic essay genre and was published in 2024 by the legal publishing house Atelier. It consists of 190 pages that address the role of intelligence in modern democracies in the face of current risks and threats, offering a comprehensive and critical analysis of the role played by intelligence services. It is presented as a profound and necessary reflection in a context where constitutional security and the protection of fundamental rights maintain a balance within the space of legality for the achievement and survival of democracy itself in the face of the challenges present in advanced democratic and legal societies.

This work is a socio-legal analysis of intelligence services and their crucial role in defending democracy and constitutional order, in the context of a growing need to respond to new challenges and overcome current classical models, due to the tension between the need for national security and the preservation of civil liberties and fundamental rights. The thesis focuses, within constitutional democratic frameworks, on the necessary evolution to respond effectively to new threats—especially in the areas of hybrid threats, cyberspace, political polarisation strategies and disinformation—while maintaining a balance between security and respect for the law, the operational reinforcement of a solid legal framework and effective democratic control mechanisms, improving their legitimacy and public perception by overcoming negative or preconceived stereotypes, and developing legal intelligence capabilities to counter specific threats such as lawfare and disinformation.

The book is divided into several sections that address different aspects of intelligence services. First, the author takes a historical journey that allows us to understand the evolution of these institutions, from their origins to their development in the current context. This historical perspective is essential to understanding how the functions and public perception of intelligence services have changed over time. A notable aspect is the discussion of the parliamentary and judicial control mechanisms that must exist to oversee the activities of intelligence services. Sansó-Rubert uses examples to illustrate how these mechanisms can be effectively implemented through specific cases, demonstrating that oversight is not only possible but essential to maintaining public confidence in these institutions.

Throughout the work, one of the central themes explored by the author is the need for a balance between security and transparency, arguing that, while intelligence agencies are essential for protecting society from threats, their operations must be subject to a legal framework that guarantees accountability, emphasising that opacity can lead to abuses of power and the erosion of citizens' rights, which is incompatible with democratic principles.

The structure of the book begins with a masterful prologue by Prof. Doc. José Julio Fernández Rodríguez, followed by six chapters with their respective sections—plus the closing bibliography—where the academic approach is probably one of the most notable features given the author's background in research and teaching, suggesting a rigorous and reflective writing style with didactic connotations.

The narrative style is formal and structured, typical of these academic works on security and politics, including well-founded arguments supported by evidence and connections with other authors who are experts in the field, following a clear logic in the presentation of ideas. The narrative is fluid and coherent, characteristic of well-structured academic texts, where arguments are developed in a logical, progressive and forward-looking manner, facilitating the understanding of complex concepts related to intelligence services and their role in democratic society.

It addresses orbital themes such as legal intelligence, disinformation strategies and lawfare, implementing a narrative that connects various aspects in a coherent manner, establishing relationships between these concepts and their impact on the constitutional order. The narrative flow is reinforced by the author's interdisciplinary approach, resulting in a natural discourse between different areas of knowledge, offering a comprehensive view of the subject, alternating theory with practical projections that maintain a balance that favours fluidity in reading and coherence in the presentation of ideas.

The book's argumentation abundantly presents the connotations characteristic of academic rigour, combining perspectives from law, political science and security studies, which allows it to address the topic from multiple angles, lending depth and credibility. The contextualisation within the democratic spectrum emphasises the legitimacy of intelligence agencies and their role in protecting fundamental rights and public freedoms, introducing the culture of intelligence as a mechanism within public policy to raise awareness in society of the relevance of these services. The author's reflections on the institutional control to which these agencies must be subject within the parliamentary and institutional debate stand out, in order to guarantee their transparency and alignment with democratic values and their adaptation, within the legal framework, to contemporary challenges and new threats, such as disinformation and lawfare. Consequently, the book's arguments are solid because they are backed by a proven theoretical basis, clear legal references and a critical approach to the role of intelligence services in a constitutional democracy, demonstrating a deep understanding of current dynamics and contributing significantly to the academic debate on security and democratic governance.

The book incorporates a wealth of sources from various disciplines, reflecting the author's specialised training. As an academic, Sansó-Rubert uses a wide range of sources, including books and research papers in relevant fields, with references to legal frameworks and other influential works on the functioning of intelligence services in democracies.

In terms of originality and innovation, the work analyses emerging concepts such as the globalisation of constitutional law, legal intelligence, disinformation strategies

and lawfare, contributing new perspectives to these fields of study and collaborating in a doctrinal update by addressing the necessary change in the role of intelligence services in the face of risks and threats in modern democratic societies. Consequently, the work is topical and relevant, highlighting the impact of the subject matter addressed due to its importance in the current context, providing a comprehensive analysis, contributing to the academic debate, on new perspectives in these fields of study within the analysis of contemporary challenges. It is worth highlighting the analysis of the balance between security and rights, addressing the tension between the need for security and the protection of fundamental rights in a democratic state. This work is a contribution to the specialised literature, contributing to a growing area of study, offering a specialised contribution on the role of intelligence services within an informed and critical vision.

Consequently, we are presented with a significant contribution to the debate on intelligence and democracy, where the critical and constructive approach invites readers to reflect on how intelligence services can operate ethically and responsibly within a democratic framework. In addressing the complexity of the relationship between security and citizens' rights, the author offers a theoretical and proactive vision and places himself in a context of growing concern for national security and democratic integrity. His analysis is particularly relevant in an era marked by hybrid threats and cyberattacks, offering a unique worldview by combining legal analysis with practical security considerations, reflecting the author's experience in both fields and positioning himself as an important reference for understanding the role of intelligence services in the contemporary democratic context.

In short, the book immerses us in an understanding of the crucial role of intelligence services in modern democracies, tackling the challenges these institutions face in the face of the diversity of current and future risks and threats, all through well-founded reflections on legal intelligence, disinformation strategies and the phenomenon of lawfare. In conclusion, it is essential reading for academics, professionals and anyone interested in understanding the intersection between security, politics and ethics, providing an in-depth analysis that raises crucial questions about the future of intelligence services in an increasingly complex, interconnected and challenging world, where strategies are proposed for improving the control and supervision mechanisms of these operators.

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