

Article

Nurturing Ob-Scene Politics: Surveillance Between In/Visibility and Dis-Appearance

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Abstract

Moving away from the traditional framing of surveillance in terms of in/visibility, this article proposes a conceptual journey that investigates the potential of the notions of dis-appearance and ob-scene as alternative theoretical tools. In particular, it explores how these different perspectives can help bringing politics back into the study and the critique of surveillance.

Visibility is structurally linked to invisibility, and together they configure the different modes of in/visibility allowing for the very functioning of surveillance. However, the in/visibility dyad, rather than merely describe surveillance, contributes to its operations and stabilisation. In order to better understand and unpack surveillance it is thus necessary to tackle its practices, not only in search of who watches whom, or what, but also by studying what is concealed through in/visibility, through both hiding and exposing, and what is left out of the scene (or being pushed away) in these processes.

In a dialogue with Surveillance Studies and critical security studies, this contribution examines the disappearance of bodies in the deployment of security scanners and post-Snowden developments to illustrate the productivity of dis-appearance and the emergence of surveillance's ob-scene. Against this background, the paper argues that through the lens of the ob-scene it is possible to grasp surveillance's ripples, and open up their political discussion.

*No one in my data dreams speaks on cellular phones.
Instead, they leak emails out of their tongues and eye balls.
They defecate emails and faxes and I can see that their bodies are
filled with buttons to activate the dispersion of documents and data.*
(Borzutzky 2013: 5)

Introduction

“Visibility is a trap” – stated Michel Foucault in his influential *Discipline and Punish* (1995([1977]: 200). He was referring to how the Panopticon prison model ascribes prisoners to a state of being constantly observable, forever potentially captured in the gaze of the supervisor. Foucault contrasted the inmates' imprisoning visibility to the powerful invisibility of the guards, whose unseen presence remains always unverifiable by those who are, most probably, watched.

Visibility can also be a trap for scholars approaching surveillance from a theoretical perspective, insofar as it diverts them from noticing invisibility's significance. The opposition of the visible and the invisible, and

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of invisible to the visible, tends indeed to hide the fact that they are both intrinsically related in the functioning of surveillance, to the point that the invisible is a constitutive element of the visible and vice versa. As Foucault himself emphasised:

Disciplinary power [...] is exercised through its invisibility; at the same time it imposes on those whom it subjects a principle of compulsory visibility. [...] And the examination is the technique by which power, instead of emitting the signs of its potency, instead of imposing its mark on its subjects, holds them in a mechanism of objectification. In this space of domination, disciplinary power manifests its potency, essentially, by arranging objects.

(1995[1977]): 187)

The visible is what reveals something (for instance, discipline's "subjects"), yet it is also a concealing force. This masking strength might not always be perceptible: in the case of the Panopticon, it affects all the "arrang[ed] objects", as well as the political economy that facilitates the multiplication of disciplinary apparatuses beyond the prison. Invisibility is there, both present and haunting, facilitating surveillance's productivity of social and political relations, but also of economic (and other) orders.

At first sight—if we may say so—the tensions between visibility and invisibility are a major topic in Surveillance Studies. Different forms and angles of *gaze* have been explored and theorised (inter alia Lyon 1994; Haggerty and Ericson 2006a; Andrejevic 2004; Introna and Wood 2004). Invisibility, however, tends to remain out of focus. The absent elements, those that have disappeared but still morph the surveillance practices, are rarely accounted for. Hence, Surveillance Studies tends to accept the representations of surveillance fostered by the in/visibility dyad: static representations, where even critique plays a pre-defined (codified and confined) role.

The in/visibility dyad does not have the same explicit conceptual role in critical security studies, which often overlaps with Surveillance Studies in terms of research topics. Still, in/visibility implicitly affects the way in which scholars apprehend surveillance technologies and practices: most of their attention rests indeed on what is exposed and securitised (Bigo 2014; Peoples and Vaughan-Williams 2010; Zureik and Salter 2005). Critical security studies, nevertheless, also provides useful insights about the fascination of security policies for the production of visibilities (Amoore 2007), alternative forms of visibility as a critique of security representations (Andersen and Möller 2013) or the crucial, and often unnoticed, contribution of mundane and material elements in the securitisation process (Huysmans 2011).

Our argument is that embracing surveillance practices from a perspective that moves beyond the in/visibility dyad, rather than by adding further definitions of its scope, will help to highlight the dynamics at play, especially the efforts and the ruses needed to support and stabilise surveillance practices along such dyad. By overlooking what is not represented, invisible or unspoken, critical approaches to surveillance and security risk missing the opportunity to bring politics back to the forefront, and transform themselves into a dead-ended discussion about the ethics of individual exposure or concealment.

We thus propose to approach these complexities by bringing in two sets of notions: *dis-appearance* and *ob-scene*. In this paper, we first unpack the very functioning of in/visibility in the making and studying of surveillance. Then, we embark on a conceptual journey to introduce and illustrate these terms through the analysis of few recent examples: the introduction of so-called security scanners in European airport, and the debates and developments following the revelations on global mass surveillance by Edward Snowden. At the end, we take stock of this peregrination and we discuss the added value of investigating surveillance beyond the traditional in/visibility dyad.

