Go back to work.
—President George W. Bush to the CIA workforce, 26 September 2001

Richard Maxwell

The Problem of Surveillance Labor

Surveillance is tough work. Depending on the job, the U.S. Department of Labor tells us that working conditions can include any combination of the following: stress, considerable time spent on the feet, danger, confrontations with angry or upset individuals, risk, physical discomfort, lethal hazards, fieldwork in high crime areas, monotony, constant alertness to threatening situations, irregular hours, and a heavy toll on private life.[1] On top of the physical and psychological strain, a surveillance worker must also possess great self-discipline to control unproductive ethical impulses to look away, to perceive innocence instead of guilt, to see a friend not a foe, to accept the ineffable and resist the probable. Such care for the person being watched may not be so tempting as screwing around on the job, which for a surveillance worker could amount to the same thing as having an ethical moment. Whatever the case, the humanity of the surveillance worker has always been a weakness of surveillance systems, especially in the eyes of those overseeing the work.

The problem of surveillance labor has been recognized in surveillance architectures at least since the 1780s when Jeremy Bentham modified his brother's plans for his Krichev estate in Russia to conceive the panopticon. In "Letter VI" of *Panopticon*, Bentham flattered himself with a smug assessment of the key advantages of his Inspection House, admiring above all how the "apparent omnipresence" of the all-seeing chief inspector kept the population of inmates from misbehaving. Then, in the remaining paragraphs of "Letter VI," Bentham outlined further "fundamental advantages" that envision nothing less than a division of panoptical labor based on a coercive system that would restrain workers' temptations to slack off or to moderate their judgment with forbearance toward the people they were watching.[2]

It is well known that the first aim of the panoptical design was to

reduce the effort it took to watch over the carceral theater, automating the effect of surveillance with its famous circularity, central inspection lodge, and individuated cells. Less commentary has been spent on the layer of *under keepers*, who Bentham said would not only subject the inmates to more individuated inspections but who would themselves fall under the watchful eyes of the chief inspector, or Director, as Bentham would subsequently call him in the postscript to *Panopticon*. The "*under* keepers or inspectors, the servants and subordinates of every kind," wrote Bentham, "will be under the same irresistible controul [sic] with respect to the *head* keeper or inspector, as the prisoners or other persons to be governed are with respect to *them*." In Bentham's plan, the under keepers would be more responsive to those under their supervision. But it was precisely this close encounter that enhanced the possibility of a "prisoner . . . appealing to the humanity" of an inspector. Bentham could only promise to his interlocutors—the potential funders of his panopticon—that the Director would certainly see to it that the underlings did not succumb to such weakness: "In no instance could his subordinates either perform or depart from their duty, but he must know the time and degree and manner of their doing so. It presents an answer, and that a satisfactory one, to one of the most puzzling of political questions—*quis custodiet ipsos custodes?*" (who will watch the watchers?).

Today there are about 3 million people employed in the protective services in the United States, as well as an estimated 82,000 intelligence agents employed by the U.S. government.[3] These combined job categories involve varying amounts of surveillance work, commonly defined as the continual observation of an individual or group of people, and include nearly 1 million security guards, over a million jailers and local police, and tens of thousands of spies, game wardens, private investigators, detectives, U.S. Marshals, FBI agents, drug enforcement agents, immigration officers, border patrol agents, customs agents, secret service, as well as public-safety employees (so-called first responders working as police and firefighters). Virtually all of these jobs have come under greater scrutiny since the attacks on New York City and Washington, DC, in September 2001, when the work of surveillance became a key problem for the management of the U.S. political crisis. Starting with public criticism of the interagency rivalries "built in" to President Truman's 1947 National Security Act, subsequent efforts to reorganize surveillance labor included passage of the USA Patriot Act in 2001, the creation of the Department of Homeland Security (DHS) in 2003, the Intelligence Authorization Act for Fiscal Year 2004 (Patriot Act II), and *The 9/11 Commission Report* released in the summer of 2004.[4]

The Patriot Act was passed hurriedly in the aftermath of the 9/11

attacks by a stunned Congress that did not pay close attention to the act's content until civil liberties groups began to highlight its overreaching authority to snoop on Americans and the fact that it did little to alter the preexisting capabilities of domestic intelligence agencies to collect and share information. The Patriot Act II enacted in early 2004 was a modified version of a controversial set of proposals circulated in 2003 that were finally rejected by Congress after widespread public resistance. In this version, the Federal Bureau of Investigation was granted wider power to subpoena personal information from insurance companies, travel agencies, real estate agents, stockbrokers, the U.S. Postal Service, jewelry stores, casinos, car dealerships, and other "financial institutions," which were thus incorporated into a larger surveillance industrial complex.[5]

The DHS was created at the urging of Congress in response to public pressure to do something about the crisis in the national security system. Initially resisted by the Bush administration, the DHS would unify and coordinate twenty-two separate agencies and the work of over 180,000 federal employees. By unifying the surveillance workforce under the massive umbrella of the DHS, the U.S. government created new problems of coordination, provided inadequate funding, and allowed the DHS to reorganize the workforce in a way that made much of the surveillance work harder while also undermining the federal employee unions' institutional support of the workers.[6] Before discussing the DHS solution to the labor problem, I consider in more detail *The 9/11 Commission Report*'s answers to the failures of surveillance work in the United States, which the report argues resulted from technical, legal, and human obstructions of information flows.[7]

