

## Chapter 3

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# Democracy and its visibilities

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### Democracy and the public

In recent years, critics have raised well-founded concerns about the extent to which surveillance is affecting the health of democratic life. Practices of data collection and retention, as well as the unprecedented development of traceability through digital relational databases, have recently been addressed as sensitive topics in surveillance studies (Lyon 2001; 2007). Even without resorting to conspiracy theories or “Big Brotherist” visions, which have already been effectively criticized by various scholars (see, in particular, Lianos 2003), concerns about a growing tension between the requirements of democratic life and the surveillance activity carried out by governmental agencies appear to be well founded. It is especially so if one takes into account the larger picture, which also includes the rise of “securitarian” and “dangerization” versions of the law-and-order ideology. Waves of securitarian panic stirred up by moral entrepreneurs in Becker’s sense and mirrored by the media have led to racial targeting and racial profiling of groups seen to “pose a threat” to public safety (for the Italian case, see for example De Giorgi 2008). Concurrently, the growing motivational deficit at the heart of contemporary democratic regimes (Critchley 2007) and the rise of economic inequalities are likely to multiply anti-democratic tendencies.

The public appears as a crucial dimension in the relationship between surveillance and democracy. However, a problem arises when, on the basis of an assumption grounded in political liberalism, the private is simply opposed to the public in a dichotomous way. Concerns about the political effects of surveillance are often interpreted as the task of protecting private life against surveillance. Throughout this chapter, I show the limitations of this view of the private/public divide. We need to replace the false dichotomy of surveillance and privacy with a more nuanced and pluralist understanding of the social working of surveillance. Three main concepts will be at the center of my discussion: *visibility regimes*, *technologies of power*, and the *public domain*. Visibility regimes are constitutive of political regimes and as fundamentally interwoven with technologies of power. Because of this interplay, the idea of

retreat into the private domain as a means of avoiding surveillance is chimerical. Rather, the real challenge posed by surveillance is the re-articulation of the public domain. An Arendtian conception of democracy, as I argue below, best captures this process, revealing the delusion inherent in the idea of being “free at one’s own place.” Here again technology plays a crucial role, not simply because power deploys a set of technologies but, more radically, because—following a Foucauldian insight—power itself *is* a technology, it is one among the specific techniques that human beings use to understand themselves (Foucault 1982).

To begin with, it should be specified that in this context visibility cannot be reduced to a mere visual issue. Visibility is a symbolic field of social meaning: seeing and being seen do not simply correspond to given power positions. Visibility relationships are also constituted by many other, not directly perceptual, forms of noticing, managing attention, and determining the significance of events and subjects. In short, visibility lies at the intersection of aesthetics (relations of perception) and politics (relations of power).

From this perspective, to describe visibility as symbolic does not equate it to a matter of cultural repertoire. Culture is indeed symbolic, but in the case of the visible the symbolic perspective should be taken and turned upside down, so to speak. Images and gestures do not so much constitute the perceptible symbols of some intangible meaning, but rather symbols *are* images and gestures, in the sense that they have the same structure and the same way of functioning. Symbols are nothing more and nothing less than what *is made* visible, and, complementarily, what *makes* the visible. Thus, symbols are the material element of the visible as well as the identifiable *Gestalten* that are drawn in the field. The visible is not only the field where broad cultural meanings are worked out, but also a much more compelling material and strategic field. Visibility is not free-floating meaning, but meaning inscribed in material processes and constraints (see also Brighenti 2007). Visibility is a domain that is crucially located at the interface between the domains of the technical and the social. Contemporary *sociotechnological complexes* are intimately linked to the forms and features of social visibility and intervisibility, as, for instance, mass media as collective apparatuses of social networking clearly reveal.

Social and political theorists have provided important conceptualizations of the public domain. Hannah Arendt (1958:50) insisted on the existence of a “world in common” among humans as the pivotal condition for politics. In Greek and Roman culture, Arendt argued, it is the experience of the *common* that defines the public sphere as the place where “everything that appears ... can be seen and heard by everybody and has the widest possible publicity ... [and] appearance—something that is being seen and heard by others as well as by ourselves—[is what] constitutes reality” (Arendt 1958:50). The public sphere is defined by its publicity and commonality, in contrast to the private sphere, which is characterized by deprivation: “To live an entirely private life means above all to be deprived of things essential to a truly human

life: to be deprived of the reality that comes from being seen and heard by others” (Arendt 1958:58). The existence of the public sphere as a world-in-common which joins and separates is, for Arendt, threatened by mass society, which undermines the capacity of the public to articulate meaningful relationships and separations among people. Such “meaningful separation” speaks to the Hegelian theme of recognition, which has been taken up, for instance, by Charles Taylor since the 1970s (see Taylor 1989). In particular, Taylor argued that the sources of the subject in Western political thought should be conceived by taking into account not merely large-scale social projects (such as theories of justice etc.), but especially the personal desire for recognition as constitutive of life in common.