The Visible, the Invisible and Surveillance's Background

Discussions around surveillance and of surveillance societies have often relied on the notions of visibility and invisibility. Historically, surveillance has often been depicted in terms of a *sur-veilling*, of an over-watching gaze. Still today, many contributions to Surveillance Studies tend to address surveillance in terms related to visibility: watching (Andrejevic 2004), monitoring (Lyon 2001), exposure (Ball 2009; Cohen 2008), the (electronic) eye (Lyon 1994), exhibitionism (Koskela 2004), or visibility itself (Haggerty and Ericson 2006b). The principle of persistent gaze or permanent watch, allowing the viewing of everything, continuously, has been identified as the first principle guiding the evolution of contemporary surveillance (Chamayou 2013: 58-59).

The most rudimentary manifestation of this trend is the idea that what characterises surveillance is the presence of somebody who is watching, and somebody who is being watched. As mentioned, this is the basis of the Panopticon, originally imagined by Jeremy Bentham (1995[1787]) and later evoked by Foucault. Through the description sketched in *Discipline and Punish* (Foucault 1995[1977]: 195-228), the Panopticon became a key image to represent and discuss surveillance (inter alia Lyon 2006; Wood 2003).

The Panopticon as a socio-technical system is based on the architectural model of the prison where guards can always see the inmates, who, in their turn, can never see the guards. Unlimited surveillance power is guaranteed by the permanent potential visibility of the inmates: prisoners are kept in a position that obliges them to believe to be continuously exposed to the gaze of guards that they will never be able to see. Visibility in the Panopticon works thus two ways. The prisoners can always be seen, and never hide, whereas the guards can always see and are free to hide. Constant visibility of the prisoners identifies with the limitless watching of the guards.¹

The limits of the Panopticon model as a paradigm of modern surveillance have often been explored, generating important ramifications of Foucault's vision. A well-known critical reading led to the notion of *synopticon*, in which the masses watch a few 'privileged' observed subjects. This idea, advanced by Thomas Mathiesen (1997) and then famously used by Zygmunt Bauman (1998), complemented the insights of the Panopticon with a reversed movement whereby visibility changed direction (for a synthesis, see Gane 2012).

These perspectives, despite their undeniable relevance and appeal, rely on a too linear conception of visibility that neglects the complexities of seeing. This is precisely one of the main critiques that Jacques Derrida addressed to Foucault's *Discipline and Punish*. For Derrida, Foucault's work gave a too simplistic account of the described passages from the visible to the invisible, to be replaced with an examination of different modes of visibility (Derrida and Roudinesco 2001).

As a matter of fact, in *Discipline and Punish* Foucault actually enacts the question of visibility and invisibility at different levels. Beyond his analysis of Bentham's Panopticon, he also relies on a certain notion of invisibility to describe the advent of modern disciplinary societies, grounded on the reduced visibility of corporal sanctions. Yet, in relation to this shift, Derrida argued that, rather than a change of the modality of visibility, what was at stake was a new distribution of the visible, and thus also of the invisible (Derrida and Roudinesco 2001: 28).

Foucault also acknowledged the key role of invisible elements: of the "unsaid" (1980[1977]: 194) and of the "silences" (1978: 100-101). Many of his efforts were devoted to bring to the forefront practices of

¹ Actually the regime of in/visibility of the Panopticon does not only work along the line prisoner-guard, but also laterally among prisoners (who are not supposed to see each other) and between prisoners and the external world (which is presented to the prisoners as a moral incitation: a positive model to be achieved).

mustering, training and accounting in order to show how specific forms of visibility are produced by rather invisible, or too mundane, instruments. However, what remained largely outside of Foucault's analysis was the very coextensivity of the invisible and the visible, their continuous distribution beyond the poles of outputs and tools. The difficulty engaging with the distribution of in/visibilities taking the Panopticon as starting point is probably entrenched in the very formulation of this dyad, premised on the conceptualisation of visibility as production of knowledge, and thus of power. From this viewpoint, the invisible is primarily what secures asymmetries in power relations, and the dyad is definitely oriented towards the production of visibilities. Even resistance to surveillance, and to power relations in general, becomes often an effort to produce further visibility. Envisioned as transparency, it takes the shape of an ambition to unveil what is (still) concealed, to pinpoint different positions on the map of the Panopticon, and to turn the gaze to the guards.

Derrida's critique and his insistence on the modes of visibility must be linked to his view according to which the visible is never *just* the visible, as it always conveys a certain presence of what is not there—and thus, of the invisible (Derrida 2013: 73-78). Conversely, the invisible is more than the mere absent, as its indiscernible presence plays a role in what is there. Masking, covering up, rendering invisible are integral elements of the theatrical machinery of society (Derrida 2012: 24). Derrida notoriously investigated the relation between the visible and the invisible through the image of the *spectre*: spectrality refers to a certain mode of invisibility and presence. In a similar vein, Maurice Blanchot defined images as the duplicity of revelation, or the veil that veils while unveiling (Blanchot 1969: 42).

The Study of Dis-Appearance in Surveillance and Security Practices

A way to get a grasp of what is invisible but present is to resort to the notion of *dis-appearance*. Dis-appearance refers to the processes whereby a visible element becomes invisible, or an invisible element becomes visible. It assumes that invisibility does not mean irrelevancy: the disappeared element might, indeed, still be active and productive despite its newly acquired invisibility. Next to Derrida's reflections on spectrality, the notion of dis-appearance draws also on the literary games, ploys and devices that characterised the French literary movement *Oulipo*. One of the most notable cases is George Perec's work *La disparition* (1969). The novel revolves around a double disappearance: the immediately evident disappearance of the main character, and the quite unnoticeable disappearance of the vowel 'e'. Indeed, the book has been written without using the most common vowel in French. This double disappearance co-constitutes—materially and narratively—the novel. In particular, the obliteration of the vowel becomes the very engine of the work. Ultimately, it characterises the novel uniquely, especially when it comes to enact it, either through translation or reading, so that it somewhat retains and imposes a productive drive beyond its own author.