Presenting detailed reenactments of the training and surveillance work carried out by the 9/11 hijackers, the report describes how administration officials in both the Clinton and the current Bush administrations could not comprehend the connection between events and reports of midlevel inspectors in different agencies who, for the most part, were well aware of the activities of those under their watch. The salient organizational problems were compartmentalization of surveillance work and poor information management, a combination that created informational blind spots that prevented inspection of the entire carceral theater of terrorism and counterterrorism. The problem of compartmentalization became a crucial predicate for the report's most widely publicized recommendation that the U.S. Congress create a "single, principle point of oversight of all surveillance work related to national security."[8] Responding as if to the ever-looming presence of Orwell's *1984*, (libertarian) Right and Left pundits attacked this recommendation, respectively, as "central planning"[9] and "the final ingredient for absolute power."[10] Meanwhile, factions within

the U.S. intelligence elite raised quite different though self-serving concerns about how such reform would redistribute the intelligence budget, over 80 percent of which was reportedly controlled by the Department of Defense.[11] Because the 9/11 commission's proposals targeted technical and organizational reform, public commentary alighted on the failings of the "intelligence apparatus" and on identifying those in the U.S. leadership who were accountable for these failings.[12] The discussion of solutions predictably centered on the report's technical stopgaps, including proposals for horizontal information networks, interoperability, database management, and so on.[13] Ignored was the commissioners' blueprint for a new division of surveillance labor in the United States, one that absorbed the workforces of the DHS, military intelligence, FBI, and CIA into a single coordinated system.

The 9/11 commission recapitulates Bentham's thinking about the "puzzling political question" of who will control the under keepers, though it does this using two distinct registers, both alien to Bentham. The first envisions a pastoral form of control over the surveillance workforce. While the report subordinates surveillance labor to the information technology and the management team that will be deployed to solve (or further complicate) the nation's crisis, it also offered a plan to care for some of the frontline surveillance workers. The field agents, said the report, had been ill prepared to understand the strange threats emerging in the post–Cold War world. They need better training, better education, better organizational skills, and better understanding of the specialized technical and legal possibilities of national security work.[14]

Perhaps because he straddled absolutist and modern disciplinary societies, Bentham did not have quite such a caring view of his under keepers, much less any sympathy for them. Indeed, he said they would feel the panopticon's "necessary coercion" as a "curb to delinquency" and a "scourge to guilt."[15] The contrast between methods of coercion and care sharpens when the antecedents of Bentham's panopticon are contextualized.[16] The immediate source for Bentham's plan to control the under keepers was a group of rowdy English workmen at his brother's Krichev estate. Hired in 1785 to train and supervise the Russian peasants in shipbuilding and manufacturing on the estate, the English supervisors had begun a year later to slack off, drink too much, get into fights with each other, and clash with their boss, Samuel Bentham. By applying the panoptical method to the organization of estate labor, the Benthams successfully raised the peasants' productivity, but failed utterly to improve the Englishmen's discipline. The problem of how to control the under keepers would not go away, except in the idealized panopticon that Bentham insisted offered a civilized form of coercive force over this inferior strata of surveillance worker.[17]

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Despite the panopticon principle, the problem of surveillance labor remains an unstable element in the foundation of the surveillance state. The 9/11 commissioners acknowledge as much when speculating that a well-tempered surveillance workforce will be less of an obstruction and more productive of useful information flows. But if the past is any guide, even productive surveillance labor can generate intelligence that the supervisory machinery cannot consume or has historically consumed to ill effect. The public record is rife with intelligence failures—political, marketing, and economic—some failures were the stuff of farce, others the cause of bloody tragedies. The 9/11 report nevertheless dreams of a pastoral system that increases consumable intelligence in the day-to-day surveillance of the lower orders.

When discussing the role of the overseer, the 9/11 report shifts from the pastoral to the language of nation and sport. In their conclusion, the commissioners ask: "Who is the quarterback? The other players are in their positions, doing their jobs. But who is calling the play that assigns roles to help them execute as a team?"[18] In their Knute Rockne reading of Hegelian dialectics the quarterback possesses the higher consciousness of what history holds in waiting for the United States. The quarterback in question will be a "National Intelligence Director," one who needs no pastoral care because he will be drawn from a special class already endowed with the power and consciousness of the all-seeing sort. It will be the job of this director to carry out one of the commission's most bizarre recommendations: "To find a way of routinizing, even bureaucratizing, the exercise of imagination" within his national surveillance team—the sort of imagination that would foresee the unseen and unknown threats to national security, which the report likens to thinking up scenarios that one could find in a Tom Clancy story.[19]

The panopticon principle of enhancing the Director's virtual presence through a clever use of light and space in the centrical lodge gave the Director a bit more freedom to enjoy his position of authority without constant vigil over his underlings who, by contrast, are supposed to be kept in thrall by the Director's apparent freedom to control when and where he will be watching them. The source of this design feature was Orthodox Church architecture, which was configured to remind peasants of their place in the cosmological order and give the clergy—the middlemen between God and dirt—a symbolic power over their subjects via their visibility as God's active agents.[20] The peasants were mere spectators, who passively watched from the nave, knowing "that God was judging and watching over them."[21]

In the contemporary management structure proposed by the 9/11 commission, the National Intelligence Director works above the tier of

unfreedom where, under his watch, his deputies and their agents are fated to labor. We can imagine a clever use of public relations playing the panoptical shell game with the director's presence to keep the under keepers on their feet. In their present-day roles, a second tier of under keepers will work within "a National Counterterrorism Center," while a third tier will work in one of three reconfigured agencies for domestic, military, and foreign counterterrorism. All agency heads will report to the National Intelligence Director.[22] And like the Director of Bentham's panopticon, the National Intelligence Director will be subject to visitation by a "higher order" of superintendent—in the panopticon: magistrates and judges; in the new division of labor: Congress and the president—who would be "called down . . . from the superior ranks of life" to the "irksome task" of inspection of the lower orders. As in the design for the gentlemen visiting the panopticon, these latter-day lords will not feel the "proportional repugnance" toward the surveilled, finding that the new division of surveillance labor had eliminated a "great load of trouble and disgust."[23]

The 9/11 commission also reiterated the last of the advantageous forms that Bentham attributed to the panoptical division of labor: the publication of the 9/11 report, which immediately became a best seller, made the contemporary carceral theater of counterterrorism a theater accessible to "the curious at large—the great *open committee* of the tribunal of the world," as Bentham put it. In our present context, the question remains how passive the spectators will be after seeing the proposed new division of surveillance labor, especially when they find out that the U.S. leadership will zealously control its own visibility within it while denying that same freedom to the rest of us.

