# Surveillance & Society

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### Abstract

It is now commonplace to refer to the contemporary world as a surveillance society. The tremendous proliferation of surveillance over the late 20th and early 21st centuries has been met by a continually expanding body of scholarly work on the topic. However, such work remains largely based in the social sciences, specifically in the fields of sociology and criminology. While this work has been invaluable in many ways, it tends to emphasize empirical investigations of surveillance programs. By contrast, a growing body of work by artists and activists on surveillance questions the larger, more abstract issues associated with life in a surveillance society. The article examines Jill Magid's *Evidence Locker* to argue that analyzing works of visual art not only complements the existing academic literature on surveillance, but that it raises distinctly new questions about citizens' own roles and responsibilities in a surveillance society.

## Introduction

The steady rise of camera surveillance over the 20th and early 21st centuries has resulted in the now common assertion that we live in a surveillance society. While the fears of an all-seeing Orwellian Big Brother may not have materialized, numerous disparate surveillance programs and initiatives monitor an increasing array of social spaces from taxicabs (Doyle and Walby 2010) to public parks (Holert 2002; Maynard 1994), and University campuses (Clement and Ferenbok 2010; Finn 2010).[1] Indeed, surveillance is so prevalent in daily life that it now features regularly in television and print news and is the subject of an ever-expanding array of entertainment programming on screens big and small.

The increased practice of surveillance has been met by a parallel increase in its study. Michel Foucault's *Discipline and Punish,* published in 1975 and translated into English in 1977, stands as a watershed moment in the critical study of surveillance. Contemporaneous with Foucault, William Staples (1977) developed the notion of a culture of surveillance in America and following from these early texts, scholars such as Stanley Cohen (1985), Kenneth Laudon (1986), Gary Marx (1988), and David Lyon (1994) brought increased attention to surveillance and its employment in programs of social control. The proliferation of closed-circuit television (CCTV) systems in the 1980s and 1990s gave rise to influential studies by a host of scholars, notably Clive Norris and David Armstrong (1999) and Mike McCahill (2002). And the continued proliferation of surveillance into ever-finer areas of private and public life together with the steady advances in information and communication technologies has resulted in a call-to-arms by surveillance scholars to rethink, refute and or reject the original Foucauldian paradigm (Lyon

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[1] For a discussion of the international diffusion of CCTV see Norris, McCahill and Wood (2004).

2006a; Haggerty and Ericson 2006). Over the past decade, Surveillance Studies has emerged as a distinct field of practice, complete with a canon of authors, an introductory text (David Lyon's 2007 *Surveillance Studies*) and a dedicated journal (*Surveillance & Society)*.

As a subject of academic inquiry, surveillance has remained largely the purview of the social sciences, specifically sociology and criminology. Exemplified in the sources cited above, this work has focused primarily on empirical studies of surveillance technologies and programs from implementation through use and to their impact on crime and society. One of the most pressing concerns of this work is the efficacy of surveillance: that is, whether or not it works. As such, the extensive empirical and ethnographic work that has come out of sociology and criminology has been essential in policy and legal debates around surveillance, information technologies and privacy.

Surveillance has also been explored, although much less extensively, by scholars in the humanities, particularly within the history and theory of photography. Work by scholars such as Alan Sekula (1986), John Tagg (1988), Suren Lalvani (1996) and myself (2009) has addressed the photographic image as a mode of surveillance in a variety of social institutions from hospitals and schools to asylums and prisons. In contrast to the more empirically-grounded social science research, this humanities-based scholarship emphasizes the more abstract and theoretical issues associated with surveillance, with specific attention paid to the implications of surveillance on individual and group identity. And, with its focus on the photograph, this work addresses the specifically visual nature of much modern and contemporary surveillance.

Apart from the formal, academic study of surveillance, the topic has also been taken up by an increasing number of visual artists including Harun Farocki, Banksy, The Surveillance Camera Players, Jill Magid, Jordan Crandall, David Rokeby and Janet Cardiff. The only significant compendium of such work is the 2002 exhibition catalogue, *CTRL [SPACE]: Rhetorics of Surveillace from Bentham to Big Brother*, produced by the ZKM Center for Art and Media in Germany. The Tate Modern (Phillips 2010) also recently published an exhibition catalogue, *Exposed: Voyeurism, Surveillance and the Camera Since 1870*, although it is only tangentially about surveillance. Two prior exhibitions, one at The Museum of Modern Art, Oxford (Iles and Roberts 1997), and the other at San Francisco Museum of Modern Art (Phillips, Haworth-Booth and Squiers 1997) also engage with the topic of surveillance; however, as with the Tate Modern exhibition, they only do so superficially. These three exhibitions are more directly concerned with the history of photography as a legal and evidentiary medium, rather than directly with its relationship to surveillance. John McGrath's (2004) book, *Loving Big Brother: Performance, Privacy and Surveillance Space*, borrows from theories of performance, performativity and space and examines a wide range of art and cultural production as a way to re-think and re-theorize surveillance. And there have been essays published sporadically in this and other journals dealing with art and surveillance (Bucher 2005; Crandall and Armitage 2005; Marriott 2005; Parks 2007; Chan 2003; Sweeney 2005; McGrath and Sweeney 2010; Knoetze and Meistre 2009).

While this work has been essential in interrogating surveillance as a cultural phenomenon I stress that it has been largely non-conversant with the extensive empirical work in the field of Surveillance Studies. This is primarily due to distinct disciplinary trajectories, perspectives, and the institutional frameworks governing academic research and artistic practice; however, there are some notable exceptions. As part of its mandate, *Surveillance & Society* seeks to publish work that bridges disciplines and perspectives and often publishes creative works including poetry and visual art. The journal recently published a special issue entitled "Surveillance, Performance and New Media Art" (2010), edited by John McGrath and Robert Sweeney. Additionally, in 2010 The Surveillance Studies Centre at Queen's University, Canada collaborated with that institution's Agnes Etherington Art Centre to bring together humanities and social science researchers with lawyers, government officials, policy makers and visual artists to investigate camera surveillance in Canada.

My point in differentiating social sciences research, humanities research and artistic practice is heuristic. While it is admittedly too totalizing to separate these into distinct spheres of practice, it is correct that the bulk of work in Surveillance Studies is rooted in the social sciences and that such work is largely non-conversant with the growing body of artistic and activist work that addresses the topic.[2] As a result, social-sciences based work on surveillance often fails to address more abstract issues associated with life in a surveillance society and humanities-based research and artistic production that deals with the topic often fails to address the myriad empirical studies of surveillance.