While disagreeing with Arendt’s thesis that modernity is a time of decline of the public sphere, Jürgen Habermas (1982 [1962]) similarly defined the public sphere as a realm of social life that provides a forum for the articulation of common issues. The public sphere emerged in modern society over the period from the seventeenth century to the early nineteenth century, as a third domain, distinct from both private household and public power. The public sphere is the space of civil society, as distinct from private association on the one hand, and institutionalized political society on the other. Its specificity consists in providing the infrastructure for the elaboration of public opinion through public debate—that is, debate on matters of general interest and issues of common concern. Such debate is joined by all those citizens potentially affected by the outcomes of political decisions on the issues at stake. Participation and deliberation are the crucial aspects of this sphere of social action. Linked to institutions such as coffee houses, public libraries, and, above all, modern mass media such as the press, the history of the public sphere is the history of the consolidation of bourgeois society. The defining features of the public sphere are its essential accessibility to all citizens and the principle of the public availability of proceedings (*Publizitätsvorschriften*). Habermas also diagnosed a crisis of the public sphere during the course of the twentieth century, in the form of a “refeudalization.” On the one hand, new powerful private actors, such as large corporations, started to undertake direct political action through control and manipulation of communication and the media, thus promoting their private interests in a way that is at odds with the original logic of the public sphere. On the other hand, the Keynesian configuration of the Western welfare state corresponded to a more active engagement of the state in the private sphere and everyday life, leading to an erosion of the distinction between political and civil society which was itself the object of criticism (see e.g. Young 1990). Following the Frankfurt School’s line of analysis, Habermas described the decline of the public sphere as a process of transforming citizens into consumers, which eventually leads to a decline of interest in the common good and in direct participation.

In his theorization of politics, Norberto Bobbio (1999) identified democracy as a type of power that poses a specific challenge to the older elitist tradition

of the *arcana imperii* (literally, the secrets of power). The elitist tradition is grounded in a negative anthropology maintaining that there is no cure from the evil of power. In this view history is reduced to a contingent series of facts that do not alter the human being's thrust towards power. Power is believed to have been, and necessarily always bound to be, in the hands of a minority, an elite which is not legitimated from below but rather legitimizes itself. Understandably, this bitter reality of power is often kept hidden to avoid contention and political turmoil. Arguably, conspiracy theories are an offspring of elitist theories, insofar as they extend the elitist belief in the—at least partial—invisibility of power to the idea of the invisibility of power-holders themselves, organized in an invisible ruling synarchy. By contrast, Bobbio defines democracy as “power in public,” i.e. power the inner mechanisms of which are made visible and therefore controllable. Modern democracy was born in opposition to medieval and early-modern treatises on the art of government, such as the Machiavellian-style “advices to the Prince.” Whereas the precepts-to-the-Prince literature looked at power *ex parte principis*, from the point of view of the prince, modern democracy begins when one begins to look at power *ex parte populi*, from the point of view of the people. The gaze from below amounts to a vigorous call for the openness and visibility of power. Whereas all autocratic regimes are founded upon the conservation of secrecy in proceedings, the crucial democratic challenge is to achieve a deployment of power that is ideally without secrets. The device of political representation is necessarily public, as recognized even by opponents of this view, such as Carl Schmitt.

For his part, Max Weber (1978[1922]: I, §III, 3–5) saw quite clearly that modern bureaucracy is an ambivalent institution. On the one hand, bureaucracy is necessary to achieve the legal-rational form of power, based on the specialization of competences and the standardization of procedures. Bureaucratic apparatuses can attain the highest degrees of efficiency and are the most rational way to control people because they guarantee highly calculable outcomes. On the other hand, however, not only does bureaucracy produce conformity and uniform technical competence, but it also tends to breed plutocracy and dominance of formalistic impersonality, and, above all, it is constantly tempted to restrict open access to government records, through the production of “classified” documents (“*Amtsgeheimnisse*”) and other inaccessible technicalities. These perils of technocracy have also been analyzed by other democratic theorists, such as Robert Dahl (1989). Bobbio himself remarked that “the resistance and the persistence of invisible power become stronger and stronger, even in democratic States, the more one considers issues such as international relations,” (1999: 365) which often include secret consultations and secret treaties.

