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Windows into the Soul; Surveillance and Society in an Age of High Technology.
Gary T. Marx. Chicago: University of Chicago Press.

Social scientists who set out to study surveillance in the 1970s typically had their work cut out for them convincing people that their chosen theme represented a coherent subject-matter. The study of consumer credit tracking, one would hear, surely belongs to economics. Police record-keeping should be part of criminal justice studies. Management of passport use and related travel policies belonged with public administration, or international affairs. In short, notions that surveillance represented *a genre of social processes*, with their own regularities and relevance for larger social dynamics was a hard sell.

That was a long time ago. Since then, most of our colleagues have probably come to agree that surveillance, and related processes of social monitoring and control, represent basic and ubiquitous social phenomena—as much as conflict, socialization, rational calculation and political gamesmanship. Today, few would doubt that changing forms and capabilities of surveillance are deeply implicated in the emergence of new social structures and relationships—from administration of criminal justice and medical care delivery to mass marketing and political participation..

From the beginning, Gary Marx played a critical role in shaping these deep shifts in the tectonic plates underlying our theoretical landscape. He grasped that processes of watching, enumerating, checking, monitoring and the like represented members of a family of related activities—and that these activities had all sorts of non-intuitive inputs on other matters of analytic interest. In one early study, for example, he noted that police efforts to track and pursue suspects—in car chases, for example--could well have more destructive consequences than the offenses that triggered law enforcement interests in the first place. In *Undercover* [1988], perhaps his most celebrated work, he developed a searching analysis of situations where police investigators assumed the identities of participants—in criminal organizations, social movements, etc.—in order to gather incriminating information. That work is properly hailed as a masterpiece for its sensitive accounts of the effects of these activities--not only on the direct targets of the surveillance, but perhaps even more on the agents obliged to transform their identities in carrying it out. Particularly impressive in

this work is Marx's self-critical account of the evolution of his own views on undercover policing—from opposition early on to grudging acceptance of the need for these activities in at least some situations.

All these analytical and moral virtues are on display in *Windows into the Soul*. In many ways, this is a still more ambitious work than its predecessors. Here he aims to present nothing less than a conspectus of lessons learned about surveillance over a long and distinguished career, a career devoted not only to empirical studies but also to deep reflection on the changing roles of surveillance and their significance for key values.

Gary Marx has consistently sought to occupy an analytical position skeptical of—yet by no means categorically antagonistic to—much “scientific” social science. Though scarcely rejecting quantitative techniques and deductive reasoning, he has long upheld alternative forms of insight and understanding, as well. These convictions are reflected in this work through inclusion of surveillance-related cartoons; quotations from non-academic sources like Kris Kristofferson and Bob Dylan; and droll fictional accounts of surveillance activities by figures with names like Paul Lazarsfeld and Vance Picard.

This eclectic stance raises questions about the payoffs intended for this ambitious undertaking. If one expects knowledge to grow cumulatively, and not simply by *accumulation*, what form should we expect a work to take whose evident goals include a summing-up of insights from a long, varied and illustrious career of surveillance studies? What sorts of generalizations, principles, concepts properly serve to distill the fruits of the extremely wide-ranging agenda of works entertained here—including, of course, the author's own?

Marx addresses these questions directly. *Windows into the Soul*, he writes in the opening pages, does not “offer a single, hard-driving argument ...” [p. 8] But

it does, however, offer a soft-driving argument that identifies questions central for explanation, evaluation and regulation and parses empirical possibilities into four basic surveillance contexts. [p. 8]

Note the ambitiousness of this “soft-driving” strategy: to identify key questions, not just for the explanation of surveillance phenomena, but also for their

evaluation and regulation. Marx has never shied away from normative judgments—he would be the last to deny the moral responsibilities of the investigator to draw implications for action from empirical inquiry. But what is the reader to make of an ambitious overview of a far-flung literature whose outputs consist largely of questions—even compelling one? In a subject-matter so thoroughly mined with value conflicts, contested policy issues and out-and-out conflict, shouldn't we expect the author to take stands? With decades of research experience behind him, and mastery of a far-flung literatures on display in this work, where does the author come down on matters like the NSA's bulk collection of Americans' telecommunications "metadata"? Or on the wisdom of the project, actively underway, of consolidating all Americans' medical information in a single national repository? At some point, events force us all to take positions on such matters. One wants to know how the author would move from questions to answers.

Windows of the Soul has four parts. Part I "*Concepts: The Need for a Modest but Persistent Analyticity*" presents conceptual statements on the various forms and attributes of surveillance. These include, for example, notes on technologies for sampling and analyzing bodily products (breath, spit) without the knowledge or permission of the person concerned, along with commentaries on the politics of surveillance claims. At one point Marx offers a formulation that could be a mantra for students of surveillance, "What was initially seen as a shocking intrusion may come to be seen as business as usual ..." [p. 130].