The point of this essay then is to call for more work that brings the empirical, theoretical, and artistic treatment of surveillance together in ways that can help us better understand our contemporary surveillance society. To demonstrate the productive potential of such an approach, I offer an analysis of a specific art project: Jill Magid's *Evidence Locker*. The paper positions *Evidence Locker* as a productive site to think through life in a surveillance society and to complement the existing academic discourse on surveillance. *Evidence Locker* offers an arena through which to reflect upon and analyze the less tangible, less quantifiable aspects of our surveillance society. While the key concerns of Surveillance Studies scholars, including the efficacy of surveillance and its impact on privacy and identity, are manifest in Magid's work, I stress that the project encourages the viewer to move beyond these concerns and to reflect on the complexity of a life lived under surveillance cameras.

Magid's project stems from a thirty-one day visit to Liverpool during which the artist worked with local police to acquire CCTV footage of her daily movements through the city. The project exists as a web-site and includes visual and textual accounts of her time in that city. The project also served as the basis for gallery installations; however, for the purposes of this paper I refer to the web-based work as it is the complete project. Visitors to the site register to receive daily e-mails from Magid for a total of 31 days. Less patient visitors can ask to receive the e-mails over 31 minutes. These e-mails offer a textual account of pieces of Magid's day, written by the artist. Each e-mail also includes a hyperlink where the visitor can access Magid's 'evidence locker,' the term police use to describe the archive of CCTV footage that is tied to any given individual. Clicking on the link brings up a short clip of CCTV footage some of which include shots of Magid walking, sitting and/or standing in various public places in Liverpool. Figures 1-4 illustrate the components of Magid's project.

In what follows I want to examine Magid's *Evidence Locker* as it underscores three fundamental and interrelated aspects of contemporary camera surveillance: the fragmented, partial and incomplete nature of the surveillance gaze; the ineffectiveness of visual surveillance; and the visual pleasure of surveillance. I argue that Magid's project complements the existing academic research on surveillance while also prompting new questions about life in a surveillance society. In particular, Magid's project encourages a self-reflexive look at one's own participation in and contribution to such a society. And while the paper focuses on one artistic project—*Evidence Locker*—and on one surveillance technology—CCTV—the questions and issues raised resonate with the larger fields of art and surveillance more generally.

## 1. Surveillance gaze as fragmented, partial, incomplete

One of the central features of CCTV as a surveillance technology is its ability to transcend barriers of time and space, what Mike McCahill (1998, 2002) refers to as time-space distanciation. CCTV cameras record streams of visual data which can then be archived and shared independent of the actual time and space in which the footage was made. In this way CCTV systems operate on two levels: through direct intervention as when an officer is alerted to a scene unfolding and intervenes; and retroactively as when CCTV footage is used by police, lawyers and other members of the legal-juridical profession in the investigation and

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[2] Work in Surveillance Studies does tend to acknowledge the more scholarly work in the humanities such as that by Sekula (1986) and Tagg (1988).

prosecution of crimes and criminals. Kevin Walby (2005) summarizes this as the rolling and initiating functions of CCTV.
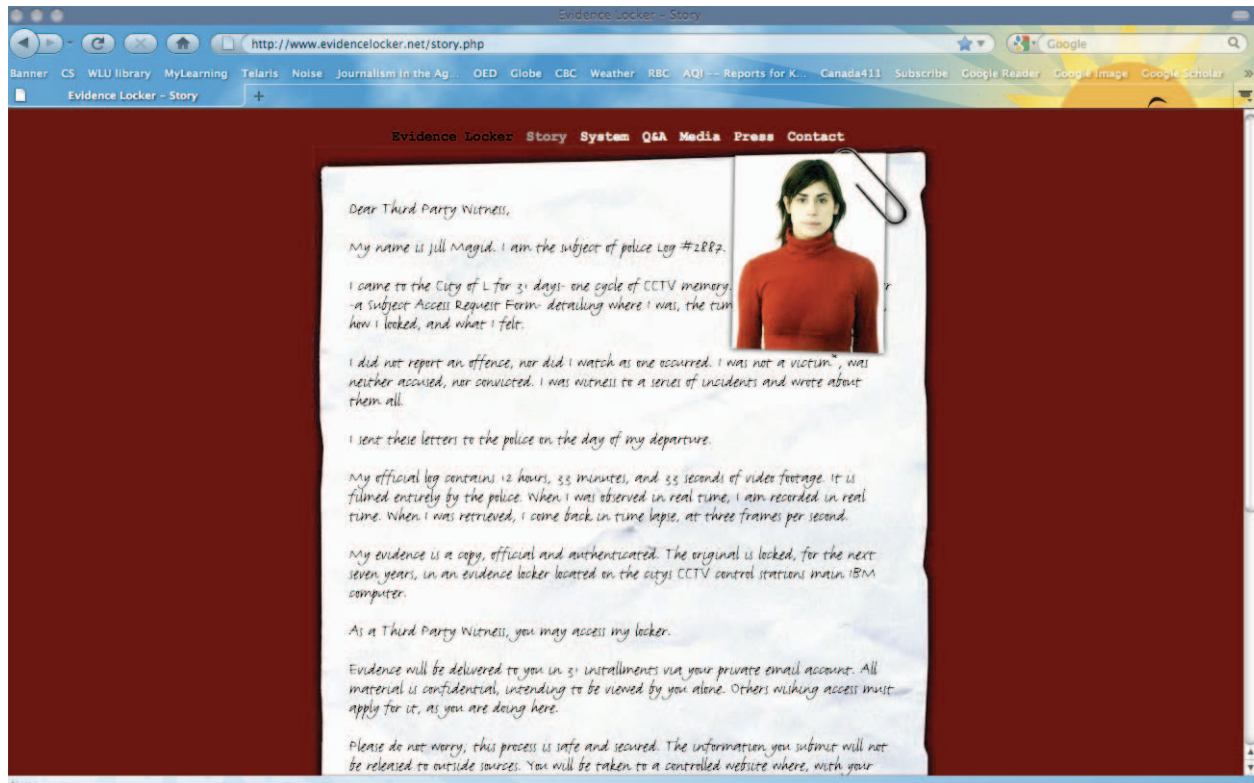


*Figure 1: Screen-capture of Jill Magid's Evidence Locker homepage. http://www.evidencelocker.net*

CCTV's ability to transcend traditional barriers of space and time is reflected in popular accounts of the technology, particularly in flagship cases such as the 1993 abduction and murder of Jamie Bulger and the 2005 London subway bombings. Together with these and other cases, the public discourse surrounding CCTV often positions it as a new manifestation of Bentham's Panopticon: the always on, ubiquitous, all-seeing eye of the state keeping watch over its subjects. And it is important to note that it is both CCTV's proponents and detractors that invoke this metaphor. In reality, the gaze of CCTV is inherently fragmented and incomplete. CCTV cameras cannot capture all time and space; rather, they capture fragments of time and space.