In spite of their differences, most social theorists share some concern for the transformations of the public sphere during the twentieth century. The shrinkage of the public sphere—which, as mentioned above, Habermas dubbed

“refeudalization”—is regarded as threatening for democracy. In this respect, Craig Calhoun (2005) has observed that democracy requires both inclusion and connection among citizens; in other words, citizens should be able to access relevant information and communicate with each other in a common world extending beyond primary, private associations. This is why the public sphere materialized first of all in urban environments, and was later extended by the media: “Publics connect people who are not in the same families, communities, and clubs; people who are not the same as each other. Urban life is public, thus, in a way village life is not. Modern media amplify this capacity to communicate with strangers” (Calhoun 2005:5). Hence, the importance of transparent and symmetric communication as constitutive of the public sphere. For Calhoun, indeed, the public sphere cannot be conceived of as the mere “sum” of a set of separate private opinions, for this deletes the fundamental process of the formation of public opinion itself, which takes place through discussion and deliberation.

Overall, these theorizations point to the fact that the public sphere is a sphere of *visibility*. But whereas political philosophers insist in particular on the procedural and deliberative dimension associated with communicative action, sociologists must also study the specificities of public space and the types and modalities of interaction in public. Richard Sennett (1978), for instance, focused on Western urban space in order to locate the public sphere. He argued that it was the very transformation of modern city life that caused a crisis in the public realm. The construction of the public sphere was the construction of an impersonal, role-based model of interaction, which enabled people to deal with complex and disordered situations. The fall of this model is marked by the rise of a new emotivism and the thirst for authenticity, community, and the expression of feelings and desires. Indifference, concerns for personal safety, fear of victimization, and a whole ideology of the “coldness” of public space caused a general retreat into the private, in search of the “warm” human relations supposed to be found in the family and community. Emotivism and communitarianism thus induced a crisis in the dynamism of the public sphere as well as a decrease in “civility,” understood as the capacity to relate positively to strangers—“the activity which protects people from each other and yet allows them to enjoy each other’s company” (Sennett 1978:264). In other words, the fall of the public man corresponded to an increasing fear of strangers. Such incapacity to live with strangers, Sennett observed, is deeply problematic, because intimate relations cannot be successfully projected as a basis for social relations at large. Accepting the other as unknown is a crucial component of civility, which is an essential democratic capacity, similar to what Castoriadis (1997) used to call *paideia*. Castoriadis stressed that there is no ultimate guarantee for democracy, but only contingent guarantees. *Paideia*, or “education” in a very broad sense of the term, is one such guarantee that consists in the creation of political subjects aware of both the necessity of regulation

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and the possibility of discussing, criticizing, and changing the rules of coexistence:

Rotation in office, sortition, decision-making after deliberation by the entire body politic, elections, and popular courts did not rest solely on a postulate that everyone has an equal capacity to assume public responsibilities: these procedures were themselves pieces of a political educational process, of an active *paideia*, which aimed at exercising—and, therefore, at developing in all—the corresponding abilities and, thereby, at rendering the postulate of political equality as close to the effective reality of that society as possible.

(Castoriadis 1997:11)

Sennett's view of the public sphere shares some similarities with ideas emerging from interactionist sociology. Erving Goffman (1963, 1971) approached public space from the perspective of the specific type of interaction that goes on in public, made of fleeting encounters among strangers and small-scale sociality. Working within a Goffmanian framework, Lyn Lofland (1998) insists on the elements of urban environments and stranger interaction as constitutive of the public realm at large. The public realm can be conceived of primarily as a type of register of human interaction that differs from other registers, specifically from the private one. Lofland contends that the realms she describes are social-psychological rather than spatial. The type of realm, in other words, is not defined by the physical space in which it is located but by its predominant relational form. Whereas the private realm is "characterized by ties of intimacy among primary group members who are located within households and personal networks," and the parochial realm is "characterized by a sense of commonality among acquaintances and neighbors who are involved in interpersonal networks that are located within communities," the public realm can be described as "the non-private sectors of urban areas in which individuals in copresence tend to be personally unknown or only categorically known to one another" (Lofland 1998:9–10).

Consequently, whereas in the private realm the dominant relational form is intimate, and in the parochial or communal realm it is communitarian, in the public realm the dominant form is essentially categorical. A categorical form of relation, which corresponds to the capacity to deal with biographic strangers, stems mainly from the experience of urban life and is based on the only apparently thin capacity to coexist in a civil manner, accepting the existence of social diversity. Thus, Lofland's analysis advances a defense of the public realm on the basis of its social value as an environment for active learning, a site for relief from sometimes oppressive strong ties, a place where both social cooperation and social conflict can be acted out, and, ultimately, the only true place for social communication and the practice of politics.

