Securitization and Surveillance
From Privacy Rights to Security Risks

One of the key forces driving the expansion of surveillance in Canada, especially in recent years, has been a collective focus on risk management and security. Ironically, although ordinary Canadians do indeed face safety, health, and financial risks, we are, on average, probably safer and better off than ever before. For example, our average life expectancy in the new millennium has climbed past age eighty. Why, then, are Canadians so concerned with risk and security in the second decade of the twenty-first century? The events of 9/11 cannot fully explain our concerns. Although they provided a key impetus for increased security, the drive for risk management and security was in place before 9/11 and has expanded well beyond the antiterrorism front. Here, we discuss some of the reasons for this increased focus on risk and look at examples where it has led to new and more intensive surveillance—surveillance that itself creates new risks to privacy, fairness, and freedom.

What We Fear, We Seek? Changing Notions of Risk and Security

Since the beginning of the 1980s, risk has been an important word not only in government and business but also in public discussion and academic research. That same time period has seen the rise of professional risk
managers and the development of increasingly complex risk-management plans and techniques on the part of government, businesses, and other organizations. Indeed, much of contemporary life is organized around risk. Part of modernization has involved the spread of systematic ways of calculating and managing risks so that we can govern ourselves through the application of scientific reason. Statistics are an essential tool in the arsenal of risk management, and they are often related to predictions about human behaviour. In a risk-oriented society, it becomes increasingly important to collect data—and more data—about our behaviour and the risks we face.

This focus on risk has brought with it a new emphasis on security as paramount. We are used to thinking of security in terms of national security against threats like terrorism, especially since 9/11, and social security as potentially provided by governments. But the notion of security has expanded
since the 1980s to cover a number of other areas, including environmental security and food security, and behaviours that were once commonplace are now considered too risky to be tolerated. For example, new parents are not allowed to take a baby home from a Canadian hospital without first providing a special infant car seat because of the statistical risk of injury should there be an accident. Laws have been passed in seven Canadian provinces requiring cyclists to wear helmets to reduce the risk of brain injury should riders fall. And parents are encouraged by health authorities and schools to ply their children with sunscreen because of the risk of skin cancer. These illustrations show that not only have our laws changed, but so have our common-sense notions of what is risky and what is not.

Greater surveillance has accompanied this increased concern about risk for two reasons. First, the hunger for data to fuel risk calculations has weakened privacy norms that traditionally required others, especially scientific
researchers, to ask for permission before they collect personal information about people. For example, a number of provinces have passed health privacy legislation that allows health researchers to use personal information without consent for research purposes when obtaining consent from individual patients is impracticable. Because the information will ostensibly be used to identify health risks and promote better health, the need for surveillance is said to outweigh any countervailing interest in individual privacy. The survey of students’ private lives proposed by the Ottawa-Carleton District School Board (see the inset discussion) is another example of this logic at play.

Second, once risks are identified, it becomes logical to use surveillance to monitor people both to ensure that they do not behave in a risky way and to manage the consequences when they do. The federal government, for example, tracks which Canadians leave the country in order to reduce the risk that someone who is collecting unemployment insurance benefits may be defrauding the system because he or she is on vacation and therefore not available for work. Similarly, life insurance companies now require customers to disclose whether they smoke or drink and then use that information to determine what kinds of insurance coverage customers can buy and how much it will cost them. Some individuals with certain pre-existing health conditions, like diabetes or cancer, are simply uninsurable because the risk of poor health is too high.

Again, surveillance can be used for care or for control. But the important thing to note in this context is that a society focused on risk and security easily turns to surveillance to better understand and better manage behaviours that are viewed as risky.

**Increasing Risks, Decreasing Trust**

Ironically, so much focus on security can breed insecurity. Although we devote more and more attention to managing it, risk seems increasingly to be out of our control in important ways. Our society’s perception that risk is everywhere has prompted ever more strenuous efforts to control it. And the more we ponder and discuss risks, the more this leads to a climate of doubt and fear. This, in turn, leads to the demand for yet more knowledge about risk, creating a vicious circle that helps to justify surveillance in the pursuit of security.