Just what it is that is captured by CCTV cameras depends on numerous technological, human and legal variables. Here I want to highlight four. First, individual CCTV systems record data differently. Camera re-fresh rates, available storage space and split-screen displays mean that only certain frames from the entire visual feed are captured. Thus in a very literal sense, CCTV footage only ever partially captures the events that transpire in front of the cameras. Second, operators actively choose which portions of the visual field to isolate and record. The increasing use of pan-tilt-zoom cameras means that operators are constantly moving cameras, changing their focus and subsequently determining the content that is recorded. Several ethnographic studies of CCTV (Bannister, Fyfe and Kearns 1998; Fiske 1998; Norris and Armstrong 1999; Saetnan, Lomell and Wiecek 2004) have shown the extent to which camera operators target people based on visual appearance and their own personal bias, with young, black men being disproportionately surveyed. A third factor is the exclusively visual nature of the recording. There are current experiments to equip CCTV systems with microphones to capture sound; however, the overwhelming majority of systems record only visual data. The isolation of sight and lack of other senses, mean that the data recorded by CCTV cameras can only ever provide a partial account of life before the

camera. And finally, CCTV is regulated by law. Open-street systems, such as those operated by police, can only monitor and record actions in public space. The private systems of banks, workplaces, and retail environments operate independently of each other and of the open-street systems, resulting in multiple surveillance gazes that are a far-cry from the all-seeing gaze of the state that is often raised in discussions of CCTV.
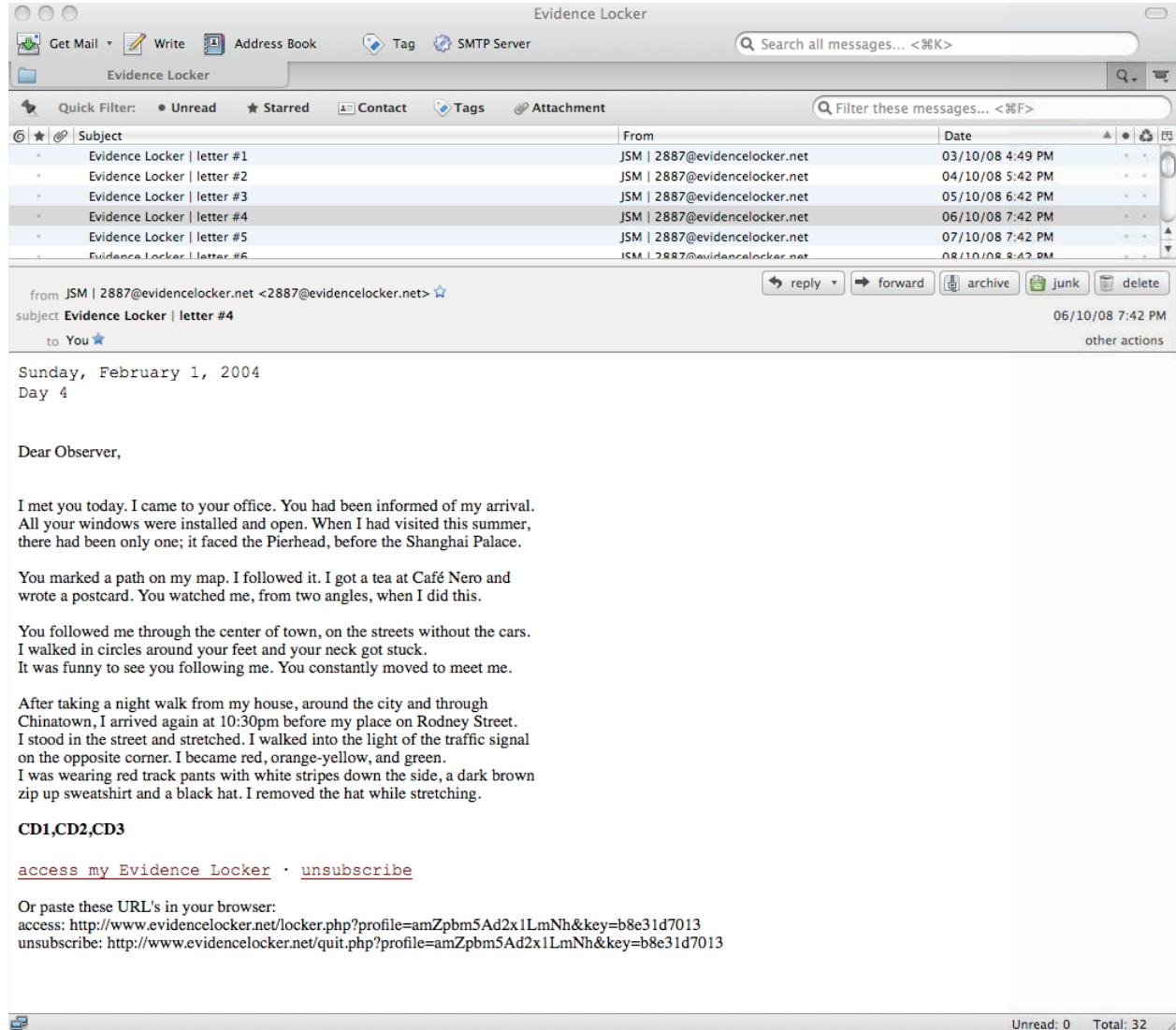


