



# Panoptic Power and the Pathologisation of Vision: Critical Reflections on the Foucauldian Thesis.\*

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## Abstract

This article attempts to evaluate theoretically the applicability of Foucault's Panopticon to the practices of public surveillance utilising CCTV technology. The first part maps out three "strands" in the reception of panopticism in surveillance studies, suggesting that it tends to fall into one of three broad kinds: its wholesale appropriation and application; its wholesale rejection as inadequate with respect to a supposedly "post-disciplinary" society; and its qualified acceptance subject to some empirically-dependent limitations. I then attempt in a preliminary way to supplement these three positions. In particular, I question the *logical* adequacy of equating visual surveillance with effective subjectification and self-discipline by drawing upon a range of philosophical and sociological perspectives. Philosophically, it is suggested that the Foucauldian thesis may well "pathologise" the relationship between subjectivity and visibility, and thereby overlook other dimensions of our experience of vision. Sociologically, it is suggested that the precise relation between surveillance and self-discipline requires us to attend, in ethnomethodological fashion, to the situated sense-making activities of subjects as they go about everyday practical activities in public settings.

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## Introduction

Foucault's figure of the Panopticon has exercised considerable sway over the theoretical treatment of surveillance over the past decades. Its application has, however, been subjected to a range of criticisms. This paper begins by briefly cataloguing these interventions, claiming that they tend to fall into one of three kinds. Firstly, there are those who claim that its transposition from institutional sites of confinement and discipline to the arena of public space qualifies its usefulness or straightforward applicability (Norris and Armstrong, 1998, 1999; McCahill, 2001). Secondly, there are those who claim that the deployment of disciplinary panoptic power was a phenomena of the 19<sup>th</sup> and early 20<sup>th</sup> century, and has/is giving way to a logic of *control* based upon the manipulation of coded information, culminating in a predictive simulation or channelling of human behaviour that vitiates the need for panopticism (Deleuze, 1995; Bogard, 1996; Rose, 1999, 2000). Thirdly, there are those positions that seek to retain the concept in a

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revised form, such as “panoptic sorting” (Gandy, 1993) and “superpanopticism” (Poster, 1990), in response to the dispersion and informationalization of social control. Yet, amongst theorists/analysts of surveillance, there has perhaps been insufficient sustained examination of Foucault’s fundamental presuppositions in rendering vision as a subjecting or subjectifying technology of power. In response, I draw upon Martin Jay’s (1994) critique of the “denigration of vision” in 20<sup>th</sup> century French thought, and suggest that the concept of panoptic power may be somewhat overly dependent upon a monological understanding of “the gaze” as a pathological specular authority. Against this, it is suggested that a more nuanced understanding of the specular dimensions of subjective experience may assist us in better understanding the social operation of visual apprehension. These alternative engagements with/within the visual field are explored sociologically, albeit in a somewhat speculative manner, vis-à-vis some of the many ways in which social actors might relate to their visual availability in public spaces, especially in the presence of surveillance technologies such as CCTV.

### *Zeitgeist: Imagining the Eye of Power*

The growth of surveillance (the proliferation in its forms, the refinement in its technologies, and the expansion in its use) clearly finds its correlate in popular cultural representation. The sinister character of such monitoring has been a recurrent feature in cinematic representation (a medium which, perversely, might be said to invite us, the viewers, into the selfsame position of omniscient watcher that is depicted with such aversion). Moreover, the “rise of surveillance society” can be indexed in the *shifting* depiction of observation within this “micro-genre”. Let us consider two films, appearing some 25 years apart. The first of these, Francis Ford Coppola’s *The Conversation* (1974) presents surveillance as the work of a lone expert (played by Gene Hackman), reclusive and voyeuristic, and the practice itself as exceptional, occurring in the course of cutting-edge commercial espionage or political conspiracy. The second film, Wim Wender’s *The End of Violence* (1997) is perhaps the most quintessentially “panoptic” film ever made. Here we meet Ray Bering (Gabriel Byrne), a former NASA scientist who is somewhat ambivalently overseeing the installation of a surveillance facility in the hills above Los Angeles, at the behest of an unidentified government agency. The installation, utilising state-of-the-art satellite imaging technology, will enable its operators to see all that happens within the city’s confines, from the streets and sidewalks to the intimacies of the bedroom. The protagonist is told by his superordinate that the technology will make crime a thing of the past, it portends the “end of violence”, as the impulse to deviant behaviour will be rendered fruitless in a city where the eye sees all, records all, and ensures that retribution is swift and inevitable. For Wenders, through his screen proxy Bering, it also represents the end of privacy and liberty, the total subjection of the individual to an invasive authority. Such representations bespeak an unease in keeping with Foucault’s rendition of the panoptic principle. They say – “look how *visible* we are; to be visible is to be *vulnerable*; look how this vulnerability is exploited, by the grasping and mortification of our inner, subjective life”. My aim here is to at least question this chain of equivalence (visibility = vulnerability = subjectification), and to suggest that there may be more to vision, to *seeing* and *being seen*, than such accounts seem to suggest.

