

Book Review

Review Of David Wright And Rheinhard Kreissl (eds), *Surveillance In Europe*, (Routledge, 2015)

This edited collection is a product of research conducted under the IRISS (Increasing Resilience in Surveillance Societies) project funded through the European Commission. It brings together contributions from a range of scholars from across Europe, and claims to be an “accessible, definitive and comprehensive overview” of the rapidly growing multidisciplinary field of surveillance studies in Europe. It is co-edited by David Wright, Managing Partner of Trilateral Research and Consulting and Reinhard Kreissl, Scientific Director of the Institute of Sociology and Law and Criminology (IRKS) in Vienna.

The backdrop is, of course, the “Snowden revelations” and the book begins with a useful historical overview by Wright and Kreissl of the political, legal and social responses to these events in Europe, and with an analysis of how they have fuelled a renewed debate about the intrusiveness of the state. The next chapter by Goos, Friedewald, Webster and Leleux reviews a long series of surveillance programs, concludes that “surveillance is (and always has been) a normal element of modern European society” and reminds us of the “complex context-dependent social, political, historical and technological dynamics which interact and shape surveillance practices.”

The most interesting and original chapter in the volume is the next by Rowena Rodrigues who presents a fascinating overview of the surveillance industry in Europe, and how it has become a powerful stakeholder driving the demand for “surveillance solutions.” It is interesting how traditional “security companies” are diversifying into many other areas and thereby contributing to the “securitization” of wider areas of society, and increasing its influence and profitability at the same time. This is really the only contribution which offers the results of some original empirical research, based on a survey of more than 300 companies and their trade associations, listed in a useful set of appendices at the end of the volume.

The next chapter by Kreissl, Norris, Kric, Groves and Amicelle situates surveillance in the changing paradigms of crime control. “Naming and identifying” and “locating and tracking” have brought along a range of monitoring technologies and practices: fingerprinting; facial and behavioral recognition technologies; CCTV; electronic monitoring; alcohol testing; automatic number plate recognition; DNA profiling; and of course new forms of communications interception. With the “informating” of the data gleaned from these different sources and technologies, the merging and integration of information from different sources is now realized, leading to “surveillance assemblages.”

The next sections of the volume grapple with the “costs” of surveillance, with efforts to categorize the social, economic, political and individual harms and how these might be measured and mitigated. Each of the next two chapters compiles shorter contributions from other members of the project on the social costs, the relationship between surveillance and conformity, the economic costs, and the implications for privacy, civil liberties and fundamental rights. Johann Cas concludes chapter 6 with the statement that “clearly surveillance is an expensive activity.” Whereas there is little recognition in official circles that surveillance implies broader social and political costs, there is, at least, a “toehold of recognition” (according to Charles Raab) that privacy and civil liberties do indeed get recognized and weighed in the balance. I take from these chapters the wider conclusion that surveillance practices entail costs to most, of not all, established rights and freedoms, that are difficult to define and measure and therefore rarely calibrated against the enormous forces in favor of more intrusive and extensive forms of monitoring in European societies.

There is wealth of interesting material in this volume, but I am not entirely clear about the overall message(s). There is a good deal of repetition and rehashing of established literature, and a plethora of typologies. Some of the introductory material appears a little disjointed, jumping around between causes, responses, programs, technologies and practices. It might have been more effective to begin with a more general review of the established surveillance literature, to relieve individual authors from the responsibility of having to go over well-tilled ground.

Two big themes are implied, but never argued through to their logical conclusions. The first is that the current debate about surveillance in Europe has some distinctive characteristics. The editors and authors consistently remind us of the legacies of authoritarian rule in Europe and of how this history has produced a strong tradition of regarding privacy and data protection in terms of “fundamental rights.” But does this really have an impact on the development of surveillance practices? Does it produce a greater resistance or “resilience”? The evidence for those propositions does not clearly emerge from the chapters in this volume. Yes, there is much rhetorical opposition to American intrusions, and continuing suspicions about the insidious influence of US high-tech companies in European society. But are the technological, political and social trends towards increasing surveillance really any different? There is plenty of evidence in these chapters that surveillance is a global phenomenon, and the only difference in the diffusion of these practices in Europe is one of timing.