One answer to this question is that a growing number of communities in the United States are not content to watch from the wings. By the end of summer 2004 numerous city councils had gathered to read and debate the unconstitutional provisions in the Patriot Act. By that point over "330 cities, towns, and counties" in the United States and four states (Alaska, Maine, Vermont, and Hawai'i) had passed resolutions condemning the act. This growing resistance has helped give municipal, state, and local employees the freedom not to follow provisions in the Patriot Act that would have transformed them into surveillance agents for the U.S. Department of Justice.[24]

Another possible answer will come from the ranks of surveillance workers themselves. After the DHS overhaul of the surveillance workforce, there was a surge of resistance from the unions representing federal workers involved in some form of surveillance—homeland security, counterterrorism, and so on. The main conflicts fractured the Bush administration's fantasy of automating a more efficient surveillance state. A principal point

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of contention was privatization, or outsourcing of surveillance work to private corporations. According to a report issued by the American Civil Liberties Union in 2004, aptly titled *The Surveillance-Industrial Complex: How the American Government Is Conscripting Businesses and Individuals in the Construction of a Surveillance Society*, corporations have been enlisted to make up for insufficient federal surveillance operations.[25] The insufficiencies involved politically imposed structural limits on the number of surveillance workers the government was willing to employ and on the funding the government was willing to provide for research and development, as well as infrastructural improvements throughout the national defense system. Another study showed that the Bush administration was so reluctant to form the DHS that it not only bungled preparations for housing the DHS—its headquarters ended up in a warehouselike building in an old naval intelligence complex—but the administration ensured that funding for the DHS would not expand much beyond what was effectively money previously budgeted to the twenty-two agencies that comprised the new Homeland Security behemoth.[26] Next to the amount of federal dollars that bled into Iraq and the pockets of privateers like Halliburton and Bechtel, the U.S. government was starving its own domestic surveillance operations. By outsourcing to private corporations, the Bush administration also condoned the elimination of public oversight of certain counterterrorist surveillance operations in the United States while it undermined whatever role the federal unions representing surveillance workers might play in development and deployment of surveillance technology.

Clearly, there was a conscious, politically motivated strategy to disempower the lower strata of federal surveillance labor; it was not merely an accident of an inept administration. The U.S. leadership targeted the federal workers by adding into the Homeland Security legislation rules to replace the old pay schedule for federal employees with a new merit or performance pay system. This alone created new insecurity for workers whose commitments to the job were tested rather than encouraged. The U.S. leadership also allowed the DHS to impose a new human resources system—with little negotiation in what is known as a "meet and confer" process, which the DHS walked out of in August 2004.[27] The nature of these changes led to an extraordinary standoff between the three major labor unions representing surveillance workers and the DHS. On the one side, the DHS and administration were touting the new efficiencies in the way Homeland Security coordinated surveillance work in the United States.[28] On the other side, the National Treasury Employees Union (NTEU), the American Federation of Government Employees (AFGE), and the National Association of Agriculture Employees (NAAE) greeted the new DHS human resources system as an attack on collective bargain-

ing, on the right to organize, and on other statutory protections of the workforce.[29]

Within days of this standoff, the National Border Patrol Council and National Homeland Security Council of AFGE released a survey from its membership of Border Patrol agents and Customs and Border Protection (CBP) inspectors.[30] Membership in these unions account for about 65 percent of all customs and border patrol workers. The survey results showed that a majority of these frontline inspectors, all of whom were self-identified patriots, did not support DHS strategies to "fight terrorism." This general attitude was accompanied by low morale, a feeling that the management was weak, a sense that the DHS's pay and job security reforms along with the DHS's failure to provide adequate tools and equipment had threatened their protective mission. There was also strong opinion among the inspectors (nearly half of those surveyed) that the United States was no safer from terrorist attack in 2004 than it had been in the fall of 2001. One frontline worker said that there was "just no support from the higher-ups from DHS. . . . people talking about us doing our jobs, but [not supplying] us with what we need to do them."[31]

The AFGE leadership was especially angered by the DHS's unilateral creation of the new "CBP inspector" job and the centralized rules for training and deployment of these agents. Prior to the creation of this job category, there would have been three distinct specialists working the border—one in agricultural surveillance, one in immigration, and one in customs. The DHS rolled all three of these specializations into one job and then offered only seventy-one days of training for these new "specialists." By reconfiguring a CBP position during the hiring freeze of 2003–4, the DHS created a managerial improvement on paper that proved to be an unqualified disaster in practice. Charles Showalter, president of AFGE's National Homeland Security Council, noted that these officers simply weren't trained to do the job and, moreover, had been restricted by a "one face at the border" rule that deployed agents to one site to "meet and greet" people entering the United States. Showalter described the new role as akin to an amusement park worker welcoming patrons and held up a DVD instruction guide on good "meet and greet" manners as evidence of the measly tools for training that the DHS had provided to the CBP inspectors.[32] Further, by collapsing the three positions into one, the DHS bypassed the unions to unilaterally pull the surveillance agents out of job categories represented by each of the three main labor unions, leaving the CBP inspectors in a state of institutional limbo about their statutory rights as federal workers. Without labor representation, as an AFGE vice president noted at the press conference where the border patrol worker survey was announced, surveillance agents would be less likely to voice

concerns about weaknesses in the DHS's national security organization and its management structure, recalling that the post-9/11 whistle-blowers in nonunion shops like the FBI were no longer working there.[33]