**Figure 2: Screen-capture showing e-mails sent from Magid.**
*The thirty-one e-mails arrive either daily or hourly, depending on the visitor's choice. CD1,CD2,CD3 at the bottom of the e-mail refers to the specific CDs (visible in Figure 3) that correspond to the textual entry. Clicking on 'access my Evidence Locker' takes the visitor to the 'locker' of visual material, illustrated in Figure 3.*
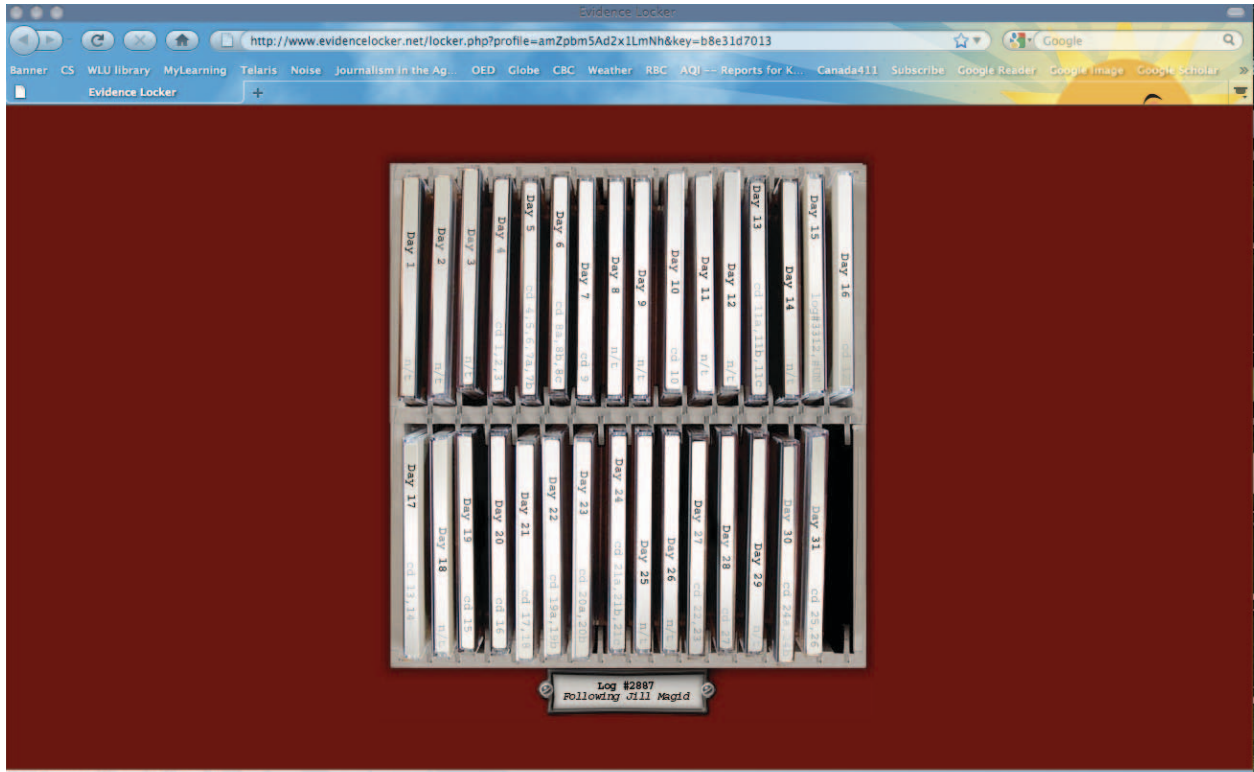
***Figure 3: Screen-capture of Magid's 'evidence locker'.*** *This consists of 31 discs; clicking on a disc brings up a short video from one of the CCTV cameras, visible in Figure 4.*
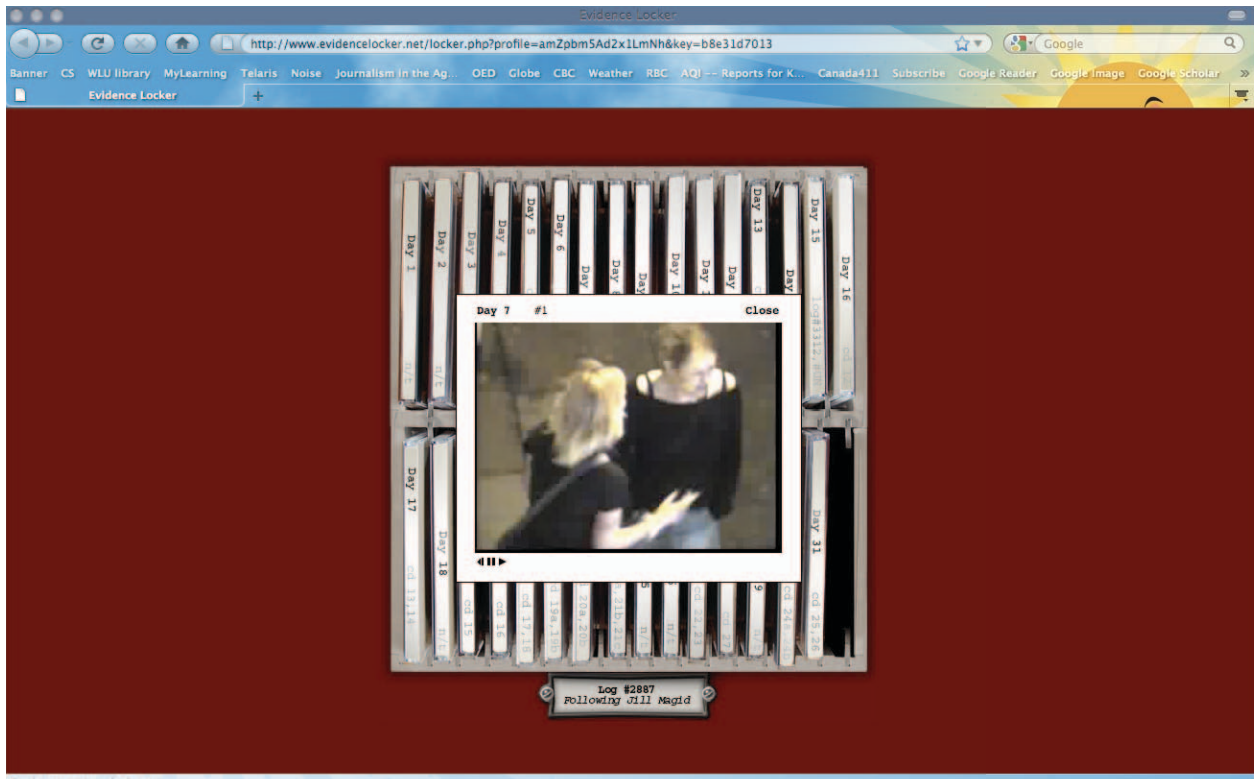


***Figure 4: Screen-capture of CCTV video clip from Magid's evidence locker.*** *Clicking on the disc for day 7 brings up a short clip of two women interacting. Clips are typically five to ten seconds long.*

The limitations of CCTV and its fragmented and incomplete nature are highlighted throughout Magid's project. On Day 21 Magid speaks directly to the legal limitations when she writes: "At 3 you followed me to Tate. You had to stay far back though. I know you can't go in there. It's privately owned" (Wednesday, February 18, 2004—Day 21). On Day 12 she seizes on the technical limitations of CCTV by ducking into an alleyway, aware of the camera's inability to follow her. "I lost you behind O'Neils," she writes. "I know you can't see back there" (Monday, February 9, 2004—Day 12). And on Day 15 she identifies the inability of CCTV to capture anything but visual material. She writes: "I know when you see me and when you don't. You can't hear me or smell me or touch me. You know what I wear and where I go. When I pick up the phone, you don't know who is speaking to me, unless I am speaking to you" (Thursday, February 12, 2004—Day 15).

