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Vulnerability, Safety, Surveillance

Two days after the bomb explosions in Dilsukhnagar, Hyderabad (2013), a local newspaper reported 'Rs 450 cr granted for 3,500 CCTV cameras'. The state government also made surveillance cameras mandatory for all commercial buildings, malls and hotels ('Rs 450 cr granted for 3,500 CCTV cameras'). The state proffers technological solutions to the general disquiet around lack of safe public areas. In June 2013 the Andhra Pradesh government's AP Public Safety (measures) Enforcement Bill was passed in the Legislative Assembly that makes it mandatory for 'private establishments that attract crowds of over 100 persons at a time … to have closed circuit television (CCTV) cameras and access control measures in place' ('CCTVs a Must in Private Establishments', 2013). In Stephen King's *Under the Dome* (2009) an entire community discovers that they are under observation by some alien intelligence. The town is placed under a dome, cut off from the rest of the world as though in a laboratory in which they are specimens. King's otherwise not very riveting read ponders over the possibility of the entire human race being the subject of someone's observational gaze, someone we cannot see or whose intentions in this experiment we cannot hope to understand. School buses, cabs and transport carriers in India now have a sticker on their rear window: 'How Am I Driving? If You have Problems with My Driving call 123456789'. The sign tells us that the organization actively seeks our participation in monitoring

the driving of that vehicle since the organization itself cannot do so. So much observation all round.

What if our lives are being played out under somebody's watchful gaze? What if the theological fetish of many cultures, that an omniscient eye of the Supreme Being watches our every move to reward or punish us, is merely a version of the observational mechanism of laboratories? In such idioms of the visual, we can discern a continuing obsession of the human race—watching. Or, more troublingly, surveillance.

This book suggests that (i) surveillance is an organizing principle of our lives today, alongside other 'grids' like consumption or mobility and (ii) surveillance is also one of the elements that produces our subjectivity.[1] It therefore accepts but moves beyond the now-classic formulation (Lyon 2001, 2003) of *surveillance as monitoring for social sorting*. Surveillance as the book sees it, is also a phenomenological element that informs, influences and inflects even our interiority. We are surveilled citizens. Our citizenship is produced within the crucible of surveillance, as is our sense of *selves*. We surveill ourselves because we are *aware* that our behaviour or body language, being documented by a camera somewhere, might produce consequences—such as being accosted by law enforcement authorities—should the 'eyes' watching the camera find this behaviour threatening, unusual or suspicious. If one could then redo the Decartes phrase to reflect the contemporary situation: I am surveilled therefore I am.

This new form of subjectivity is not unique to India or the USA but is a global condition, albeit with variations in terms of density (of surveillance), resistance, state-role and privatization. It is therefore imperative, given the book's progress from local 'cultures of surveillance' to this global condition of surveillance *and* witnessing, to state that while the focus is on India, developments in surveillance technologies and policies, like concerns over privacy, are global in scope and ambition. India's privacy debate, as exemplified in Justice AP Shah's Report on the 'Group of Experts on Privacy' instituted by the Government of India, relies heavily on global concerns about privacy and human dignity, privacy and human rights and privacy and state power. (Here it is essential to

[1] I must add immediately that I am not speaking of the subjectivity that emerges from self-surveillance—for example, examining oneself for lumps, sugar levels, etc., or of one's behaviour, all of which constitutes self-surveillance (more on this in the chapter on participation).

note, and I shall return to this point in the sections on exposure in Chapter 3, that the question of privacy is not addressed to say the urban poor, whose lives, including their intimate and personal moments are performed/played out in the full view of passers-by, on pavements and open spaces. The poor are not subject to the same kind of surveillance.) Further, with programmes like PRISM of the National Security Agency of (USA) monitoring Internet and telephone traffic across social media, geopolitical borders for surveillance cultures do not exist any longer. This book must therefore be seen as taking, as a point of *departure*, India's surveillance cultures. However, it is also written with an incessant awareness of how global surveillance cultures impact upon India and how a shared, if uneven, culture of surveillance exists globally today.

