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HOW HAVE DEPICTIONS IN CINEMA, TELEVISION SERIES AND COMIC BOOKS REFLECTED THE USE AND PROLIFERATION OF SURVEILLANCE IN CONTEMPORARY SOCIETY FOLLOWING THE 9/11 ATTACKS?

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ABSTRACT

Seminal novels such as George Orwell's 1984 have voiced the concerns regarding the proliferation of mass surveillance in society. Since the 9/11 attacks in New York and Washington and the subsequent 'War on Terror', state surveillance has escalated. Cinema, Television Series and comic book format provide a means for engagement with such issues in contemporary society through both academic and non-academic discussion. These examples of modes that help define popular culture, assists in the theorising of surveillance through metaphor, reference and image. Many more people have encountered George Orwell's Nineteen eighty-four in one of its many iterations than have read the works of Bentham, Foucault or Deleuze and so popular culture makes for a linkage between everyday perceptions and the academic discourse.

Analysing the fictional worlds created in the film The Dark Knight, the Television series of Westworld and Person of Interest as well the narratives found in comic book form such as Verax and The Machine Never Blinks, this project compares such created depictions with our modern and technologically driven panoptic world. The aim is to see through the lens philosophical lens provided by Bentham, Foucault and Deleuze, if and how those portrayals have permeated, modified or perhaps defined understandings of contemporary and ubiquitous surveillance.

INTRODUCTION

Samuel Bentham working on an estate in Krichev in Russia situated himself in the middle of a factory and arranged the workers in a circle around his desk. This construct enabled him to oversee the workforce and continuously watch how efficiently they were working throughout the day. In 1780, his brother Jeremy visited him and realised that this system could be applied to other settings and on his return to England, persuaded the then British Prime Minister, William Pitt the Younger, to fund building a prison of his design – a panopticon National Penitentiary.[1]

The proposed prison was to be composed of a central tower encircled by an annular building separated into cells. Within each of these were two windows; one facing inward towards the central tower and the other facing outwards on the opposite wall. The effect of this was to backlight the inmates housed in the cells making them clearly visible to anyone watching from the central tower. Conversely, the tower had its apertures set so as to prevent the inmates from being able to see whether the tower was occupied.

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[1] Christie, I. R. (1993)

In *Discipline and Punish: The Birth of the Prison,* Michel Foucault described the relationship and interplay between power and visibility – and his use of the Panopticon prison to do so became the premier model to examine the proliferation of surveillance in the contemporary world. In fact, the original French title is *Surveiller et Punir*. The purpose was to build 'a machine to grind rogues honest'.[2]

Its innovation lay in a design which employed the prospect of continuous surveillance. The inmates knew that their every action could be seen and this resulted in a modifying of their own behaviours. It did not matter whether the surveillance was in actuality occurring – the perception that it could be was enough for them to be mindful of their conduct.

Foucault related the panopticon prison as an exemplar of a 'means of reinforcing internal mechanisms of power and whose major function is to assure that discipline reigns over *society*.'[3]

Though the gaoler sitting in the central is an arm of the state and the prison inmates are individuals and members of the civic. Foucault's interpretation should not be oversimplified and reduced to theories of state-focussed criticism. Though one of its premises concerns how the proletariat have been under the gaze

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[2] Foucault, M. (1975)

[3] Ibid., p. 60

of intense scrutiny and that the surveillance is considered in the context of power, it is far from a prosaic extension of an Orwellian Big Brother society. Foucault himself clarified his position and stated in the French edition of Jeremy Bentham's *Le Panoptique* when he stated:

'…we impoverish the question of power if we pose it in terms solely of the state and state apparatus … it is quite different from and more complicated, dense and pervasive than a set of laws or state apparatus.'[4]

His intention was to examine the development of sanctions and laws underpinning punishment that are effected within a political economy of the body and bring into focus the hidden metanarrative of power.

The cornerstone of Foucault's analysis that differentiates his contention from Orwell's seminal surveillance novel *Nineteen-Eighty-Four,*[5] is the understanding that the primary strength of the panopticon lies in its ability to promote in the inmates, the fear of being constantly watched without the need for doing so. This results in an internalising of the constant possible gaze from the watchers in the tower.

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[4] Gordon, C. (1991)
[5] Orwell, G. (1949)

The predominantly asymmetrical unseen gaze of the watchtower guards is a form of power that uses fear as a means of control. In *Being and Nothingness,* Jean-Paul Sartre stated,

> 'What I apprehend immediately when I hear the branches crackling behind me is not that there is someone there; it is that I am vulnerable, that I occupy a place and that I cannot in any case escape from the space in which I am without defence – in short, that I am seen.'[6]

Not only is there the anxiety of the actual gaze but also the possible duration of it. The uncertainty stems from the circumstance of not knowing if and when the gaze has been withdrawn. And Orwell knew the value of this. In *Nineteen-eighty-four* the protagonist, Winston Smith, can be observed at any time on a telescreen and has no way of knowing when such a watching is occurring. It may be fleeting or continuous and so he has to live his life under the assumption that every movement he makes is viewed and every word he utters is heard.