These disruptions tell us something about the contemporary problem that surveillance labor poses for the state, in particular how the Bush administration responded with a division of labor that hindered rather than enhanced the work carried out by the lower strata of surveillance personnel. The tensions between the workforce and the "higher orders" exacerbated the political and ideological crises of national security. With its campaign to assail federal surveillance labor, the Bush administration managed to devalue frontline national security workers and alienate them from the state's war on terrorism (AFGE endorsed Kerry in the 2004 election). In addition, as I have shown, the conditions of state-sponsored surveillance labor are no longer solely determined by centralized state operations à la Big Brother. The antistatist ideology of the Right—while contradictorily enlarging government—has been driving work into the commercial sector with outsourcing and privatization. This has further expanded private control over domestic surveillance systems, reduced the power of unions, and encroached on public oversight of funding and custody of the surveillance workforce. Though it is too soon to know the impact of these changes, there can be little doubt that this political economic realignment will increasingly determine the way surveillance technology and labor are developed and deployed.

Myths of Surveillance Power

It is striking then how the general literature on surveillance has been silent about the problem of surveillance labor and has had little on the whole to say about the political economy of surveillance. One cause of this may be what David Nye and others have called the technological sublime, in this case the sense of the awesomeness of modern surveillance technology that overwhelms and defines how we think about surveillance.[34] Surveillance technology can be both conspicuous and innocuous in the travails of daily life. The sublime response relies on and resides in the publicity of the technology's grandeur, whether the source is political or cultural commentary, popular culture, architecture and urban planning, commercial advertising, or scholarly writing. Once it becomes spectacle, surveillance technology can dazzle and intimidate. But for surveillance technology to overwhelm thought, a culture must embrace a living myth of the technology's awesome, central presence, from its barefaced and breathtaking forms to its unannounced operations within modern institutions. The technological sublime exercises a powerful hold on the imagination.

Vincent Mosco extends this notion to encompass the *digital sublime*, the present-day mythos engendered and sustained by the hyped-up mania for new digital media and information technology. There is little to be seen of labor in the cultural discourse of the digital sublime, which captivates the imagination of surveillance writers through paradoxically linked myths of the divine and demonic powers of information technology (IT).[35] The 9/11 report is redolent with this muddling mythos—"Technology as an Intelligence Asset and Liability," the openness of the Internet serving good and evil alike, and so on.[36]

We have seen elsewhere how an incessant reverie, even ecstasy, inflated the dot-com bubble of the 1990s. Then, of course, the true believers of Total Information Awareness and Homeland Security were getting their own incredible buzz from ingesting these myths of an all-powerful digital presence. The DHS and Department of Justice were, for their part, enraptured by the quasi-private Multistate Anti-Terrorism Information Exchange (MATRIX), which was created by a Florida database corporation and shepherded to Washington, DC, by Florida governor Jeb Bush—MATRIX has reportedly identified 120,000 people in the United States with a "High Terrorist Factor" (HTF) score.[37] In the digital sublime of counterterrorism, suspicious types appear to have surrounded us; they may even be us. As Mosco says, the myths guiding the application of such technological wonders "matter in part because they sometimes inspire powerful people to strive for their realization whatever the cost."[38] Induced into this sublime disorder, the Bush administration and its fellow travelers seemed to be in the thrall of the ubiquitous surveillance machinery, perhaps less to catch the bad guys than to sate an infantile desire for omnipotence or to serve the divine mission of the all-seeing Christian god, or both.[39]

But then these reveries are matched by quite different but equally captivated musings about communitarian nirvanas in the global cybervillage, transidentitarian polities, hybrid constituencies, and smart mobs. Marketing researchers are no less spellbound by the identity-defining powers of cyberspace and IT in general—every innovation for improved data mining, market segmentation, and Internet-based targeting is an invocation of the powerful myth. IT feeds the faith that inspires marketers and advertisers to strive for more control over the infrastructure of consumption. At the same time, these myths of progress are shadowed by their demons: financial bubbles and day trading, terrorist cells, the Unabomber, genetic mutations, social isolation, political apathy, child pornography, the end of privacy, and so on. The end of privacy has become a particularly powerful myth about freedom's withering in the presence of the digital sublime.

As Mosco points out, the government "plays an enormous role in

manufacturing cyberspace magic because much of its legitimacy is based on identification with this future wave."[40] We can see this magic at work in the 9/11 report. It is also there if we look more closely into the moment of Porter Goss's Oedipal embarrassment when his own children chided him for lacking computer skills.[41] The crucial mythos was not residing in his children's attack but in the question of whether Goss (Bush Minor's first choice to replace the feckless George Tenet as director of Central Intelligence) would suitably fit the Olympian role of a DCI who must manage those aspects of the "transcendent spectacle" that attends to digitized supersurveillance power.[42] This mythical role was amplified by the 9/11 commission's recommendations for a new chief inspector to oversee surveillance management in the U.S. government, and then again in an August 2004 executive order that gave the DCI expanded oversight of some of the fifteen intelligence agencies operated by the government.[43] It remains to be seen what power, if any, the überinspector will exercise over the privatized sector of domestic surveillance run by commercial businesses.