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Surveillance is a system of social relations. Law enforcement and security agencies, CCTV managers in malls, apartments or public places, CCTV staff, residents/users of the space are all connected through the CCTV. Claims of activity (licit, illicit), counterclaims (loitering, suspicious behaviour), categorization of users (legitimate, illegitimate), assumptions (threat-assessment, risk regulation) and discourses (safety, private space) all revolve around technologies of seeing, monitoring and archiving via the CCTV. People are linked through these devices and discourses that the devices engender and are engendered by. Power relations are established between the watcher and the watched but also inverted and subverted by users, such as the Flash Mob or the performance of deliberate acts of mockery or critique, say by Surveillance Camera Players (New York City). The state's power or that of the manufacturer and supplier over citizens, users and the masses is increasingly founded on the collation of vast amounts of *information* via devices and processes such as the CCTV or identity cards. That is, information gathering and interpretation (although gathering of information is itself founded on certain assumptions of what is acceptable behaviour and what is not, and who constitutes a threat or who is a legitimate user of that space being monitored) determines the extent of power a state or manufacturer has over the individual or a group in order to guard, incarcerate or furnish goods and services (targeted advertising is based on the monitoring of individual purchases, browsing and such). It is surveillance, therefore, that establishes the relations between social groups and the state, or between user and supplier. What we can therefore safely assume is that surveillance is a form of *governance* not only by the state but by non-state actors as well.

The camera and its monitoring of everyday life, space, purchases, surfing habits, expenses and behaviour affects the relationship between the governed and the governing (Backer 2008: 113), whether it is formal surveillance of public spaces by law enforcement cameras or the ranking of Indian universities and colleges that *India Today* carries out annually. (The latter marks a significant shift in the very nature of surveillance—away from public/state forms to privatized and corporate surveillance. We shall return to this aspect later.)

What we see today is a *convergence* between the systematic use of surveillance by the state actors for monitoring citizens, the deployment of informal modes of surveillance (such as loyalty cards) by corporate bodies, the use of surveillance as a means of enforcing neighbourliness and community-feeling within a specific locality by the inhabitants/users of that locality to ensure a certain form of behaviour and the heightening of self-surveillance (especially medical). When the state gathers information about wealth and income, much of this information comes from the kinds of purchases—cars, holiday plans, luxury goods—an individual makes in the *marketplace*. Thus the state's surveillance is facilitated by the information passed on by the non-state actor. When neighbourhood watch organizations collate information about users, residents, domestic workers and traffic to the local police station we see both a decentralization of surveillance as well as a convergence between official-formal and non-official forms, where the individual takes on the responsibility of surveilling the neighbour/neighbourhood. TV talk shows place celebrities, politicians, bureaucrats and the 'common' individual and their traumas, sufferings, successes under the spotlight, but very often (as we shall see in the case of the Indian talk show *Satyamev Jayate*) use individual stories to address or recognize a social condition. This convergence between forms of surveillance often invests the individual with the responsibility of surveilling, and of an appropriate response to what the surveillance reveals. This could be in the form of litigations, tightening visitor norms, expressions of empathy and solidarity or an active role in dissidence surveillance (such as India's Right to Information Act that enables citizens to obtain information from the state or other organizations).

'Convergence' here is the merging of roles between actors and processes in the surveillance game, even when the aims of surveillance are different (monitoring populations or individuals in the case of the state, of the public space of the neighbourhood or the operations of the state in the case of the individual).

Monitoring of people and places is in itself not new. Vagrants, spies, trouble-makers, unemployed individuals, enemies of the state (real and imagined), and nomadic tribes who were seen as possible disruptive forces in any society were placed under surveillance by states across human history. Surveillance might be a *simple gathering of data* – such as what happens in the case of online users. It could be *positive surveillance*, for instance, when law enforcement authorities keep an eye on criminals or public health matters, where to be *excluded* from surveillance might reduce the subject to neglect, lesser resources and safety. Predominantly, however, contemporary and commonplace notions of surveillance treat it as being overwhelmingly about power, domination and *control of people* and places by 'authorities'.[2] My sense of surveillance throughout this book partakes of all three senses of the term, although it is a bit more weighted towards the third. However I also propose towards the end of the book the rise of participatory surveillance processes and structures and their amplified role in the creation—still underway—of a global witness citizenship.