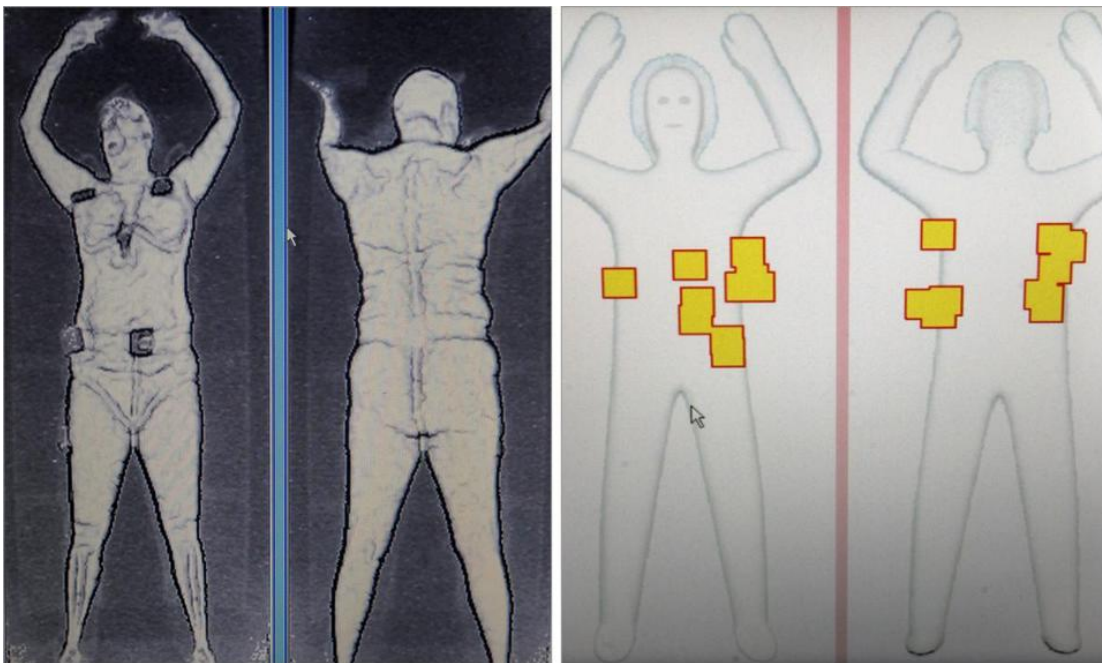
From this vantage point, it should be clear that dis-appearance does not equal in/visibility, although they are undoubtedly related. Dis-appearance is an operation and a process, more than a condition. For this reason, we signal the divarication between the two conceptual frames graphically: we use a hyphen in dis-appearance, and a slash in in/visibility.

Nowadays, control can be ensured by actively leaving the subjects of surveillance mostly surrounded by saturated visibilities, with a blinding effect. In an age where everything is presumably observable, the choice of what is left unobserved and unobservant, or transfixed by revelation and exposure, acquires special significance. Beyond mere visibility or invisibility, some surveillance manoeuvres operate a sort of vanishing that resembles a new kind of banning. What is not merely invisible or visible, but rather outside of the in/visibility dyad, and ungraspable by it, is what we address through the notion of dis-appearance.

A prominent example of dis-appearance in security devices are so-called 'security scanners' (see Bellanova and González Fuster 2013). These machines have been deployed in some airports with the aim

of scanning human bodies in search of explosives concealed under clothes. Initially, the scanners were designated as ‘body scanners’, and displayed roughly realistic images of ‘naked’ bodies. In other words, they overtly enhanced the visibility of individuals’ bodies, typically concealed under clothes. This generated concern among a part of the population and in the everyday practice of airport security checks (Leese and Koenigseder 2015). Their initial deployment also triggered practical problems in terms of compliance with personal data protection laws, applicable due to the clear link between the displayed images and the persons scanned (European Privacy and Data Protection Commissioners’ Conference 2010). Eventually a solution was found: it was decided to avoid the production of realistic body images altogether, replacing them by an abstract image, a silhouette, or even just an ‘OK’ sign (see Figures 1 and 2). The scrutinised bodies were thus made to disappear into the new ‘security scanners’ setting, a system now able to transform individuals into subjects of surveillance not by making them more visible, but by translating them into anonymous objects: non-gendered silhouettes or green/red screens.

The resulting invisibility of human bodies in the new security scanners setting was however not absolute, nor undisputed. Civil society resistance to the spread of security scanners was sometimes enacted precisely through the exhibition of naked bodies, in order to underline that, in the process of disappearance, bodies were actually still at stake. Activists thus walked half naked in airports, or got naked in public to protest against the deployment of the new machines. What surfaced in the end was a tension between appearance and disappearance, taking the shape of intermittent glimpses of naked bodies, and of their suppression. Thus, a complete picture of how security scanners work requires the taking into account the disappearing bodies they generated.



Figures 1 and 2: Images of subjects of surveillance as produced by body scanners (on the left) and by security scanners (on the right)—published by *The Boston Globe*. Available at <https://www.bostonglobe.com/business/2012/10/04/tsa-unveils-new-less-revealing-body-scanners-logan/ocE7Ev788XpHzvmlMAvIMN/story.html>.