What emerges from a complete read and viewing of Magid's 31 days in Liverpool is an account of her life that effectively mirrors the limitations and fragmented nature of surveillance in the 21st century. The actions Magid describes in her extensive textual account are only rarely given visual evidence in the accompanying video. The video sequences typically show small sections of Liverpool streetscapes and public spaces. Magid, the subject of the 31 day project, only emerges in fragments. Visitors to her evidence locker will know that:

- she works out (she goes to the gym at the local Marriott hotel);
- she is an established artist (she visits FACT regularly, has a VIP pass for the Tate and gives lectures);
- she likes her coffee sweet;
- she is sexually active (she takes a pregnancy test);
- she is heterosexual;
- she likes feta cheese and salad;
- she is American;
- that politics is a weakpoint of hers;
- she menstruates;
- she smokes and drinks;
- she likes to dance;
- she is Jewish;
- that an on-again-off-again boyfriend likes to be touched between his toes;
- she's a vegetarian (but not a strict one as she eats a hamburger towards the end);
- she is attracted to men in leather and to motorcycles;
- and that her birthday is February 25th.

While this list may seem extensive and some of the information would be considered personal (and some clearly would not be discernible through CCTV alone), what emerges from the account is a partial picture of Magid. Following her for 31 days produces little more than an extended Facebook profile. In fact, it produces less.

The partial picture of Magid is indicative of the partial gaze of contemporary surveillance. The rapid proliferation of camera surveillance in the late 20th and early 21st centuries together with the burgeoning profit-driven surveillance industry has made the notion of a ubiquitous all-seeing gaze a practical impossibility. As William Bogard concludes, "ultimately no police power is capable of controlling the deterritorialization of surveillance" (2006: 101). This is not to negate the fact that an increasing amount of public and private space is under surveillance, but to stress that even in its proliferation across spatial and temporal borders, the surveillance camera only ever affords a partial and fragmented view of its subjects.

*2. Ineffectiveness of visual surveillance*

Proponents of CCTV describe it as a highly effective, even indispensible, crime-fighting tool. In their landmark study of CCTV in the UK, Norris and Armstrong (1999) analyzed the political and media discourses involved in 'selling CCTV.' They found that these discourses functioned as promotional material for CCTV, emphasizing its ability to deter crime, apprehend offenders, and aid in criminal investigation after the fact. In a separate study, Jon Bannister, Nicholas Fyfe and Ade Kearns (1998) describe the PR effort as such: "the imagery used to promote CCTV draws attention to an apparent crisis of public order within the city, a crisis which can be resolved through the deployment of CCTV" (22). In contrast to the professional and media discourses that work to sell CCTV, a growing body of statistical and empirical evidence on CCTV suggests that its effects on crime are negligible. Comprehensive studies such as that by Norris and Armstrong in 1999, the Surveillance Studies Network, U.K. in 2006, and by the Surveillance Camera Awareness Network in Canada in 2009, find no statistical evidence to show that CCTV is effective in deterring, solving, or intervening in crime.

The ineffectiveness of CCTV in deterring and solving crime is manifest in Magid's project in an interesting way: the very thing that CCTV is supposed to be about—crime—is noticeably absent in *Evidence Locker*. Crime is mentioned in exactly three incidences. One instance is simply an offhand remark by Magid. Another features an actual attempt to snatch Magid's purse. The only mention of a (potentially) serious criminal offence turns into a case of mistaken identity, ultimately pointing to the ineffectiveness of the technology. On Day 15 Magid writes:

> In the room that sees the city [the control room], you told me a story. It was about last Friday night. Outside your windows [CCTV monitors] you had seen four altercations. You wanted to watch them all but you had to choose. You chose the one involving a woman. A guy had grabbed her, around the neck, and punched her face. Then he had her on the ground. You kept watching as they were coming toward you. You brought the window close [zoomed in]. Then you realized they were not fighting: they were kissing. And he had her in a bear hug (Thursday, February 12, 2004—Day 15).

This case highlights not only the shortcomings of CCTV as a crime-fighting tool but also the incomplete nature of its gaze. Forced with four potential incidences, the operator chooses to investigate one, leaving three other incidences to play out, unmonitored.

With these three exceptions, the entirety of Magid's visual and textual material chronicle mundane activities. We see and read about Magid as she bathes, eats, walks, runs, attends galleries and lectures, goes dancing and drinks and smokes. Indeed, reading through Magid's daily textual entries is somewhat arduous. Consider the following example from Day 21:

> I don't leave the house until 11:30. I ended up showering and put on my red dress, for my meeting in the window. It is cotton, short—like a Lacoste shirt extended, with short sleeves. I put my thin mesh shirt beneath it and then took it off. I tried the long shiny silver earrings and then decided against them. I put on the tarnished ones instead. You can hardly see them unless you are close. Otherwise they look like hair (Wednesday, February 18, 2004—Day 21).

Magid's documentation is filled with such narratives which reveal nothing more than habits of hygiene and consumption. Such narratives rightly attest to the ineffectiveness of CCTV and point to an underlying problem surrounding the proliferation of camera surveillance. In contrast to the anomalous cases such as the London subway bombings, which serve as the public face of CCTV, the huge surplus of visual material produced by these systems amounts to nothing more than heaps of useless data.

Underlying all the empirical studies and public discourse around CCTV is that such systems are used to monitor crime and public disorder. Such an assumption betrays the reality that the vast majority of information captured by the cameras is banal and irrelevant for fighting crime, maintaining public order, or for any other facets of policing for which it is supposedly deployed. Following from my argument in *Capturing the Criminal Image* (2009), CCTV is a technology that is employed for its potential use. Cameras are always on and always recording in case something happens, not because something is happening. This is an important distinction as it highlights the presumption of risk and guilt that underlies contemporary surveillance.

## 3. Visual pleasure of surveillance

One of the most unexplored, but one of the most prevalent aspects of contemporary surveillance is that of the voyeuristic pleasure of watching. In his essay "The Viewer Society: Michel Foucault's 'Panopticon' Revisited," Thomas Mathiesen (1997) proposes the synopticon as a form of viewing that emerged in conjunction with the Panoptic model as outlined by Foucault. In a manner parallel to Althusser's SAs and ISAs, and Horkeimer and Adorno's culture industry, Mathiesen argues that forms of mass media, such as television, work in conjunction with the Panopticon to control and regulate viewers through entertainment, specifically through titillating content. More recently, David Lyon (2006b) has extended Mathiesen's discussion to argue that contemporary forms of surveillance such as CCTV are readily accepted by the public because, in his words, "all sorts of watching have become commonplace within a 'viewer society' encouraged by the culture of TV and cinema" (36). Lyon goes on to posit that psychoanalysis and particularly the concept of scopophilia can be useful as a means to understand the contemporary fascination with watching and being watched. In other words, we accept and engage in surveillance because of the pleasure of watching and being watched. John McGrath (2004) takes up the same notion in his book, *Loving Big Brother,* in an attempt to trace an inherent human desire to watch that is at the heart of visual surveillance. I will return to McGrath's argument later in the paper.