The myths of the digital sublime and the metaphors that join them—the library, road, bazaar, community, and narrative[44]—not only shape thought and debate about surveillance technology but also inform the competing aspirations over how to use or disable it. Myths "can foreclose politics, can serve to depoliticize speech," says Mosco, "but they can also open the door to a restoration of politics, to a deepening of political understanding." Myths can be repoliticized if treated as prepolitical—that is, as a starting place for a "critical retelling [and] a political grounding that myths appear to leave out."[45]

Myths of surveillance power have been increasingly politicized in analyses of biopolitics, as exemplified by the contributors to this issue of *Social Text*. In the lead essay, Michael J. Shapiro revisits the stories of bodies, surveillance, and imperial violence from antiquity to the contemporary media representations of war and sci-fi crime fighting, finding restive memories disrupting the state's dream of a quiescent populace. The system-serving narratives of all-powerful surveillance enshrine the state's capabilities for successful governance by information management, but these are inevitably shot through with weak plots and a stable of unreliable surveillance workers: the heretical antiheroes, converts, and whistle-blowers. A contemporary manifestation of these instabilities can be found in the recent success story of biometric surveillance and face-recognition industries. Perhaps more than other pretenders, these folks have cashed in big on the digital sublime, as Kelly A. Gates shows in her analysis of the emergence of these predictable but powerful sectors of the informationalized political economy in the immediate post-9/11 period. Drawing on the seductions

of technostalgia and the demand for information technology to manage systemic crises, these surveillance businesses have engorged themselves on their growing authority to deepen their pockets, despite the considerable imprecision of their services. One wonders what other stories might be circulating within the lower strata of the biometric workforce to disturb the fault lines in an already shaky industrial-surveillance complex.

Turning to what might be called postcolonial biopower, Swati Ghosh examines how state and local "watch-care" forms of surveillance in Bengal have recast prostitutes as sex workers worthy of welfare and health care but disqualified from having moral rights of full citizenship because of the very bodilyness of their work. Their visibility as deserving citizens is paradoxical: they are not granted full personhood and yet are made objects of state care; their social visibility is championed by artists, progressive civic organizations, and politicians, and yet their publicness remains both proscribed and compulsory, coordinated through disciplines of geographic confinement and health services. In this context, a Westerner might invoke the power of privacy rights. But here such an option is nonexistent. Exiled outside the moral boundary of privacy protection, those who resist surveillance come to rely on what John Gilliom calls, after James Scott, the "weapons of the weak," the often lonely, often selfless tactics to preserve dignity, defend loved ones, and "work the system." Gilliom reveals in his essay how the commitments to families, friends, and the fight for a modicum of freedom inspire a group of women caught in a net of welfare surveillance in the poorest reaches of Appalachian Ohio. Drawing on their experiences, Gilliom shows how privacy rights talk becomes unintelligible and irrelevant for the weakest among us and argues that the Left must discover new ethical and political sources for fighting or reforming system-serving surveillance.

When a nation's role in the current geopolitical realignment is both central and uncertain, biopolitics tends to get knotted up by transversal lines of crisis management, as Çağatay Topal shows in the case of Turkey. The Turkish state's ambivalence toward modernization, globalization, and informationalization has created conditions for weak central population surveillance. But rather than seeing this as creating spaces of freedom from surveillance power, Topal argues that weak surveillance places Turkish citizens in a precarious liminality between a society of control and a society of discipline. Topal perceives this as another of the tragicomedies of Turkish life and proposes that the outcome will become clearer as the state advances toward a "rationale of control suitable for capitalism's global de/recodification strategy." Returning to the United States in David J. Phillips's essay, we find no such ambivalence in government or business toward informationalized capitalism. Echoing several of the other con-

tributors, Phillips challenges liberal notions of privacy for failing to grasp or contain the power of contemporary surveillance societies. He then develops the concept of "resources of visibility and knowledge production" to argue for ways to modify ubiquitous computing (ubicomp) systems through the ethical allocation of these resources. Phillips draws on the experience and political expediencies of "coming out" to find alternative ethical and political sources for distributing resources of visibility within ubicomp systems. Phillips's impulse to get into the workings of ubiquitous computing environments and away from the mythos of the digital sublime questions how contemporary political economic alignments have transformed surveillance from a "resource of visibility" into a system-serving economics of display. In this political economy the balance of power to control these resources tilts decidedly toward the state and capital. The struggle to wrest control of these resources away from their current commanders turns our attention finally to the question of policy.

Policy

There is a tendency to frame policy about surveillance in terms of technological developments and civil rights. The first is predicated, either explicitly or in unstated fundamentals, on the idea of technological determinism—the technological revolution changed us, technology will solve this or that social problem or threatens to create new ones, technology changes the nature of work, and so on and so forth from Theodore Vail to Daniel Bell to Howard Rheingold. Moreover, technological determinism underpins the ideology of the information age—again the mythos that attends to the spread of global networks, post-Taylorist discourses about knowledge work and workers, and postindustrialism.[46] Policy therefore needs to critique technological determinism while it focuses on reform or more radical challenges to the technology of surveillance. It would be foolhardy not to confront the technological dimensions of surveillance, but not at the risk of reiterating another version of technological determinism.

