### Lesson 3: Ethical Issue II – Consent and Awareness

Welcome to Lesson 3 of the course Ethics and Law in Intelligence.

In this session, we examine a question that’s easy to overlook in intelligence work: Do people know they’re being watched? And if not—should they?

We’ll explore the concept of informed consent, and why the lack of awareness in surveillance and data collection raises serious ethical concerns.

### Section 1: What Is Consent?

In ethics and law, consent means giving permission for something to happen. More specifically, informed consent means people understand what they are agreeing to, how it will affect them, and have the freedom to say “no.”

In healthcare or research, consent is mandatory.

But in intelligence? It’s usually absent.

When governments or organizations collect personal data, monitor digital behavior, or track movements, individuals are almost never asked for permission. And that’s the heart of the issue: Can surveillance be ethical if people don’t know it’s happening?

### Section 2: Digital Data and Everyday Life

We live in a world where data is constantly being collected—from GPS signals, online activity, voice assistants, cameras, and social media.

Much of this data collection happens passively—in the background, without direct consent.

For example:

* A mobile app may track your location even when not in use.
* Public cameras may be connected to face-recognition systems.
* Social media posts may be scraped for keywords or behavioral analysis.

Even if we “accept cookies” or agree to terms of service, do we really understand what we’re agreeing to?

### Section 3: The Ethical Concern

The lack of consent raises several ethical concerns:

1. Autonomy is compromised

If people don’t know they’re being monitored, they can’t choose to opt out. This undermines their personal agency.

1. Power becomes invisible

When surveillance is hidden, power shifts silently to those controlling the data. This increases the risk of abuse.

1. Consent becomes meaningless

In today’s world, clicking “I agree” is often just a routine action—not a true, informed decision. This creates a false sense of control.

So even in cases where data collection is “legal,” it may still be ethically problematic if users are unaware or unable to meaningfully consent.

### Section 4: Surveillance in Public Spaces

Another dilemma: Do you need consent to be watched in public?

Technically, public spaces aren’t private. But when cameras are equipped with biometric tools, motion sensors, or AI analysis, they become more than passive observers—they turn into behavior-monitoring systems.

Should cities or security agencies inform people when and how they’re being monitored?

Should there be signs? Apps? Opt-out systems?

If people are constantly watched, without their knowledge or choice, the ethical foundation of consent disappears entirely.

### Section 5: Case Example – Clearview AI

Clearview AI is a company that scraped billions of images from the internet—without consent—to train its facial recognition software. These images came from LinkedIn, Facebook, and other public platforms.

The company then sold this tool to law enforcement agencies.

Critics argue that just because an image is public doesn’t mean it can be used in a surveillance system.

No one gave informed consent. Yet their faces were used to build a product that could track them anywhere.

This is one of many examples where the ethical principle of awareness and consent was completely bypassed.

### Conclusion

Informed consent is a cornerstone of ethical practice—but in intelligence and surveillance, it’s often missing.

People are frequently unaware that they’re being monitored, and even when they are, they may not have a real choice.

Ethical intelligence work should strive to:

* Be transparent wherever possible
* Collect only what is necessary
* Limit intrusion into personal lives
* Educate the public about their rights

Because a society that is constantly watched—but never asked—gradually loses its sense of freedom and trust.

Next, let’s test your understanding with a short quiz.