My intent here is not to perform a psychoanalytic reading of Magid's project, although such a reading could be quite productive. Nor is the intent to invoke Laura Mulvey's (1975) work on visual pleasure and the cinematic apparatus. Again, such a project could be quite interesting, particularly in addressing the many material differences between cinema viewing and the viewing of CCTV footage. Rather, my point in speaking of the visual pleasure of surveillance is to stress that what is often referred to as a disembodied contemporary surveillance gaze is anything but. Most CCTV systems, particularly the open-street systems used by police, are controlled by human operators. As human beings, these operators have desires. Such desires can be sexual, economic, professional or otherwise, but they necessarily influence the work of watching.

Magid's project brings the embodied visual pleasure of surveillance to light in two main ways. The first is internal to the project and is the pleasure derived by Magid and her camera operator as she is tracked throughout Liverpool. As early as the fifth day of the project, we are made aware of the mutual pleasure that camera operator and subject derive from their engagement with CCTV:

> I called you before I left Rodney, at 6:34pm, and told you that I was going out.
> You asked where.
> Water Street.
> *Should I follow you?*
> You can. I just wanted to let you know I was going out.
> *How long should I follow you?*
> Just as far as you want to.
> *I would follow you to the end of the world.*
> Motorcycle and all?
> *Would you like that?*

Yes.
*Then I will. Don't talk to any strange men.*
Ok.
(Monday, February 2, 2004—Day 5)

Later, on Day 13 Magid details the ways in which she dresses specifically for the camera, including the purchase of a blonde wig. She says "I like wearing make up when I know you will see me" (Tuesday, February 10, 2004—Day 13). And when viewing the previous day's footage together at the police station the camera operator tells Magid that the viewing experience is "really sensual" (Sunday, February 22, 2004—Day 25). Finally, on the last day of the project, Day 31, Magid and the camera operator literally ride off into the sunset on his motorcycle. They drive out past the range of the cameras in Liverpool and have a meal where Magid breaks her vegetarianism by eating a hamburger. Magid's entry documenting their conversation reads: "You told me you had watched my days when I was not around the review suite; you watched me with my visitor [boyfriend]. You hoped I did not mind. I don't. I like that you did. You said, *It won't last; you saw it in my body language.*" And later in the same entry, "You said, *You know when you sat on that bench I could have made love to you.* And I said, You did" (Saturday, February 28, 2004—Day 31.



***Figure 5: My 'review suite.'*** *Magid's evidence locker is on the external monitor, a Google map of Liverpool on the laptop and the 31 e-mails are printed and arranged chronologically in a folder. Using a pen, highlighter and mouse, I move back and forth through Magid's visual and textual material, looking for relevant connections and information.*

This internal manifestation of visual pleasure is complemented by a separate, more intriguing manifestation in the viewer's engagement with Magid's project. I first worked with the project during a class I was teaching on CCTV and surveillance. My students and I subscribed to Magid's *Evidence Locker* and received the e-mails, watched the attendant videos and discussed the project as a group over the term. Here we were collective voyeurs, peering in on and discussing the life of someone else in a way that recalls Mathiesen's synopticon. My subsequent engagement with the project was much more private and extensive. With all the e-mails and videos saved on my computer and therefore at my disposal I set about fashioning my own 'review suite' in my office [Figure 5]. At first this was unconscious—I did it simply as a way to document and study the project. However, my documenting Magid and her movements through Liverpool quickly became a pleasurable task in its own right. I printed all the e-mails and brought up a Google map of Liverpool on one screen with Magid's video evidence locker on the other. I then proceeded through the project at my own pace, moving back and forth through time and space, identifying various characteristics of Magid's life, such as the names of her friends, her likes and dislikes, and moments of sexual tension between Magid and the operator [Figure 6].
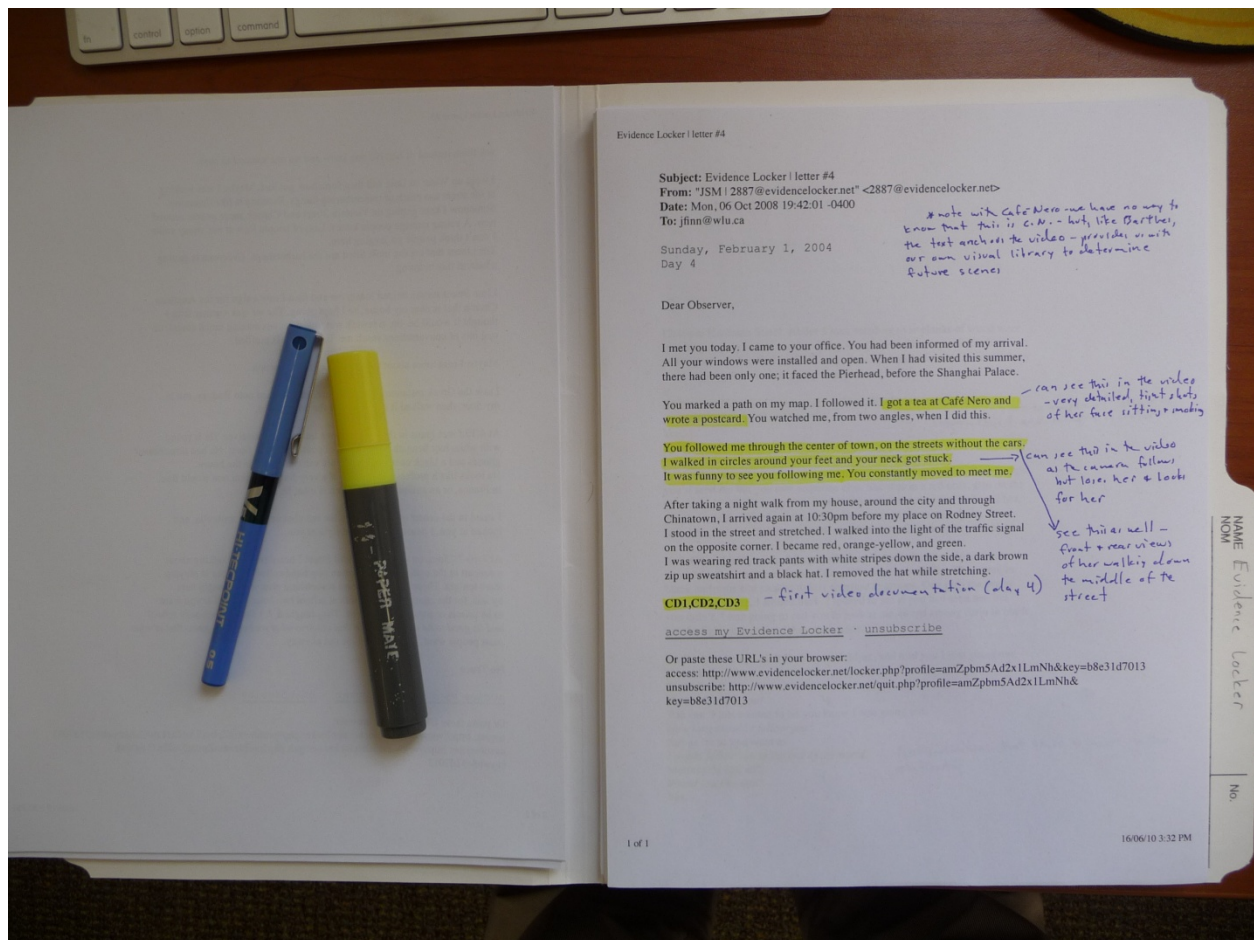