As noted above, there is something paradoxical about this heightened awareness of risk and fear: even though we are probably, on average, safer
than ever, people tend to spend more energy dwelling on the risks that remain. Employment is less stable and more precarious, the government-
tal social safety net is fraying, and Canadians are confronted with an array
of new social and technological risks. Things seem to be changing rapidly.
Traditional certainties and traditional institutions, such as the family, are
breaking down. Life is experienced as more individualized; there is a sense
that individuals are alone to fend for themselves in a risky world. Instead of
being caught up in the old ways, we are oriented toward helping individuals
understand and secure the future against all manner of risks.

Our understanding of risk is also shaped by globalization and more and
more interconnection between Canada and the rest of the world (see Trend 6)
and this helps to fuel the increasingly rapid pace of change, again adding to
the climate of uncertainty. For example, more movement of people interna-
tionally creates a drive to monitor travellers who might be potential terrorists
or carriers of diseases like H1N1. Once again, risks proliferate and surveil-
lance is needed to provide security in an increasingly uncertain world.

What does the research evidence say about public attitudes toward risk
and security? Surveying the public on their views of various risks paints a
complex and nuanced picture and reveals much variation among people of
varying ages, gender, levels of wealth, and education. An umbrella term like
fear only begins to convey a complex cluster of diverse public understandings
and emotions about risks—ways of thinking and feeling that are not easily
captured in closed-ended, check-box survey questions. We must be careful
not to overstate the extent of public fears: for example, in 2009, 93 percent
of Canadians surveyed felt satisfied about their personal safety from crime.
We also do not want to imply that the public is always passive and accepting.
One example of public response to issues related to risk is the Occupy move-
ment, a direct reply to financial risks gone awry. But such public resistance
itself can also become the target of surveillance, as seen with the G20 summit
in Toronto in June 2010.

Despite these examples, the psychology of risk continues to shape our
understanding of both the problems we face and the solutions available
to us. Research in risk perception reveals the “dread factor”: people tend
to focus on certain risks because of their terrifying nature, even if they are
improbable. Likewise, psychological research also highlights the “avail-
ability heuristic,” the somewhat self-evident point that risks about which we
have more immediate knowledge become more salient to us. For example,
the American public was immersed in massive coverage of the hijacked jets
crashing into the Twin Towers on 11 September 2001. Notwithstanding this horrific incident, flying is, in general, safer than driving, but the one striking case of 9/11 made such a powerful impression that air travel reduced dramatically the following year in the United States; ironically, car traffic correspondingly increased, leading to a dramatic rise in the number of deaths on the road. A German psychologist, Gerd Gigerenzer, calculated that there were 1,595 additional fatalities in the United States that year as a result.7

The role of experts and expert systems in our thinking about risk is particularly key. We often rely on experts to identify risks and to help us manage them. Yet people also have an increasing sense that expert knowledge is not particularly reliable. Expert knowledge is never final—always changing—and experts often disagree; all of this makes it difficult for people to trust experts and adds to the climate of doubt and anxiety. An unprecedented level of higher education leaves people less trusting and more critical, and access to more knowledge through the Internet adds to the climate of perpetual doubt. Public faith in key institutions like science, the government, and the marketplace is undermined: survey results consistently point to declining trust in government, politicians, and other major institutions.8

In addition, the language that experts use to discuss risks is often part of the problem. While experts make sense of risk in terms of numbers and probability, in the lives of ordinary people, in the media, and in politics, the key is often the dramatic nature of the risk rather than its likelihood. Risks, by definition, outrun certainty and control: something bad might happen to us, and, no matter how unlikely it is, we cannot rule it out.