## Panopticism, Surveillance and Social Control: Responses to Foucault

The figure of the Panopticon seems to have become a kind of *leitmotif* in surveillance studies, one of its recurrent tropes (Lyon, 1994). There are those who have applied Foucault's theorisation of panoptic power more-or-less unproblematically to questions of social control, following Foucault's cue about the development of a "carceral archipelago" wherein the logic of disciplinary power is exported from its original institutional settings into society at large (see, for example, Cohen, 1985; Fyfe and Bannister, 1997; Reeve, 1998). However, the application of the concept to contemporary developments in surveillance has also been subjected to considerable critical reflection. Broadly speaking, there appear to be three kinds of critical response, which variously qualify its applicability, refine its definition, or seek to supplant it.

### *Qualified Applicability of the Panoptic Principle*

A number of writers have pointed out that simply lifting the panoptic model of disciplinary power from the institutional frame of confinement in which Foucault theorised it may limit its straightforward applicability to surveillance in the wider social arena. Thus Norris and Armstrong (1999: 92) and McCahill (2001) point out that while Foucault's model depends upon an individual's state of permanent visibility, the visual surveillance effected via CCTV systems in public space does not allow such continuous monitoring. It also depends on an ability to identify and classify individuals, something that is much more difficult to do in respect of populations in an open setting (1999: 93-4) (much has been made of the linking of face recognition software to CCTV surveillance systems, but the evidence appears to suggest that it is chronically ineffective as an identification tool – see Meek, 2002; Huber, 2002; ACLU, 2002). Moreover, Norris and Armstrong note that in Foucault's schema the effectiveness of the Panopticon is linked to a whole host of disciplinary interventions, including drills that train the body, regimes that closely regulate schedules of activity, and swift interventions that punish deviations from the prescribed norm (1999: 92). Such a panoply of regulatory, instructive and corrective techniques of "normalisation" are simply not present in the surveillance and management of free populations in extra-carceral settings. Consequently, they suggest, those who draw "dystopian visions of CCTV" based upon the Foucauldian model of discipline may be somewhat overstating the case (1998: 7). Instead of engendering "conformity through internalised self control", CCTV may in fact pursue social control in a manner largely unconnected to "the Old Penology with its concerns on the diagnosis, intervention and treatment of the individual offender" (ibid). Thus, for example, they mention the conception of "actuarial justice" developed by Feeley and Simon (1994) that eschews corrective aspirations, takes crime and deviance for granted, and seeks technical means and measures to manage the threat they represent.

In sum, such criticisms tend to accept the functioning of panoptic power as Foucault presents it, but exercise caution in unreflectively applying it to public settings in which surveillance takes place. The problem here seems to be one of *degree*, rather than *kind* – as Norris and Armstrong put it:

While we do not disagree that introduction of CCTV to public space represents a move toward panopticism, we need to recognise that the

totalising vision of the panoptic prison is not simply reproduced on the streets with the introduction of cameras (1999: 92).

The validity of the concept is retained, but its applicability is contingent upon the extent to which circumstances reproduce the conditions in which it finds its effectivity – panopticism may not be “totalising”, but its deployment is analytically justified subject to empirical limits.

### *The Decline of Panopticism in the “Post-Disciplinary” Society*

A second range of responses also adopt a sceptical stance vis-à-vis the continued relevance of the panoptic concept. Rather than seeing the problem as one of localised empirical limits to application (the degree of spatial closure, the extent of identificatory and classificatory possibilities, the capacity for normalising intervention, etc.), they present a generalised account of social transformation that sees the gradual decline of the very conditions of possibility for its operation. Key here is Deleuze’s claim that contemporary societies are experiencing the dissolution of institutional boundaries, and with it the delimited sites in which panoptic technology previously found its disciplinary function. “Interiors” (within which particular forms of subjectivity once found their contours, the stabilised rules and roles through which they were produced) are breaking down – “everyone knows these institutions are in more or less terminal decline” (Deleuze, 1995: 178). Deleuze’s thesis has inspired a range of interventions that see the supplementation (and eventually the possible supersession) of disciplinary societies with “societies of control”. Writers such as Bauman (1998), Rose (1999), Diken and Lausten (2002) and Hardt and Negri (2001) argue that panoptic power worked via immobilising and fixing subjects, whereas the dissolution of bounded social sites - into what Agamben (1998) calls “zones of indistinction” – sees the emergence of post-panoptic forms of power. These are mobile, nomadic forms of control that utilise coded information to monitor, predict and direct the conduct of individuals, seamlessly migrating across now defunct boundaries of public and private, work and leisure, production and consumption. The ultimate culmination of such a logic is dispensing with the visual surveillance of actual subjects, replaced by computer simulations constructed from the continual data trail they leave behind – “dataveillance” – which permits their automated inclusion and exclusion from access to spaces, good, services, and citizenship itself (Bogard, 1996; Rose, 2000: 324-7). The overall tenor of such assessments is that corrective panopticism was the correlate of a socio-historically specific regime of power (that of discipline), and that with its decline the normalising panoptic principle is also passing into abeyance, replaced by mechanisms which correlate with the logic of power-as-control.