*Figure 6: A close-up of the file folder and textual material showing highlighting and annotations.*

This latter engagement with the project—the individual rather than the group—underscored the pleasures associated with seeing or, more accurately, surveilling. Magid describes bathing and dressing in tremendous detail and refers to numerous encounters with men and women where she lingers on their smell, taste, and/or the texture of their skin and clothes. As a participant in Magid's surveillance, the words are not enough—I want to see the moments of bathing, dress, and of sexual contact. But what I get– and what the surveillance gaze affords—is only ever a partial and fragmented view. My heightened desire

in these moments is never satisfied in the hyperlinked video which instead shows random street scenes or a blurry shot of Magid walking in the distance. Magid only meets the camera's—and therefore my—gaze twice in the project, Day 7 and Day 30, further refusing my desire to literally see more of her.

My own pleasure in watching Magid—in being able to call her up on my screen whenever I choose—illustrates the visual pleasure inherent in forms of surveillance such as CCTV. The CCTV operator that works with Magid speaks openly of his arousal at watching her, just as I admit to the pleasure of looking in my fabricated review suite. And it is in this way—the visual pleasure of surveillance—that Magid's project is most illuminating and where it offers a most compelling contribution to the critical study of surveillance. Concerns about privacy and efficacy aside, Magid's engagement with surveillance, and my and my students' engagement with her project, underscore the publicity of surveillance and a peculiar desire to see and be seen.

While this desire to see and be seen is not new (the desire to see and know through sight was a hallmark of the Enlightenment and took on new parameters with the rise of social institutions and the development of photography in the 19$^{th}$ century), it has taken on new formations as regards surveillance in the late 20$^{th}$ and early 21$^{st}$ century. Authors including McGrath (2004), Clay Calvert (2000), Mark Andrejevic (2007) and Hal Niedzviecki (2009) have all documented the rise of surveillance in contemporary pop culture, noting a particular and sometimes paradoxical willingness to make our private lives public. The prevalence of surveillance via web-cam culture, reality TV, police dramas, Hollywood film, social media sites, and myriad other forms of popular culture point not just to a fascination with surveillance but its increasingly public and participatory nature. As I have argued elsewhere (2012), surveillance is now less a technology than a way of seeing. It is less something that is applied to us than it is something with which we willingly participate. One result of this shift is that the traditional distinction between the state and its subjects—the watcher and the watched—that has guided much of Surveillance Studies scholarship is less tenable in the contemporary world. As exemplified in Magid's project—and in the viewer's experience of the project—surveillance is increasingly a public practice, one with which we all (often willingly) participate.

### Surveillance Space

*Evidence Locker* unfolds slowly over time and space, offering tremendous amounts of data yet ultimately revealing very little about its subject. The project illustrates the ineffectiveness and discriminatory potential of camera surveillance; it illustrates the participatory and public nature of contemporary surveillance; and it illustrates the bodily pleasures of engaging in visual surveillance. In these ways *Evidence Locker* mirrors the reality of contemporary camera surveillance as has been documented in the extensive research on the topic. However, to say that the project is merely a "window on the world" is to ignore its main contribution: the way in which it compels a critical, self-reflexive examination of one's own engagement with and role in a surveillance society. To return to my own experience with this project, as one of Magid's many surveyors, I found myself continually asking questions: why am I surveilling her? Why is she letting me? What do I expect to find? What are my goals in watching her? Why am I continually disappointed in the lack of titillating content?

In raising these and other questions, *Evidence Locker* requires the viewer to think critically and extensively not just about surveillance as a form of individual and social control but about their own agency in a surveillance society. Given that surveillance is now a routine part of our daily lives—from ATM surveillance cameras and border security to the movies and television shows we watch—the question of viewer agency should be of central concern. A close engagement with Magid's project brings the personal and public nature of surveillance to the fore: it breaks from the top-down model of surveillance which positions the state as an ominous, disembodied force that regulates its subjects and instead asks us to ponder our own role in a surveillance society. Why did I spend so much time watching Magid? Why did I enlist my students in the practice? What is at stake in such viewing choices?

I do not want to suggest that more coercive, deceptive, or state-sanctioned forms of surveillance do not exist. There is ample evidence that surveillance is used in state-sanctioned programs of social control and that it is often used in highly discriminatory ways. Work in the history and theory of photography—cited at the beginning of this paper—has been particularly effective in documenting the use of the camera in this regard, particularly in relation to the rise of the modern period. And the extensive empirical work within Surveillance Studies shows that state-sanctioned forms of surveillance are prevalent in the contemporary world as well. Instead, my point here is to say that Magid's project allows us to question another aspect of our surveillance society: the extent to which we are willing contributors to such a space.

McGrath's *Loving Big Brother* offers a compelling argument in relation to the participatory nature of surveillance. He defines the project of his book as being "to explore the experience of surveillance—how we feel and live within what we might call surveillance space, and how we respond creatively" (2004: 20-21). He borrows from theories of performance and space to argue the productive potential for critical reflection and resistance within our surveillance society. To do this he introduces the notion of 'surveillance space', arguing that surveillance is made and re-made in the disparate interactions and engagements between the subjects, objects, and technologies involved in any given moment of surveillance. One result of this theorization is that it positions surveillance not as a unilateral or fixed activity—but as performative, as something that "comes about in the moment that we experience it" (2004: 99). For McGrath this opens up possibilities for resistance and play within surveillance, something that is quite evident in Magid's project. Indeed, referring to the CCTV system of *Evidence Locker*, the artist described it as "a creative field in which I choose to play" (Lovink 2004).