A second big theme is that of ‘resilience.’ The penultimate chapter by Wright and Kreiss explores this concept in more detail. I think that the editors want to claim that resilience is a powerful overarching concept through which we can understand the development, persistence and resistance to the global spread of surveillance. In the ways that it is commonly used, resilience seems to imply that there was a social condition that existed *before* surveillance came along, and the question is how society responds to this shock to its system. In the same way that bodies are “resilient” to disease, or indeed societies are resilient to sudden tragedies like earthquakes and tsunamis, our attention should focus on the mechanisms through which, as individuals and societies, we are able to “bounce back.”

However, Wright and Kreiss contend that surveillance should better be regarded as an “ongoing stress on society” rather than a shock: “resilience in a surveillance society has more to do with coping than with recovering or bouncing back” (p. 370). Thus, resilience is positioned on a continuum “somewhere between surrender and resistance” (p. 371), and embraces less radical solutions such as enforcing transparency and accountability, or more specifically mandating privacy impact assessments (PIAs). At this level, therefore, our resilience to surveillance seems more dependent on the strength of a range of policy instruments, and on the ability and willingness of regulators to apply them. Resilience is, therefore, not so much an overarching conceptual framework but just one possible response or reaction that might vary over space and time.

Does the concept of resilience really add anything to our understanding of how individual agents and social and political institutions respond to these complex sets of practices? Fundamentally, perhaps, the problem lies in regarding surveillance as something that happens *to* society, implying that surveillance is something exogenous or external, to which “society” has to cope, respond or resist. Rather, as the sociological tradition of surveillance studies consistently reminds us, surveillance is a mode of governance that is deeply and pervasively implicated in all our social and political relations. It is a form of power and indeed *the* form of power that characterizes how post-modern societies are governed. It is not just reflected in programs implemented by large organizations for the monitoring of individuals. It is also a practice that many individuals engage in, and often find entertainment in, to watch over their friends and family members. How does “resilience” assist with the understanding of this “lateral surveillance”?

The concluding chapter contains all the typical warnings about the dangers of excessive surveillance to democratic institutions, about the marginalizing effects and social inequalities caused by the invasive

monitoring of ethnic minorities and lower-income groups, and about the consequential erosion of social trust. The final recommendations predictably call for more transparency, oversight, audit and regulatory approval. In addition, our social assessment methodologies need to be broadened to encompass social and political values beyond privacy, along the lines of the “Surveillance Impact Assessments” advocated by Charles Raab and David Wright.

In conclusion, I think that the editors missed a number of opportunities to engage with the larger debates about the causes and consequences of, and responses to, surveillance practices. Surveillance embraces a number of complicated trends, mentioned at various points in the chapters but requiring a neater synthesis. Some of these practices are persistent and rooted in historical conditions; others are more recent and precipitated by new technologies and ‘big data’ analytics.

Furthermore, the reader is left with the overriding impression that the nature and context of the debate in Europe is somewhat different from that in North America, or other democratic states, but unclear about what those differences are, or amount to. On the one hand, the pressures towards the single market, and freer flows of capital, goods and labour have obviously brought in their wake an extraordinary level of tracking and monitoring promoted by an expanding and profitable industry with shadowy relations with state agencies. On the other hand, we see bold attempts to advance privacy through the new General Data Protection Regulation, through actions by the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs, by high-profile joint efforts by the European Data Protection Authorities, through rulings by the European courts, through an extensive research program on security and privacy, and through grants allocated under the FP7 program.

There certainly seems to be a more high-profile public, political and scholarly debate in Europe than elsewhere, at all levels. But does this mean that Europe is more “resilient” to surveillance than other countries, or the opposite? And what of important variations within Europe? The conclusions do not really grapple with these larger historical or comparative questions.

My final comment relates to something over which the editors have little control, namely the cost of this volume. For the North American market, I note that the hardback edition is (at time of this writing) priced at \$225 US. This is a pity, because despite the shortcomings, there is a wealth of empirical and analytical material in this volume that many students, established academics and policy makers would find valuable. In contrast to the publicity materials, therefore, while this volume does offer a valuable “interdisciplinary approach,” it hardly provides “accessible content.”

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