Clinical studies going back to a year before *Nineteen-Eighty-Four* was published demonstrated how 'children unable to control the environment of sight were disturbed by the fear of being observed and being unable to determine when the

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[6] Sartre, J. P. (1943)

observation begins or ends felt compelled to control all movements and behaviour.'[7] Being conscious of scrutiny where it did not occur is imagined surveillance.

Miran Bozovic in *The Panopticon Writings* states that the panopticon gives the watcher such authority that they may be elevated to the God-like status.

> 'A gaze and a voice that cannot be pinned down to any particular bearer tend to acquire exceptional powers, and by themselves, as it were, constitute divine attributes.'[8]

Despite this imbalance of a sacred watcher to a profane observant there exists an asymmetrical duo-directional gaze where the inmates can glimpse inward towards the tower and see those watching them. However, the principle of a primarily unwatched watcher is integrated into the architecture practically and is the instrument of power – but the real innovation was the prospect of the *continuous* observing resulting in the internalisation of the gaze, or as Foucault states; 'the power lies in the arrangement whose internal mechanisms produce the relation in which individuals are caught up'.[9] The micro level analysis of the architecture of panopticon penitentiary serves as metaphor for the society in

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[7] Lowenfield, B. (1948)
[8] Bozovic, M. (1995)
[9] Foucault, M. (1975), p. 198

general and Foucault expanded on Bentham's prison design to illustrate power relations in extra-penal dominions.

Foucault's method of analysis was first derived through research into the eighteenth-century French penal system. His conclusions are based on the premise of a circumstance where the few watch the many and he can hardly be criticised for being unable to foresee the twenty-first century sociological and technical developments which have resulted in the many being able to watch the many. The world has become ever more ocularcentric and technological advances have brought about the evolution of panopticism to *synopticism*.

This reassessment that gives primacy to contemporary technologies is more akin to the considerations of Gilles Deleuze, who following on from Foucault, highlighted that the distinct ways of people, technologies and organisations have become intrinsically linked and have created 'surveillance assemblages' – an aggregation of watchers both watching and being watched.[10]

Kevin Haggerty and Richard Ericsson propose that both Orwellian and Foucauldian perspective is now less relevant to contemporary society and has been replaced by the notion put forth by Deleuze and Guattari which works 'by

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[10] Deleuze, G. & Guattari, F. (2004)

abstracting human bodies from their territorial settings into discrete flows that are later reassembled into data doubles.'[11]

Their notion places emphasis on the acceptance of how information is mined and harvested in the late modern period and how that has resulted in the exponential growth of overt state sanctioned surveillance as well as private surveillance. Their interpretation of surveillance assemblages stands likens their preponderance and dissemination across society to that of the botanical rhizome. Rather than a metaphor of arborescence where there is a core trunk of information and from this, branches emanate, it is more useful to consider the preponderance and expansion of a subtler, less overt transmission that proliferates like a grass or bindweed. Such plants have no centre but grow and move and modify independently of a central authority. A clump of grass is interdependent but is not reliant on other clumps of grass to multiply. Nevertheless, aggregated together the whole ecosystem and vista of the landscape is altered.

Deleuze and Guattari use 'forms of expression' (a semiotic system based on signs and their meanings) and 'forms of content' (physical systems). These interact with each other and are reciprocal; both aspects support and depend on one another so are symbionts. Furthermore, the belief in the strength of each other's

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[11] Haggerty, K. & Ericsson, R. (2000)

position points to a depth in the assemblage which they termed '*the abstract machine*'. Defining concepts in terms semiotics allowed for analysis that stepped away from broadness of mere language. They state:

'In *Archaeology of Knowledge*, Foucault distinguishes two kinds of multiplicities of content and expression which are in reciprocal presupposition. In *Discipline and Punish*, he looks for an agency accounting for the two imbricated, heterogenous forms, and finds it in assemblages of power. But these collective assemblages- school, army, factory, hospital, prison- are only degrees of singularities in an abstract diagram.'[12]

Deleuze and Guattari explain how Foucault distinguishes between discursive phenomena regarding statements in his *The Archaeology of Knowledge* and non-discursive phenomena regarding the environment in *Discipline and Punish*. They describe Foucault's prisons as environments – a *form of expression* – in this context, and the statements which legitimises why the inmates are there are the *form of content*.