Likewise, it generally does little good to talk to people about statistical measures of risk: research suggests that most people tend to make sense of risk in terms of their feelings and impressions, not in terms of numerical probabilities.9 Recent risk-communication research suggests that many controversies around risks arise because lay people think about risk in different ways than do risk experts. In other words, the controversies are “rooted in the difference between the experts’ quantitative language and the qualitative terminology ordinarily employed by citizens in everyday life.”10

Thus, a number of social thinkers argue that, as criminologist David Garland put it, there is an “increasingly endemic sense of insecurity—experienced even by well-to-do individuals who are, by historical standards, healthier and more affluent than ever before. . . . Today’s freed-up individuals enjoy their freedoms against a background of a newfound dependency upon
expert systems and newfound uncertainty about the lives they choose.”
People are trying to absorb and deal with more new information about risk, sometimes at an overwhelming level.

Our perceptions of risk are also influenced by the media. While the media have always amplified dramatic risks, the fragmentation of the mass media audience into more specialized and politically polarized niches splinters consensus and adds to a culture of uncertainty and distrust. In Canada, viewers of Sun-TV get a different picture of the world than viewers of CBC-TV. What’s more, trust in the mainstream media has declined considerably, according to surveys. Social media such as Facebook and Twitter allow for a critical political discourse challenging official views; this discourse, although empowering, adds to the sense that traditional certainties have been undermined.

The global news media often focus our attention on statistically improbable but terrifying risks, amplifying these effects. The news media have what researchers call an “event orientation”: they focus on dramatic individual events rather than providing the big picture. While the news media have always done this, new tendencies in the media world heighten concerns about certain risks. For example, the amount of attention given to crime, especially violent crime, has increased measurably over the decades, in one case more than doubling in two British newspapers between the 1940s and 1990s. The increase of security after 9/11 is the most striking example; a more local one is the piecemeal introduction of public video camera surveillance in different Canadian cities in response to the outcry over particular individual violent

Policy Making in a Risk Society

From this perspective, surveillance is an appropriate response to a generalized sense of insecurity. Psychological tendencies, the media, and politicians all contribute to an atmosphere in which surveillance measures are often introduced on the basis of one dramatic and horrifying but statistically improbable incident that receives a great deal of media, political, and public attention. The increase of security after 9/11 is the most striking example; a more local one is the piecemeal introduction of public video camera surveillance in different Canadian cities in response to the outcry over particular individual violent
Sensational individual crimes can take on huge political significance. The 2005 gang-related Boxing Day shooting of a fifteen-year-old bystander, Jane Creba, in downtown Toronto was key to Prime Minister Harper winning his first minority government. As Harper campaign organizer Tom Flanagan noted, “Our internal polling had already established criminal justice as the issue area where we had the strongest lead over the Liberals, and Jane Creba’s tragic death helped to make our position more salient to voters.” Even though such events are extremely rare, Stephen Harper used the opportunity to campaign with great success on a tough on crime agenda.

Given our growing intolerance of risk, it appears logical to implement surveillance measures both to provide more data to help identify risks and to protect against offenders. The actual nature and level of the risks become less important than the need to appear to be in control. For example, the federal government introduced a range of sweeping and costly law-and-order measures in 2012 even though crime, including violent crime, was statistically at a forty-year low. Nonetheless, there is a risk that something bad could happen to us, even though coming to harm may be less likely than it used to be. As Canada’s Public Safety minister put it in a Senate committee meeting in early 2012, “Let’s not talk about statistics. Let’s talk about danger.”

Certainly, and perhaps more telling and much more meaningful in terms of social impact, politicians have consistently been able to use a “tough on crime” approach to win votes among strategic sectors of the electorate, leading to a spate of surveillance measures. Likewise, even though few Canadians, when surveyed, express high levels of concern about terrorism, authorities were able to use the argument of “counterterrorism” to justify a broad campaign of surveillance around the protests at the G20 meetings in Toronto in 2010.