Security scanners function through dis-appearance as a productive form of surveillance, capable of blocking out the very subjects it examines, but always ready to force them to re-appear whenever deemed convenient. Prospective passengers can indeed also be physically searched and/or asked to identify themselves, if appropriate. Dis-appearances are not only at play in security scanners. Exploring the underlying rationale of several border security technologies based on large-scale data-mining, Louise

Amoore highlights that “it is not strictly collected data that become an actionable security intervention, but a different kind of abstraction that is based precisely on an absence, on what is not known, on the very basis of uncertainty” (2011: 27). Similarly to in/visibility, dis-appearance can be viewed as a productive form of power relations, morphing and haunting the practices of surveillance (Bellanova and González Fuster 2013: 204-205). By embracing this operation, surveillance is no longer conceivable as a linear (even if challenging) movement, but as a complex juxtaposition, folding and obliteration of heterogeneous elements. Absence comes to play a role, not only as what partakes to the enactment of the in/visible, but also in supporting the creation of specific regimes of in/visibility.

So far, only limited attention has been devoted to dis-appearance in Surveillance Studies. In their article defining ‘the surveillant assemblage’, Haggerty and Ericson concluded that the main impact of modern surveillance was the “*disappearance of disappearance*” (2000: 620, emphasis added). However, they envisaged such disappearing ‘disappearance’ as an impossibility to escape surveillance, or to remain anonymous—thus, fundamentally as an ever more vulnerable right to invisibility, or ‘to evade the gaze’.

Other notions connected to dis-appearance are the concepts of *data doubles* and *dividuals* (Deleuze 1992; Haggerty and Ericson 2000), as well as *black-boxing* (Latour 1999; Introna 2007; Wesseling, de Goede, and Amoore 2012). The ideas of data doubles and dividuals hint at the possibility of alternative declinations of the being, and at the continuous de-construction and assemblage of the elements that configure individuals. Black-boxing, or the paradoxical invisibility of pervasively flourishing technologies, may also be regarded as partially accounting for the detours of surveillance practices. Insofar as they aim to bring into the field of the study of surveillance the analysis of the manner in which change can take place, these notions are indeed closely related to dis-appearance. While the distribution between invisible and visible conveys the idea of a clear-cut and definitive movement, dis-appearance invites us to think up the continuous effort needed to keep a specific order in place. It also highlights the taking into account of different kinds of participation(s) required to deploy a surveillance practice. Finally, dis-appearance allows for the study of the ways in which control can be forced upon dynamic and changing entities, without the need to fix them into definitive beings.

It is from this perspective that we defend the need to cater, in the critical study of surveillance, a better understanding of the tortuous ways through which things are disposed along the in/visibility dyad. Our working assumption is that, somewhere between dis-appearance and in/visibility, stands the notion—and potentially the politics—of the ob-scene.

Nurturing the Ob-Scene

The term *obscene* has different meanings, which undoubtedly contributes to its usefulness and richness. A first meaning refers to the quality of being ‘offensive’ and ‘disgusting’ by generally accepted standards. In this sense, obscenity refers to something that is regarded as repugnant. The *New Oxford America Dictionary* defines the obscene as follows:

adjective (of the portrayal or description of sexual matters) offensive or disgusting by accepted standards of morality and decency: *obscene jokes* | *obscene literature*, and ‘offensive to moral principles; repugnant: *using animals’ skins for fur coats is obscene*.
(italics in original)

The offensive and disgusting material at stake might be related to sexual matters, and often it will, but it could also not be related to any form of sexuality. When it does, it will typically refer to ‘private’ actions, ‘private’ bodies, and even, of course, ‘private parts’. In other words, to anything that somebody has come to consider that shall remain private, out of public scrutiny. The obscene is in a way a process of bringing

to the forefront an intimacy that shall or should remain secret and not watched. It is something seemingly calling to be banned, as the more it unveils itself the more it tends towards disappearing.

Among the many and controversial theories about the etymological origins of the word ‘obscene’, some precisely point towards links with the idea of secrecy. Obscene is indeed believed by some to come—via the French *obscene*—from the Latin *obscenus*. The meaning of *obscenus/obscaenus* has been linked to the language of omens, where it would mean a bad sign, a bad omen (“ill-omened or abominable”, see Desanti 1983: 1). As such, it has a semantic affinity with secrecy: bad omens shall be kept secret (Artus 2002: 130).

The term obscene has also acquired a second meaning, which is related, but not fully coincidental. This understanding of the obscene is based on an openly etymologically incorrect reading of the obscene according to which it could be composed of ‘*ob*’ and ‘*scene*’. The obscene would then be what is ‘out of the scene’: not object of a staging or *mise-en-scène*, but rather what is banned from the show. Thus, the obscene would relate to something that had become visible, or was on the verge of becoming visible, but needs to be rendered invisible, because otherwise it would be *too* visible.

This reading of the obscene was notably adopted and encouraged by Jean Baudrillard (2003: 27). Baudrillard’s conception of the obscene identifies it with what must be outside the scene, being so abject that it defies representation (Bayon 2008: 63). Obscenity is viewed as an exacerbation of the visible, which is even more visible than visibility itself (Lahuerta 2008: 90-91). Baudrillard also opposes the *mise-en-scène* of the spectacle, where there is always a distance between what is proposed and the spectator, to the obscene, where sexuality—or whatever is exhibited—is not kept at a distance but straightforwardly given (2003). For him, obscenity plays a role for instance in the functioning of opinion polls and their publicity (Baudrillard 1985). It concerns a kind of *collective self-surveillance*, taking the shape of society’s need to see itself continually “on the videoscreen of statistics” (Baudrillard 1985: 580). The social becomes confused with its own control screen, and, by doing so, it loses its scene and becomes obscene (Baudrillard 1985). The obscene may thus also be defined as a symbolic collapse of the stage (Bougnoux 2008: 40).