So, the environment of the prison is the form of expression and gains its authority through penal legislation which describes what constitutes criminality and the

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[12] Deleuze, G. & Guattari, F. (2004)

sanctions which may follow. These are the array of language – the form of content – which formally clarifies and sets how offences become sentences. Furthermore, it emphasizes and displays the procedures and measures for all to witness, understand and accept. The laws gain their meaning and authority from espousing qualities of certainty derived from precedent – the principle that rules to be followed in the present are appropriate as they have been used similarly in the past.

Deleuze presents fluid rather than static correspondence between form of expression and form of content as the system has produced unforeseen consequences. For example, penal laws breached resulted in sanction, leading to prison. But prison had been proved to facilitate further delinquency which resulted in further breaking of penal laws and thus more criminality resulting in increased prison time.

Foucault presents this deterministic conclusion and stated that 'prisons far from transforming criminals into honest citizens serve only to manufacture new criminals and drive existing criminals further into delinquency.'[13]

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[13] Foucault, M. (1975), p. 4

And for Foucault the moment where a move toward less criminality occurred was when a prison evolved from being a mode of punishment to an environment where surveillance is imposed. Deleuze sees such circumstances that give rise to his conclusion as linked to but not necessarily a foregone cause and effect. And so, every circumstance, each line of connection that has resulted should be analysed under its own law of formation. And in that way bring into focus the routes of how power reaches, touches and penetrates individuals by way of learning mechanisms and attitudes and then moderate their behaviours in as part of day-to-day existences.

Whereas Foucault in describing his framework for society bases his considerations on panopticism and its yielding of a top down hierarchical system of power relations, Deleuze and Guattari acknowledge the shift in both mood and process. Facilitated by technological developments, the regime of power has now become immersed in the body social – a move from panopticism to *synopticism.* Their aim then becomes to engage with present social realities in a way that questions perceived ideas regarding the nature of events. This results in new understandings of what forces and mechanisms are at work, which can orient novel political thoughts and practically 'contribute to a new earth and people that do not yet exist.'[14] This also means a divergence of ambition from Foucault – he

[14] Deleuze, G. & Guattari, F. (2004), pp. 135-137

attempts to theorize an issue in a manner which poses problems, but there is no expectation 'of a politics that might contain the just and definitive solution.'[15] Nevertheless, his postulation of 'disciplines' is an important precursor to understanding and developing policies that better represent the contemporary, ocularcentric synaptic society.

in *Discipline and Punish,* Foucault is using the word 'Discipline' as a verb; as an imperative and as a noun. In its noun form, 'Disciplines' are tangible elements and when placed in a penitentiary are 'methods which made possible the meticulous control of operations, which insured obedience.'[16] And Foucault considers the enclosures or as derived from adapting the monastic cells. In an essay published in 1982, he asserts:

'…the modern Western State has integrated in a political shape an old power technique which originated in Christian Institutions.'[17]

Disciplines are already determining a relationship with power through the giving of meaning to procedural details. He uses the verb *dresser* to describe how the wielding of that power brings about 'training' or the 'breaking in' of those it is exercised upon. He expands on this further stating:

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[15] Foucault, M. (1975), p. 35
[16] Ibid., p. 222
[17] Foucault, M. (1982)

'…as a technology of power disciplinary mechanisms are broader category than the state and enable a kind of omnipresence, an infinitesimal distribution of power relations.'[18]

In a single sentence, Foucault has linked the state, technology, omnipresence and power relations. His conclusion is that once the method of control has been developed as means of exercising power it is far more efficient than the historical methods of feudalism or monarchical structures. It supersedes them through *being* a political practice which has one foot planted inside but another outside the state. He terms this circumstance 'epistemological thaw' and is made possible through the disciplining institutions using the instrument of *le regard* or the gaze. 'It is the fact of being constantly seen, of being able always to be seen, that maintains the disciplined individual in his subjection.'[19]

This constant gaze is combined with a *writing down* idiom. The authority not only gazes but documents the findings of the gaze. The information is set down in black and white and this 'discipline' gains its legitimacy in its very noting down. The datum is undisputed and permanent – a manifestation of the truth. It is given validity by the structured and ordered methods of the classification through its

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[18] Ibid., p. 120
[19] Foucault, M. (1975), pp. 23-26

administration. It is not specifically referred to, or aimed for, but this rigorous classification of data is an adjunct consequence discipline of the politically motivated surveillance of populations.