Surveillance 'involves assorted forms of monitoring, typically for the ultimate purpose of intervening in the world' (Haggerty and Samatas 2010: 2). We need to start thinking of surveillance not simply as technological mechanisms of control or as instantiations of Orwellian state-power but as a cultural phenomenon. It is not the CCTV but the community's cultural practice and belief system that empowers the CCTV *qua* surveillance to monitor people, places and events. It is a *cultural* belief and norm that calls for surveillance, just as surveillance produces certain *cultural* practices and norms of behaviour, facial expressions or even humorous and subversive gestures. We install CCTV and share product-purchase information with superstores not because a recording device exists: we accept those devices and questionnaires because we have come to believe in them. It is the culture of insecurity and its discourses of the vulnerable subject that produces and invents technology that is then taken as the solution to the insecurity and vulnerability. This also suggests that we cannot see surveillance as simply the deployment of CCTV or the documentation of irises through sophisticated technology. Surveillance must be seen as the effect of a series of interactions—between technology, human actors and nonhuman actors and space. CCTV whose images are sorted by computers is coded by

[2] The etymology of the word favours this sense. 'Surveillance' comes from the French word *surveiller*, meaning to oversee and to watch over. This clearly implies a hierarchy of spatial arrangements and of power: of watcher and watched.

humans. The TV observes humans, and should an alarm be sounded, the image interpreted by a computer (or human) would effect a human intervention in the space where unacceptable behaviour, as defined by the sorting code, has been underway. The space of the CCTV is itself transformed for us and modifies our experience of it through the presence of the surveillance device. When we as a public agree to place ourselves under the gaze, we have made surveillance a culturally accepted and culturally legible process.

The principal difference between older forms of surveillance and the new ones is that they work by 'transcending natural (distance, darkness, skin, time, and microscopic size) and constructed (walls, sealed envelopes) barriers that historically protected personal information' (Marx 2004: 18–19). Surveillance is no more characterized by the watchtower: it is dispersed and diffused. Information about an individual is collated *across* domains, from recreation to employment records, DNA to medical history, by and at multiple sources (including supermarkets, neighbourhood watch communities, check-in cards at offices, CCTVs in parks, IP tracking for internet purchases), with no *single*, controlling viewing authority. We live in an everyday that is saturated with surveillance. It is a major shift from an earlier era where surveillance was something one experienced in specific places and under the gaze of one person or thing. In critical studies of surveillance the panopticon model has been dismantled in the last two decades. The Jeremy Bentham model, examined by Foucault, of the one-vantage-point view of the surveilled has been replaced by the rhizomatic model of surveillance. Kevin Haggerty and Richard Ericson propose instead of the panopticon a 'surveillant assemblage'. In this assemblage, information is abstracted from human bodies in data flows and reassembled elsewhere in databases to produce 'data doubles' of the individuals (2000: 606). The assemblage is thus diffused, dispersed rather than centralized in the form of a watch-tower.

Where earlier only suspects – that is, those whose identities where already known – were surveilled, today everybody and anybody, spaces and events, are surveilled (Marx 2004). Thus, surveillance which was once a narrower and specialized technology of state power has now become ubiquitous, including within its ambit everybody, and extending into domains as diverse as recreation, leisure, reading habits, consumerism in addition to retaining the older ones of law and order. The routinization of surveillance is what produces cultures of surveillance. Ubiquitous surveillance by ambient technologies has made surveillance more unobtrusive, and the physical intrusion into the body or

person is now no longer essential for any agency to collect data. Identification can occur from a distance, independent of the physical presence of the body in another spatial location. Neither does the surveilling agency need to rely on the perceptual capacities of a human person. Where earlier surveillance focused on individuals, contemporary surveillance observes entire populations (Finn 2009: 106). To reiterate, we are surveilled not in a centralized manner but in fragments—as a worker, as a consumer, as an internet user, as a resident in a neighbourhood, as an airline user, at the ATM—and the fragments now, in the age of the database, come together somewhere to produce my identity.