These two readings of what we call the *ob-scene* allow us to move beyond, or rather besides, issues of representation of sexuality and morality, and to think in terms of interpolation, alteration, deviation, and juxtaposition. They highlight that surveillance settings are not about what is given, but rather about what is re-arranged by them, and that order and disorder are co-constituted. To a large extent, it is not the *scene*, but the prefix *ob-* what makes the notion of ob-scene so compelling. Letting the *New Oxford American Dictionary* speak again, *ob-* has at least four different meanings:

1. denoting exposure or openness: obverse.
 - expressing meeting or facing: observe.
2. denoting opposition, hostility, or resistance: obstacle.
 - denoting hindrance, blocking, or concealment: obliterate | obviate.
3. denoting extensiveness, finality, or completeness: obdurate | obsolete.
4. (in modern technical words) inversely; in a direction or manner contrary to the usual: obconical.

The prefix *ob-* thus presupposes and creates relations and shifts between elements within the same or different setting. Hence, this contribution is an invitation to make use of the ob-scene notion as playing a middleman between in/visibility and dis-appearance, and to study modern surveillance from the perspective of the latter. Whereas the in/visibility dyad points to the relation between the watched and the watcher, dis-appearance points to both the by-product(s) of this relation and to the way(s) in which this very relation and its by-products participate to a broader political economy. Contrary to the notions of

in/visibility and dis-appearance, ob-scenity does not attempt to describe the functioning of surveillance practices, but surveillance's ripples and hiccups. It privileges the phases in which some elements disturb a widely accepted re-presentation of the elements at stake, on stage or off-the-stage. The ob-scene earmarks those moments when the political economy in which the relations of in/visibility and its by-products are nested can still become a problem, in the sense that they can disturb accepted representations of surveillance. These moments are nonetheless always on the verge of dis-appearance, be it through the banalisation and trivialisation of their problematics (as an excess of visibility), through their attentive removal (concealment), or through operations where these movements converge.

Our postulate is that starting with these hiccups offers the possibility to think surveillance *politically*. To borrow from Jacques Rancière, these glitches hint at the potential emergence of a different “distribution of the sensible” (Rancière 2010). The ob-scene would be the moment where what is, and what should be, accounted for is no more definitive or stabilised: things are not yet visible or invisible, and dis-appearance is not fully operative. The ob-scene is that moment of fleeting indecisiveness that makes the difference between politics and the police:

The essence of the police lies in a partition of the sensible that is characterized by the absence of void and of supplement: society here is made up of groups tied to specific modes of doing, to places in which these occupations are exercised, and to modes of being corresponding to these occupations and these places. [...] The essence of politics consists in disturbing this arrangement by supplementing it with a part of those without part, identified with the whole of the community.

(Rancière 2010: 36)

However, we depart from Rancière's definition of politics in at least two ways. First, we understand that the arrangements to be disturbed, following Jane Bennett's proposal, shall encompass non-humans both among what has an already re-presented part, and among the “part of those without part” (Bennett 2010: 94-109). Second, it seems to us that the goal of including the desired “supplement” is not merely to give humans or non-humans political representation, but also political responsibility and accountability, ensuring their ability to liberate themselves from the status of supplement, even at the risk of generating other supplements. The ob-scene is a political moment on which it is certainly difficult to capitalise.

The Snowden Revelations, Between In/Visibility and Dis-Appearance

The so-called Snowden revelations constitute probably one of the most salient events, or, more accurately, series of momentums, of global modern surveillance (Bauman et al. 2014). These revelations refer to the disclosing of secret information about mass surveillance practices of the United States (US) National Security Agency (NSA) (Landau 2013; Lyon 2014). A stream of information about these surveillance programs was ‘leaked’, since the beginning of the summer of 2013, by Edward Snowden, a former contractor of the NSA. The documents revealed the existence of routine covert mass surveillance of individuals. Among the most discussed practices were the direct access to the central servers of leading US internet companies (the so-called PRISM program); the analysis of content and metadata (the Xkeyscore program); the circumvention of online encryption (the BULLRUN program); access to computer and telephone networks (the UPSTREAM program); and access to location data (on the basis of mobile data) (see, in extenso: European Parliament 2014).

Since the beginning of the revelations, Edward Snowden repeatedly emphasised the extraordinary scope of the suspicion-less surveillance being deployed. He documented these practices by his disclosures, which however did not provide a full description of the everyday use of the high-tech surveillance technologies. While US authorities denied some of the information presented by Snowden, they nonetheless overtly acknowledged “the vast majority of it” (European Parliament 2014: 8). As such, the

disclosure of this information could be described as a substantial shift from the invisibility of some covert practices towards their patent visibility. What was previously carefully concealed, willingly kept secret and confidential, had become publicly known. However, this specific movement was not straightforward, but modulated by a series of tensions highlighting the paradoxical status of the new resulting visibility.