## The public as visibility and territory

Research on the public sphere and the public realm is greatly valuable for the study of the contemporary interplay between democracy and surveillance. But a further key element must be considered: that is, the *interweaving of material and immaterial* dimensions of the social sphere. Both political philosophers and interaction sociologists tend to somewhat downplay the importance and scope of the materiality of the public, and, more precisely, the interweaving and constant *prolongations* of materialities and immaterialities. Indeed, political philosophical reflection on the public sphere is almost exclusively focused on the dimension of political participation and deliberative procedures, while interactionist studies of the public realm are mainly concerned with the cognitive frameworks and registers of interpersonal interaction. However, both approaches miss the spatial and material constraints that constitute the public.

In an attempt to overcome the limitations inherent in such a selective and partial outlook on the part of political philosophers and interactionist sociologists, I adopt the label “public domain” as the most encompassing and general term to address issues traditionally associated in various ways with the public sphere, public realm, and public space. Here, I argue, visibility and territoriality emerge as key analytical points. First of all because, as we have seen, the public domain is itself open and visible; but accessing the public domain also means agreeing to become a *subject* of visibility, someone who is, in his or her turn, visible to others. Secondly, because the practical working of intervisibilities amounts to introducing and managing qualitative thresholds between different types of events going on in the social sphere. The public domain, thus, can be fully appreciated only if we take into account the double articulation of the social sphere, as “matter of the cosmos” and “image of thought” (Deleuze and Guattari 1980) at the same time.

The public domain has both a material side—defined by bodily experience; density; circulation; and urban dromology—and a social-relational, affective side, referring to the capacity of actors to affect each other. Consequently, we can conceive of the public domain properly as a *territory* (Brighenti 2006), that is, a specific modalization of situated and materially constrained interaction. Territories are relational, processual and directional phenomena, which always exist in the tension between the material and the immaterial. They are like acts or events that unfold in time, creating determinations, trajectories, and rhythms on the basis of threshold-making, or boundary-drawing acts. Not simply spatial regions, but all types of relational topologies can be appreciated as territorial formations, such as, for instance, the internet. Contrary to what has sometimes been superficially said about media without a sense of place, experiencing the internet is a deeply territorial process, insofar as browsing constantly involves the experience of crossing boundaries and entering new territories made of relational fields defined by domains, access points, protocols, and then inclusion and exclusion, elicitation, participation, banning, and

so on. Adopting a distinction first introduced by Michel de Certeau (1984), Mattias Kärrholm (2007) has recently remarked that territorial complexity is due to the balancing of the double process of territorial production and territorial stabilization. Production and stabilization can be either strategic or tactical in nature:

[t]erritorial strategies represent impersonal, planned, and, to some extent, mediated control, and often involve the delegation of control to things, rules, and so forth. Territorial strategies are (to a degree) always planned at a distance in time and/or space from the territory produced, whereas territorial tactics involve claims made in the midst of a situation and as part of an ongoing sequence (in daily life). Territorial tactics thus often refer to a personal relationship between the territory and the person or group who mark it as theirs.

(Kärrholm 2007:441)

The territorializing process can be described as a way of carving the environment through boundary-drawing acts that concurrently help to stabilize the set of relationships that take place in that environment.

Recognizing boundaries as a type of operation, or “act,” leads to an initial definition of the trajectories and boundaries within and around territories as complementary rather than conflicting elements, or, in other words, as two elements that constantly act upon each other. Like every other territory, the public domain is bounded, but its boundaries are constantly worked upon by actors. One of the crucial processes that is currently reshaping the boundaries of the public domain in significant ways is the emergence of visibility asymmetries fostered by contemporary surveillance practices. Not only is access to many spaces more and more restricted through the use of checkpoints and passwords, but the very type of categories produced by professional surveillance knowledge is intersecting with and even colonizing lay knowledge in the public domain.

Visibility contributes crucially to the demarcation of the public domain. Specifically, the social configurations emerging from new surveillant visibility regimes are leading to a profound transformation of the public. Visibility is not merely a free-floating aspect of social interaction. Rather, it is structured as the result of the activities and practices of all the different actors who aim to plan it or, on the contrary, to resist such planning. Visibility asymmetries are arranged into structured complexes, which we call *regimes*. Contemporary society is organized around regimes of visibility that contribute to the definition and management of power, representations, public opinion, conflict, and social control. Whereas potential ambivalences are inherent to all visibility effects, actual regimes specify and activate contextual determinations of the visible. Thus, the actual effects of visibility are selected by the whole territorial arrangement in which social relationships are embedded.