Disciplines have then two aspects which work in conjunction with each other: the non-discursive element provides the foundation for the discursive element. The discursive element (through the public representation of scientific data and facts validates the non-discursive). The very core of Foucauldian disciplinary knowledge is the observation followed by data collection. The systematic manner of documentation justifies both past and future observation. Foucault noted that the constant gaze, even state sanctioned and upon those whose civic rights had been removed, would necessarily lead to concerns of privacy. But the essence of this new form of penal advancement in the panopticon depended on the dual nature of total visibility of the inmates and total *classification* of what was observed.

Though the inmates are visible, the system of power used to control them should be invisible. Foucault distinguishes other systems of power from disciplines in how they order human multiplicities (the system of processes whose changing rates of change are connected) by defining it according to three criteria. First, economically, power should be exercised as cheaply as possible and politically it must remain unnoticeable. The less visible it is, the less protest to it will be

aroused. Second, the effects of power should be proliferated as far as possible. Third, the economic growth of power should be seen to be a result of the apparatus (industrial, military, educational, medical) within which it is exercised.[20]

The raison d'etre for the disciplines is to reduce inefficiencies of mass phenomena; to simplify multiplicities and hinder the advantages found in being numerous. For this to happen, movements should be identified and ascertained before the aim of being controlled can be reached. Disciplines must also be used to restrain the mechanisms that are created from the configuration of an organised multiplicity; otherwise it will be inadequate in counteracting resistance from those it means to dominate.

In order to do this, the disciplines have to be woven seamlessly into the multiplicity and shape power relations through the apparatus of registration, assessment, classification and hierarchical surveillance. In summary, it would replace power exercised through the brilliance of people by one that surreptitiously objectifies those on whom it is applied; to constitute a body of data about individuals and make redundant signs of overt sovereignty. The disciplines are an aggregation of technical quantums that allowed for 'increase in the useful

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[20] Ibid., pp. 39-43

size of multiplicities by decreasing the inconveniences of the power which, in order to make them useful, most control them.'[21] The result being the disciplines were an instrument to reduce the multiplicity as a political agent at minimal cost and increase it as a useful force.

Panopticism as a mode of power had not been under the control of ruling architectures of society, but nor was it wholly independent. Historically the process which legitimised the ruling authorities was the explicit legal framework enabled by the organisation of representative parliamentary schemes. But the processes that maintained a rights-based system had a shadow of small units of interconnected micro-powers which were non-egalitarian – dark disciplines which provided means of the submission of bodies and forces. The corresponding illuminated disciplines provide the basis of the overt juridical framework for the will to form the fundamental authority and this was considered the ideal basis for egalitarian structures. But in order to be effective as mechanism of power, panopticism was the embedded discipline that facilitated its acceptance. It was the 'Enlightenment' which discovered freedom and liberties, but shining that light cast a shadow of dark disciplines.

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[21] Foucault, M. (1973)

Prima facie, the disciplines are little more than soft rules or underlying propositions. They are an extension of legislative norms but which insidiously touch the lives of individuals; or they are educational procedures that enable individuals to become involved into the general demands. They are an additional, extra counter regulation which modify the relationships between individuals through crating linkages between them. These are not legally binding contracts but an array of reciprocities, acceptances whereby the flow of information necessarily means that inequalities of position are justified.

Different 'partners' have different societal values in relation to regulations and can be invalidated or disqualified. It matters little that the ordinary and universal ambit of the judicial systems that underpin modern society attempt to set the limits on the excise of power. The counter law, the undercurrent made possible by the disciplines undermines these established principles. The disciplines, particularly in a network of panopticism, may seem inferior or less than the other politico-legal apparatus but they are not separate and are wedded to accepted political norms and have become indispensable. Their affirmation is the bedrock upon which modern society has been founded and shaped.

Returning to Foucault's penitentiary (even that word echoes its religious ancestry and invokes a site where one must be contrite to an over guiding authority) and the problem of how individuals are to be sanctioned and controlled - the state

(with historically developed punishments) absorbed a disciplinary mechanism to surveil; universal punishments were given to individuals and the 'redefinition of the juridical subject by the penalty becomes a useful training of the criminal'.[22] The counter law, then takes practical precedence over the codified power though is adhered to it. What then proliferates the power to sanction, is 'not the universal consciousness of the law in each juridical subject … but it is the regular extension, the infinitely minute web of panoptic techniques…'[23]

Deleuze and Guattari, though closely linked with Foucault, take a different approach regarding discipline and control with emphasis upon locating new places in a world that have embraced technology and continue to normalise surveillance. Of course, the difference that Deleuze notes is that the unit of analysis (the panopticon prison) that Foucault used for his theories of the disciplinarian society had ceased to exist. New modalities that Foucault had touched upon had since emerged and facilitated a theoretical advancement moving from *disciplinarian* societies to those of *control.[24]* The example of the panopticon is left behind and the authors consider new multiple, aggregated locations of power with the premise that technology has irrevocably altered the social landscape. Deleuze categorically shifts from the Foucauldian panoptic