A first tension was created by the fact that the disclosing action will *apparently* never be completed. When Snowden started divulging documents, he announced that there were many other documents yet to be leaked. Since then, the world is still awaiting a full disclosure. In a testimony submitted to the European Parliament in the context of its Civil Liberties Committee inquiry into mass surveillance of citizens of the European Union, Snowden pointed out that, while working for the NSA, “without getting out of [his] chair, [he] could *read the private communications of any member of this committee, as well as any ordinary citizen*” (Snowden 2014: 2, our emphasis). In that testimony, however, he was not supposed to play the role of the repented member of the surveillant apparatus, or of the former surveillance actor ready to confess all of his former institution’s sins. He was actually expected to contribute to the factual enlightenment of the European Parliament and shed light, as concretely as possible, on the nature and extent of existing US surveillance practices and on how they affect European citizens. Snowden, however, refused to give straightforward answers to some of the questions addressed to him in order to avoid “pre-empting the work of journalists” (Snowden 2014: 5). For example, when requested to give an indication of the number of existing programmes in relation to the number of already undisclosed programmes, he answered that there are “many other undisclosed programs that would impact EU citizens’ rights”, but added that he would leave to others to decide whether they could safely be disclosed (Snowden 2014: 5, 12). Hence, what we learnt through the Snowden revelations is that there is much going on that we ignore, and that he will not tell. Somebody else will—maybe.

Undoubtedly, there may be legal reasons behind this ‘veiling’ approach to his unveiling efforts. The strategy may be considered wise or not, perhaps appropriately prudent, possibly reasonable. As such, in any case, it not only makes people more knowledgeable of the extent of the surveillance affecting them. It also emphasises the extent of people’s ignorance, by highlighting all the knowledge that is still invisible, failing to appear. This continuous stand-by position of the Snowden revelations transformed them into a constant reminder of further revelations to come: a pointer to what remains invisible, and thus, ultimately, into a warning that screams that we are all under surveillance, especially when we think we might not.

A second relevant momentum of this major surveillance event was the dis-appearance of Snowden himself. At the same time that Snowden revealed information about secret surveillance practices, while leaving some practices in the dark, what became very public indeed was his own image. Snowden’s revelations took place simultaneously to the revelation of Snowden, who in a way became the image and the representation of the on-going, and still partially secret, surveillance. His own image, hence, was progressively converting into a warning sign, the reminder of the extent of secret and on-going surveillance practices. The leaked information was rapidly labelled the ‘Snowden revelations’ as opposed to ‘NSA revelations’. This modifies the construction of the problem, as if Snowden’s fate as a whistleblower could overwrite the significance of what he is whistling for.

The image of Snowden might itself deserve further analysis, as it represents very graphically—if we may say so: very *visibly*—the tensions between what is present and what is absent. Since the beginning of the revelations, almost nobody has seen him ‘in flesh’, as he appears mostly mediated through videos, pictures, and some interviews. Despite his confinement in Russia, Snowden keeps sending messages throughout the world, attending public events through tele-conference devices and special software (see Figure 3). He quickly became a ghostly presence, only intermittently and just partially invisible.

As such, he embodies a continuous but partial revelation of systematic secret surveillance practices. His dis-appearance is not only the burden of (forced) exile, but has also become the constant reminder of the

fact that surveillance is ongoing and practically ubiquitous. The message delivered by an image of an absent body, a ghostly presence. All in all, the result of these movements can easily be seen—somehow paradoxically—as a reminder of Big Brother.

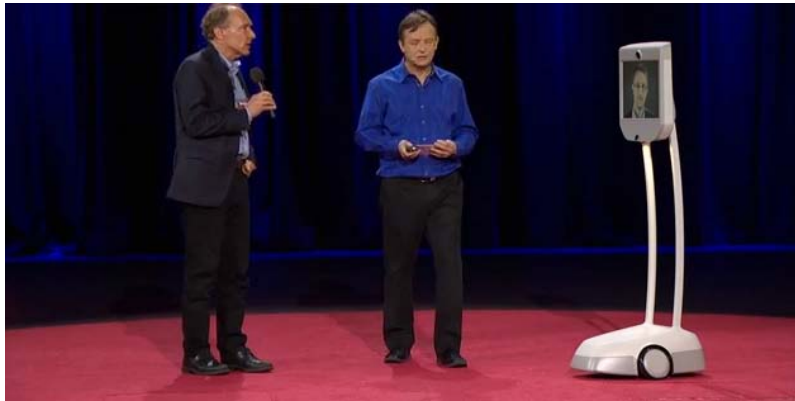


Figure 3: Robot-Snowden at Vancouver TED Conference. Available at: <http://blog.ounodesign.com/2014/03/18/edward-snowden-surprise-appearance-ted-2014-vancouver/tim-berners-lee/>

What these processes describe, crucially, is an operation of staging or *mise-en-scène* of surveillance that nevertheless pushes the contestation of surveillance towards the exit. As a paradigmatic episode of such staging, *Citizenfour*—a film by Laura Poitras about Edwards Snowden—won an Academy Award for Best Documentary Feature at the 2015 Oscars. The prize clearly illustrates that the Snowden revelations have been granted a place in the global stage, that they have been emphatically embraced by mainstream public discourse. At the same time, the partially un-disclosed surveillance practices that were supposed to be the subject of attention, however, remain largely unchallenged. Despite their partial visibility, they appear now as increasingly ob-scene. Taking due account of their ob-scenity is thus necessary to further advance in our understanding of how surveillance operates and folds into its own contestation.

