

## COMS 780: ELECTRONIC SURVEILLANCE THEORY AND POLICY

Fall 2004, T, R 6.30 – 9.50 P.M., WH 310

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Office hours: M, W 9.30 A.M - Noon

### OUTLINE AND OBJECTIVES

In western societies, everyday life is being monitored as never before in their history. Information-communication technologies are heavily involved in this intensification of surveillance practices and processes. These technologies enable organizations and agencies to collect and share massive amounts of information about our everyday lives; our tastes, our preferences, our actions and our bodies. Drawing on various theoretical and policy discourses, the course examines a number of questions: What factors are driving the intensification of electronic surveillance? What are the socio-political and cultural implications of this intensification? Is the growth of electronic surveillance being resisted and if so in what ways? Are current national and international policy approaches up to the challenges posed by the intensification of surveillance? The course also examines these questions by exploring particular modes and contexts of surveillance: the proliferation of network surveillance as a response to the wars on drugs and terrorism, the rise of so-called “digital piracy,” and the commercial impulse to constitute online audiences; the explosion of DNA screening and biometric monitoring (e.g., face recognition technology); and the construction of surveillance-intensive “smart borders” in North America.

The broad course objective is to foster a critical understanding of the social implications of electronic surveillance by introducing students to a rich domain of theoretical and policy inquiry that raises fundamental questions about the relation of electronic surveillance to the changing nature of contemporary society, industrial process and cultural experience.

### CORE READINGS

Lyon, D. (2003) (Ed.) *Surveillance as Social Sorting: Privacy, Risk and Digital Discrimination* [SSS]. London: Routledge.

*Surveillance and Society* [S&S] (an online journal – <http://www.surveillance-and-society.org>).

Readings on electronic reserve.

### REQUIREMENTS

Theory reaction paper (20%)

Book review (20%)

Final paper (40%)

Presentation of final paper (10%)

Participation (10%)

The required readings are meant to provide a minimum base of common knowledge for class discussion. It is expected that seminar participants will read extensively outside the syllabus on aspects that particularly interest them and their class reports, papers, and general discussions in the seminar will be informed by such readings. Participants are expected to actively participate in the seminar, read and critique the assigned material, and bring related work to the attention of the class. Participants will be asked to report on readings. As the course progresses, individuals will be asked to lead class discussion. Participants are also expected to provide the instructor with one question per assigned reading. These questions need to be typed (not handwritten) and given to the instructor at the beginning of each class.

Extensions are given only for very unusual situations. Participants are expected to be aware of the rules pertaining to academic misconduct set out in the University's Code of Student Conduct, particularly those relating to plagiarism. Please provide two copies of each assignment.

## ASSIGNMENTS

### Theory Reaction Paper (20%)

A number of commentators utilize the panoptic metaphor to illuminate the social control aspects of the new information-communication technologies. How adequate is the "electronic panopticon" as an explanatory concept? Your discussion should include a concise explication of the concept and a considered assessment of its strengths and weaknesses. Papers should be 8-10 pages in length.

### Book Review (20%)

The review, which should be approximately 8 pages long, must include the following elements: description of the author's main arguments; assessment of what you perceive to be the author's most important points; critical evaluation of the author's arguments (did you think he/she did a good job? Why or why not?). Assume the author comes to class, what question(s) would you pose about his/her analysis?

You may find the following list helpful. If you wish to review a book that is not on this list please clear your selection with the instructor before proceeding with the review.

- Brin, David. (1999). *The Transparent Society: Will Technology Force Us to Choose Between Privacy and Freedom*. Reading, MA: Addison-Wesley.
- Andrews, Lori, & Dorothy Nelkins. (2001). *Body Bazaar: The Market for Human Tissue in the Biotechnology Age*. New York: Crown Publishers.
- Hubbard, Ruth and Elijah Wald. (1999). *Exploding the Gene Myth*. Boston: Beacon Press.
- Whittaker, R. (1999). *The End of Privacy*. New York: Norton.

- Rosen, Jeffrey. (2000). *The Unwanted Gaze: The Destruction of Privacy in America*. New York: Random House.
- Gilliom, J. (2001). *Overseers of the Poor: Surveillance, Resistance, and the Limits of Privacy*. Chicago: University of Chicago Press.
- Schulhofer, S.J. (2002). *The Enemy Within: Intelligence Gathering, Law Enforcement, and Civil Liberties in the Wake of September 11*. New York: The Century Foundation Press.
- Lyon, D. (2003). *Surveillance After September 11*. Cambridge: Polity Press.
- Lyon, D. (2001). *Surveillance Society: Monitoring Everyday Life*. Buckingham: Open University Press.
- Parenti, C. (2003). *The Soft Cage: Surveillance in America from Slave Passes to the War on Terror*. New York: Basic Books.
- Bamford, J. (2002). *Body of Secrets: Anatomy of the Ultra-Secret National Security Agency*. New York: Anchor Books.