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[22] Rabinow, P., ed. (1986)
[23] Ibid., p. 266
[24] Deleuze, G. (1988)

disciplinarian model asserting that the notion of discipline as an aim for governing has been replaced by the goal of control in various forms.[25]

Deleuze considers globalisation and capitalism as the driving forces of societal change. This has brought about structural change in Foucauldian units of analysis such as schools, and factories which have become corporations. The aim of Foucauldian discipline via the disciplines was a long term compliant and malleable society whereas corporations have a more myopic purview. Nevertheless, they also need observation as a starting point for the aim of control.

There exists, for corporations, no grand overarching ambition to progress society but only parts of it – in particular, the international markets. Deleuze uses the example of a carpenter. In a Foucauldian world the ambition would be to foster a docile and dependable carpenter but in modern society it is more important to know how, when and where to hammer in a nail to a piece of wood in the most efficient manner possible. The carpenter is a coded figure of corporations, so depending on what is required, her/his/their skills may be of value on Monday but if the markets alter, redundant by Tuesday.[26]

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[25] Deleuze, G. (1992)

[26] Deleuze, G. (1997)

This is known as modulation – alterations in systems filter down and bring about subsequent change in the societal mesh. A key divergence from Foucault is that in his notions, the panopticon is by design visible whereas Deleuze asserts that modulations go by unseen. The panopticon was effective because the inmates knew it was there and brought about inherent changes in the attitude and behaviour of the inmates. They were monitored and assessed and so followed the directives. Deleuze postulates that much like the Foucauldian disciplines the modulations are not perceived by members of society and so surveillance is less a physical but opaque and more ethereal.

The Foucauldian disciplinary societies have two poles; the signature that designates the individual, and the number of administrative numerations that indicates his or her own position within a mass. There is no incongruency between these two and because simultaneously, power situates those over whom it exercises authority into a body that moulds the individuality of each member. Conversely, in the societies of control, a signature or a number is no longer important. What is valued is a code: the code is a password or shibboleth.[27]

Deleuze's central concern is that surveillance is less directed at persons but instead the gaze is upon the representations of that person as she/he/they makes

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[27] Deleuze, G. (1992), pp. 78-80

their way through day-to-day life. He creates a portmanteau – *dividual* – from the divided individual, where a person's identity is deconstructed through their passwords and connectivities and then reconstructed as consumers. A body of data becomes more relevant than the actual body of a person.

The surveillance gaze no longer focuses towards the individual but to repositories of data. Foucault's bodies made docile by architectural apparatus are of little interest in modern society where technologies in open space are utilised to shape attitudes through daily regimes promulgated by those in authority. The regimes are akin to the disciplines and are rote fashion absorbed by individuals. But even Deleuze lived in an age before the unencumbered spread of the internet and mobile access to it. Nevertheless, his notion of the un-twinning of a person's body and their representation has been the inspiration from which other sociologist have drawn when forming their own post-panoptic theories.

Haggerty and Ericsson advanced Deleuze's theorem through composing a novel set of instruments to assess contemporary surveillance. Acknowledging the contribution made by Bentham's design of the panopticon and though appropriate for the disciplinarian societies that Foucault describes, they assert it is of less value in modern society which is no longer concerned with training an individual

to behave in a certain manner.[28] Further criticisms were that it was almost exclusively aimed at those most marginalised in society and only applicable to the closed architecture of stable buildings. And most importantly, the observation and processes that followed were carried out by humans whereas modern developments have passed this task to machines. After Deleuze and Guattari's concept of assemblages Haggerty and Ericsson were minded to conceive of novel analysis tools to understand control societies and developed the notion of *surveillant assemblages.*

Deleuze and Guattari described assemblages which are composed of phenomena: signs, knowledge, people and so on (a list too numerous to classify) which combine and work together in discrete flows. These fluid arrangement gelify, stabilise and become systems of sway which licence one entity to govern the actions of another. Surveillance assemblages are *devices* that record and harness data flows before converting them into reproducible events – this transformation is at the core of surveillance assemblage.

It follows that key aspects of contemporary post-panoptic surveillance are: the push towards combining systems and so increasing the surveillance extent; mission creep – in that the scope of surveillance usage is greatly increased for

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[28] Haggerty, K. & Ericsson, R. (2000), pp. 153-159

purposes of security, governance, entertainment and ultimately control; homogenising surveillance hierarchies as new entities are surveilled with new technologies; monitoring is open to both public and private spheres; is mainly directed at human bodies but which are now a composite of flesh, technology and data; is reliant on machines to monitor, record, classify discrete observations.