The threat surveillance poses to democracy today can be related to the fact that the contract of visibility in the public domain is being increasingly blurred and ultimately rendered fictional: the normal and the abnormal, norm and exception cannot be disentangled. This fact, which we are going to discuss in more depth below, reminds us that the study of the public domain itself can be undertaken from at least two complementary if not opposing perspectives: the perspective, already considered, of democracy, on the one hand, and the perspective of government on the other. The governmental perspective has been developed in the most original way by Michel Foucault. Government includes what is commonly referred to as policy and regulation, but is not limited to that. Foucault described the activity of government in these terms: “[w]ith government it is a question not of imposing law on men, but of disposing things” (1991[1978]:95). Governmental activity thus works by defining subject positions inside a field made of strategically “disposed things.” It is important to notice that, with this definition, Foucault completely severs the activity of government from state apparatuses. What characterizes the period from the sixteenth to the twentieth century it is not so much the subordination of society to a central state apparatus (*étatisation de la société*), as it is a governmentalization of the State itself (*gouvernementalisation de l’État*). More generally, the governmental field is essentially a relational and, in the terms proposed above, a *territorial* field, which can be sustained by very different types of institutional bonds. The materiality of things and spaces is essential for the exercise of this type of power.

Foucault’s interest in government emerged in the context of his study of the genealogy of modern power. Foucault, it is said, diagnosed a *shift* from sovereignty to disciplinary society, and, later, revealed the crisis of disciplinary society, which was the prelude to new forms of control such as security. This view has sometimes been supported with reference to Deleuze’s *Postscript* (1992 [1990]), which, however, only describes the crisis of the disciplinary model and the main features of the control model of power. But, in fact, in the period from the mid to the late 1970s, Foucault (1976, 1977 [1975], 1997 [1975–76], 1991 [1978], 2007 [1978]) elaborated a more complex and nuanced quadripartite image of power, where the different forms of power do not simply rule each other out, but rather *co-exist* in subtle ways. In other words, his analysis should not be interpreted as a stage theory (first sovereignty, then discipline, then security) but rather a *pluralist analytics of power forms*. At the most general level, Foucault’s analysis is grounded in the idea that modern power is not simply a negative, repressive power, but rather a positive power that assumes the function of “taking care” of human life as a whole: “the modern human being is an animal whose politics puts into question his own life as a living being” (Foucault 1976:188).

Four major technologies of power are identified by Foucault, corresponding to four types of regulation and four ways of organizing social space. The first technology is *sovereignty*. It aims to guarantee the certainty of a territory,

which is a juridical and jurisdictional bounded space. Sovereignty establishes hegemonic control over a spatial territory. Its infrastructure is *law*, a discursive device that works essentially through prohibition (legal philosophers confirm that *forbidding* is the original deontic form). Foucault explored the technology of sovereignty to a lesser extent, since he regarded it as the classic model of power, which had already been conceptualized by classic theorists and was in fact being increasingly infiltrated by the second and third types of technology. What is interesting in the sovereign technology is the specific type of spectacle of power it sets up, especially in the form of parades, triumphal marches, and so on. As Tony Bennett glosses in the case of museums, “the people, so far as their relations to high cultural forms were concerned, were merely the witnesses of a power that was paraded before them” (1995:22).

The second technology is *discipline*. Discipline is a modern creation, whose aim is to cultivate, engender, and “orthopaedically” correct individual habits. It is a form of “microphysical” power in the sense that it is exercised directly upon individual bodies. The major disciplinary tool is the *norm*. The norm proposes a positive ideal, enforced within a clearly delimited institutional space, which separates normal and abnormal subjects. Discipline thus follows the maxim of *divide et impera*: it divides up both subjects and space, it introduces boundaries and establishes enclosed institutions. Discipline acts upon confused multiplicities in an attempt to eliminate confusion, categorize subjects and enhance their conformity to the norm. Famously, discipline aims to produce “docile bodies.”

The third type of technology is *security*. Security is not a single discipline but comprises a set of technologies whose general aim is to govern multiplicities in open spaces on the basis of actuarial devices. Such multiplicities cannot be pinned down to the individual level, so security cannot be applied to individuals. Rather, security organizes space according to a series of *possible events* that are to be managed and kept under control. Security aims to control events that are temporary and even aleatory to a degree. In order to do so, it conceives and organizes the space as an *environment*, a system of possibilities, of virtualities that do or do not become actual. Whereas discipline aims to govern a multiplicity of subjects by impacting directly, *singulatim*, upon individual bodies—in order to control them, train them, or get them accustomed to the norm—security governs the multiplicity as an *omnes*, an undivided whole. Whereas the norm works by “normation,” security works by “normalization.” In other words, within the disciplinarian framework people are classified by reference to a norm, setting apart the normal from the abnormal; in the securitarian framework people are treated as an undivided whole and the issue becomes one of operating an aggregate, statistical, or average normalized management of biological processes such as nutrition, health, and so on. Consequently, if the object of the application of discipline is the body, the object upon which security is exercised is an entity called *population*. Population is not an individual but a global mass, a collective and statistical concept. It exists

