



# Liquid Surveillance

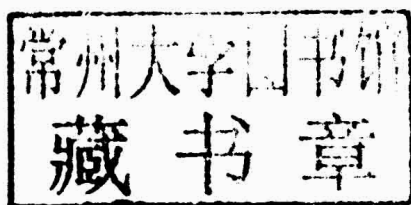


Jürgen Bauman and David Lyon

# Liquid Surveillance

A Conversation

Zygmunt Bauman and David Lyon



polity

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## Liquid Surveillance

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## *Preface and acknowledgements*

Surveillance is a growing feature of daily news, reflecting its rapid rise to prominence in many life spheres. But in fact surveillance has been expanding quietly for many decades and is a basic feature of the modern world. As that world has transformed itself through successive generations, so surveillance takes on an ever changing character. Today, modern societies seem so fluid that it makes sense to think of them being in a 'liquid' phase. Always on the move, but often lacking certainty and lasting bonds, today's citizens, workers, consumers and travellers also find that their movements are monitored, tracked and traced. Surveillance slips into a liquid state.

This book examines through conversation how far the notion of liquid surveillance helps us grasp what is happening in the world of monitoring, tracking, tracing, sorting, checking and systematic watching that we call surveillance. This provides the key thread through our conversation. It engages with both historical debates over the panopticon design for surveillance as well as contemporary developments in a globalized gaze that

seems to leave nowhere to hide, and simultaneously is welcomed as such. But it also stretches outwards to touch large questions sometimes unreached by debates over surveillance. It is a conversation in which each participant contributes more or less equally to the whole.

The two of us have been in touch, discussing sporadically issues of new technologies, surveillance, sociology and social theory since the late 1970s (or early 1980s, we can't recall). Bauman has continued to use the panopticon critique and related themes in his work and has encouraged Lyon in his growing analysis of surveillance. Most recently, we prepared back-to-back presentations for the Surveillance Studies Network biannual conference in 2008 (Bauman's had to be given *in absentia*). Lyon's was published in *International Political Sociology* (Dec. 2010) as 'Liquid surveillance: the contribution of Zygmunt Bauman's work to surveillance studies'. Bauman's contribution to that event is unpublished. Our conversation occurred by email between September and November 2011.

We're very grateful for the very thoughtful help given by some valued colleagues in reading our conversation and making suggestions for how things might be better put, and made more accessible to a wider audience: Katja Franko Aas, Kirstie Ball, Will Katerberg, Keith Tester. Warm thanks are also due to Emily Smith, Research Associate at the Surveillance Studies Centre at Queen's University, Canada for help with this project, and Andrea Drugan, our Polity editor, and Ann Bone, copy-editor, for their encouragement and advice.

Zygmunt Bauman and David Lyon

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# *Introduction*

**David Lyon** Surveillance is a key dimension of the modern world and in most countries people are all too aware of how surveillance affects them. Not only in London and New York but also in New Delhi, Shanghai and Rio de Janeiro video cameras are a familiar sight in public places. Travellers through airports everywhere are conscious that they not only have to negotiate twentieth-century passport control but also newer devices such as body scanners and biometric checks that have proliferated since 9/11. And if these have to do with security, other kinds of surveillance, relating to routine and mundane purchases or online access or participation in social media, are also increasingly ubiquitous. We have to show ID, insert passwords and use coded controls in numerous contexts from making online purchases to entering buildings. Every day, Google notes our searches, prompting customized marketing strategies.

But what does this mean, socially, culturally, politically? If we simply start with new technologies or

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regulatory regimes we may acquire some sense of the scope of this phenomenon but will we understand it? Certainly, getting an idea of the magnitude and rapid spread of data processing is vital if the surveillance surge is to be appreciated for what it is, and discovering just whose life chances and opportunities are affected by surveillance will galvanize efforts to rein it in. But this conversation is intended to do more, to dig deeper – to probe the historical and Western origins of today's surveillance and to raise ethical as well as political queries about its expansion.

