

BOOK REVIEW/ COMPTE RENDU

Lippert, Randy, Kevin Walby, Ian Warren, and Darren Palmer (Eds). *National Security, Surveillance and Terror: Canada and Australia in Comparative Perspective*. Palgrave Macmillan. 2016, pp. 348, hardcover, (9783319432427)

This book is a contribution to multidisciplinary social-scientific efforts to gain an understanding of the circumstances and forces through which the notion of security comes to be elevated to the top of collective priorities in countries worldwide. This research seeks to explain the context within which security comes to be articulated as a dominant ordering principle of social organization within and across societies. The goal is to study dynamics through which what I have called security meta-frame comes to be articulated as it competes with other principles of social, political, and legal organization, most notably the right to privacy, the legal principle of innocent until proven guilty, or freedom of information. If, as research increasingly suggests, this trend of security meta-framing can be observed across the globe in democratically and non-democratically structured societies alike, it becomes imperative that scholars focus their attention on how this trend can be said to be global, how these dynamics compare between countries, what role mass and social media play in this process, and how the general public plays part in these developments. Any such understanding must necessarily be grounded in empirical evidence and supported by historical and comparative analysis.

National Security, Surveillance and Terror: Canada and Australia in Comparative Perspective is a welcome step in this direction. As the title suggests, the editors bring together an interdisciplinary team of scholars who contribute 13 empirically grounded chapters which explicate how these dynamics have been playing themselves out in Australia and Canada. As the editors mention in their introduction, much scholarly attention has been given to comparisons of national security and surveillance between the United States and the United Kingdom, which have directly influenced the surveillance apparatuses of both Canada and Australia. Comparing these two countries, therefore, can generate important insights. Canada and Australia are both members of the British Commonwealth and have similar government structures, common law traditions, and histories of colonization of indigenous peoples. Most importantly,

though not necessarily sufficiently explicated in the book, both countries were formed from clusters of former British colonies, and as such to this day remain subjected to British powers, laws, and security interests. All of this has had profound implications for the foundation, structure, development, philosophy, and the workings of their surveillance and security apparatuses.

We learn from the contributing authors that, on the orders of the British espionage establishment Australia's first surveillance agency, Special Intelligence Bureau, was established already a year before the 1917 Russian Bolshevik revolution. Australia's citizens were thus already subjected to surveillance, at least as members of political parties. In addition, the so-called signals intelligence agencies of both countries had long been operating without relevant legislative and governmental oversight. Today we know that they were a part of the so-called Five Eyes, a network of information gathering and sharing arrangements that involves three other countries, namely the United States of America, the United Kingdom and New Zealand. This supra-state apparatus only recently captured public attention when whistle-blower Edward Snowden revealed the unimaginable scale of its information-gathering operations, and how this network of agencies operates above the laws of the respective countries which mandate their operation. Canada officially acknowledged the existence of its signals intelligence agency in 1983, and created its own domestic intelligence service a year later. To date, the Canadian government has not established its own foreign spying agency. In Australia, in contrast, civilian surveillance agencies were established right after the Second World War, a domestic intelligence agency in 1949, and a secret foreign intelligence agency in 1952. As the authors emphasize, the surveillance and security apparatuses of Canada and Australia for the most part operated in secrecy until they began to be subjected to broad governmental and public scrutiny in the late 1970s.

The book demonstrates how this history can help us make sense of this wide and growing array of different agencies within a surveillance and security apparatus. It also reveals how these agencies are subjected to different legal standards and why they operate within different institutional cultures. Some agencies operate in the secrecy and away from legal and public scrutiny. Other agencies are more accustomed to being subjected to legal, judiciary and public oversight, acknowledge public expectations of transparency, and are trained to produce evidence which can be delivered to court. Once workings of this apparatus in both countries began to be subjected to reviews by governmental commissions, similar policy recommendations have been made. The perennial issues seem to be how to make these agencies with varying histories of legal

responsibilities subjected to government oversight, how to hold them accountable for their work, how they should exchange information they collect, how the information they provide to the government officials can be verified and evaluated, and how the recommendations they offer to the government should be translated into policy.

These issues, the authors show, have come forcefully to the forefront during the last two decades, as both countries have exponentially increased their security and surveillance related establishments, services, expenditures, technologies, and anti-terrorism legislation. Most notable is the discussion on the capacity of drones to utilize a wide array of surveillance tools that are able to collect information simultaneously on any conceivable aspect of personal life. Expansion of police powers, erasure of boundaries between domestic and foreign surveillance, the growing sophistication of technological intrusion into people's private life, and the push for data sharing between surveillance agencies have created a legal quagmire for the legislature and the courts. One of the implications of these efforts, the authors show, is a push towards a change in the legal basis of innocent until proven guilty, to the establishment of legal grounds for detaining and accusing on the pretense of intention and association without the demonstration of legally admissible evidence.

In constitutional democracies, at least, the supreme law of the land is expected to be able to withstand such huge pressures on constitutional rights and protections. As the authors demonstrate, however, the constitutions of Australia and Canada, though each for different reasons, have been stretched in favor of the surveillance and security apparatus and to citizen detriment. The Australian constitution was not intended to protect citizens against state power. In the absence of constitutional legislature, the law enforcement act prevails in case of conflict, leaving surveillance laws as the only source of protections against state power. This legislation, however, has had a double effect. By expanding definitions of crime, search, detention, and prosecution, it has also been entrenching the powers of the mechanisms of surveillance into the law. In comparison, the Canadian constitution does allow for a federal authority to pass human rights legislation so in 1982, Canada passed an amendment called the Canadian Charter of Rights and Freedoms, making the Supreme Court of Canada its chief legislator and the administrator of police powers. The Court's decisions have been generating more police powers using the language of the Charter to support the rulings. In this way, rather than upholding constitutional protections against state power, the Supreme Court of Canada has been creating new powers and then ensuring these powers by constructing them as constitutional.

In the editors' introduction (and/or conclusion), a reader expects to find a full explication of a theoretical context as well as foregrounding of historical, political, social, cultural, and other details relevant to the issues discussed, including comparative charts and diagrams. This minimizes unnecessary repetition, facilitates argument development, and generates insight. In this endeavor, we should look for ways to abandon acronyms which have taken over the language in security and surveillance related research and collectively strive for creative ways to avoid the so-called alphabet soup which distracts readers. That said, comments expressed here should remind us all of the difficulties faced by this research agenda while at the same time strongly encourage more work in this direction. *National Security, Surveillance and Terror: Canada and Australia in Comparative Perspective* is a lasting contribution to this end.

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