



# **SURVEILLANCE, RESILIENCE, RESISTANCE**

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# IRISS

## Increasing Resilience In Surveillance Societies

1. Examine how the open nature of democratic societies can make them more vulnerable to attacks on infrastructures or people and how, at the same time, it can make them more resilient to those attacks in terms of social, economic and institutional responses.
  2. Identify options for enhancing social, economic, institutional resilience based on a comparative analysis of past and current experiences in Europe and elsewhere.
- Some forms of surveillance may be acceptable or tolerable, while others pose a serious challenge to our fundamental rights.

# Features of today's surveillance society

- Pervasive in both the physical and cyber worlds
- Biggest, most powerful, most intrusive surveillance systems are operated by the intelligence agencies and big companies (Google, Facebook et al.)
- Collect everything: dragnet surveillance
- Fear-mongering: prevention of crime and terrorism
- Make examples of whistle-blowers
- Conflicted society: supporters and opponents
- Subverts the fundamental rights to privacy and data protection
- Lack of effective oversight
- Lies, prevarication and dissembling
- Disregard for the law, for fundamental rights

# Ballooning surveillance budgets

US intelligence agency budgets ballooned to \$75 billion in 2013, up from about \$27 billion prior to the [9/11] attacks.”

Angwin, Julia, *Dragnet Nation*, Henry Holt & Co, New York, 2014.

# Definitions of resilience

- Diffused from ecology to many domains and disciplines
- Various definitions:
- Capacity of a system to return to a previous state, to recover from a shock, to bounce back after a crisis
- Ability to adapt to or cope with adverse changes, stresses or shocks
- Human and social resilience
- Protection from threats, preparedness
- Strategic resilience, reinventing a business, anticipatory
- A moving target

# Resilience for whom from what?

- Resilience in a surveillance society can apply to systems, organisations and people (individuals, groups, society)
- “the resilience of banks”
- The resilience of the super rich and powerful at the expense of the rest of society
- They know everything about us, but we know little about them, transparency applies to some, but not all
- Authoritarian regimes can be as resilient as “democracies”
- Mass surveillance is inherently repressive, oppressive, intrusive, invasive

# What can we apply from resilience to today's surveillance society?

- Adapting?
- Coping?
- Withstanding?
- Anticipatory
- Resilience implies power, the capacity to adapt
  
- But resilience is a limited strategy in a surveillance society: it does not take back control from those operating the most intrusive surveillance systems

# Is resilience in a surveillance society an oxymoron?

- A figure of speech in which apparently contradictory terms appear in conjunction
- How can society be resilient in the face of increasingly intrusive surveillance?
- How can one adapt to being manipulated?
- How can society accept the chasmic inequities between the super rich and powerful (the surveillants) and everyone else?

# Distribution of power

- In today's surveillance society, the intelligence agencies and big companies (Google, Facebook) wield enormous power
- The rest of society are pawns in a game played by the rich and powerful
- The biggest fines are nothing
- They are almost impossible to control
- Oversight is ineffective

# Resistance

- Active opposition, dissent, protest, civil disobedience
- Can take place at the individual, group and societal levels
- Organised or unorganised
- Overt or covert
- Scale of ambition

# Resistance in a surveillance society is possible

- European Court of Justice decision on the Data Retention Directive
- The Court's decision against Google re a "right to be forgotten"
- Germany and Brazil sponsored UN resolution supporting privacy against surveillance
- The LIBE committee report on surveillance
- Whistle-blowers
- Investigative journalists
- Civil society organisations (e.g., Don't spy on us campaign in the UK)
- What can we (individuals in society) do to resist surveillance? Greenwald: encrypting e-mail and boycotting Facebook more promising than politicians
- Other measures, e.g., a new regulator to license and oversee mass surveillance systems, with the aim of reducing the number and pervasiveness of such systems

# What else can we do?

- Reaction to the Snowden revelations
- Robust public discourse and awareness
- Willingness to make trade-off between convenience and privacy in favour of privacy
- The resilience of the market and the market for resilience
- Privacy and trust affect the market
- Changing service providers regularly. Changing support for a political party regularly
- And more