### *Applicability of a Revised/Extended Conception of Panopticism*

A third strand of critical receptions shares with the above position a cognisance of the transformed social relations and mechanisms of social control that characterise the contemporary world, focussing in particular upon issues of spatio-temporal reconfiguration and the rise of information technologies. However, unlike the Deleuzian theorists of control or Baudrillardian theorists of simulation, they retain panopticism as an analytical frame through which to approach surveillance, albeit in a revised or extended form. Thus, for example, Gandy (1993) argues that the panoptic principle of observation has been extended through pervasive information systems which serve to identify and

classify whole populations, and that this “panoptic sort” serves to coordinate the allocation/refusal of opportunities to citizens, workers and consumers along the lines of “normality” and “abnormality”. For Gandy this process, while extending beyond the practice of visual monitoring to embrace the monitoring of conduct through data collection, is nonetheless continuous with the basic triadic panoptic logic of observation-classification-normalising judgement. In a similar vein, Poster (1990) deploys the term “superpanopticon” to denote the convergence of panoptic observation with the simulation of human behaviour constructed via the collection of data pertaining to individuals. This simulated person forms the basis upon which actual individuals are treated and managed across a range of domains in light of the supposed normalcy or otherwise of their digital renditions. Most recently, in a critical review of the “post-panoptic” thesis propounded by Bogard and others, Roy Boyne (2000) claims that “the Panoptical principle is not fading away, and that developments in screening and surveillance require the retention of the Panopticon as an analytical ideal type” (2000: 285). He argues that actual social contexts of surveillant power cannot and should not be expected to be homologous with the ideal type. The most fruitful response, he claims, is to follow the Derridean practice of placing the term *sous rature* (under erasure), such that it is made available as an analytical tool while “simultaneously denying its validity as description” (2000: 303). What all of these positions share is the conviction that the concept can still perform valuable work, so long as it is either (a) refined and reformed appropriately in light of changing circumstances, or (b) its status as ideal type rather than empirical generalisation is clarified and recalled.

### Visible, All Too Visible: The Gaze, Power, and Subjectification

“Visibility is a trap”  
Foucault (1991: 200)

The above responses to Foucault’s rendition of the Panopticon, despite their divergent assessments of its continued value, all share a common assumption, namely that Foucault’s account does in fact adequately capture the relationship between visibility, power, subjectivity and discipline. Despite any reservations about the applicability of this model to circumstances other than those Foucault originally depicted, the logic of visibility-vulnerability-subjectification is taken as a viable analysis of the specular dimension of social life. In the remainder of the paper, I will draw upon Martin Jay’s (1994) critique of “scopophobia” in modern French thought to argue that Foucault’s rendition of visibility as subjection, and of the Panopticon as a “machine which...produces homogeneous effects of power” (1991: 202) via visibility, in part overlooks the polyvalent and complex nature of our experience of vision. These critical points will be developed by recourse to a number of sociological (mainly phenomenologically- and ethnomethodologically- derived) reflections on vision and visibility, and illustrated with reference to conduct in public spaces that are subject to visual surveillance.

*Foucault's "Downcast Eyes": on the Pathologisation of Vision*

Martin Jay's magnum opus, *Downcast Eyes*, sets out to explore the "denigration of vision in twentieth century French thought". He argues that, starting with Henri Bergson in the late 19<sup>th</sup> century, French thought took a decisively "anti-ocularcentric" turn, a turn that continued (and continues) to shape the distinctive preoccupations of French philosophers and theorists<sup>2</sup>. This rejection of "the nobility of vision" (as is featured in the Western tradition from Plato onwards) has a peculiarly double character that simultaneously over- and under-values vision. It over-values vision in that it focuses almost exclusively on visuality in its understanding of the subject, to the detriment of other aspects of the human sensorium (the auditory, the tactile) and other aspects of subject-formation, such as communicative intersubjectivity. Yet it undervalues vision in that it is subjected to relentless suspicion and denigration, viewed as a form of domination and control, rendered in wholly negative terms. As Jay puts it: "Vision was still the privileged sense, but what that privilege produced in the modern world was damned as almost entirely pernicious" (1994: 384). From this perspective, as I shall outline below, Foucault's theorisation of visuality in terms of objectifying and subjectifying power, far from being idiosyncratic, in fact treads a familiar path within this anti-ocularist tradition.

Perhaps the common thread uniting a range of the most influential French philosophers and theorists is the rejection of an earlier Hegelian influence, one that construed specularly as a potentially redeeming relation of mutual recognition. Following the resolution of Hegel's famous "master-slave" dialectic (Hegel, 1977), thinkers such as Kojève and Hypollite viewed specular inter-subjectivity as the key to a dialectic through which mutual affirmation, and hence the realisation of universal freedom, could be achieved (Kojève, 1969). However, following the move away from Hegel's phenomenology, there emerges a tendency to render the visually mediated relation as pathological, as the polar opposite of autonomy, freedom or self-realisation. The *grand pere* of this attitude is perhaps Sartre who, in *Being and Nothingness*, pursues a relentless indictment of the mortifying power of what he calls "the gaze" or "the absolute look" (*le regard absolu*) (Jay, 1994: 277, 287-9). For Sartre, the look of the other robs the subject of his freedom, fixing him according to the other's definition and desires, making the subject a mere "thing" (*en soi*). Hence he writes that "I grasp the Other's look at the very centre of...[the]...solidification and alienation of my own possibilities...the look alienates me from them" (Sartre, 1969: 263). The subject's infinite possibilities for being are closed-off, fixed and ossified by the other's gaze. For Sartre, the gaze of the other, like that of Medusa, can be nothing other than a form of domination:

While I attempt to free myself from the hold of the Other, the Other is trying to free himself from mine; while I seek to enslave the Other, the Other seeks to enslave me...Conflict is the original meaning of being-for-others (Sartre, 1969: 364)

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<sup>2</sup> The notable exception being Merleau-Ponty, whose phenomenology strives both to redeem vision by positing "a cooperative, complementary world of intersubjectivity in which mutual regard is a visual...phenomenon" (Jay, 1994: 312) and by situating vision within the range of sensory and embodied experience.