Surveillance has been a constant theme of Zygmunt Bauman's work over several decades and many of his observations are, in my view, of great interest to those trying to understand and respond to surveillance today. In the first decade of the twenty-first century Bauman became best known for his reflections on the rise of 'liquid modernity' and here we explore how far this frame is also illuminating for considering the contemporary role of surveillance. But the other leitmotif of Bauman's analysis is the stress on ethics, above all the ethics of the Other. To what extent does this offer a critical handle on surveillance today?

### **Liquid surveillance?**

'Liquid surveillance' is less a complete way of specifying surveillance and more an orientation, a way of situating surveillance developments in the fluid and unsettling modernity of today. Surveillance softens especially in the consumer realm. Old moorings are loosened as bits of personal data extracted for one purpose are more easily deployed in another. Surveillance spreads in

hitherto unimaginable ways, responding to and reproducing liquidity. Without a fixed container, but jolted by 'security' demands and tipped by technology companies' insistent marketing, surveillance spills out all over. Bauman's notion of liquid modernity frames surveillance in new ways and offers both striking insights into why surveillance develops the way it does and some productive ideas on how its worst effects might be confronted and countered. Of course, that's my view of the situation. What Zygmunt Bauman thinks becomes clear in our conversation . . .

It is widely accepted that surveillance is a central dimension of modernity. But modernity does not stand still. We also have to ask, what *sort* of modernity? Today's conditions may be described as 'late' modernity, possibly 'postmodernity' or, more colourfully, as 'liquid' modernity. Zygmunt Bauman suggests that modernity has *liquefied* in some new and different ways (beyond Marx and Engels's early modern insight that 'all that is solid melts into air'). Two features stand out.

First, all social forms melt faster than new ones can be cast. They cannot hold their shape or solidify into frames of reference for human actions and life strategies because of their short shelf-life. Does this apply to surveillance? A number of theorists have noted the ways in which surveillance, once seemingly solid and fixed, has become much more flexible and mobile, seeping and spreading into many life areas where once it had only marginal sway.

Gilles Deleuze introduced the 'society of control' where surveillance grows less like a tree – relatively rigid, in a vertical plane, like the panopticon – and more like creeping weeds.<sup>1</sup> As Haggerty and Ericson observe,

following this, the ‘surveillant assemblage’ captures flows of what we might call body data, turning them into highly fluid and mobile ‘data doubles’.<sup>2</sup> William Staples also notes that today’s surveillance occurs in cultures ‘characterized by fragmentation and uncertainty as many of the once-taken-for-granted meanings, symbols and institutions of modern life *dissolve* before our eyes’.<sup>3</sup> Thus the bounded, structured and stable liquefies.

Bauman agrees that the panopticon was a key modern means of keeping control, by barring movement among inmates and promoting it among the watchers. But the watchers still had to be present sometimes. Of course the prison panopticon project was also expensive. It was designed to facilitate control through a semi-circular arrangement of cell blocks whose ‘inspector’ at the centre could see into any cell while remaining invisible to the inmates, behind a blind. It entailed the inspector taking some responsibility for the lives of inmates. Today’s world, says Bauman, is post-panoptical.<sup>4</sup> The inspectors can slip away, escaping to unreachable realms. Mutual engagement is over. Mobility and nomadism are now prized (unless you’re poor or homeless). The smaller, lighter, faster is seen as good – at least in the world of iPhones and iPads.

The panopticon is just one model of surveillance.<sup>5</sup> The architecture of electronic technologies through which power is asserted in today’s mutable and mobile organizations makes the architecture of walls and windows largely redundant (virtual ‘firewalls’ and ‘windows’ notwithstanding). And it permits forms of control that display different faces. Not only do they have no obvious connection with imprisonment, they often share

the features of flexibility and fun seen in entertainment and consumption. Airport check-in can be done with a smartphone, even though the international exchanges involving the crucial PNR (passenger name record) still occur, prompted by the original reservation (which itself could have been generated on that smartphone).