What this also means is that surveillance has moved away from the punitive to the preventive: where once specific groups or individuals where placed under surveillance for having 'committed' an unacceptable action, the new surveillance monitors entire communities in order to ensure that nobody commits any crime. Correction programmes and Neighbourhood Watch programmes also signify a shift in surveillance, from the panopticon model to what Stan Cohen has called the 'dispersal of social control' (1985: 127).

Having summarized the 'traditional', or commonsensical, role, purpose and process of surveillance, I now map a shift in how we can read surveillance.

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The obverse of the above scenarios of surveillance also exists. Increasingly authority and those in power become subjects of intense scrutiny and surveillance by the *governed*. If the governed are observed for their behaviour—whether it is in public spaces or in their acts of consumption—the governors are also observed. The governors, or governing bodies, are also sealed into networks of information-gathering (formal, such as the Right to Information Act, or informal, such as mobile witnessing by passers-by) and communication. It is increasingly the norm and sometimes the law that individuals in power, or governing bodies, open themselves up to such a scrutiny, that they furnish information about their processes and thoughts. Public *trust* in governing bodies is founded, in other words, on the extent of information furnished and the sustained surveillance of the bodies' functioning. Governance is no more a condition of top-down surveillance but rather an effect of *intricate and enmeshed flow of information gathered through multiple means* (RTI, CCTV but also, in the case of the public observing the governing bodies, through sting operations). Acts of governing bodies seen as unacceptable through the information gathered therefore become modes of rejection and prosecution of the bodies by the governed. 'Accountability', the buzzword of contemporary

democratic governance, is intimately connected to ocular metaphors drawn from surveillance cultures: *visibility* and *transparency*. If the governed are monitored for their behaviour, then the 'fixing' of responsibility or accountability upon the governing bodies is made possible through the techno-social processes of surveillance. The public offended by visual evidence of bribery, misbehaviour in houses of Parliament or Assembly, or the excessive use of force by security personnel fixes the responsibility for such behaviour and the resultant loss of trust in the governing body/bodies because the tape or video is deemed to 'reveal' the real workings, or interiority, of the systems of governance (I shall return to a more detailed examination of this theme of interiority and visibility in Chapter 5).

We can also now postulate a surveillance citizenship. Elections and consumption are modes through which we define our belongingness—as political citizenship and consumer citizenship respectively—to the public. Surveillance citizenship is a form of belonging in neoliberal societies. In neoliberal economies with greater emphasis being placed on individual decision-making and participation, surveillance becomes a mode of establishing our participation in the processes of governance of the nation. It defines our relation with the *public*, and even the nation. Facebook confessions, disclosures on Reality TV, information sharing in social media are modes through which we perform a *self-surveillance as spectacle* as a means of *socialization*. Further, surveillance links, as we shall see in Chapter 6, various social actors into an *organization*, systematizing *social relations*, chain of command and functions, and built upon the 'text' of surveillance cameras. Sting operations and demands under RTI place authorities under the public eye and the institutional processes rendered transparent, thus also suggesting a connection between ocularity (seeing, seeing through), surveillance and power/knowledge. By participating in surveillance—sharing information about ourselves but *also* placing others under surveillance we acknowledge that we are all members of a public *and* this public needs to be defended.

A key assumption of this book is, to summarize, that (i) we consider the public space or sphere as one that is recursively constructed through activities of surveillance and (ii) our participation in this public as responsible citizens is in the form of surveilled subjects. A recursive public is

> a public that is vitally concerned with the material and practical maintenance and modification of the technical, legal, practical and conceptual means of its own existence as a public; it is a collective independent of other forms of

> constituted power and is capable of speaking to existing forms of power through the production of actually existing alternatives. (Kelty 2008: 3).