#### Final Paper (40%)

The goal here is prepare a research paper for possible submission to an academic outlet such as the online peer-reviewed journal *Surveillance and Society*. Other relevant journals include *The Information Society*, *New Media & Society* and *Information, Communication and Society*. These journals accept papers from all disciplines and fields. These journal will accept purely theoretical pieces. They also welcomes theoretically informed policy analysis or cases studies. Your paper should be 16-20 pages in length.

A proposal outlining the topic and objectives of your paper is due week 9.

#### Presentation of Final Paper (10%)

Presentations should adopt the following structure (or something similar to this): (i) What was the topic of the research?; (ii) What was the purpose of your paper?; (iii) What are the main points of your analysis?; (iv) What are your conclusions?; (v) If you had more time, what extra research on this topic would you like to conduct?

Summarize your presentation in a 1-2 page handout and be ready to provide copies of the hand-out to all participants in the class. You can have 15-20 minutes to present your ideas. This will be followed by a brief period devoted to questions and discussion. Visual aids from film, TV, the web, etc., are strongly encouraged.

### WEEK-BY-WEEK OUTLINE

Modifications may be made as the course progresses.

- Aug. 26 (week 1) Introduction: overview, objectives, and expectations.
- Sept. 2 (week 2) The rise of modern surveillance; what's new about contemporary surveillance?; the place of privacy; the relation between technology and society.
- Lyon, D. (1994). *The Electronic Eye: The Rise of Surveillance Society*, pp. 22-39.
  - Marx, G.T. (2002). "What's new about the "new surveillance"? Classifying for change and continuity," *S&S*, 1(1): 9-29.
  - Davies, S. (1997). "Re-engineering the right to privacy: How privacy has been transformed from a right to a commodity," in P.E. Agre & M. Rotenberg (eds.), *Technology and Privacy: The New Landscape*, pp. 143-165.
  - Gandy, O.H. Jr. (1995). "It's discrimination, stupid! In J. Brook & I. Boals (Eds.), *Resisting the Virtual Life: The Politics of Information*, pp. 35-47.
  - Lyon, D. (2003). "Introduction," in *SSS*, pp. 1-9.
- Sept. 9 (week 3) The panopticon.
- Foucault, M. (1979). *Discipline and punish*, pp. 195-228.
  - Lyon, D. (1994). *The Electronic Eye: The Rise of Surveillance Society*, pp. 57-79.
  - Poster, M. (1990). *The Mode of Information*, 69-98.
  - Haggerty, K.D. & R.V. Ericson. (2000). "The Surveillant Assemblage," *British Journal of Sociology* 51(4): 605-622
  - Mann, S., Nolan, J. & B. Wellman. (2003). "Sousveillance: Inventing and using wearable computing devices for data collection in surveillance environments," *S&S*, 1(3): 331-355.
- Sept. 16 (week 4) Government surveillance and the role of September 11 (I).
- Diffie, W. & S. Landau. (1998), *The Politics of Wiretapping and Encryption*, pp. 183-203.
  - Schulhofer, S.J. (2002). *The Enemy Within: Intelligence Gathering, Law Enforcement, and*

*Civil Liberties in the Wake of September 11*, pp. 29-54.

- Electronic Privacy Information Center. (2003). *Privacy and Human Rights: An International Survey of Privacy Laws and Development*, pp. 46-69.
- Campbell, D. (2000). *Inside Echelon*. <http://www.heise.de/tp/english/inhalt/te/6929/1.html>
- Denning, D.E & W.J. Baugh Jr. (2000). "Hiding crimes in cyberspace," in T. Thomas & B.D. Loader (eds.), *Cybercrime: Law Enforcement, Security and Surveillance in the Information Age*, pp. 105-131.
- Shields, P. (2002). "Beyond 'loss-of-control': Telecommunications, surveillance, drugs and terrorism," *Info: The Journal of Policy, Regulation and Strategy for Telecommunications*, 4(2): 9-15.

Sept. 23 (week 5)

**No class, instructor out of town**

Sept. 30 (week 6)

Government surveillance and the role of September 11 (II).

- Shields, P. (forthcoming). "When the 'information revolution' and the American security state collide: Money laundering, and the proliferation of surveillance, *New Media & Society*."
- Lyon, D. (2003). "Surveillance after September 11, 2001," in K. Ball & F. Webster (eds.), *Intensification of Surveillance: Crime, Terrorism and Warfare in the Information Age*, pp. 16-25.
- Gandy, O.H. Jr. (2003). "Data mining and surveillance in the post-911 environment," in K. Ball & F. Webster (eds.), *Intensification of Surveillance: Crime, Terrorism and Warfare in the Information Age*, pp. 26-41.
- Wood, D., Konvitz, E., and K. Ball (2003). "The constant state of emergency? Surveillance after 9/11," in K. Ball & F. Webster (eds.), *Intensification of Surveillance: Crime, Terrorism and Warfare in the Information Age*, pp. 137-150.
- Stalder, F. and D. Lyon. (2003). "Electronic identity cards and social classification," in *SSS*, 77-93.