Discipline and security are actually related, in this view, something that Foucault failed to recognize. Foucault insisted on their separation just as their (electronic) connections were becoming clearer. Security has morphed into a future-oriented enterprise – now neatly captured in the *Minority Report* (2002) film and novel – and works through surveillance by attempting to monitor what *will* happen, using digital techniques and statistical reasoning. As Didier Bigo points out, such security operates by tracking ‘*everything that moves* (products, information, capital, humanity)’.<sup>6</sup> So surveillance works at a distance in both space and time, circulating fluidly with, but beyond, nation-states in a globalized realm. Reassurance and rewards accompany those mobile groups for whom such techniques are made to appear ‘natural’. Profiling processes and exclusionary measures await the groups unlucky enough to be labelled ‘unwelcome’.

Secondly, and related to this, power and politics are splitting apart. Power now exists in global and extraterritorial space, but politics, which once linked individual and public interests, remains local, unable to act at the planetary level. Without political control, power becomes a source of great uncertainty, while politics seems irrelevant to many people’s life problems and fears. Surveillance power, as exercised by government departments, police agencies and private corporations,

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fits this depiction well. Even national borders, which once had geographical locations – however arbitrary – now appear in airports distant from the ‘edge’ of the territory and, more significantly, in databases that may not even be ‘in’ the country in question.<sup>7</sup>

Continuing with this example, the issue of mutable borders is a source of great uncertainty for many. It is an anxious moment to go through airport security, not knowing exactly whose jurisdiction you are in or where your personal details may end up, especially for those who may be part of a suspect population. And if you are unfortunate enough to be detained or to discover that your name is on a no-fly list, knowing what to do is notoriously hard. Beyond this, effecting political change that might, for instance, make necessary travel more straightforward is a daunting challenge.

The melting of social forms and the splitting of power and politics are two key features of liquid modernity that have obvious resonance with surveillance, but it is worth mentioning two further connections. One is the mutual relation between new media and fluid relationships. While some blame new media for social fragmentation, Bauman sees things working both ways. He suggests that social media are a product of social fragmentation, not only – or necessarily – vice versa. He says that in liquid modernity power must be free to flow, and barriers, fences, borders and checkpoints are a nuisance to be overcome or circumvented. Dense and tight networks of social bonds, especially based on territory, must be cleared away. For him, it’s the brittleness of those bonds that allows the powers to work in the first place.

Applied to social media, this is controversial, because

many activists see great potential for social solidarity and political organizing in tweets and messaging. Think of the Occupy movement, the widespread protest of the so-called 99 per cent against the privilege and power of the 1 per cent in the world's richest countries, or the Arab Spring, in 2011. However, this is an area to be carefully watched, not least because it is *already* being surveilled. Social media depend for their existence on monitoring users and selling the data to others. The possibilities for social media resistance are attractive and in some ways fruitful, but they are also limited, both due to the lack of resources for binding relationships in a liquefying world and to the fact that surveillance power *within* social media is endemic and consequential.

The final connection to be made here is that liquid times offer some acute challenges for any who would act ethically, not least in the world of surveillance. Bauman's recognition of the uncertainties endemic in a liquid modern world shapes the problem as he sees it. And his favoured stance, spurning lifeless rules and regulations, is seen in his stress on the significance of the lived encounter with the Other. Realizing our responsibility for the human being before us is his starting point.

Two major issues confront surveillance ethics here. One is the distressing tendency towards what Bauman calls 'adiaphorization' in which systems and processes become split off from any consideration of morality.<sup>8</sup> 'It's not my department' would be the quintessential bureaucratic response to queries about the rightness of an official assessment or judgement. The other is that surveillance streamlines the process of doing things at a distance, of separating a person from the consequences of an action. Thus border controls can appear

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automated, dispassionate, even as they deny entry to the asylum seeker from the 'wrong' ethnic background, fearful for her life if she is sent back home.

