

Born, Hans, Loch K. Johnson, and Ian Leigh, eds., *Who's Watching the Spies?: Establishing Intelligence Service Accountability*. Washington, DC: Potomac, 2005.

*Who's Watching the Spies?: Establishing Intelligence Service Accountability* is a collection of essays intended to improve understanding of democratic accountability of security and intelligence services. A product of a collaborative effort by the Geneva Centre for the Democratic Control of Armed Forces, the Norwegian Parliamentary Intelligence Oversight Committee, and the Human Rights Centre of the University of Durham, the book seeks to answer the question: what are the key criteria that states must attend to when attempting to strengthen or reform the democratic oversight of intelligence services? To this end, editors Hans Born, Loch K. Johnson, and Ian Leigh compare legal and institutional oversight structures in a variety of states, each with its own national needs and characteristics.

Readers who follow the literature on intelligence matters will note similarities between *Who's Watching the Spies?* and *Making Intelligence Accountable: Best Practices for Oversight of Intelligence Agencies*, another study produced by the same institutions in 2005. While both publications are concerned with raising awareness of good governance in the field of intelligence, and both compare and evaluate intelligence oversight legislation from a variety of states, the books differ in terms of style, depth of analysis, and intended audience. *Making Intelligence Accountable* resembles an instruction manual for bureaucrats and parliamentarians, while *Who's Watching* is a collection of argumentative essays intended for academics and a few general interest readers. Moreover, by surveying oversight arrangements in over 20 states, *Making Intelligence Accountable* does not delve as deeply into any single state as does *Who's Watching the Spies?*, which thoroughly scrutinizes eight countries.

The editors divide *Who's Watching the Spies?* into three distinct sections, followed by a closing chapter that summarizes and comments on various debates that occur throughout the text. Part One consists of three thematic chapters which set the scene for the case studies that follow. These opening chapters provide an overview of some important challenges governments face when attempting to monitor and constrain their secret agencies, such as politicization of intelligence (here in the context of the American invasion of Iraq) and the growth of a body of pan-European legal norms which, in the form of the European Court of Human Rights (ECtHR), now takes intelligence accountability beyond the boundaries of the nation state.

Part Two focuses on the history and present state of accountability structures in a number of established democracies: the United States, the United Kingdom, Canada, and Norway. The Norwegian case study is the most instructive because it illustrates something of a best-case scenario for democratic gov-

ernance of security services. Due to its stable political system, well-behaved secret agencies, lack of serious security threats, and size, Norway boasts perhaps the most favorable preconditions for democratic accountability imaginable. The author of the chapter, Fredrik Sejersted, remarks memorably, "If democratic oversight is not possible here, it is not possible anywhere." Unfortunately, other states cannot simply reproduce the Norwegian model because its success relies upon a wide array of variables that may not be present elsewhere. In order to design such efficient oversight arrangements, policy makers must consider the nature of their state's constitution, the types of national security threats it perceives, and the size and role of its secret agencies, among other factors. Indeed, the need to tailor oversight mechanisms to specific national characteristics is a recurring theme of *Who's Watching the Spies?*. Finally, Part Two praises the "parliamentarization" of security and intelligence services in well established democracies in which a power sharing agreement with the legislature constrains the executive branch and checks the potential for abuse.

In Part Three, the editors assemble case studies from four states still undergoing democratic transition: Poland, Argentina, South Korea, and South Africa. In each of these states, the reform of oversight structures continues to present tremendous challenges, owing in large part to the central role each state's secret service apparatus played in repressing citizens under authoritarian regimes in the recent past. According to the authors in this section, the primary challenge for transition states going forward seems to be excessive control over secret agencies by a small number of officials in the executive.

In the concluding chapter, Born and Johnson revisit the two most important recurrent themes of the book. The first is the ongoing struggle to strike a balance between the need to keep details of intelligence operations secret and the protection of the rule of law. In response to the question of whether legislators can be trusted to safeguard security secrets, Born and Johnson point to the historical record as evidence of parliamentary committees' capacity to maintain secrecy. In fact, in most democracies the executive branch has, usually for political purposes, leaked information more often. The book's second recurring theme is the comparison between so-called "fire alarm" and "police patrol" models of supervision. Fire alarms refer to post hoc investigations into scandals or intelligence failures that receive a high degree of media attention, while police patrolling denotes the more routine practice of day-to-day intelligence oversight. Evidence from the case studies in Parts Two and Three suggests that the vigilance of parliamentarians in frequently inspecting intelligence agencies is, in some cases, insufficient (most notably in the United States). Among the book's general conclusions is that police patrolling is ultimately more important than responding to fire alarms because routine oversight can uncover errors before they become intelligence failures. In other words, routine inspections reduce or eliminate the need for inquiries after the fact.

In addressing the primary concern of the book — namely, to identify the key criteria states must address when attempting to strengthen or reform arrangements for democratic oversight of intelligence services — the authors are quite successful. By highlighting good practices and sound legal procedures across a range of diverse states the essays in *Who's Watching the Spies?* serve to enrich a vital debate on the role of secret agencies and their overseers in democratic societies. The chapters are well-organized, logically ordered, practical in scope, and persuasively argued. The book does fail in some degree to adequately explain the role of the media in the oversight of intelligence; however, by including a discussion of the influence of the ECtHR, the editors succeed in going beyond the issue of the executive-legislative power struggle in a meaningful way. Indeed, academics and practitioners alike would benefit from further scholarship on the growing influence of the ECtHR and the potential for further development of similar supranational legal norms concerning the relationship between security services and human rights violations.

Above all, the very fact that little systematic international comparison of intelligence oversight structures has been undertaken makes this collection of essays valuable. And while it is still fair to say that no universal standards for democratic accountability of security and intelligence services have yet been formulated — if in fact such standards can ever evolve — *Who's Watching the Spies?* represents an important step in the right direction.

**Gregg Blakely** is an MA Candidate in the Department of Political Science at Simon Fraser University.