This Part is full of such revealing snippets. Less apparent is an intellectual structure to provide focus and direction for an over-arching argument. Four chapters (about one-third of the text, not counting appendices, index, etc.) seems a lot to devote to conceptual warm-up. And many of the discussions have an inconclusive on-the-one-hand-and-on-the-other quality. Consider the following passage from Chapter Four

Consider those gainfully employed in the pornography business. They are paid to go public. Is there a difference between impersonal and personal sex, or is the latter an oxymoron? Does the indiscriminate revelation of intimate activities with multiple partners make the behavior impersonal and less or not intimate? How is knowing about people different from

knowing them? Do elements of the personal remain when the performers use pseudonyms, wear masks (as was the case when such behavior was illegal), or are not psychologically involved in the behavior? [p. 97]

Worthy and provocative questions, all. But this discussion misses a chance to envisage programs of empirical inquiry that might illuminate the questions raised here, and fit the answers into a larger body of understanding. At a certain point, one becomes saturated with good questions and begins to thirst, if not for final answers, at least for strategies for seeking such answers. The reader champs at the bit, wondering what distinctive or controversial positions the author has up his sleeve—above all, when he is going to assert something striking enough to trigger objections and (illuminating) controversy.

Part II is rich in accounts of specific surveillance process, many of them familiar elements of everyday life. This strikes me as the most compelling part of the book, for the ease with which Marx's reflections translate into research questions bearing on matters of value and policy. Consider this passage on what many observers would call "function creep" in surveillance systems:

Consider the case of the National Consumer Telecom Exchange, which began in 1998 as a way for telephone companies to exchange information on questionable accounts. By 2002 it had morphed into the much larger National Consumer Telecom and Utility Exchange, which now goes beyond phone service to include the exchange of consumer data on basic utilities, cable, satellite, wireless and Internet services. Expansion can also be seen in the increased integration and geographic and temporal reach of data organizations for screening tenants, such as the National Tenant Rating Bureau (aka—in their words—the Deadbeat Database), a service of the Landlord Protection Agency.

Pressure for expanded use of a tactic or technology may also come from the need to locate the identity of an unknown person by comparisons to known persons in a database. Thus, fingerprints, DNA, and photos ... are of little use for identification if there is no population base to match them against. [Pp. 133-33]

This is vintage Gary Marx. He points to *genres* of surveillance that are eminently researchable—and full of implications for other contexts. In this case, for example, if some measure of tracking of consumers' bill-paying records as customers of these organizations is acceptable, how far should the reach of this surveillance be allowed to extend—before it becomes intolerably intrusive and dangerous? Or, if the details of consumers' consumption of medical services—or right-wing political messages, or pornography, or anything else—could be associated with their desirability as utilities customers, would surveillance over those areas of their lives be justified?

Marx would be the first to point out that empirically-grounded questions like these cannot be answered—at least, in their policy implications—without reference to the values that the analyst brings to the situations. But I believe he would also agree that the value oppositions involved can often be narrowed by earnest reflection on their implications for action in real-world situations. Accordingly, identifying empirically salient issues like those above--and opening them up for informed debate among parties with potentially conflicting value positions---strikes me as indispensable for surveillance studies, as much as for other realms of social inquiry.

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Other lines of discussion in *Windows* strike me as less likely to conduce to such engagement. Parts III and IV too often slip into inconclusive discussion of the many possible values and attitudes one might bring to the subject-matter. For example,

It would be nice if the world had been created such that a simple deductive Rosetta Stone for judging surveillance was possible

The alternative offered here—an inductive approach that asks about the ethics of heterogeneous settings and behavior—also has limitations. A comprehensive consideration of the myriad factors that can go wrong or right with surveillance may overwhelm the observer. Casting such a wide yet thinly-meshed net brings the risk of being unwieldy and unrealistic[pp. 287-88]

Indeed it does. There is too much discussion in this vein in *Windows*. One senses that the author seeks, in such passages, to remain open to all possibilities, to do justice to the many possible perspectives and assumptions for surveillance research by declining to choose among them. But statements like this do not help much to guide either scholarly analysis or public exposition of surveillance. At some point the analyst has to take a position—even if this means declaring values to which others will take the strongest exception.

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Windows into the Soul is animated by two agenda, not always mutually compatible. One is to help bring systematic social inquiry to bear on contemporary developments in surveillance that any attentive observer has to experience as astonishing, disorienting, or even shocking. These range from the growing ability of law enforcement authorities to track unknowing subjects through their cell phones, to the sophisticated techniques of marketers for knowing who we are and what we can be induced to buy, perhaps before we do. The second leitmotif of the work is to elaborate the fullest possible array of conceptual dispositions and analytical assumptions for the study of surveillance, without fully embracing any one. At some point pursuit of the latter aim at the expense of the first runs the risk of devolving into intellectual hand-wringing.

Near the beginning of the book, the author affirms “A central task of this book ... is to suggest why *surveillance by itself is neither good nor bad, but context and comportment make it so.*” [p.10]. Like many a ringing generalization in *Windows*, this one is hard to fault—has anyone ever held otherwise? But in fact, social scientists have ample means at their disposal to dig deeply into the “context and comportment” of real-world surveillance—and ample grounds not just for generalization, but also for strong conclusions for action and policy in these matters.

Let us hope that the impressive scholarship on display in this work yields inspiration for such strong commentary on prevailing directions in the evolution of surveillance.

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