The Picture Of Conformity
In a Watched Society, More Security Comes With Tempered Actions

By Lynne Duke
Washington Post Staff Writer
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Don't look now. Somebody's watching.

But you knew that, didn't you? How could you not? It's been apparent for years that we're being watched and monitored as we traverse airports and train stations, as we drive, train, fly, surf the Web, e-mail, talk on the phone, get the morning coffee, visit the doctor, go to the bank, go to work, shop for groceries, shop for shoes, buy a TV, walk down the street.

Cameras, electronic card readers and transponders are ubiquitous. And in that parallel virtual universe, data miners are busily and constantly culling our cyber selves.

Is anywhere safe from the watchers, the trackers? Is it impossible to just be let alone?

There, in that quintessentially public space, the Mall, came Michael Thrasher, 43, an ordinary guy, just strolling on a lovely recent day. We found him near an entrance to the Franklin Delano Roosevelt Memorial, where a tower-high surveillance camera loomed overhead.

Thrasher didn't immediately see it. But when asked his feelings about privacy and surveillance, he said, "You just feel like there's always someone looking at you."

He's a baggage handler at Reagan National Airport, so he knows that he's watched at the workplace. Since Sept. 11, 2001, transit hubs have been laden with layer upon layer of surveillance: cameras, biometrics, sensors, even a new thing called the "behavior detection officer."

And it's good, Thrasher says, that someone's watching out for the bad guys. "Look what kind of world we're in now."

But Thrasher doesn't like the way his private space is shrinking. Like surfing the Web and knowing his data trail can easily be mined: "If I'm not doing anything illegal, why is it any of their business?"

Like being on the telephone and believing it could be tapped: "In the back of my mind, I'm thinking anybody could be listening to whatever I say."

And just going about one's daily business, walking down the street, going to the market?

"It just feels like there's no privacy now at all when you're doing public stuff."
Suddenly, he sees the camera, his exclamation point, and throws his hands in the air.

**A Watching Culture**

All this surveillance, monitoring and eavesdropping is changing our culture, affecting people's behavior, altering their sense of freedom, of autonomy. That's what the experts say: that surveillance robs people of their public anonymity. And they go even further, saying that pressure for conformity is endemic in a surveillance culture; that creativity and uniqueness become its casualties.

While there are benefits to surveillance -- the sense of security, the ability to view crime scenes -- the loss of autonomy represents the downside of our surveillance-heavy culture, says Jeffrey Rosen, a George Washington University law professor and author of "The Naked Crowd: Reclaiming Security and Freedom in an Anxious Age."

"You need a sphere of immunity from surveillance to be yourself and do things that people in a free society take for granted," says Rosen. Things like going to the park or to the market. The loss of such autonomy is one of the "amorphous costs of having a world where there's no immunity from surveillance."

"This will transform the nature of public spaces in ways we could hardly imagine," he says. "People obviously behave differently when they're unsure about whether they're being observed. We know this from personal experience.

"I'm not at all suggesting that Orwell's '1984' is around the corner," he continues. "But things will change, and some of the changes will be good and others will be bad."

Christopher Slobogin, a University of Florida law professor, writes in his upcoming book, "Privacy at Risk":

"Anonymity in public promotes freedom of action and an open society. Lack of public anonymity promotes conformity and an oppressive society."

After all, who is Big Brother looking for in all this surveillance? People who are different, who do not fit a preconceived norm.

In their insistent way, those public digital message boards that urge us to "Report Suspicious Activity" are pushing a sense of that norm. In effect, they call upon ordinary people with no training or expertise to become surveillants and enforce a code of conduct, an expected norm, based on what might seem, to them, suspicious, or just different.

We watch what we say on the phone. Where once it was just a joke, now it is real: You never know if you might be tapped. We don't joke about bombs or hijacking, especially not in public. Not that we'd want to, mind you, but who remembers the days when it was just a joke? In mixed company, we don't say anything about al-Qaeda that isn't flat out condemnatory. And we are aware, alas, that our library book selections could be added to our possible dossiers, as per the USA Patriot Act.

How far can it go? We have only to recall the 2006 film "The Lives of Others," which portrays how the Stasi of Communist East Germany deployed hundreds of thousands of ordinary people to spy on their fellow citizens and turn them in.

The work of the new "behavior detection officers" watching us at airports is all about enforcing a norm. Part
of the Transportation Security Administration, the officers are trained to detect extremely nervous, deceitful or unusual travelers by observing travelers' facial expressions and their behavior.

In training the BDOs, "we teach that everybody's been in an airport long enough to know what the norm is," says Carl Maccario, a program analyst for what the TSA calls SPOT, or Screening Passengers by Observation Techniques. "There's an expected norm or an expected baseline environment. . . . We teach the BDOs, in a simplified form, to look for anomalous behavior in that environment."

Being different? A big problem.

**Becoming Invisible**

If we know we're being watched and know there is an expected mode of behavior, how does that change our actions?

Call it "anticipatory conformity." Shoshana Zuboff, a Harvard social psychologist who has studied information technology for decades, coined the phrase in 1988.

Applying that concept to the post-9/11 era, Zuboff says she sees anticipatory conformity all around and expects it to grow even more intense.

"I think the first level of that is we anticipate surveillance and we conform, and we do that with awareness," she says. "We know, for example, when we're going through the security line at the airport not to make jokes about terrorists or we'll get nailed, and nobody wants to get nailed for cracking a joke. It's within our awareness to self-censor. And that self-censorship represents a diminution of our freedom."