The subject's experience of the other's gaze as pathology is repeated in the rendition of specularly presented by a number of the most eminent French post-war thinkers. For example, in Lacan's "mirror stage", the infant is allocated its place in the socio-symbolic order by internalising the external viewpoint on itself (Lacan, 1977:1-7). While this is seen as the necessary pre-condition for becoming a subject, that subject remains mired in a misrecognition of itself, as the other's gaze cannot capture the subject's interiority (Sarup, 1992:36; Butler, 1999: xx, 175, 185). Likewise, in Althusser's work the subject's coercive production reappears via the interpellative insertion of the individual into trans-subjective structures of meaning by the "big other" of ideological apparatuses (Althusser, 1994: 128-132).

Foucault replays this logic of the subject's relation to vision as domination, one in which the subject takes shape via the constitutive and positioning gaze – be it that of medical expertise, scientific knowledge, penal and corrective institutions, the calculative rationality of the state, or the anonymous "agentless" apparatus of panoptic technology (Barnett, 1998: 23-24). As Jay puts it: "...the Panopticon, with its hidden and invisible God, was an architectural embodiment of the most paranoid of Sartrean fantasies about the 'absolute look'" (1994: 410).

He goes on to note that "the external look becomes an internalized and self-regulating mechanism" and that "this new mechanism of control was first and foremost a part of the visual economy of the modern world" (1994: 410). Hence, within the conception of Panoptic power, vision becomes synonymous with domination, and this "economy of vision" becomes synonymous with modern life. Of course, by adopting a Nietzschean conception of power as inherently productive, Foucault seeks to eschew the distinction between autonomy and heteronomy, thereby foregoing the idea that power represses or dominates. However, despite this commitment to viewing the gaze as ontologically "positive" in *analytical* terms, he nonetheless judges it, in *normative* terms, as a form of imposed control. While Foucault's theorisation dispenses with notions of autonomy or freedom that would stand as the other of power, he nevertheless persists in depicting the subjectifying power of the gaze as politically and morally pernicious. Hence, for example, he speaks of the Panopticon as "a diabolical" piece of machinery, and seeks to find a theoretical space for resistance against its "normalising" effects (culminating in the "ethics" of an aesthetic "care of the self" in the later works). As thinkers such as Habermas (1987) and Nancy Fraser have noted, there is a suppressed normative content in Foucault's theory, a "covert appeal to the ideals of autonomy, dignity and reciprocity" (McNay, 1994: 158), which would stand as the opposite of the "one-sided rule of force" (Honneth, 1991: 174) embodied in Panoptic visibility.

What, then, is problematic with this rendition of vision and visibility as a dominating force? To put it most succinctly, it excludes all other possibilities afforded to visibility in human experience, marginalising the polyvalent meanings and complex dynamics that might be actualised through specularly. We can enumerate some dimensions of this "reductionism". Firstly, visibility is conceived in entirely *epistemic* terms, situated within Foucault's now famous "power/knowledge" coupling, finding its modern articulation in the discourse and practice of the (human) sciences. What this epistemologico-scientific treatment of visibility marginalises are the other (hermeneutic, emotional,

communicative) possibilities it affords. As Axel Honneth insightfully illustrates, quite apart from the reifying look that dominates, we can experience looks as “encouraging and disapproving, questioning or consenting, inviting or sceptical”, and as such “they must not inevitably fix us simply to one particular goal of action” (Honneth, 1985: 162-3). On the contrary, they can affirm or question us in a number of different ways, and we correspondingly answer to them either negatively or positively dependent upon their specific valency, their relation to the complexity of social contexts, structures of meaning, and practices in which they take place. Secondly, the “norms” that visibility mediates in Foucault’s account are tied entirely to normalisation as a disciplinary imposition - “there is a tendency in Foucault’s work to elide the...notion of norm as collectively generated moral values with the...notion of a normalizing force” (McNay, 1994: 112). Hence the relation between visually mediated norms and moral action are reduced to the operation of a disciplining power to be decried. Thirdly, the subject of the gaze is rendered in terms of its *passivity*, confined to internalising the behavioural repertoires laid out by the disciplining authority. This overlooks the extent to which the subject has an *active* role within its reception of the gaze, and renders it well nigh impossible to give an adequate account of creativity and resistance. In the reflections below, I will further explore these unacknowledged dimensions of social subjects’ visual experience, in order to illustrate the extent to which the panoptic logic of surveillance might fail to do justice to that experience.

### *The Visibility of Visibility: the Place of Subjective Consciousness*

A crucial element in the effectiveness of panoptic power is explicated by Foucault in the following way:

Hence the major effect of the Panopticon: to induce in the inmate a state of *conscious* and permanent visibility...for what matters is that he *knows* himself to be observed. (1991: 201, emphasis added).