According to Deleuze and Guattari, the expansion of surveillance is not simply a case of more surveillance but also the manner in which it grows. New fast-moving technologies have a neoteric way of reproduction – what they term as the *rhizomic* in that it is interconnected and spreads along surfaces rather than planting deep roots. The surveillance is not considered oppressive as in Foucault's disciplinary notions but rather society has acquiesced to its presence and oftentimes embrace it and consider it beneficial. It is not regarded as authoritarian and for the purposes of sanction but as an adjunct to an individual towards engaging in and belonging to a modern economic existence.

 For example, a person who buys a coffee from a shop may prefer one which has free WI-FI so can be connected whilst enjoying their beverage. A process has already begun. The corporeal body may or may not be watched by CCTV but paying for the coffee on a credit card has already divulged data to a far-off watcher. Logging on to the WI-FI network has provided information of location and possibly financial means depending on how exclusive the coffee shop is. The

body is now considered as a series of data flows. Haggerty and Ericsson describe the body/data flow complex as data doubles. And such a premise is accepted and even embraced.

In 2017 a mainstream UK television advertisement for the credit agency Experian was called 'meet your data self'. It overtly expressed the concept of a data double stating that the self and the data self were inseparable. The data self was described as 'a physical manifestation of financial history made of transactions … phone contract … credit score and stuff like that…'
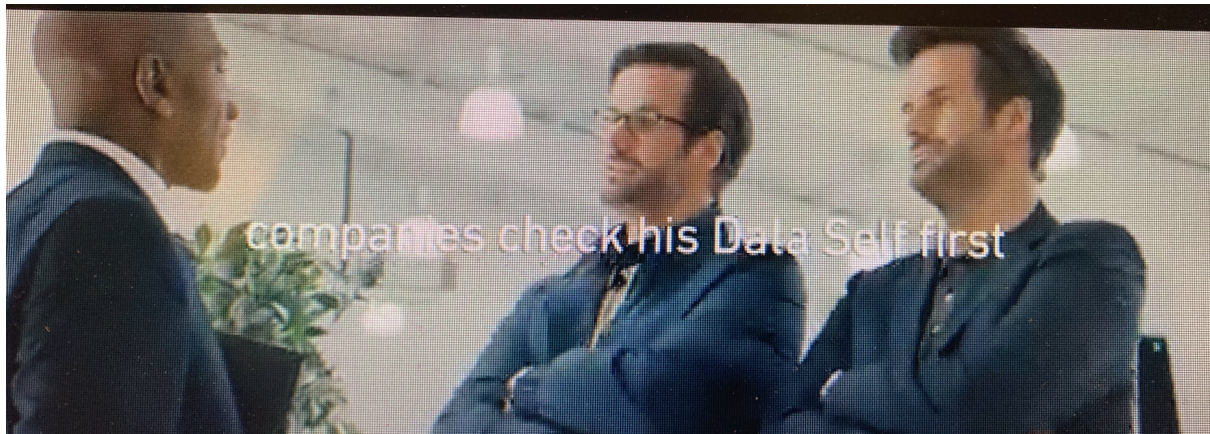
Advertisement for Experian PLC (a consumer credit reporting company) explaining the data self.

Hiding in plain sight and couched in benign terms, the credit agency (whose principle strategy is to garner as much information about an individual) tacitly

informs and involves society of its methods and ambitions in the safe knowledge there will be no protest.

The process that the credit agency employs is one where the corporeal body has been deconstructed and removed from a physical site and the reconstructed in the ether as data. The principle premise is that the information gathered from people as they navigate their way through life and willingly give up their data must be used in the markets to generate profit.

Haggerty in 2006 purports that the Foucauldian idea of social control is limited insofar surveillance has perhaps unwittingly proffered uses for the individuals it means to watch and its ambit cannot be reduced to a singular aim. The supplementary aims that have emerged were not an objective but as a result of creative individuals who imagined new possibilities for apparatus set up for different purposes. Surveillance could be something to take pleasure from – a source of entertainment and so perhaps could be considered in a positive manner. Nor should perspectives on it be fixed as it has shown to be fluid in nature and part of a wide-ranging network of power relations as (which, in fact, Foucault alluded to) ideas of deconstructing and then reconstructing people as data doubles are insufficient.