The public sphere and the community is now defined and characterized by its forms, intensities and technologies of surveillance. Conscious citizenry – such as the ones we have seen assembling at various places in New Delhi even as I write these lines in December 2012–January 2013—demands surveillance *as* responsible citizens, and responsibility is now measured in the willingness to be part of the surveillance mechanism that protects the very idea of citizenship. US Attorney General Eric Holder is reported to have said in a Congressional hearing that the Department of Justice had 'made tremendous progress in protecting the safety, and the sacred rights of the American people'. The news item which report Holder's remarks also revealed that the Obama administration, armed with a judge-approved surveillance licence since 25 April 2013, had been snooping on telephone records of Verizon subscribers ('US Agency Spying on Phone Records of Millions'). The implication is: if you are concerned about the 'safety and sacred rights of the American people' you would accept, even seek, such surveillance. A responsible citizen, in other words, is one who accepts, even seeks, mass/public surveillance in order to that public. This is the new subjectivity of the neoliberal state, under CCTV eyes, with AADHAR (India's biometric identity card, titled 'Unique Identification Number', that was linked to social welfare schemes before a Supreme Court judgement in early 2014 ruled against it), consumer loyalty cards and neighbourhood watch.

Thus we now see ourselves as a public that needs to use surveillance as a means of *staying* a public, where instead of, say, welfare measures for social security we now consider means of public safety (I shall return to this shift later in this chapter). We think in terms of 'defensible spaces'—malls, gated communities, public spaces—where we will *feel* secure. I am a member of the public and therefore defend the right to be a person of this public in safety, in the face of threats. Participatory surveillance, as I shall argue, is the organization of the *public into surveilling itself* and its borders in order to ensure the smooth, legitimate functioning of the state, the safety of the public itself and to guard the erosion of freedoms and rights of that public. By participating in the surveillance mechanisms, whether in the form of neighbourhood watch or sting operations, one not only claims the right to be in that space but also performs essential services to *keep that space public*. However, such a participation might

be taken a step further where the public turns the camera onto the structures of authority explicitly to monitor their functioning – a process we can think of as a *subset* of participatory surveillance that I call dissident surveillance (Chapter 5).

(However to file a caveat right away and anticipating the arguments of Chapter 4, the very *nature* of this public or the modalities of participation in it are called into question when a homogenization is imposed, as consumer citizens in a mall or residents in a gated community, and heterogeneity – that characteristic chaos of the street – is posed as a threat in surveillance cultures.)

Through a participation in the visibility regime we render the public more transparent and accountable. If, as Jürgen Habermas famously proposed (1962, English translation 1989), rational debate and conversations are crucial to the political project of democratic public spheres, then surveillance cultures of today see the increased securitization of the public space and its obverse, participatory surveillance, as central to democracy itself. Intervening in the public spaces of a democracy by examining the processes of power (as we shall see in later chapters) is, like rational debate, a means of participation in the public space. The crucial democratic challenge, writes Andrea Brighenti, is to 'achieve a deployment of power that is ideally without secrets … the device of public representation is necessarily public' (2010: 54). Visibility, writes Brighenti, 'contributes crucially to the demarcation of the public domain' (58). Sting operations, exposés, disclosures and such are surveillance modes through which the public turns watcher and the state, the watched. Rendering the government or authority visible in its processes is to render it *accountable* This, the present book suggests, is the politics of surveillance too where it is not the state's hegemonic control over our lives and spaces but also the public's surveillance of the state and corporate apparatuses with the possibility of counter-observation and resistance that makes for will be seen as a 'witness politics'. Surveillance of this kind—by the public, whether in the form of Wikileaks or sting operations that makes information, say about government processes or even corruption or abuse of power, 'common'—makes the public sphere open to all, as Habermas would want it.

To phrase it differently, the public sphere is one made possible through acts of surveillance even as these acts are encouraged and enforced so that the public space is maintained in a particular way (with notions of safety, national security, satisfaction etc). Thus the public sphere is produced through and in