only as a pattern within a grid of dimensions and variables, which include “impersonal” events such as birth, death, production, reproduction, and illness. The population has no will, it is neither “a people” in the classical political-philosophical meaning, nor an actor in the sociological sense of the word. It just shows certain *tendencies* that must be normalized. From this point of view, technologies of security define *biopolitics*, which is different from *anatomopolitics*, the technology of disciplinary power exercised on individual bodies. If the latter aims to shape an individual’s habits and drives, the former can “only” control aggregate tendencies, without shaping them from within. Discipline individualizes; biopolitics massifies. Biopolitics is a politics of life, but not of individuals; rather, it addresses “the multiplicity of humans as a global mass that is affected by overall processes that characterize its life” (Foucault 1997 [1975–76]:216).

The fourth set of technologies of power analyzed by Foucault is the set of technologies of the Self (Foucault 1982). Despite the fact that Foucault ultimately concluded that his major interest throughout his career was the exploration of the emergence of the subject, for the purposes of our present discussion on surveillance and democracy we will take into consideration only the first three types of technologies.

### Visibility management and surveillance

Shaping and managing visibility is a huge task that human beings perform tirelessly. The management of visibility is embedded in sociotechnological complexes through which the phenomenological here-and-now of the local *Umwelt* is prolonged by means of activities of import/export. In other words, the media are devices for establishing connections between different *Umwelten*. Clearly, from such a McLuhanian perspective (McLuhan 1964), the media cover a much broader category than *mass* media. Indeed, the mass media correspond to only one among the many configurations or patterns of visibility, specifically broadcast, or one-to-many communication. More broadly, following Régis Debray (2000), the mediation process can be described as a technosocial “middle realm” in which the social and the technical meet and mix. Frédéric Vandenberghe (2007:26) has summarized this mixing as the process through which “the spirit gets materialized into technology at the same time as the social gets organized into society and reproduced through history.” Democracy is one such sociotechnological complex. Ideals and discourses about equality and freedom are not just abstract philosophical amusements, but are fixed in very intricate and often twisted ways into the material aspects of the social, down to the most concrete and apparently dull details of an office, its furniture, its application forms, and the bureaucratic jargon spoken by its employees. Hence, the importance of the dimension of (in)visibility in the social field.

Every time the mass media and new communication technologies enlarge or reshape the field of the socially visible, visibility turns into a supply-and-demand

market. At any change in the field, the question arises of what is being seen, and at what price—along with the normative question of what should and should not be seen. These questions are never simply a technical matter: they are inherently practical and political. This means that, at every change in the field, the practice, the rationale and the scope of intervisibilities is going to be problematized and the specific parameters, delimitations, and dynamics of visibility are renegotiated. Therefore, to understand the real stake of the management of visibilities we need to adopt and confront those two opposing, or at least complementary, points of view on the public domain, which are the democratic and the governmental.

Another crucial aspect is connected to the fact that mediation can enhance asymmetries in visibility. Surveillance comprises all those processes through which a target population is kept under scrutiny. Surveillance can be described as specific management of the relative visibilities and visibility asymmetries among people. Within the framework of the thesis of a passage from disciplinary societies to societies of control, it has been argued that contemporary society is characterized by the fact that surveillance becomes methodical, systematic, and automatic (Virilio 1994), rather than discontinuous, as was the case with the disciplinary technology of power. We no longer have *virtual* control—which was made possible by the internalization of the gaze on the part of the disciplined subject—but rather *actual* control, made possible by new technologies and the availability of new types of high-tech “unsleeping eyes.” Information and communication technologies have multiplied the range and scope of surveillance processes and have made these processes routine, rather than techniques applied in exceptional circumstances.

More nuanced surveillance studies, however, have revealed that surveillance itself is not monolithic (Lyon 2007). Rather, it comprises a set of activities promoted by different agencies for different purposes. In this vein, Lianos (2001, 2003) has argued that contemporary institutional control is acentric and acephalic, perioptical rather than panoptical. In this hypothesis, post-industrial social control is aimed not at surveillance on the part of a single central authority but rather at the creation of differential individual positions of inclusion/exclusion as well as the promotion of individualist competition for inclusion. However, it is still possible to say, whether it is exercised by a single or by multiple agencies, that what remains common to all surveillance activities is a selectively focused attention paid to personal details that are monitored, recorded, checked, archived, and retrieved. The traceability of acts and events is enhanced by information storage and data retention, which are enacted for the most diverse institutional aims and crucially create the possibility of *retrospective* investigation. A single surveillance process thus consists in the effort to achieve and subsequently manage the visibility of people’s identities and behaviors to the advantage of the specific agency promoting that surveillance activity, but the overall interconnections among the many surveillance systems generate outcomes that are often unpredictable in terms of the

extent and the precision of tracking. In any case, it is clear that visibility is to be understood not merely as a visual condition but, in a broader sense, as the availability of personal data useful to compile general behavioral profiles. New surveillance technologies lead to a widespread diffusion of often uncoordinated control practices and systematically activate contextual visibility asymmetries among those who scrutinize and those who are scrutinized both at the material-sensorial and the immaterial level.