In contrast, a focus on civil liberties related to the sanctity of private life presupposes universal attainability of privacy—a right endowed to varying degrees by capitalist property relations. Privacy is a right best protected as private property. This is true whether we are talking about sovereignty of hearth and home or image rights. The fact of the matter is that workers, the under- and disemployed, the incarcerated, the homeless, and those dependent on welfare (most of whom are women) are the most exposed to surveillance and the least enfranchised of privacy rights. These

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are the semisovereigns for whom survival in the informationalized political economy depends on their relinquishing all "reasonable expectations of privacy." The growing population of semisovereigns marks a clear trend. Between 1987 and 2002, for example, the number of U.S. companies conducting drug tests on their employees increased 277 percent. The ACLU estimated in 2003 that U.S. employers eavesdropped on over 400 million employee telephone calls.[47] On average, 12 to 14 percent of the total population in the United States lives in poverty, while 75 percent of Americans are exposed to the statistical risk that within a ten-year cycle they could be one of the "40 percent of Americans who experience poverty for at least one year."[48] The average annual growth rate of incarceration was 3.7 percent throughout the 1990s, while the number of homeless tripled in the 1980s, with a growing proportion of families and children becoming homeless in the 1990s.[49]

And for those who can tap into the privilege of privacy rights, the right to be left alone is sometimes no match for powerful inducements to be watched. A discount shopping card is a reward for giving up a slice of personal information about your shopping habits. The indispensable credit card that mobilizes your movements through the informationalized infrastructure of consumption demands that you allow the card issuer to peek into your intimate financial doings. An extreme version of this mobility surfaced in Barcelona last year when a club owner began to offer subcutaneous implants the size of a grain of rice to regular customers at a cost of 125 euros each. "I know many people who want to be implanted," said the club owner. "Almost everybody now has a piercing, tattoos or silicone. Why not get the chip and be original?" With the equivalent of a debit card under your skin, you could leave home without any money, eat and buy drinks, and pay by being scanned. The account statement arrives later.[50] For those who are limited to enjoying only the psychological benefits of spending and playing like the privileged, no amount of surveillance is too much.

The popular culture of talk shows, reality TV, and Hollywood films issues more authoritative representations of surveillance along with lessons on how to live under its gaze. Recent films such as *Enemy of the State* (1998), *Gattaca* (1997), *Sliver* (1993), *The Net* (1995), *Minority Report* (2002), and a handful of others, while morally and politically ambiguous films (though none as much as Francis Ford Coppola's 1974 film *The Conversation*), are seductions into the power of surveillance, into the digital sublime. One film in particular, *Sliver*, eroticized the leap into the surveillance image when one character learns that her lover, an apartment neighbor and secret stalker, has networked their building with minisurveillance cameras. She is drawn into his control room and slowly begins to switch from apartment to

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apartment, witnessing scenes of love, incest, fighting, sexual play, melancholy, and other intimacies belonging to her neighbors. She is sickened at first but then at the tender urging of her lover, who remarks, "You like to watch . . . don't you," she becomes rapt by the experience of omnipresence and omniscience. The intended irony of the scene mixes toxically with her horny fixation on the screen, which is intercut with her lover's gratified expression and shots of unwitting neighbors' personal affairs.[51]

Makers of reality TV, for their part, invite us to internalize this economics of display and to scorn whatever power privacy rights might promise, thus mitigating our resistance to surveillance. As Laurie Ouellette and Susan Murray have argued, reality TV increasingly relies on "the willingness of 'ordinary' people to live their lives in front of television cameras. We, as audience members, witness this openness to surveillance, normalize it, and in turn, open ourselves up to such a possibility." We learn "that in order to be good citizens, we must allow ourselves to be watched and watch those around us. Our promised reward for our compliance within and support for such a panoptic vision of society is protection from both outer and inner social threats."[52]

Clearly, a progressive policy toward surveillance or, to borrow from Phillips, toward the allocation of resources of visibility will be allied with movements for enhanced civil liberties—tentatively and attuned to a class-oriented interpretation—and with an informed critique of technology and the digital sublime as it circulates in the polity, among elites, and in the experience and amusements of popular culture. But such policy can enrich its ethical and political sources if it also accepts the simple premise that helped begin this essay: surveillance is work. Surveillance work is one of the three essential mediums through which the technology develops, along with organized and informal antisurveillance social movements and the political economic realignments that have installed information technology at the center of systemic crisis management. Work is also the means through which the technology is enabled. As Bentham knew well, the panopticon is not an automatic machine—it relies on the internal discipline of the under keepers' behavior and the management of their humanity.

So in the end a Left policy must confront a risky choice: What are the alliances the Left can make with the under keepers? The surveillance workforce has been a centerpiece of system crisis management at home and throughout the Imperium—all the protective service workers, soldiers, spies, and market researchers have played a role in the recent rearrangements of the imperial political economy. Surveillance labor was the U.S. leadership's scapegoat for increasing domestic surveillance, then its predicate for the imperialist war in Iraq, then its heroes of national security, though this last encomium disguised how the Bush administration's

Clearly, a progressive policy toward surveillance or, to borrow from Phillips, toward the allocation of resources of visibility will be allied with movements for enhanced civil liberties— tentatively and attuned to a class-oriented interpretation

zealous antilabor policies actually harmed the mission of "homeland security." How the Left answers this vexed question will have an impact on the culture and politics that define our relation to our publicness and delimit our influence over the distribution of the social resources of visibility. If we cannot contemplate such alliances, we might end up relinquishing the development of surveillance to the preemptive actions of the state and military leadership and leaving resistance to surveillance to prescripted political and cultural stereotypes generated by pollsters, bad journalism, and marketing research. And the more that private corporate interests intercede in the business of surveillance in the name of national security, the more structurally disengaged the American people will become from the processes that determine how surveillance is developed and deployed.[53] If we cannot grasp the problem of surveillance labor, we leave little room for debate and deliberation over the need for or interpretation of market research, counterterrorist surveillance, soldiering, street-level surveillance, etc., and the technocratic solution will continue to be preordained.