The Ob-Scene of Snowden's Revelations

In reaction to Snowden's leaks there were calls for naked public protests, which attempted to highlight the degree of interference with people's private lives occurring under the revealed surveillance practices. A similar idea of relying on nakedness to denounce simultaneously the 'real' effects of surveillance, and surveillance as an activity of major economic business, was at the core of campaign launched by European digital rights activists (see Figure 4).



Figure 4: Digital rights' activist campaign about the so-called EU Data Protection legislation reform. Available at: <https://nakedcitizens.eu/resources>

As already noted in the case of body scanners, playing around visibility by reverse engineering and appropriating dis-appearance is actually not an uncommon strategy in counter-surveillance practices. Some actions aim at achieving a status of invisibility deemed to have been rendered obsolete by surveillance, as a desperate attempt to escape its gaze. Such is the case, for instance, of David Bond's adventures in 'Erasing David' (2010). In this documentary film, Bond stages different attempts to interrupt data leakages emanating from his everyday life, leading him, inter alia, to embark on his own disappearance, for example by sleeping alone in the dark somewhere in the middle of nowhere (Bond 2010).

Another possibility is to play dis-appearance's game to produce an excess of visibility. Possible instances of this strategy might be considered *exhibitionism* (see Koskela 2004), *self-surveillance* (Magid 2000) and *decoration* (Magid 2002). In this context, activists and artists strive to re-activate seemingly endangered notions such as privacy through a saturation of exposure of surveillance technologies, or of the nakedness these technologies are supposed to produce. For example, Magid's artwork, *Surveillance Shoe*, highlights at the same time the surveillant camera and her own body (see Figures 5 to 8 below). Revealing *otherwise* is thus used to reclaim a right to hide, as a mode of contestation.



Figures 5, 6, 7 and 8: Magid's art project *Surveillance Shoe*. Available at: <http://www.jillmagid.net/SurveillanceShoe.php>.

Some other post-Snowden initiatives did not concern nakedness, but attempted to fool dis-appearance processes. Of special interest are the 'Waiting for Snowden' actions inviting people to go to airports with a paper simply stating 'Edward Snowden', as if the whistle-blower were to appear, suddenly coming out of exile, and publicly emerging at the arrivals terminal (see Figure 9). Of course, Snowden would not appear, and the actions underlined his (forced, problematic) absence.



Figure 9: somebody is waiting for Snowden at an airport. Available at: <http://www.datenschutzraum.de/blog/2014/01/05/waiting-for-snowden/>

The pointless and silent wait for Snowden at airport lobbies puts the finger on his absence, and, winking at Godot, acts as an invitation to perceive important elements that are side-lined in the mainstream representations of surveillance. At a basic level it stresses that Snowden has been confined to exile, and is not free to travel and move around like all those present at the airport. At a deeper level, it could be read as epitomising that the wait for global surveillance's great whistle-blower is forever to be in vain, not just because he is legally and physically trapped in another country, but because he is also trapped in his new, hyper-celebrated role as the great reminder of the ungraspable surveillance that surrounds us. The demonstration/performance 'waiting for Snowden' works somewhere between the affirmation of an illusion of a presence that leaves with absence, and the offering of an absence that might provoke a presence (Schweizer 2008: 13). Just like laughter at airport security checks, it can be seen as echoing an unspoken collective complaint (Leese and Koenigseder 2015: 48).

The recurrent presence in the media of the information disclosed by Snowden has again and again highlighted the absence of any major public outcry against surveillance, or of any criticism strong enough to significantly curtail the practices at stake. The revelations constituted as such a critical moment, a promising celebration of ob-scenity whereby overt, unheard of interferences with private life were, for a moment, put in front of public opinion.

This critical moment was however rapidly foreclosed. It heralded transparency, but soon became a troubled representation. It promised and gave hope of accountability, but quickly diluted into blurred blaming. Partially, the trivialised and somehow over-exposed image of the messenger obscured the message. Limited attention was given to the symbiotic dynamics of the denounced programmes of surveillance with the rationales and the practices supporting contemporary forms of what Nigel Thrift calls "knowing capitalism" (2005). As a matter of fact, little if any debate focused on how the revealed practices of surveillance are made possible by a specific form of political economy that has been widely embraced by individuals, and even institutions. Against this background, it appears that to be able to accurately account for these processes, it is thus imperative not only to publicise and investigate surveillance practices themselves, but also to explore the limits of current forms of critique, and their substantial failure at building on the ob-scene of surveillance to making it a political issue.

Beyond the Gaze, Towards Data

We believe that the generally unspoken ripples and hiccups of surveillance offer a privileged entry point to the wider set of elements at stake, including those that are not visible because they are not (yet) accounted for. Through a formulation of the ob-scene, it might be possible to move closer to a genuinely radical critique of contemporary regimes of surveillance, and in particular of digital surveillance. This movement, we suggest, must encompass at least two steps. First, it is a call to widen our understanding of the implications of in/visibility dyad in surveillance. Second, it marks a shift towards the investigation of what is and is not data, or, more precisely, what is and is not inside data.

When it comes to practices of digital surveillance, data are at the very core of the processes of disappearance, as it emerges in the shift between body and security scanners and in the Snowden revelations. Yet, the stuff of data remains largely overlooked compared to, for instance, the exponential growth of literature on 'big data' (with relevant exceptions, see Gitelman 2013). The added-value of further opening up the study of surveillance through its hiccups, and the ob-scene of what data is and is not, might be briefly illustrated by the 2014 celebrities' nude photo leak.