'The expanded networked control should not be perceived as purely negative concept, but as one that also offers possibilities for entertainment, pleasure and counter-power, and moreover. one that also facilitates de- territorialised forms of resistance as a function of its own organisation.'[29]

A more recent iteration of post-panoptic thought integrates neo-Marxist concepts with accepted surveillance theory. Marx discussed surveillance as an essential pillar of the modern Westphalian nation-state which used it as apparatus for coercing and subjugating the proletariat. He also considered the possibilities of counter-surveillance protest, if the press was a free one. Haggerty's theorisations of surveillance assemblage are precursor to a neo-liberal school of thought which explicitly details surveillance as an essential and determining aspect of capitalism. Shoshana Zuboff provides an overarching theory of the power through the examining of interdependencies between society, economics and politics under a continuous panoptic data gaze. The exponential rise in the surveillance complex, both state and non-state as well as the reliance on meta data as individuals require to live day-to-day necessitates this new approach.[30]

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[29] Haggerty, K. (2006)
[30] Zuboff, S. (2019)

For Zuboff there is an alignment in her theory of *Surveillance Capitalism* with that of the Benthamite-Foucauldian proposition. Both argue that the act of being continuously watched brings about modification of human behaviour. The difference is that she believes in surveillance capitalism this adjustment is profit motivated and propelled by a surveillance intervention with the overriding aim of embracing a new reasoning of accumulation. The old tenets of supply and demand have been disavowed in favour of a strategy that has declared its separation from states and societies.

And this strategy depends on a gaining access to real-time disseminated data that people divulge in going about their everyday lives which can be then used to predict their future choices – this is known as *big data* (the data sets needed to reveal the pattern, trends and associations that relate to human interaction is necessarily large). And being able to garner such knowledge is a move away from traditional market systems in classical liberalism which is based on the markets being unknowable. The system requires a 'totality of action' where habitats outside and inside the human body are saturated with data are is ripe for observation, interpretations, prediction and finally influence. Power becomes defined in this new paradigm by appropriation of the mechanisms that allow behavioural modification rather than ownership of the means of production. Zuboff concludes that this may engender an existential crisis for democracy as

the principles of the modern liberal, pluralist order based upon self-determination in an individual's private affairs is disclaimed.

The 9/11 attacks in New York and Washington have proved to be a watershed moment in terms of surveillance theory. It facilitated the creation of new machines for data capture which have penetrated so deeply into the societal consciousness, one can scarcely believe a time before such developments existed. For example, in all airports body and luggage scanners are the norm and in some such as Schipol in Amsterdam additional measures such as motion tracking have been used since 2003. The writer submits that this echoes back to a traditional Deleuzian diagram as an airport or any border effectively becomes a bounded area where those surveilled are under constant gaze. And rather than this being a monitoring of criminals already convicted for their crimes, all citizens are considered potential future criminals with the need to be monitored. Didier Bigo asserts that such a development is an evolution in panoptical thought where security concerns are evoked in order to ban individuals who do not conform to the rules of access to a certain society or societal location. He terms this the 'Banopticon'.[31] In reality, a security dilemma exists, where in order to increase one entities security, the security of another entity will be diminished.

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[31] Bigo, D. (2005)

A further Deleuzian congruity is the societal acceptance of the gaze; the internalising of it and then the subsequent alteration in behaviour that it gives rise to. At an airport, an individual is perfectly within his rights to decline a body scanner and opt for a personal body search but this may well be met with suspicion from other members of society who have been guided towards into a mode of thinking which is facilitated by creating a perpetual state of unease.

In the UK and US, following the 7/7 and 9/11 terrorist bombings, Transport for London -the authority that runs the tube network and the City of New York which runs the Metro issued a series of posters[32] that were displayed throughout their transport and transit lines:
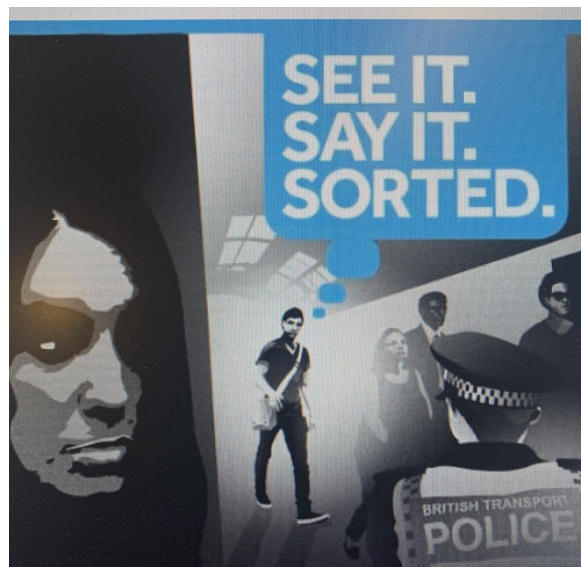
Poster 1: 'See it, say it. Sorted.'