Risk is increasingly being downloaded from governments onto both individuals and businesses. Canadians have less trust in the traditional social safety net than they did in the past: for example, they are often unsure to what extent they will be able to rely on the Canada Pension Plan to fund their retirements. Thus, many feel the increased burden to manage their own life course, which entails more financial risk and uncertainty. Vulnerable groups in particular, such as the old and the poor, may become increasingly marginalized and disenfranchised. This is another way in which we are moving from rights to risks. Canadians have felt particularly financially insecure since the financial crisis of 2008. A number of researchers studying public attitudes toward crime have argued that broader concerns about economic and social insecurity may encourage people to accept crime control measures more
willingly—the so-called displacement hypothesis. While this is difficult to prove, if it is true, it helps us to understand the political context in which we see a range of new anticrime surveillance measures that may go unchallenged politically.

It is not only financial risk but also other forms of risk that are being downloaded to the individual in a process that sociologists call “responsibilization,” in which individuals are instructed to monitor and take charge of, for example, workplace safety, crime prevention in the home, or the Internet usage patterns of their children.

As sociologist Ulrich Beck argued, in a risk society, the social hierarchy is increasingly based on the capacity to manage risk rather than on the possession of wealth. In other words, the distinction between the advantaged and the disadvantaged rests not on the distribution of “goods” but on the ability to avoid “bads.” Moreover, because those who are most vulnerable to risk include those whose actions contribute to risk, certain groups of people—for example, particular ethnic minorities or troubled young people—are often seen not only as at-risk but also as risky themselves. Marginalized people are exposed to more risks and are categorized as bad risks. Thus, people who might need our help are also, paradoxically, viewed as a threat. Emphasis is placed on the threat posed by the marginalized rather than on the help that they might need. A risk society is thus also increasingly what criminologist Jock Young calls an “exclusive society,” in which marginalized groups are cut off from desirable forms of security. This is where the social sorting function of surveillance is key—surveillance helps us to classify and monitor sets of people deemed risky and, sometimes, to exclude them from full participation in society.

In addition, risk management often hides moral judgments in technical assessments of risk. The use of expert knowledge and statistics to lump people, especially marginalized groups, into risk categories, is growing. Although these risk categories may be presented in language that sounds neutral, often moral evaluations—judgments about who is good and who is bad—are hidden in the technical wording of experts. How riskiness is assessed may be decided and agreed upon behind the scenes—for example, in the development of risk assessment algorithms. Because these judgments are hidden, this way of assessing risk lacks accountability and is difficult for ordinary people to resist. In short, risk can thus come to trump rights.

The Smart Border program negotiated between Canada and the United States shortly after 9/11 illustrates the kind of surveillance that displays these
Police Surveillance at Canada’s G20 Summit

When Canada agreed to host the 2012 G20 meetings in Toronto, Canadian police undertook one of the largest domestic intelligence operations in Canadian history, all in the name of counterterrorism and security. The RCMP-led joint intelligence group employed five hundred people at its peak. A police Internet Monitoring Unit extensively surveilled activists’ social media use in what is known as “open source investigation.” They developed maps of activists’ social networks and drew inferences about their behaviour based on whom they followed and were followed by on Twitter, the events they said they would attend, and other personal information disclosed on social media.¹

A team of twelve undercover police officers infiltrated activist groups across the country. Two of the officers spent eighteen months pretending to be members of southern Ontario activist organizations. This surveillance resulted in fifty-nine criminal charges against seventeen people, most of whom were arrested pre-emptively on the first day of the summit.² Charges were later dropped against eleven of the seventeen activists. The remaining six pleaded guilty to a variety of minor charges such as counselling to commit mischief. Plain-clothes officers, clad in protester garb, mixed with protesters during the events, and dozens of video cameras recorded the demonstrations. Police also conducted “crowd-sourced” surveillance after the event, posting forty thousand images and five hundred pieces of video online and appealing to the public to identify suspects.

Such measures are a good example of risk management trumping rights. Police targeted activists because they believed that they posed a risk to security. Based on the undercover surveillance, these same people were excluded from participating in democratic protests that were largely peaceful. Since the majority of charges were later dropped, legal accountability for the surveillance itself and the resulting restrictions on the activists’ freedom of expression was bypassed in those cases. Risk once again took priority over democratic rights.