In August 2014, several media announced that more than two hundreds pictures of naked female celebrities had been made available online. The images had been seemingly obtained from unauthorised access to data stored in Apple's cloud service ('iCloud'). Very soon, the company reacted by declaring

that, indeed, data might come from their services, but that, nonetheless, Apple's security had allegedly not been breached (Apple Press Info 2014). Apple also argued that the hackers responsible for the leak had obtained the images through targeted attacks on other kinds of data, i.e. account information such as passwords. The mediatisation of the incident was revealing of some of the most common stabilisations of the in/visibility dyad in contemporary societies. On the one hand, it illustrated the general visibility of the users of cloud computing services, whose personal information, including sensitive data such as intimate pictures, is floating across the globe in services accessible by strangers, presumably without even the need to break any security protocol. On the other hand, the incident displayed how some information of some categories of users is particularly under pressure, chased with special vigour by the public gaze—mediated through hackers and the media that amplified their actions. All in all, data acted as the great interface between modes of visibility, mediating between surveillance and the spectacle (Sénéchal 2014: 164-165).

If something was seemingly clearly out of scene, it was the right of individuals, and in particular women, to keep their personal information private. And even more out of scene was the possibility for female public figures to keep out of public gaze the images of their own bodies. Although the incident could have been portrayed as a proof of the inability of one of the most powerful global companies to ensure minimum levels of protection of the information it holds, the issue was rapidly turned around—as if the problem were the affected women, clearly to blame for their careless handling of passwords and inappropriate use of their bodies, which suddenly had left almost naked the surveillance apparatus. Looking into the event from the perspective of the ob-scene, and exploring how different images and voices were put forward and aside, allows us to underline the operations of forced dis-appearances that take place, beyond specific in/visibilities and correlated gendered gazes.²

All of the examples contemplated in this contribution have been somehow concerned with images. In reality, however, the ob-scene that we are describing relates to surveillance much more generally, and thus also to the situations in which surveillance operates merely through data. In this sense, the notion of 'digital traces' (Reigeluth 2014) seems particularly suited to express the paradoxes of surveillance's obscenity, and *vice versa*. The movement from surveillance towards practices dominated by dataveillance has been profusely commented by the academic literature (inter alia Clarke 1988; Amooore and de Goede 2005). Dataveillance, it is typically claimed, differs from traditional surveillance to the extent that it does not focus primarily on the production and processing of images, but on the creation, collection and further processing of data. Still, despite the discontinuities between them, there is a fundamental continuity between traditional surveillance and dataveillance: they both rely on absent elements to make sense—to produce meaning and to justify their relevance.

Conclusions: Nurturing the Ob-Scene for a Pragmatic Critique of Surveillance

Introducing the notions of *dis-appearance* and *ob-scene*, in this contribution we have sketched an alternative analysis of the relation between surveillance and the in/visibility dyad. From this perspective, surveillance relates to different types of staging: the stability of in/visibility is achieved through continuous processes of dis-appearance, where the *mises-en-scène* and the out-of-scene may be troubled by the ob-scene. The case of the body scanners helped illustrate how thinking in terms of dis-appearance allows for better understanding the productiveness of surveillance settings. The examination of the Snowden revelations documented how some of the tensions between visibility and invisibility could be better defined in terms of distribution between the scene and the ob-scene, and the ways in which these tensions can be publicly envisioned, talked about and challenged. The example of the celebrities' nude photo leak highlights how data, and not only images and representations, can become an ob-scene site.

² On this subject, see notably: Bailey and Steeves (2015).

Arguing that dis-appearance and the ob-scene effectively throw new light on the political situations in which specific surveillance practices are developed and deployed, we suggest time has come to follow more closely the ripples and the hiccups of surveillance settings, and start listening to their cracks. By doing so, we wish to contribute to the emerging discussion in Surveillance Studies and critical security studies about the role of critique (Cadman 2010; Herzogenrath-Amelung 2014; Koddenbrock 2014) and bring back into the academic debate the question of the very possibility of politics, as opposed to debates exclusively concerned with possible additional regulations or ethical guidelines for (the safeguarding of) surveillance.

Nurturing the ob-scene of surveillance means slowing the seemingly self-evident distribution of the sensible and displacing its closure, by looking for it elsewhere: digging deeper into the spectral elements of surveillance settings in search of paths to overcome the limits of surveillance's critique. Somewhat, this research commitment is similar to the functioning of the *double negative*. Paolo Virno does note in his work the key role of both the linguistic negation—the *not*—and the double negative—*not (non p)*—in the social fabric:

the 'not' locates in the domain of the possible the state of things against which it is directed [...] With the double negative [not (non p)], the speaker does something more complex and ambitious: she aims to create a situation in which 'non p', even if still possible, is actually incongruous, blunt, *ineffective*.

(Virno 2013: 192, authors' own translation, emphasis in original)

According to Virno, it is right in the tensions and possibilities opened by the functioning of the double negative, rather than in language *tout-court*, that the public sphere can be fostered (2013: 21-ff). On the one side, the double negation “does not describe anything, but it constitutes an action” (Virno 2013: 190, authors' own translation). On the other side, the double negation creates a “zone of indecisiveness”, where meanings remain to be stabilised. Similarly, this conceptual journey through dis-appearance and ob-scene aimed at sketching the possibility for a pragmatic critique of surveillance: a critique that engages with, and leverages the double negatives purposely or unintentionally uttered by concerned actors. In this sense, just as the “double entendre” has always been the privileged figure of the ob-scene in language, we suggest that the multiple senses and equivocalness of surveillance's visible and invisible, absent and present elements must be a key to enter its discussion.

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