As already noted, commentators such as Norris and Armstrong identify the *permanence* of visibility as a problem when seeking to apply the panoptic principle to extra-carceral settings. Yet, I would suggest, much more fundamental to the basic logic of panopticism as Foucault presents it is the first adjective, *conscious*. What this implies is that the functioning of panoptic power rests in its essence not upon *visibility* (the fact that the subject is visible to the eye that observes), but upon the *visibility of visibility* i.e. that *conscious registration* of being observed on the part of the subject (*seeing* and *recognizing* that he is *being seen*) is what induces in the subject the disciplining of his own conduct. The centrality of the consciousness of the subject runs counter to all of Foucault’s avowed intentions, as he clearly purports to reject the “philosophy of consciousness” that once dominated French philosophical life (manifest most explicitly in the phenomenological tradition, especially in its Husserlian formulation). Yet the importance of the consciousness of the subject opens the question of panoptic power to precisely the phenomenological question of *intentionality*, what the subject does or does not *attend to* in his relation to the world he encounters. If the subject is not conscious of (does not attend to) his visibility, then the relation between visibility and discipline collapses. In Foucault’s terms, the trap isn’t sprung. The introduction of subjective consciousness into the equation effectively surrenders the Panopticon as a generic

technology of power to the sense-making activity of situated individuals, upon which it stands or falls<sup>3</sup>. Accounts that deploy the panoptic model to surveillance in public settings tend to *assume* that such attention or cognisance on the part of the subject in fact exists, rather than seeing that there is a “burden of proof” that must be satisfied in order to demonstrate such habitual cognisance. Indeed, as I will suggest below, there are some good sociological reasons to suppose that, to a significant degree, individuals going about their activities in public settings (settings that are subject to visual surveillance) *may not* attend to the fact of their being observed by surveillance systems, hence aborting any disciplinary effect that visibility might have.

### *What Do You See? On the Visible and Invisible in Everyday Life*

The relationship between the visibility of surveillance (seeing that one is seen) and normalising-disciplining effects has not gone unremarked in surveillance studies. Indeed, the apparent lack of awareness on the part of the populace that an area is subject to CCTV surveillance has been mobilised as an explanatory resource to account for the lack of efficacy of CCTV schemes in initiatives aimed at reducing crime and/or other forms of undesirable (“anti-social”) public behaviour. Thus, for example, Ditton (1999) (in a study of CCTV systems in Glasgow) claims that: “For CCTV cameras to reduce crime through deterrence people must, of course, be aware of them”. He goes on to note that survey questionnaires in the CCTV area revealed that “only 33% of people questioned in the city centre three months after camera installation were aware that CCTV cameras were in place. This figure increased slightly to 41% 15 months after installation”. There are two implications here: (1) that low levels of public awareness about the presence of CCTV cameras accounted in part for the negligible deterrence effect, as revealed through the recorded crime figures, and that (2) conversely, if awareness were increased, the desired deterrence effect might become manifest.

However, such a construction of the relationship between awareness of being surveilled and behavioural self-regulation rests on a misapprehension, insofar as “awareness” (of being seen, of one’s visibility to the cameras) is understood in too abstract and de-contextualised a sense. “Awareness” here is taken to be a piece of cognitive content, a knowing, that one either does or does not have. “Are you aware that this area is subject to CCTV surveillance?” is taken to be a question of the same kind as “are you aware that smoking causes cancer and heart disease?” or “are you aware that use of the motor car contributes to global warming?”. The latter two examples of awareness, which are now socially widespread, are notable for their profound lack of consequence in terms of people’s behaviour. The problem here is that “awareness of CCTV cameras” is understood as an *empirical* or *cognitive* matter – “seeing the cameras” is taken to be of a

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<sup>3</sup> It may well be that this “slippage” within the logic of Foucault’s text is indicative of a problem with his attempt, in the later chapters of *Discipline and Punish*, to generalise the model of disciplinary power to the social body as a whole. In other words, in the chapters preceding that on panopticism, Foucault is at pains to situate visual inspection as a *technique* which functions as part of an assemblage of instruments ranging from normalising and individualising judgement to corrective intervention and sanction. The logical problem with extending panopticism to the social body *in toto* is precisely that of the absence of its ancillary techniques and conditions within which it can function as a disciplinary force. Without these other elements of the assemblage, the Panopticon falls back upon the model of ideological interpellation, wherein the consciousness of the subject does the work that cannot be done by the (now absent) instruments and techniques of isolation, spatial fixation, normalising judgement, and corrective intervention.

kind with “how many fingers am I holding up”. What this misses is that seeing, in terms of what is behaviourally meaningful, is in fact a *social process*, one in which we selectively attend to specific features of our environment in the course of managing our practical activities. What is rendered *visible* and *invisible* (what we “see” or “don’t see”, what we are “aware of” or “unaware of”, what we “take note of” or “ignore”) is part-and-parcel of the business of negotiating our way around the world of routine activities and mundane exigencies that comprise everyday life.