Photographing police officers during the protests over the G20 summit in Toronto on 26 June 2010
(Source: © iStockphoto.com/Jen Grantham)
qualities. Certain kinds of travellers are precleared while risk-scoring algorithms are used to flag those categories of travellers who should receive extra attention from authorities. The exact nature of the algorithms and the risk criteria used to single out certain kinds of people remain secret, producing a lack of accountability in the surveillance and social sorting process and illustrating the move from rights to risk.

Although Canada was not directly affected by the attacks of 9/11, the attacks and subsequent international terrorist incidents have cast a long shadow. Responses to potential terrorism have a kind of self-reinforcing quality: the responses themselves, by reminding the public that a threat is out there, seem to justify the need for more surveillance measures. To provide a small example, after the July 2005 attacks on commuters in London, England, the Ottawa bus service, OC Transpo, launched a poster campaign pushing for public vigilance—essentially requesting that members of the public spy on one another. Posters told Ottawa commuters, “If you see something, say something,” and asked them to phone a hotline “if something does not look right.” A later round of OC Transpo posters, in 2006, urged: “If something looks suspicious, let us know.” Such campaigns do more than just enlist the public to monitor one another: they also reinforce the message that danger is always out there, justifying the need for other surveillance measures—a good example of how striving for security in turn creates insecurity.

**Surveillance as Risk**

In our risk society, some risks get hyped, but it is important to note that real new risks do exist. Modernization is a double-edged sword: it simultaneously reduces and enhances risks. Surveillance itself is a good example. Although it is supposed to help manage risks, it also creates new risks to privacy, fairness, and freedom. Science and technology are given a dominant role in directing human affairs, helping us to manage risk but also creating risks of, for example, climate change, computer viruses, or electromagnetic waves. The rapid pace of technological change produces new risks that we struggle to keep up with. Newly developed technologies end up having unintended consequences, some good, some bad. This is particularly true of information technologies. While information management, whether on behalf of government or business or others, is valuable in facilitating travel, entertainment, communication, industrial production, and economic transactions, it also
raises issues of surveillance and privacy. Advances in areas such as surveillance cameras, biometrics, genetic science, location and tracking systems, electronic miniaturization, and convergence between computers and telecommunication systems have made the task of information gathering—as well as its storage, retrieval, and manipulation—a more central part of our lives than ever before. Legal regulation often lags far behind the deployment of such new technologies.

The massive increase in technological innovation and diffusion is particularly evident in the world of computing and the Internet, which features expansion so rapid that it boggles the mind. For example, the number of electronic devices connected to the Internet, from computers to smartphones, increased from twenty thousand to eighty thousand over a two-year period during the 1980s; a decade later, it increased from 20 million to 80 million within a similar two-year period.\(^27\) A report published by *The Economist* states, “According to one estimate, mankind created 150 exabytes (billion gigabytes) of data in 2005. This year [2010], it will create 1,200 exabytes.”\(^28\) In 2009, according to a Canadian public opinion survey, social networking technologies were “barely on the radar” as posing privacy concerns. Two years later, around 51 percent of Canadians were quite concerned that social networking technologies like Facebook and Twitter threaten privacy.\(^29\) Privacy risks from social media are thus a good example of the kind of rapidly emerging, technologically driven risk with which we struggle to keep pace.

**Conclusion**

Grasping the “security” trend helps us to understand the broader social context in which a wide range of new surveillance measures continue to emerge in Canada. It also facilitates discussion of some of the factors that may make it easy for these measures to find support but difficult to question them. One encouraging note is that, by and large, compared to years past, the Canadian public is more educated and informed, less trusting, and more critical of various authorities and institutions in general. If this adds to a sense of uncertainty and insecurity for Canadians, it also provides fertile ground for asking questions about just how much risk management, security, and surveillance is too much and about the best ways to balance risk and rights.
Notes

1 See Dan Gardner, Risk: Why We Fear the Things We Shouldn’t—and Put Ourselves in Greater Danger (Toronto: McClelland and Stewart, 2008).
7 Cited in Gardner, Risk, 4.