Another angle on adiaphorization in surveillance is the way that data from the body (such as biometrics, DNA) or triggered by the body (think of logging in, using access cards, showing ID) are sucked into databases to be processed, analysed, concatenated with other data, then spat out again as a 'data double'. The information that proxies for the person is made up of 'personal data' only in the sense that it originated with a person's body and may affect their life chances and choices. The piecemeal data double tends to be trusted more than the person, who prefers to tell their own tale. Software designers say they're simply 'dealing with data', so their role is 'morally neutral' and their assessments and discrimination are just 'rational'.<sup>9</sup>

### **Think liquid**

So, how far does the notion of liquid modernity – and here, liquid surveillance – help us grasp what is happening in the world of monitoring, tracking, tracing, sorting, checking and systematic watching that is surveillance? The simple one-word response is 'context'. It is easy to read the spread of surveillance as a technological phenomenon or as one that simply speaks of 'social control' and 'Big Brother'. But this puts all the stress on tools and tyrants and ignores the spirit that animates surveillance, the ideologies that drive it forward, the events that give it its chance and the ordinary people who comply with it, question it or who decide that if they can't beat it, they'll join the game.

Popular readings of surveillance conceive these developments as the ever quickening march of technology, colonizing more and more life areas and leaving intact fewer and fewer untouched 'indigenous' areas of 'private' existence. So from the ubiquitous barcode that identifies various classes of product as being of the same kind or from the same plant, we move to radio-frequency identification (RFID) chips that offer unique identifiers for each individual product. But not only products. RFIDs are also used in passports and clothing and their emitted data can easily be connected with the bearer or the wearer. At the same time, other devices, such as QR (quick response) codes, squares of chequered symbols that can be scanned with a smartphone, appear on many products, signs and, yes, on clothing (though they too originated in the quest for accelerated supply chains). Wear a silicone bracelet with a QR as a fashion accessory and just whisper 'scan me'. This pulls up a web page with your contact details, social media links and the rest. You are a human hyperlink.

Dwellers in the world of 'solid' modernity would recognize and maybe applaud the idea of barcodes as being an efficient way of cataloguing inventory. Behold bureaucratic rationalization perfectly expressed in a technological device. But the RFID tag speaks more of a world in which greater attention must be paid, not merely to classifying and selling products, but also to finding out exactly where they are at any given moment within a just-in-time management regime. Mere inventory is waste. You need *kanban* (as the Japanese call them) to signal that the right thing is in the right place at the right time. No wonder the idea works so transferably in the security world!

But while in the solid modern world some would have approved the notion of knowing personal details to ensure that the right people are in the right place at the right time, who would have imagined (in a solidly modern world) that such details would willingly be advertised to all and sundry? While RFID suits situations where data are constantly required, new QR applications speak to a world where people are actively engaged in data sharing. RFID, for instance, checks the flows across borders, filtering them to permit the easy passage of some goods and persons but not others. But the new QR, while it is still surveillant, aims to minimize the friction of consumption by freely sharing information about events, opportunities and, possibly, persons. Its appeal reflects its liquid modern context.

What about the question of social control, of George Orwell's Big Brother? If surveillance is not just about the growing grip of new technologies, then isn't it about the way that power is distributed? The key metaphor for surveillance, in the Western world at least, is undoubtedly Big Brother. When government administration becomes focused in the hands of a single person or party, using the administrative apparatus with its files and records as a means of complete control, we speak of Big Brother. In Orwell's *1984* – as I once put it – ‘intended as a post World War II warning about the totalitarian potentiality of Western democracies, the state has become pathologically absorbed with its own power and is intimately involved in everyday control of its citizens' lives’.<sup>10</sup>

But while Orwell's metaphor is compelling (and his own commitment to human ‘decency’ as its antidote equally so), there are others. Franz Kafka's description