This fundamental point can be briefly explicated through the reflections of Schutz and Garfinkel on the construction of everyday experience and activity, which together comprise what passes for us as “the real world”. Schutz’s phenomenological theory is based upon the idea that our stock of knowledge about the world comprises much more than “abstract” facts, it crucially includes the beliefs, expectations and rules we have immediately available for interpretation and action. Our knowledge of the world (what we take to be “real” and noteworthy) is based upon a socially shared system of *typifications* and *relevances* – whether or not an object is *relevant* (made “visible” for practical purposes) depends upon what kind of shared social practice individuals happen to be engaged in (Bernstein, 1979: 146-148). This insight is further developed in Garfinkel’s ethnomethodology. He shows that everyday activities proceed through repertoires that selectively attend to features of the world, such that what is visible amounts to the “visible-rational-and-reportable-for all-practical-purposes” (Garfinkel, 1984, vii)<sup>4</sup>. What, then, might be our “practical purposes” when we step out of the door into public settings? We habitually organise our selective structures of attention according to the mundane activities that make it possible for us to function as competent participants in everyday life – crossing the street, not colliding with other pedestrians, managing the interactional repertoires that enable us to fit-in (civility, politeness, maintaining a conversation, asking and answering questions) and successfully completing a range of seemingly unremarkable tasks (buying a loaf of bread, catching a bus, ordering a drink, getting from a-to-b). Consequently, what is visible for us, for the most part and most of the time, are the features of our environment that we are required to attend to as part of these routine activities. The presence of surveillance systems such as CCTV may well go unattended, comprising “seen but unnoticed” (for-practical-purposes) “expected background features” of social reality. Far from being in a state of “permanent and *conscious* visibility” vis-à-vis such surveillance apparatuses, we may take little note of them in terms of managing our activities (in ethnomethodological parlance, they do not typically constitute features of our world that are incorporated into the “reflexive

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<sup>4</sup> It is important to note the specific sense that ethnomethodologists give to the term “practical”. “Practical purposes” does not denote some specific class of activities that can be distinguished from a “theoretical” attitude that steps outside the “practical” realm, thereby viewing matters differently (as for example in Husserl’s (1970) original phenomenological distinction between the “natural attitude” and the scientific stance of phenomenological analysis that “brackets out” this attitude so as to attend to the phenomena-in-themselves). Rather, from the ethnomethodological perspective, all human activities are “practical” by definition. Hence the fact that analysts of surveillance *do* attend carefully to the presence of surveillance systems is not explicable by claiming that it is because we “stand outside” the domain of practical social activity, looking in upon it. Rather, it is because *the particular practice we happen to be engaged in* requires that we attend to (make visible) these surveillance systems. Hence their visibility-for-us is a correlate of the practical purposes that define the activity we happen to be engaged in.

monitoring of action”<sup>5</sup>). Indeed, to put it bluntly, the social actor who spent all his time noticing and taking-notice-of cameras on rooftops, poles and elevated platforms would be well-nigh incapable of “doing” social life i.e. attending to and responding to all the immediately and practically relevant human and material features of the environment. The individual who *did* conduct himself in such a manner might well find himself dismissed as the unfortunate victim of delusional paranoia. In other words, it is quite likely that while we may be “aware” of the presence of CCTV cameras in the first (empirical, cognitive sense), we often tend to *take no practical cognisance of them* as we go about our activities. If the logic of panoptic power is conditional upon the subjective awareness and sense-making activity of the individuals “subjected” to it, then it is by and large liable to have only limited impact in terms of the “normalisation” of their actions.<sup>6</sup>

### *The Pathologisation of the Norm*

A second critical point I levelled at the Foucauldian rendition of visibility is its reduction of the norm to a normalising power that is seen as pernicious, and hence deserving of suspicion (what Nancy Fraser has called Foucault’s “crypto-normativity”, what amounts to a normative denigration of the norm). The normative dynamic of rule-governed activity in both private and public life has long been a topic of sociological attention. Thus Garfinkel explicitly treats the regularization of social conduct as a problem of moral order – visible breaches of the rules of social conduct enjoin a variety of moral sanctions and approbations<sup>7</sup>. Similarly, Goffman’s sociological endeavours explicate the intersubjective dynamics of visibility, of seeing and being seen, and their centrality for the production of everyday life as a moral order (see Goffman 1963, 1969, 1972). However, these analyses diverge from the Foucauldian “pathologisation of vision” as normalising technology in a number of key respects. Firstly, the social individual is in no sense a passive object of a normalising gaze (on the way to becoming “docile”), but is a creative and active subject in the management of his own visibility. Such a subject enters the field of visibility empowered with various repertoires and skills of self-presentation, and cultivates a visible demeanour in line with practical projects and goals that he reflexively organises. Secondly, for both Garfinkel and Goffman, the production of such a normalised moral order through mutual visual (and verbal) monitoring is the precondition not only of minimal structures of civility, but also of the co-ordination

<sup>5</sup> On the chronic, yet socio-practically situated, presence of such reflexivity in everyday life see, for example, Lynch (2000)

<sup>6</sup> There are (at least) two other possible responses to CCTV surveillance. (1) We momentarily take note of the cameras and become self-conscious about our behaviour under scrutiny, but then forget about its presence for all practical purposes as we immerse ourselves in more immediate exigencies. An example of this would be the conduct of participants in “reality TV” programmes of the “Big Brother” variety – despite being “aware” of a constant and unrelenting surveillance apparatus, what is remarkable about the participants’ behaviour is that they quickly lapse into thoroughly mundane and regularised social activities (eating, sleeping, using the bathroom, scratching, yawning, aimlessly chatting, etc.). (2) That the presence of CCTV surveillance systems impinges upon our consciousness only if/when they *do* become practically relevant i.e. *after* the normal order of routine activity and interaction in public settings breaks down. In other words, the cameras might be visible-for-all-practical-purposes in specific interactional contexts and social scenarios where attention to them is required. Both these limited spheres of cognisance would, however, be local exceptions to a generalised invisibility.