Inside a visibility regime, it is necessary to explain how the classification (and territorialization) of surveilled people takes place in practice, understanding how relations of perception (the visual) and relations of power (the visible) prolong and constantly flow into each other. To identify the visual and bodily features that are employed for the categorical identification and profiling of people entails explaining the whole social organization of visual perception inside a sociotechnical diagram or apparatus. Professional *savoirs* are deployed in the perception of images, and surveillance is usually a professional activity. This fact holds crucial consequences for surveillance practices. One of the most striking characteristics of contemporary surveillant visibility regimes seems to be their *uncertainty*. It becomes more and more difficult for lay people to know the specific knowledge that will be applied to scrutinize them. Sometimes it may even be hard to determine which types of behavior would cause one to be profiled as posing a threat.

In order to stress the complex functioning of surveillance that exceeds the process of the norm, Haggerty and Ericson (2000) described the “surveillant assemblage” as a mechanism of transposition of surveillance from the material to the immaterial level, which operates as flows:

[t]he surveillant assemblage does not approach the body in the first instance as a single entity to be molded, punished, or controlled. First it must be known, and to do so it is broken down into a series of discrete signifying flows. Surveillance commences with the creation of a space of comparison and the introduction of breaks in the flows that emanate from, or circulate within, the human body.

(Haggerty and Ericson 2000:612)

Just like the technologies of security, the surveillant assemblage addresses a type of control upon open space qualitatively different from that adopted for enclosed spaces. The surveillant assemblage is a visibility regime. Similarly, Lianos has described contemporary institutional control as based on routine and even unintentional processes of de-subjectification: “institutional control is about the ‘de-subjectification’ of the individual, who is being largely transformed into a fragmented user, since the object of control is to regulate exclusively the specific institutional shell of activity concerned each time” (2003:423).

The de-subjectified individual, though, is only part of a wider picture. Space can be controlled dividually, for instance, through boundary policing. But

whenever some redrawing of boundaries takes place, other technologies will eventually intervene, leading to re-subjectification and re-individualization. These could be, for instance, repressive measures against single trespassers, but also, at the same time, work as orthopaedic and even exemplary demonstration for non-trespassers, for the law-abiding majority. In these cases, the institutional, the administrative, the sovereign, and the expressive intermingle. The threat to democracy in this case comes from the rise of arbitrary and capricious forms of governance.<sup>1</sup> Surveillance regimes make more things more visible, and bring more practices to the attention of surveillance agencies, but they do so in ways that are not openly accountable, based as they are on professional *savoirs* who are themselves invisible. There exists a greater threat than the fact that people are profiled by (relatively) invisible agencies: it is the fact that profiling criteria themselves are invisible. Such criteria may not necessarily be designed for evil purposes, such as overt racial discrimination; on the contrary, they may simply mirror pragmatic short-term concerns that are linked to the organizational logic of the surveillance agency. But their unintended consequences can nonetheless be quite harmful to people, and even fatal at times. Whether we decide to call these outcomes errors or not, whether we decide to locate them in an Orwellian or Kafkaesque atmosphere, we should not be blind to the fact that they draw a bleak picture for democracy.

A pluralist analytics of the technologies of power that could foster research on surveillance should recognize that surveillance comprises different types of processes at once. Rather than understanding sovereignty, panopticism, and security as historical, overarching models that are subsequent to each other, whereby the newer replaces the older, we should regard them as analytical dimensions of power, visibility, control, and surveillance. More specifically, the contemporary surveillant visibility regime seems to lie somewhere in between *juridical*, *anatomopolitical*, and *biopolitical* technologies. Different regimes selectively activate one or more of these three sets of technologies, which have different objects, different methods, and different rationales, but always determine and subsequently manage visibility asymmetries.

The concept of visibility regime allows us to explain surveillant practices not as mere *external* intrusions into privacy, but rather, more radically, as the emergent *internal* organization of social relations by means of visibility arrangements. The notion of privacy inherits the same old problems as the classic liberal concept of social contract: both concepts presuppose a state of nature where property and/or privacy should exist before any subsequently intervening political dimension and social restraint. This view does not hold, given that social restraints are not subsequent but rather inherent to the concepts of property and privacy. The usual liberal dichotomy of private as opposed to public cannot explain the fact that visibility relationships effectively shape the domains of both the private and the public.