We self-censor, she says, not only to follow the rules, but also to avoid the shame of being publicly singled out.

Once anticipatory conformity becomes second nature, it becomes progressively easier for people to adapt to new impositions on their privacy, their freedoms. The habit has been set. People have "internalized the surveillance architecture" within their own subconscious.

We have yet to reach the level of surveillance of, say, the ubiquitous retina-scanning in the movie "Minority Report." But the technology is changing quickly.

"The next thing is they'll just have cameras everywhere," Zuboff says. "They'll have software programmed with algorithms, and the algorithms will be able to detect these so-called anomalies. And so you may be distraught because you're flying home to your grandmother's funeral, but the algorithm has detected an anomalous behavior, and the next thing you're being strip-searched by a couple of FBI agents."

And the technology advances so insidiously, so imperceptibly, that only later will we notice how deep the changes in our lives have been.

"It's a little bit like locked doors," says Paul Saffo, a technology forecaster and Stanford University instructor. "Today nobody has any concept of what it's like to have a house without a locked door or a security system.

"As the memory of a world without surveillance disappears, society will just create a new normal, and then
you'll see worse horrors," he says. "Our whole lives will become like the TSA checkpoint. You walk in there, you don't look mad, don't look upset, don't look distracted. Do nothing to stand out."

Recalling an old Japanese saying that "the pheasant who flies gets shot," Saffo says the mindset of the future may be: "Practice being invisible."

**Public Reaction**

Surveys reflect a mixed national mood on Big Brother. In a Washington Post-Kaiser Family Foundation-Harvard University poll conducted earlier this year respondents were split, 48 to 48 percent, on whether the government is doing enough to protect civil liberties as it fights terrorism.

More than a year earlier, in a Post-ABC News poll, 62 percent said the FBI should continue to have extra authority for wiretapping, obtaining records and surveillance in terror investigations.

In a different kind of opinion sample, Slobogin, the law professor, randomly selected 70 people from Florida jury pools and asked them to rank the level of intrusiveness of 25 law enforcement tactics, including several surveillance techniques.

In that 2006 study, the respondents ranked bedroom searches as the highest level of intrusiveness, followed by searches of e-mails, records from banks, pharmacies and credit cards, and the use of snoopware. The police pat-down -- that classic of perceived intrusiveness -- didn't rank as high.

In an earlier study, in 2002, 190 respondents also said bedroom searches were most intrusive, followed by body cavity searches at the border. But the monitoring of street surveillance cameras was a close third, deemed more intrusive than even a helicopter hovering over one's back yard.

People "don't expect to be stalked either by a person or by a camera -- at least they don't like it," says Slobogin. "They expect to get lost in the crowd, or at least not to be monitored continuously."

**Scrutiny's Prison**

And the "surveillance industrial complex," as some call it, is churning out ever more sophisticated methods for watching us, tracking us. Think: radio frequency identification chips. Think: iris recognition.

The surveillance camera? It is "no longer simply the fixed camera that looks like it's sitting inside a white shoe box pointing at the register of a 7-Eleven," says Marc Rotenberg, executive director of the Electronic Privacy Information Center.

"Now we have cameras that sit in black globes that zoom and pan at 360 degrees, have telescopic lenses and are beginning to interface with databases of facial images to try to do real-time matching of people in public places."

And cyberspace is littered with our spoor, our data trails, just lying there ready for the data miners to probe and find out what we buy, read, eat, how we spend, where we travel.

Just because you're paranoid doesn't mean no one's watching.

In fact, we can be watched and tracked from so many different angles in so many different ways that hints
of the Panopticon are hard to ignore. That was the invention of the 18th century British economist Jeremy Bentham, who conceived of the Panopticon as a circular prison in which warders could see prisoners at all times.

The Panopticon would create in the inmate a sense of "conscious and permanent visibility," and yet he "must never know whether he is being looked at at any one moment; but he must be sure that he may always be so," wrote philosopher Michel Foucault in his 1975 book, "Discipline &amp; Punish: The Birth of the Prison."

Today, says Zuboff, we operate within an "information Panopticon."

"In our modern dematerialized world, you don't have to build a building to have permanent surveillance over individuals and their behavior," she says. "You can do it with an information system."

**Future Control**

There is, admittedly, something creepy about all this: creepy, serious and very real, so much so that ordinary people are aware of the extent to which they are being watched and monitored. All that Doug Gooch asks is that data miners be honest about what they're doing.

"If they're going to monitor my use of the Internet, I should know up front," Gooch says. "Everything, to me, should be disclosed."

Gooch, 51, an engineer on vacation from Michigan, strolled the Mall last month with his wife and law-student son as the family took a few moments to mull the weighty questions of surveillance and a free society. They spoke with a hint of resignation.

"Maybe the free market will sort it out," said Kyle Gooch, 23. He was talking about data mining and the push by government agencies to get the records of some search engines. Maybe people will simply stop using certain sites, he offered.

"There needs to be a balance," said his mother, Shirlene Gooch, 49. While she wants law enforcement to be able to search for terrorists through cyberspace, she worries it could go too far. She worries, too, that worrying may be futile; that the proverbial train is well down the tracks, and it may be too late to intervene in technology's uses.

"It's hard to know when to stop," she said of law enforcement, adding, "There's no way to stop technology."

The Gooches strolled onward, under the surveillance camera's watchful eye.