<sup>7</sup> See, for example, Garfinkel’s famous “breaching experiments” which demonstrate the difficulty habitually experienced by actors who attempt to break with the moral order of social life – Garfinkel (1984), chapter 2.

action, and of *comprehensibility* or *intelligibility* (in short, it makes social life *possible*, and as such is an essential precondition of any social ontology). And thirdly, as Axel Honneth (1995) and others have argued, the specular dimensions of social encounters are central to the mechanisms of mutual affirmation or *recognition* through which we strive to establish an objective acknowledgement of our subjective self-worth. The Foucauldian understanding of vision, as an objectifying-subjectifying technology of power, consistently tends to marginalize these other important facets of “the gaze”.

### *Resisting the Gaze: on the Subversion of Surveillance*

A third and final problem with the panoptic conception of visibility as disciplinary power is that of resistance. Foucault sought to make a place for resistance within his theorisation by pointing to the way in which the exercise of power also produces resistance, which is conceived as internal to the play of “productive” forces. Thus he writes: “there are no relations of power without resistances; the latter are all the more real and effective because they are formed right at the point where relations of power are exercised” (1980: 142). However, as a number of critical commentators have noted, this notion of resistance remains problematic, insofar as Foucault’s productive conceptualisation of the power/knowledge dyad, along with his “anti-humanist” refusal to accord the subject any ontological integrity prior to its production through the mobilisation of power, leaves little theoretical space in which the subject could actively resist. The subject is rendered too malleable, too caught up in a productive economy that constitutes it as object-subject, for it to sustain a notion of resistance equal to the power that “dominates” it. The technologies of discipline, exemplified in the motif of the Panopticon, therefore tend to overwhelm any everyday practices within which the subject might find some purchase for resistance (MacNay, 1994: 101-2). As Michel de Certeau put it, “behind the “monotheism” of the dominant panoptical procedures, we might suspect the existence and survival of a “polytheism” of concealed or *disseminated practices*” (De Certeau, 1986: 188). To conclude this excursus, I will briefly examine one such practice of resistance to the panoptic gaze, which crucially highlights the way in which exposure to a surveillant gaze may palpably fail to induce the normalising effects to which it is directed. While this one example cannot support the claim that such resistance in fact operates across the range of surveillant practices and settings, it can nonetheless serve an important illustrative function – as such it remains suggestive rather than conclusive.

If one were to take at face value the claims for panoptic power, then the only seeming avenue of resistance would be *evasion*, to escape the “eye of power” by seeking out the gaps in the surveillant apparatus, thereby escaping its normalising power. This would entail a kind of “agoraphobia”, the organisation of one’s activities dominated by the avoidance of all monitored spaces. However, I would like to suggest that the reflexive and creative capacities of the social subject permit alternative resistances that do not accept the power of the gaze, but contest it, that do seek to evade its omnipotence, but invite, enjoy and even “play” with it. To illustrate some such strategies of resistance, I will briefly discuss the phenomena of surveillance camera performance. The “Surveillance Camera Players” are loosely organised groups of performance artists/protest activists, currently numbering some 23 groups in 8 countries. On 11 September 2002 they staged the second annual International Day Against Video Surveillance. Their basic rationale for resisting surveillance is simple – rather than

seeking to evade the cameras, the Players *seek them out* and stage an array of performances – these may be pieces of avant-garde theatre (such as *Waiting for Godot*) or adaptations of written works that directly address the politics of surveillance and domination itself (such as Orwell’s *1984*, or Wilhelm Reich’s *The Mass Psychology of Fascism*). The performances may be staged in front of cameras belonging to private organisations, such as major business enterprises, or public authorities such as the police and public transport controllers. These performances are typically photographed and/or videotaped, and subsequently placed on the Internet for viewing. They also perform before Web-cams at pre-established and advertised times, so that audiences around the world can watch the “programme” in real time. The original (and most active) performance group, the New York Surveillance Camera Players<sup>8</sup>, in their “manifesto (“Guerrilla Programming of Video Surveillance Equipment”, at <http://www.notbored.org/gpvse.html>) explain their rationale thus:

...the assurance of free camera time and attentive audiences offer[s] the guerrilla programmers the opportunity to point out to the guardians of the spectacle that they are being studied...if the enemy is going to clutter our landscape with watchful eyes, we should look into those eyes and let them know how silly we think they are

What might such practices tell us about the logic and limits of panoptic power? Firstly, that the relation between visibility and normalising power is perhaps not as straightforward as it may seem – the increasing intensity of visual scrutiny does not *necessarily* yield a corresponding amplification in subjective self-discipline. On the contrary, the gaze can be incited and “captured”, “forced” to see what is placed before it – in this case, behaviour which in no way conforms to the norms that the subject of surveillance supposedly ought to internalise and act-out. Thus there is an inversion of the economy of visual power as postulated by Foucault, such that *making oneself visible* subverts the effectiveness of the gaze. Secondly, we must note that not only do the players perform *for* the camera, but they also attempt to *reverse* the uni-directionality of the gaze, such that the “guardians of the spectacle” are themselves turned into the objects of moral judgment. By “looking them in the eye”, the Players run an “interpellative” gaze back along the line of visibility, and use this counter-specularity to effect a judgement that either mocks the seriousness of the surveillance endeavour (let *them* know how silly *we* think *they* are) or subjects the watchers to the accusation of moral and political delinquency (through the performative content of *1984*, *The Mass Psychology of Fascism*, and the like).

