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Windows into the Soul: Surveillance and Society in an Age of High Technology.

[Gary T. Marx](#), University of Chicago Press

With *Windows into the Soul: Surveillance and Society in an Age of High Technology*, Gary T. Marx provides a compendium of surveillance and society, deftly weaving concise, encyclopedic description with thoughtful prose and normative discussion regarding the place of surveillance in the information age. Further, and reflecting his synthesis of the two rhetorical styles, Marx presents four fictionalized vignettes constructed from often-factual quotes, opinions, texts, and occurrences he has collected over his career. Marx bookends the vignettes with the aforementioned encyclopedic description and normative analysis to formulate the broader argument of the book: that “*surveillance is neither good nor bad but context and comportment make it so (at least most of the time)*” (p. 284, emphasis in the original). Thus, departing from both dystopic and utopic categorizations of surveillance society, Marx treats surveillance as a neutral tool—the normative value of which is almost entirely dependent on who uses it, how they use it, and the social milieu in which they use it.

The book consists of 14 chapters divided among four parts. In Part 1, Marx addresses static concepts in surveillance studies. This discussion is largely cross-sectional as it examines fundamental aspects of surveillance—basic terms, means, and goals—discretely, rather than as components of a longitudinal process. Marx begins in Chapter 1 by defining basic terms of surveillance, distinguishing, for example, the agents who carry out surveillance from the subjects who receive it. However, Marx encourages the reader to reject categorical distinctions between the two; in some instances, agent and subject can be one and the same, such as in the case of self-surveillance (e.g., monitoring one’s own speed on the freeway) or co-surveillance (i.e., self-surveillance aided by other surveillance agents). Further, and setting the stage for his larger exposition of the context and comportment which mark surveillance as positive or negative, Marx also defines the balance of power between surveillance agents and subjects, holding that this balance is not necessarily weighted in favor of the former. Thus, drawing upon the work of Mann and colleagues (2003), Marx defines a normatively valuable form of surveillance from below—*sousveillance*—whereby “individuals [use] tools to observe the organizational observer” (Mann et al., 2002, p. 333). Essentially, the disempowered surveille and hold accountable the empowered.

Marx continues to address static concepts in Chapters 2–4, which respectively discuss the means, goals, and targets of surveillance. Herein, Marx differentiates the “new surveillance” (p. 46) from more traditional forms. The new surveillance is distinct first in its means, which rely on technical methods to gather and store increasingly large quantities of raw data. In alignment with the work of scholars who have examined similar tactics constitutive of a “new penology” (Feeley & Simon, 1992), Marx contrasts the individualistic focus of traditional religious or political surveillance with the new surveillance’s goal of understanding the individual in relation

to aggregates and categories (e.g., did a student score higher or lower on a test than their peers; did the subject commit more or fewer crimes than others under police surveillance). Regardless of the means or goals, however, Marx asserts that the target of surveillance is salient to judgments regarding its normative value in society. Surveillance may target an individual’s unique identity (e.g., an alphanumeric indicator reflecting their current geographic position) or their core identity (e.g., their political attitudes and beliefs), with the latter often more sensitive—and, by extension, often less acceptable—than the former.

In Part 2, Marx complements the preceding discussion of static concepts with a processual analysis of the dynamic aspects of surveillance and its emergent forms. First, in Chapter 5, Marx addresses the softening of surveillance, as its methods have become less visible and easier for the public to accept as the status quo. Surveillance increasingly operates by means of persuasion and reward, endowing it with minimal visibility and invasiveness as it passively collects information often unwittingly left behind by its subjects. The visibility of surveillance is proportionally related to expansions and contractions in its scope, with the latter often occurring in response to highly visible scandals and reforms. However, surveillance tactics may also expand through visibility as they become more well-known and accessible to the public over time. Thus, many techniques are initially proprietary to the state and their law enforcement apparatus before expanding into use in civil society.

Even against the less-visible, softened form of the new surveillance, subjects may employ numerous tactics of neutralization. Marx defines these tactics in Chapter 6, delimiting categories that target the surveillance agent or tool (e.g., discovering, breaking, refusing) versus those which protect the subject by changing or concealing their behavior (e.g., switching, distorting, masking). Surveillance itself can also be used as a neutralization technique—a way to surveil the surveillants, as in the case of *sousveillance*.

Having defined and explicated surveillance concepts and processes, Marx presents in Part 3 a series of vignettes to demonstrate “culture and contexts” (p. 173) central to his thesis that surveillance is a neutral tool that should be normatively evaluated primarily on the basis of the situations in which it is used. Chapter 7 examines surveillance in the workplace, Chapter 8 addresses parental surveillance of children, Chapters 9 and 10 discuss the dynamics of voyeuristic interpersonal surveillance, and Chapter 11 presents a hypothetical argument from a proponent of new surveillance technology. Again, while based on realistic scenarios and actual quotes gathered by Marx over his career, these vignettes are fictionalized and exaggerated; their purpose is to “capture the essence of several types of context and their associated behaviors and rationales” (p. 175), rather than to present a series of disjointed and potentially decontextualized empirical accounts of surveillance in action. Thus, the vignettes give concrete examples of the concepts and processes discussed in Parts 1 and 2, while simultaneously serving as the raw material for Marx’s subsequent normative analysis of surveillance in modern society.

In Part 4, Marx engages in this normative analysis. Drawing upon the rationales and justifications presented in the Chapter 11 vignette, Chapter 12 describes the “techno-fallacies”—that is, the invalid assumptions—of surveillance in the information age. Displaying characteristic thoughtfulness and balance, Marx deconstructs optimistic assumptions that surveillance is a necessary, beneficial, and unflinching element of modern society, as well as pessimistic assumptions framing surveillance as inherently detrimental to privacy and freedom. Marx follows this in Chapter 13 with a series of questions with which to evaluate the ethics of surveillance. In so doing, Marx underscores the import of context and culture in making normative evaluations about surveillance by providing a template of questions to judge its means, goals, consequences, and rights and resources of its subjects *in a particular circumstance*.

Finally, in Chapter 14, Marx considers the implications of the preceding discussions. He begins by summarizing trends supportive of and contradictory to a panoptic society of the variety envisioned by Foucault (1995/1975) and his adherents. While it is true that these scholars aptly predicted the role of new technologies in cementing the disciplinary prowess of the state, new technologies also provide the subjects of surveillance greater opportunity to neutralize it. In some cases, the same technology serves dual functions. For example, the decreasing size and weight of video cameras makes them easier for state agents to hide, but it also makes them easier to integrate into mobile phones—which subjects may use to surveil these very agents via *sousveillance*. As such, Marx concludes by encouraging the reader to be “neither technophobe nor technophile” (p. 323), but to recognize instead the morally graded and context-dependent nature of surveillance and its place in the technologically advanced modern era.

Overall, in addition to its value to the field of surveillance and society, *Windows into the Soul* represents an innovative pedagogical contribution to criminal justice education through its use of fictionalized

vignettes to concretize and analyze concepts in the field. Educators can construct similar, realistic examples to make concepts clearer for students. These examples also provide students with accessible material for consideration and normative analysis. In sum, by introducing surveillance concepts, grounding them in realistic examples, and subjecting those examples to normative analysis, Marx's work appeals to both new students of surveillance and society searching for a handbook of concepts in the field, as well as more seasoned scholars hungry for the latest normative debate concerning the place for surveillance in the age of high technology.

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