McGrath analyzes a diversity of forms of cultural production in his book, from film and television to the visual and performing arts. A central claim of the text is that surveillance has been radically reconfigured in what he refers to as the 'post-private' world. Similar to Bogard's claim on the deterritorialization of surveillance, cited earlier in this paper, McGrath foregrounds the proliferation of surveillance in order to reject the understanding that it is tied to an all-seeing state apparatus and to reframe it as a constituent part of our social fabric. As he notes, "the relevant question is not whether we should live in a surveillance society, but how" (2004: 2). He sees tremendous potential in the work of artists, activists and other cultural producers to create moments of counter-surveillance, capable of offering up new ways of thinking about and living with surveillance.

Living and playing in a surveillance society is a key subject of Magid's work. In an interview with Geert Lovink, she speaks to her intentions with *Evidence Locker* and with surveillance technologies more generally. She writes:

> The desire to bring abstract concepts or technologies toward myself in order to understand them intimately is a constant within my work. Liverpool's CCTV system is extensive, based on complicated legal structures and anonymous as *public* video surveillance. To come to know it, I needed to use it, to add myself into its equation. I recognized the system's potential to extend beyond its prescribed intentions. For me, this potential was romantic: I could be embedded into the city's memory for seven years; the city could be my stage; I could perform and be watched. If what I created was not my story, but someone else's or that of an invented character, I would not have been able to feel it in the same way. Only by being watched, and influencing how I was watched, could I touch the system and become vulnerable to it.

As the passage underscores, rather than reject or refute surveillance, Magid embraces it—she engages with it and plays with it to create new surveillance spaces. As such, the project is a clear example of McGrath's argument for the productive potential of counter-surveillance. Indeed and as I have argued

throughout this paper, a key strength of the project is its call to viewers to contemplate their own existence and functioning in a surveillance society.

Here I want to stress another way in which *Evidence Locker* is productive in thinking about surveillance. Levels of agency and interaction in any given surveillance space necessarily vary between participants, not least because of differences in socio-economic status. Magid's own privileged status as a highly educated and respected contemporary artist is instructive in this regard and is evident both within and outside *Evidence Locker*. In the former, the artist references giving lectures, attending master classes and receiving VIP passes from galleries. In the latter, press clippings, exhibition reviews and interviews with Magid attest to her skill and success in collaborating with a range of individuals and institutions in her artistic practice (Lovink 2004; Perier 2008; Wesseling 2005).[3] Magid's ability to create this project is predicated on her particular social status as well as her cultural and economic capital.

The ease with which Magid moves through Liverpool and engages with its police—her very ability to create the project and to play with surveillance systems—stands in direct contrast to the realities of those who are typically subject to camera surveillance. While it is true that the bulk of CCTV footage is mundane and irrelevant for criminal justice purposes, when the technology is directly employed by police or other security personnel in the observation of specific persons, it is often done so in ways that are discriminatory and that unfairly target minority and disenfranchised populations. Magid refers to her 'choice' to play with CCTV systems, but choice is precisely what is absent in typical applications of the technology.

One of the major outcomes of the linguistic/critical/cultural turn of the 1960s was a shift in focus from authorial intention to the agency of the audience in the meaning making process. This focus on agency has since become a defining feature of visual culture studies, and is aptly summarized in the title of Lisa Cartwright and Marita Sturken's (2009) highly influential introductory text, *Practices of Looking*. No longer the cultural dupes as defined through the work of the Frankfurt School, individual viewers are now positioned as active participants in the meaning making process and in the production of culture. McGrath's work effectively extends this notion of agency into the realm of surveillance as well, noting new possibilities for resistance and critique. I stress an important corollary to this positioning: if the viewer is an agent rather than a passive observer, it follows that he/she holds a certain amount of responsibility regarding their viewing and participatory choices (to the extent that they have choices). Rather than making value-laden claims for what constitutes good and bad looking, my point is that it is important to question our own practices of looking and our responsibilities in this regard. Why do we look at what we do? To what extent is it a choice? What are the impacts of looking on those being watched and on those who are watching? And how do the *practices of looking* of individuals and groups contribute to the social worlds we inhabit?

In 1991, and from the privacy of his apartment balcony, George Holliday recorded several members of the Los Angeles Police Department savagely beating Rodney King, ostensibly in relation to a traffic violation. Holliday's use of the camera signaled a new era of citizen-surveillance, and of the surveyors becoming the surveyed. Now, more than two decades later and armed with an ever-expanding, ever-advancing array of visual and auditory recording technologies and an abundance of social media outlets, citizens now routinely record and publish the events that constitute their individual and social worlds. Pictures, videos and soundbites of birthday parties, graduations, and weddings circulate alongside recordings of police brutality, riots, civil disobedience and even sexual assault.[4] In a visual culture that is inundated with

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[3] There is an extensive collection of press and media materials on Magid's website: www.jillmagid.net/press. The sources identified here speak specifically to *Evidence Locker*.

[4] A particularly interesting example of this is the 2011 riot in Vancouver following the Stanley Cup finals. Individuals involved in the riots as well as those who were simply present, recorded the scenes and posted them on Facebook pages and on YouTube.

representations of surveillance—from the highly coercive to the seemingly mundane—we need to be much more cognizant of our own roles as producers and consumers of visual material. To do so correctly recognizes our own agency as cultural producers. Failing to do so relegates us to the position of cultural dupes.

I began this paper noting that the field of Surveillance Studies is dominated by empirically-based work in the social sciences. This extensive body of work has been essential in investigating the myriad concrete workings of surveillance technologies and programs, including their efficacy and social impact. The work has also been essential in framing legal and policy opinions on surveillance as it provides an evidence-based counter-narrative to the often glowing endorsement of CCTV found in the professional discourse of criminal justice. However, and with relatively few exceptions, Surveillance Studies is largely non-conversant with the work of artists and activists such as Magid, her predecessors and contemporaries. By contrast and as I hope to have modeled here, the intersection of visual art and surveillance has much to offer the critical study of surveillance as it enables the empirical, theoretical, concrete and abstract to merge in ways that can only help us better understand surveillance and, most intriguingly, our own roles and responsibilities as surveyors and surveyed.

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In the wake of the riots Vancouver police enlisted the help of the public, asking them to forward any and all recorded material documenting the riots. Police were subsequently inundated with still photographs and videos. Importantly, individual citizens also participated in a campaign of public shaming—using social media to post images of unidentified persons. Partly as a result of this media campaign, several people involved in the riots identified themselves to police and/or apologized publicly via Twitter, Facebook and/or YouTube. See: Mickleburgh and Hunter 2011; Leung 2011; Hume 2011.

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