The people who run surveillance are not at the top. So let us not be confounded by the Benthamite bluster of the idealized panopticon or fall for the pastoral gimmicks that improve ways of watching the watchers. Provoke the internal disruptions of the surveillance society at the crucial points of weakness: the problem of surveillance labor, the fabulist's myths of technology, and a failing policy based on technological determinism and the liberalism of stratified access to civil rights. Get yourself in trouble and speak to the humanity of the surveillance worker. As Joseph Welch once bravely said to Joe McCarthy . . . "at long last."

Notes

1. U.S. Department of Labor Bureau of Labor Statistics, *Protective Service Occupations*, reprinted from the *Occupational Outlook Handbook* (Washington, DC, 2004–5).

2. Jeremy Bentham, "Letter VI," "Panopticon: or, the Inspection-House; containing the idea of a new principle of construction applicable to any sort of establishment, in which persons of any description are to be kept under inspection; and in Particular to Penitentiary-houses, Prisons, Houses of industry, Workhouses, Poor Houses, Manufactures, Madhouses, Lazarettos, Hospitals, and Schools; with a plan of management adopted to the principle; in a series of letters, written in the year 1787, from Crechoff in White Russia, to a friend in England," in *The Panopticon Writings*, ed. Miran Bozovic (London: Verso, 1995), 29–95, cartome.org/panopticon2.htm#I (accessed 4 August 2004).

3. U.S. Department of Labor Bureau of Labor Statistics, "Occupational Employment and Wages, 2003: Protective Services Occupations," www.bls.gov/oes/2003/may/oes330000.htm (accessed 6 August 2004). For estimates of U.S intelligence employee numbers, see Geoffrey R. Weller, "The Internal Modern-

ization of Western Intelligence Agencies," *International Journal of Intelligence and Counterintelligence* 14 (2001): 300.

4. Jay Stanley and Barry Steinhardt, *Bigger Monster, Weaker Chains: The Growth of an American Surveillance Society* (Washington, DC: American Civil Liberties Union, 2003), www.aclu.org/Privacy/Privacy.cfm?ID=11573&c=39 (accessed 27 August 2004); *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States* (Washington, DC: U.S. Government Printing Office, 2004), 86, www.gpoaccess.gov/911/index.html (accessed 4 August 2004).

5. Jay Stanley, *The Surveillance-Industrial Complex: How the American Government Is Conscripting Businesses and Individuals in the Construction of a Surveillance Society* (Washington, DC: American Civil Liberties Union, 2004).

6. Department of Homeland Security, *Major Management Challenges Facing the Department of Homeland Security* (Washington, DC: Office of Inspector General, 31 December 2003).

7. *9/11 Commission Report*.

8. Ibid., 421.

9. Richard A. Posner, "The 9/11 Report: A Dissent," *New York Times Magazine*, 28 August 2004. The libertarian Right's ambivalent public stance to state-sponsored surveillance gets a run for its money from the Orwell fans in the U.S. government. In the midst of the cold war, the CIA's Psychological Warfare Workshop employed future Watergate criminal E. Howard Hunt, who clandestinely funded the purchase and production of the films *Animal Farm* (1954) and *1984* (1956). See Karl Cohen, "The Cartoon That Came in from the Cold," *Guardian* (London), 7 March 2003.

10. Mike Whitney, "The 9/11 Commission and Civil Liberties: 'We Need an American Secret Police,'" *Counterpunch*, 2 August 2004, www.counterpunch .org/whitney08022004.html. The Left has historically focused its critique on state-sponsored surveillance, largely neglecting the privatization of surveillance operations that were embedded in the wider political economic rearrangements that have positioned information and communication technology at the center of crisis management since World War II.

11. *9/11 Commission Report*, 86. The exact amount of the intelligence budget is hard to track. See www.whitehouse.gov/omb/budget/fy2005/budget.html. According to the Heritage Foundation, the "current level of overall spending on domestic and overseas counterterrorism activities is unclear. OMB reported that for FY 2003 total funding on counterterrorism was about $54.9 billion. . . . This estimate included funding for homeland security and counterterrorism operations overseas. Subsequently, OMB estimated homeland security funding at $42.5 billion. This would make overseas counterterrorism operations for FY 2003 at about $12.4 billion." See Office of Management and Budget, "2003 Report to Congress on Combating Terrorism," 9 September 2003, www.whitehouse.gov/omb/inforeg/2003_ combat_terr.pdf and www.heritage.org/Research/HomelandDefense/bg1767 .cfm#pgfId-1123798. Current estimates by the Heritage Foundation suggest that 57 percent of the $40 billion budgeted for domestic intelligence goes to the Department of Homeland Security (www.heritage.org/Research/Features/ Issues2004/HomeSecurity.cfm). See also Matthew Brzezinski, "Red Alert," *Mother Jones*, no. 5 (2004): 39.

12. For a look at the commission's "cop-outs," see Matthew Rothschild, "Who's to Blame for September 11?" *Progressive*, no. 9 (2004): 45–48.

13. *9/11 Commission Report*, 418.

14. Ibid., 426–47.

15. "Letter IV."

16. Simon Werret, "Potemkin and the Panopticon: Samuel Bentham and the Architecture of Absolutism in Eighteenth Century Russia," *Journal of Bentham Studies* 2 (1999): n.p., www.ucl.ac.uk/Bentham-Project/journal/nlwerret.htm (accessed 8 August 2004). See also Simon Sebag Montefiore, "Prince Potemkin and the Benthams," *History Today* (August 2003), www.findarticles.com/p/articles/mi_m1373/is_8_53/ai_106423708 (accessed 28 August 2004).

17. Werret, "Potemkin and the Panopticon."

18. *9/11 Commission Report*, 400.