**Sept. 30 (week 6)**

**Theory paper due**

Oct. 7 (week 7)

Surveillance, the body, genes and patents (I)

- *Gattaca* (film)
- Hubbard, R. & W. Wald (1999). *Exploding the Gene Myth*, pp. 1-12.
- Nelkins, D. & L. Andrews (2003). "Surveillance creep in the genetic age," in D. Lyon (eds.) *SSS*, pp. 94-110.

Oct. 14 (week 8)

Surveillance, the body, genes and patents (II).

- Van der Ploeg, I. (2003). "Biometrics and the body as information: Normative issues of the socio-technical coding of the body," in *SSS*, pp. 57-73.
- Poudrier, J. (2003). 'Racial categories and health risks: Epidemiological surveillance among Canadian First Nations,' in *SSS*, pp. 111-134.
- Andrews, L., & D. Nelkins (2001). *Body Bazaar: The Market for Human Tissue in the Biotechnology Age*, 24-63.
- Williams, R. & P. Johnson. (2004) "Circuits of Surveillance," *S&S*, 2 (1): 1-14.

Oct. 21 (week 9)

Surveillance, closed circuit television and face-recognition technology.

- Rosen, J. (2004). *The Naked Crowd: Reclaiming Security and Freedom in an Anxious Age*, pp. 32-61.
- Woodward, J.D. (2001). *Superbowl Surveillance: Facing up to Biometrics*.
- Norris, C. (2003). "From personal to digital: CCTV, the panopticon, and the technological mediation of suspicion and control," in *SSS*, pp. 249-281.
- 2 selected articles from the forthcoming Aug. 2004 *S&S* issue.

**Oct. 21 (week 9)**

**Paper proposal due**

Oct. 28 (week 10)

Regulating mobilities: Places and spaces

- Ardivisio, A. (2004). "On the 'pre-history of the panoptic sort': Mobility in market research", *S&S*, 4(1): 456-474.

- Phillips, D., & M. Curry (2003). "Privacy and the phenetic urge: Geodemographics and changing spatiality of local practice, in *SSS*, pp. 137-152.
- Bennett, C., Raab, C. & P. Regan (2003). "People and place: Patterns of individual identification within intelligent transport systems," *SSS*, pp. 153-175.
- Winseck, D. (2003). Netscapes of power: Convergence, network design, walled gardens and other strategies of control in the information age,' *SSS*, pp. 176-198.
- Curry, M.R. (2004). "The profiler's question and the treacherous traveler: Narrative of belonging in commercial aviation," *S&S*, 1(4): 475-499.
- Andreas, P. (2003). "Redrawing the line: Borders and security in the twenty-first century," *International Security*, 28(2): 78-111.

Nov. 4 (week 11)

Workplace surveillance

- Parenti, C. (2003). *The Soft Cage: Surveillance in America*, pp. 131-150.
- Zureik, E. (2003). "Theorizing surveillance: The case of the workplace," *SSS*, pp. 31-56.
- Ball, K. (2003). "Categorizing the workers: Electronic surveillance and social ordering in the call center," *SSS*, pp. 201-225.
- Thompson, P. (2003). "Fantasy Island: A labor process critique of the 'age of surveillance,'" *S&S*, 1(2): 138-51.
- Holland, P. (2003). "Case study: Drug testing in the Australian mining Industry," *S&S*, 1(2): 204-209.

**Nov. 4 (week 11)**

**Book review due**

**Nov. 11 (week 12)**

**Veterans' Day, no class**

Nov. 18 (week 13)

Regulation of surveillance I.

- Smith, J. (1994). *Managing Privacy*, pp. 205-223.
- Bennett, C.J. (1997). "Convergence revisited: Toward a global policy for the protection of personal data?" in P.E. Agre & M. Rotenberg (eds.), *Technology and Privacy: The New Landscape*, pp. 99-123.

- Goldman, J. (1998). "Privacy and individual empowerment in the interactive age," in C.J. Bennett & R. Grant (eds.), *Visions of Privacy: of the Digital Age*, pp. 97-115.
- Regan, P. (1996). "Genetic testing and workplacesurveillance: Implications for privacy," in D. Lyon & E. Zureik (eds.), *Computers, Surveillance and Privacy*, pp. 21-46.
- Brin, D. (1999). *The Transparent Society: Will Technology Force Us to Choose Between Privacy and Freedom.*

**Nov. 25 (week 14)**

**Thanksgiving, no class**

Dec. 2 (week 15)

Regulation of surveillance II/discussion of course.

- Lyon, D. (2001). *Surveillance Society: Monitoring Everyday Life*, pp. 126-54.
- Lyon, D. (2003). *Surveillance after September 11*, pp. 142-66.
- Stalder, F. (2002). "Privacy is not the antidote to surveillance," *S&S*, 1(1), pp. 120-24.
- Stalder, F. (2002). "The failure of privacy enhancing technologies (PETs) and the voiding of privacy," *Sociology Research Online* 7(2), <http://www.socresonline.org.uk/7/2/stalder.html>

**Dec. 9 (week 16)**

**Paper presentations**

**Dec. 16 (week 17)**

**Final paper due**