



Smile, you are being watched

The technopolitics of surveillance

By Mariana Canto

Surveillance has long been one of the primary strategies employed by states to prevent or halt undesirable activities of their citizens. But how has state surveillance evolved in the digital age? Mariana Canto investigates the historical origins of surveillance, its impacts, and the utilization of new technologies by law enforcement authorities.

Surveillance is one of the main tactics used by authorities in order to prevent or stop undesired activity. [According to some authors](#), surveillance has in the English philosopher Jeremy Bentham and Michel Foucault its first phase which focuses on the architectural theories of surveillance. As panopticism is created, architectural surveillance – where centralized mechanisms of monitoring are mostly physical and spatial such as CCTVs – can be identified. However, the impact of surveillance goes beyond. The constant monitoring also involves the self-disciplining of the subject that is being watched. Therefore, surveillance not only provides information to authorities but also creates a certain Orwellian feeling of always being watched which results in a [self-policing control](#). Despite the known social effects of surveillance, law enforcement authorities in many countries around the world believe that these effects allow the State – and consequently police forces – to control the population without having to resort to the problematic and expensive use of physical force and repressive actions.

In recent years, technological development and the creation of diverse digital and data-driven solutions in the field of public security allowed surveillance to shape its focus from building physical control architectures to more opaque and interconnected forms of monitoring. In order to achieve effective monitoring and gathering of information, police in many countries forces invest in new tools that are capable – or that assume to be capable of – of offering automated surveillance. As technology evolves, new tools aiming at the surveillance and investigation of suspicious behaviors and criminal activities are

developed. In this way, law enforcement authorities around the world find [their biggest allies](#) to be in emerging technologies and huge amounts of data. However, problematic narratives inspired by [penal populism](#), i.e., when legislators opt for criminal penalties due to their popularity among voters rather than their effectiveness in relation to countering crime and social problems, encourage the use of inaccurate, biased and underdeveloped technology such as facial recognition and predictive policing that are created and [marketed as silver bullets](#) for resolving complex policing issues.

The use of technologies by governments and authorities is already a reality and the practice has been even more encouraged in the last decade. This can be intrinsically connected to [forms of techno-solutionism](#), i.e., “the idea that given the right code, algorithms and robots, technology can solve all of mankind’s problems, effectively making life ‘frictionless’ and trouble-free.” Furthermore, surveillance and prediction of behavior through quantification [became more seductive](#) in times of global uncertainty such as the Covid-19 pandemic. As the presence of technologies in citizens’ daily lives becomes constant, technopolitics are seen as fundamental for the analysis and comprehension of the current world. However, instead of focusing only on the possibility of a future dominated by dystopian technologies, it is necessary to recognise in technopolitics [a strategic space of dispute between a wide range of actors and forces](#).

As observed in different jurisdictions around the world, one of the defining characteristics of countries that adopted neoliberal rationality is that the logic of the administration of private companies overlaps the techniques of public administration, [without any or minimal translation from one to another](#). Therefore, recent works show that the State not only assumes a hybrid composition, with strong participation of the private sector but also adopts action programs designed by companies that offer socio-technical devices [designed from a technological infrastructure of business efficiency](#).

One example for this analysis: The influence of the private sector in law enforcement can be seen in many countries. The role of police departments as consumers of surveillance technologies in which the market is controlled by a limited number of private companies is something worth to be explored. In the US, for example, many law enforcement agencies are aware of the lack of control over issues like body-worn camera design and features. In 2015, a study related to the use of body-worn cameras by US law enforcement agencies concluded that. [“In many technology decisions are largely being driven by vendor selection, rather than being driven by identified and articulated technical requirements.”](#)

Besides the monopoly of the surveillance market by a few players, the lack of multistakeholder dialogue and public participation regarding the adoption of technologies by the police is highlighted in different regions of the globe. In this way, closed spaces of deliberation prevent change as old structures reflect and reproduce oppressive power relations making visible the presence of power asymmetries and lack of dialogue between the involved actors.

Moreover, as technological development seems to occur in closed silos – whose keys belong to a privileged group that can be considered as “innovators” – certain practices

become highly political and excluded in this ecosystem. [“Situated knowledge”](#) becomes even more apparent as knowledge is associated with certain authors and privileged groups. Despite these discussions being bought [by many in the technical community](#), institutional, technical, and cultural norms contribute to the lack of diversity of perspectives that results in the prevalence of biased and deterministic views. In this way, our society still believes that technologies are considered as exact and neutral tools whose technological development cannot be influenced by humans.

The neutrality of technologies – and science – was considered an indisputable truth for a long time. As many have attempted to analyze technological devices as distinct objects, most of the time, they did not consider the impact of immediate circumstances and contexts connected to these practices. Despite being perceived as fixed or static entities by some, Surveillance Studies and Science and Technology Studies (STS) prove to us that instruments used for surveillance and control cannot be disconnected from political and social circumstances.

The developmental process of technologies, in general, cannot be determined by merely technological problems, however, by [“technological problems resulting from applications of technology by specific social groups.”](#) Therefore, a problem is only perceived as a problem when perceived in this way by a specific relevant social group. When a new artefact is created in order to solve this specific problem, the new technology might again represent the creation of a new problem or problems to different social groups. When relationships between an artefact and social groups are studied; power asymmetries, political and cultural differences must be also considered. Surveillance is best analyzed when the [multiple existent relationships in our society are considered](#). As STS extensive literature on the subject reminds us the impact of technologies in our societies cannot be disconnected from pre-existent inequalities and social categories of difference (e.g., race, gender, class).

[For many years](#), surveillance was studied through a division between state surveillance – seen as political surveillance – and commercial surveillance. However, this view today seems outdated as it is possible to affirm that [all kinds of surveillance are political](#). It became even more visible with scandals such as Cambridge Analytica that [“surveillance capitalism”](#) can be extremely connected with political goals and the manipulation of democratic processes. Moreover, the monitoring of vulnerable bodies is an important aspect to be considered when approaching the study of policing and surveillance. [Lantern Laws in the eighteenth-century in the United States made “black, mixed race, and indigenous people”](#) hold lanterns to remain visible when in the streets at night. These types of measures were used not only to submit certain types of bodies under surveillance but also to create barriers for their association. In the UK, from the 12th to the 17th century, Poor Acts were responsible for restrictions on the movements of laborers and beggars as welfare recipients [were obliged to indicate their state by wearing visible badges](#). Today new forms of monitoring are perceived, [especially in relation to groups of migrants and asylum seekers originally from the Global South](#). In this way, it is possible to conclude that the monitoring of certain groups began well before electronic

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surveillance and its historical and political impact is often overseen as we discuss the use of technologies for policing matters nowadays.

During the last years, it is possible to notice a growing number of case studies and critical assessments focused on the accuracy, necessity and effectiveness of emerging technologies used by law enforcement authorities [by academia and the third sector](#). However, due to industrial secrecy or even a lack of transparency or access to police records and inner workings, scholars are not capable of assessing the real impact and functioning of certain technologies.

Therefore, even though we live in the “era of information,” quite often, discussions regarding surveillance and emerging technologies that reach the main public depend on the action of whistle-blowers or are mainly focused on speculative studies. As many previously pointed out, discussions related to mechanisms of oversight, transparency, and accountability of technologies being used by law enforcement authorities need to be developed in a participatory manner in line with the local social-political scenario. After all, respect for civil liberties and human rights exist and are guaranteed through the establishment of legal protection of the democratic rule of law.

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