19. Ibid., 344. The report's one example of such "imagination" was the counterterrorism expert Richard Clarke's "awareness" of the "danger posed by aircraft in the context of protecting the Atlanta Olympics of 1996, the White House complex, and the G8 summit in Genoa." Clarke himself attributed this vision "more to Tom Clancy novels than to warnings from the intelligence community" (347).

20. Reflecting the Russian social hierarchy, the Byzantine inner central dome was illustrated with the "Christ *Pantokrator*, the 'Ruler of All'" gazing upon the clergy who "were active, controlling their own visibility, and that of the sacred actions which only they were permitted to perform" (Werret, "Potemkin and the Panopticon").

21. Ibid.

22. *9/11 Commission Report*, 403–12.

23. "Letter VI."

24. Timothy Egan, "Sensing the Eyes of Big Brother, and Pushing Back," *New York Times*, 8 August 2004.

25. Stanley, *Surveillance-Industrial Complex*.

26. Brzezinski, "Red Alert," 39.

27. Stephen Barr, "Homeland Security Management Walks Out on Union Talks," *Washington Post*, 20 August 2004, www.washingtonpost.com/wp-dyn/articles/A18866–2004Aug20.html.

28. Brzezinski, "Red Alert," 41–42.

29. "Joint Comments and Recommendations Submitted by the National Presidents of the National Treasury Employees Union (NTEU), the American Federation of Government Employees (AFGE), and the National Association of Agriculture Employees (NAAE)" (Washington, DC: OPM Resource Center Office of Personnel Management, 22 March 2004).

30. Peter D. Hart Research, *Attitudes among Front-Line Border Protection Personnel*, www.afge.org/index.cfm?page=homelansecurity&fuse=document&DocumentID=503 (accessed 26 August 2004). See additional material, including the survey details, at www.nbpc.net/survey/.

31. Hart Research, *Attitudes among Front-Line Border Protection Personnel*, 5.

32. Border Patrol Agents and Immigration Officers on Homeland Security, press conference, National Press Club, Washington, DC, 23 August 2004. Archived at C-Span.org.

33. Andrea Brooks, national vice president for AFGE's Women's Fair Practices Department, Border Patrol Agents and Immigration Officers on Homeland Security, press conference, National Press Club, Washington, DC, 23 August 2004. Archived at C-Span.org.

34. Vincent Mosco, *The Digital Sublime* (Cambridge, MA: MIT Press, 2004), 22–24.

35. Ibid., 23–24.

36. *9/11 Commission Report*, 88.

37. Jim DeFede, "Mining the Matrix," *Mother Jones*, no. 5 (2004): 17–18.

38. Mosco, *Digital Sublime*, 24.

39. This should be modified when considering the fundamentalist Christian factions within the U.S. leadership. Former Attorney General John Ashcroft, for one, may have thought of cyberspace as his hunting ground. But as a member of the Assemblies of God Church, he knows that his work is subordinated to the big eye in the sky. For example, see the lesson on cybersex posted on the Assemblies of God Web site: "Cybersex feels safer than buying pornographic magazines, visiting your local adult movie store, or having your pornography delivered in a plain brown wrapper. It feels like you are alone and nobody sees what you are doing. Yet we know that our Heavenly Father sees everything and is grieved when He sees us secretly committing these sins" (enrichmentjournal.ag.org/200101/0101_144_cybersex.cfm [accessed 6 August 2004]).

40. Mosco, *Digital Sublime*, 43.

41. "Moore Embarrasses New CIA Chief," *BBC News*, 12 August 2004, news.bbc.co.uk/go/pr/fr/-/2/hi/americas/3560484.stm.

42. Mosco, *Digital Sublime*, 41.

43. *9/11 Commission Report*, 399–428; Douglas Jehl and Philip Shenon, "Bush Preparing to Bolster CIA Director's Power," *New York Times*, 27 August 2004.

44. Mosco, *Digital Sublime*, 51–53.

45. Ibid., 16.

46. Nicholas Garnham, "Information Society Theory as Ideology," *Loisir et Société*, no. 1 (1998): 97–120; reprinted in *The Information Society Reader*, ed. Frank Webster (London: Routledge, 2004), 165–83.

47. American Civil Liberties Union, *Privacy in America: Electronic Monitoring*, Washington, DC, October 2003, www.aclu.org/Privacy/Privacy.cfm?ID= 14170&c=132 (accessed 6 August 2004). For an overview, see Stanley and Steinhardt, *Bigger Monster, Weaker Chains*.

48. Michael Zweig, "Welcome to the Working Class!" *New York Times*, 13 July 2002.

49. U.S. Department of Justice Bureau of Justice Statistics, "Prison Statistics," www.ojp.usdoj.gov/bjs/prisons.htm (accessed 1 September 2004); for statistics on homelessness see www.nationalhomeless.org.

50. Chetna Purohit, "Technology Gets under Clubbers' Skin," CNN, 9 June 2004, www.cnn.com/2004/WORLD/europe/06/09/spain.club/index.html (accessed 6 August 2004).

51. Outside the mainstream Hollywood fare, we can find more interesting examples of this eroticization of surveillance in such films as *Bad Timing: A Sensual Obsession* (1980) and *Sex, Lies, and Videotape* (1989). See Toby Miller, *Spyscreen* (New York: Oxford University Press, 2003). And, of course, the resolution of Orwell's *1984* finds the newly well-tempered Winston Smith at peace with his condition after he has learned to love Big Brother above all other loves.

52. Laurie Ouellette and Susan Murray, introduction to *Reality TV: Remaking Television Culture*, ed. Ouellette and Murray (New York: New York University Press, 2004), 6.

53. Stanley, *Surveillance-Industrial Complex*.