To fully understand the relationship between democracy and surveillance, then, we must complement the democratic perspective with the governmental

perspective, and, more specifically, take into account all three technologies of power identified by Foucault: the juridical, the disciplinary (or anatomopolitical) and the biopolitical. As for the juridical technology, while surveillance studies rightly focus on the technological aspects of surveillance practices, the legal processes inherent in surveillance should always be clearly borne in mind, given that the law inherently territorializes subjects and their relations. But not all can be captured through the juridical lens: disciplinary technology works in localized, enclosed institutions and exercises a direct grip on bodies. Some surveillant practices, such as the famous panoptic device, work in this way. But the picture would once again be incomplete without taking into account the third layer, i.e. biopolitical technologies of security. Surveillance is exercised in the open space of the public domain and is focused on a “population” which is regarded and scrutinized *qua* “dividual” information flows. What matters, in the latter case, is control through exclusion and selective access. However, if security is de-subjectified, subjectification is provided, in two different guises, by law and norms. If, in the case of the law, the subject is addressed mainly in order to be restrained, in the case of norms s/he is addressed in order to be shaped and “educated.” In short, the three linguistic devices that correspond to law, norm, and security are, respectively, *prohibition*, *slogan*, and *password*. Whereas the first is based on negative, directly repressive command, the second corresponds to a type of power that is positive in the disciplinarian sense, a power that wants to create unanimity among people around a norm that classifies them; finally, the third designates a situation in which classification is done not so much in order to correct deviants but to exclude them, establishing a selective procedure of access to safe and wealthy territories. It is not difficult to see these devices at play in contemporary surveillance practices, and it is hoped that empirical research may document them in detail.

Ultimately, the outcome of this process is not easy to foresee because of the many different forces at stake. Neither as recognition nor as control is visibility linearly associated with empowerment or disempowerment. In fact, socio-technological complexes open up a range of possibilities for resistance, too. Resistance itself can be conceptualized as a visibility strategy. At times, resistance may aim to bring back into visibility (the political) what receded into invisibility (the economic), as the struggle for the democratization of the media and, more broadly, of global institutions reveals. In many other instances, though, resistance takes the path towards hidden practices. Secrecy lies not only at the core of power, but also at the core of the possibility of escaping and opposing it. James Scott’s (1990) work reminds us that many forms of resistance actually avoid open confrontation with the structures and the official organization being resisted, but can, nonetheless, be quite effective. Resistance to surveillant visibility regimes is not confined to being reactive or merely oppositional. Resistance is not simply a struggle against visibility *per se*. On the contrary, resistance involves a transformative drive that actively re-articulates sociotechnological complexes and their respective visibility regimes.

From this point of view, resistance is much akin to democracy as conceptualized by agonist theorists Cornelius Castoriadis, Claude Lefort, and Jacques Rancière. The latter, in particular, has argued that democracy is formed by all those practices that constantly oppose themselves to the shrinkage of the public *qua* common that is inherently brought about by government:

The spontaneous practice of all government tends to shrink this public sphere, to make it into its private affair and, for that purpose, to consign the interventions and the places of intervention of non-state actors to the side of private life. Democracy, then, far from being the form of life of individuals dedicated to their private happiness, is the process of struggle against this privatization, the process of enlarging the public sphere.

(Rancière 2006:299)

To conclude, some crucial dynamics in contemporary society, ranging from the most immediate micro-interaction in the public domain to the very redefinition of the boundaries of the public in sociotechnological complexes, can be explained as concerning, and fundamentally consisting of, visibility and territorial relations. In this context, a Foucauldian analytics of power forms can be quite important. Once again, it is important to stress that sovereignty, discipline, and security do not represent successive historic eras. To think so is to make the mistake of taking the part for the whole. We do not live in a post-panoptic society. Discipline has not disappeared from our political horizon because of a new emphasis on security, just as sovereignty and law have not disappeared because of the appearance of disciplinary power during the eighteenth and nineteenth centuries. Power formations such as sovereignty, discipline, and control constantly interact with each other and the relative balance of emphasis in a contingent situation should not lead us to overlook the compound nature of sociotechnological complexes and the plurality of power forms they entail. It is hoped that a theoretical contribution that takes into account all these elements may foster further empirical research into the processes of management, struggle, and resistance in the field of the visible as the ground for any sociological analysis of democratic social life in the public domain.

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### Note

- 1 Thanks to Kevin Haggerty for suggesting this notion of “capricious governance.”



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