We ought to recall a point made earlier, namely that the efficiency of the Panopticon, once deprived of its supporting strategies of correction and intervention, is rendered increasingly dependent upon its ability to manipulate the subject’s consciousness alone. Yet, bereft of those interventionary possibilities, this “interpellative game” becomes fragile, since it depends for its effectiveness upon the condition that its subjects-objects *take the game seriously*. That is to say, the authority of the eye depends upon the subjects

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<sup>8</sup> The New York Surveillance Camera Players have staged touring “productions” across the USA, as well as internationally in countries including the Netherlands, Germany, Italy and the UK.

*believing in its authority*. Its power to induce normalisation is itself a *performative effect* of the subjects’ belief that it has the power to do so. As Slavoj Žižek puts it:

The subjects think that they treat a certain person as a king because he is in himself already a king, while in reality this person is a king only insofar as the subjects treat him as one...the king’s charisma [is] a performative effect of their symbolic ritual...The moment the subjects take cognisance of the fact that the king’s charisma is a performative effect, the effect is aborted (Žižek, 1991: 33)

This suggests that, once denuded of its wider supporting techniques, the Panopticon is rather like Dorothy’s Wizard - its power to command those whom it addresses rests upon their belief in its omnipotence, their taking seriously its sinister authority or menace, the barely-veiled threat of sanction or reprisal should they refuse to obey. The problem is that the effect collapses should anyone refuse to play along, and instead pulls back the curtain – the Players’ recourse to mockery, to laughter, their refusal to take the Panopticon seriously, challenges the myth of its authority and thereby threatens to abort its disciplinary effects<sup>9</sup>.

### Conclusion: “More Than Meets the Eye”

In this paper I have attempted to subject the disciplinary logic of Foucault’s Panopticon to some critical examination. I have suggested that receptions of the Panopticon within surveillance studies have tended to fall into one of three broad kinds. They accept or reject its applicability to the electronic surveillance of public spaces to varying degrees, and do so by marshalling a range of arguments. Amongst the more ‘sceptical’ receptions, some argue that its applicability is limited by the divergence of public surveillance from the institutional conditions of effectiveness as mapped out by Foucault. Others suggest, more fundamentally, that society is developing beyond the disciplinary logic of power, and that such development increasingly vitiates the operability of panoptic surveillance as envisaged by Foucault. I have sought, in a preliminary fashion, to supplement such ‘sceptical’ receptions by drawing upon a range of philosophical and social-theoretical resources. The fundamental thrust of the argument has been directed at the way in which Foucault’s conception of *visuality-as-domination* might fail to take proper cognisance of the polyvalent and complex character of visual experience. In particular, the experience of being subjected to surveillance in public settings has been subjected to a tentative sociological probing, in order to suggest that the subjective sense-making and practical

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<sup>9</sup> This logic of resistance may bear a *prima facie* continuity with the phenomenon of the “carnavalesque” famously discussed by Bakhtin (1968), wherein laughter, mockery and the like are used to “profane” the authoritative order of rules, roles and norms that govern everyday life (a similar logic of “inversion” is discussed by Victor Turner (1969) under the rubric of “anti-structure”). However, the *carnavalesque*, it ought to be noted, is *licensed* by authority, and confined to certain spatio-temporal locations wherein it is tolerated (such as public festivals). In this way, it does not threaten the authoritative and hierarchical social order as much as reproduce it. In contrast, the type of resistance under discussion here is neither licensed nor confined to locations in time and space where (and only where) it is deemed acceptable. On the contrary, these resistances to, and reversals of, the specular regime of surveillance is uncontained, thereby constituting a genuine disruption in the operation of “normalising” power.

activity of social individuals requires us to pay more attention to the contextual dynamics within which the surveillant gaze either finds, or fails to find, a normalising effectiveness. Moreover, I have suggested that, since the panoptic logic rests in a crucial respect upon the subject actively investing it with authority, it may be more fragile and reversible than is commonly allowed. This fragility and reversibility creates at least the *possibility* for subversion and resistance. A couple of final caveats are, however, required. Firstly, while the theoretical resources and empirical instances adduced here are suggestive, the actual structure of subjective experience and action in spaces of surveillance would require further, systematic investigation (mobilising ethnographic study and ethnomethodological, phenomenological and other perspectives) in order to lend the case greater empirical warrant. Indeed, just such a need has been highlighted by Norris (1997), who argues that it is only through a detailed ethnography of the populations subjected to surveillance that we might “examine its impact in terms of changes to behaviour for instance avoidance, displacement and resistance” (Norris, 1997: 10). Secondly, even if we do identify the apparent absence of a generalised disciplinary and subjectifying effects on the part of CCTV public surveillance systems, this would not reduce the importance of surveillance *per se* as a potential mechanism of social control, but serves to perhaps direct our attention elsewhere, to other sites and other strategies which make up the contemporary apparatus of surveillance and control.

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