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[32] https://www.btp.police.uk/latest_news/see_it_say_it_sorted_new_natio.aspx
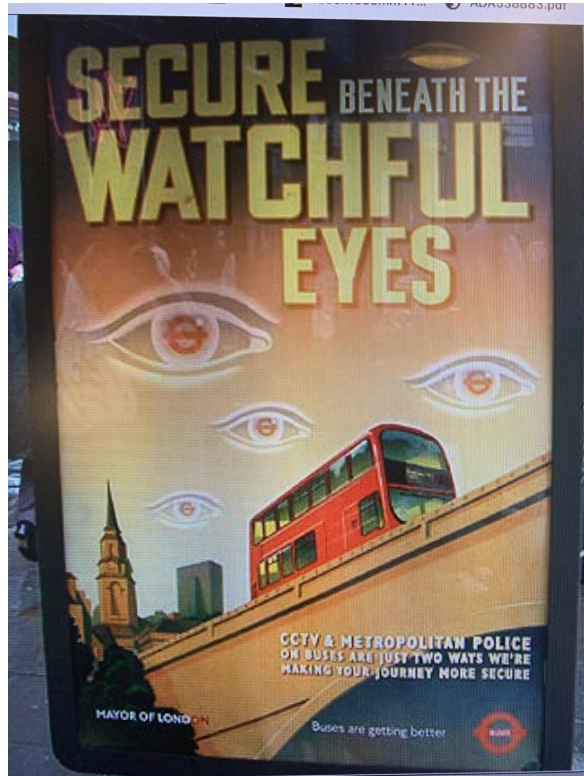
Poster 2: The state's watchful eyes.

Poster 3: The Sixteen million eyes.

Such measures encourage and legitimise the public to collectively watch each other and then report any misgivings to the authority. It is an adjusted form of the Foucauldian panopticon where it is not only the guards watching the inmates and visitors but the inmates and visitors all watching each other.

Though this may seem like an inveigling of the public in to the authoritarian scheme of surveillance by using the tragedy of terrorist attacks and the prospect of future terrorist incidents, Haggerty posits that this pessimistic post-Marxist Deleuzian purview of surveillance neglects how much agency an individual can own. Contemporary society has accepted life in a connected and technology filled world and the apparatus of surveillance is not limited to governments and corporations.

Sophisticated modern technology has been democratised to a certain extent and is available to vast numbers of individuals. And referring back to the panopticon, this may be likened to the inmates being given binoculars and becoming more adept at reflecting back the gaze of the watchers in the towers.

This is the surveillance phenomenon investigated by Steve Mann in which he asserts the traditional concept of the top-down mode of surveillance has been flipped and individuals are able to watch authority entities from below –

underseeing them.[33] The widespread access to smart phones which often contain high resolution cameras combined with powerful computational and recording ability (even a thermal imaging application is downloadable) ensures the potential to gaze back, has exponentially increased. And this has been integrated into wearable technologies, incorporating surveillance apparatus to the body.

Police officers in the UK now wear body cameras to record arrests and incidences and part of the reasoning is to have an objective third gaze when human witnesses present may be unreliable or biased. The officers are often filmed and recorded by those themselves being arrested or interested bystanders looking on. In effect a member of the public armed with a phone can be a citizen journalist or whistle-blower. The panopticon takes a step aside from Bentham or Foucault and becomes Kafkaesque in that the surveillance becomes decentralised and the watched can be watchers. This, up to a point, levels out the power dynamic as the technology and its ease of use enfranchises the individual.

Brunton and Nissenbaum consider the issue of protest or resistance and the emergence of 'obfuscation' as a surveillance defiance. In fact, they proactively recommend measures that can be taken by the average citizen as 'informational self-defence' to mitigate the cycle of monitoring, aggregating and analysing'.[34]

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[33] Mann, S. (2004)
[34] Brunton, F. & Nissenbaum, H. (2013)

The aim is to render any information captured ambiguous and redundant and of therefore negligible value. Such tactics may not be a panacea against the overwhelming tide of 21st Century surveillance but it offers a pushback against what it deems to be a society somnambulating towards an irreversible ceding of privacy. And as corollary, personal freedoms to organisations and entities that employ the Foucauldian disciplines and Deleuzian modulations, concealed within a trojan horse of a promise of interconnectedness to all of the modern world.

Surveillance continues to preponderate, and as technology progresses, layers of strata have been amassed and aggregated. Closed Circuit Television (CCTV), once the preserve of organisations has been adapted for private use and is seen increasingly in homes and vehicles. Mobile phones are ubiquitous – they have built-in cameras and equate to panopticons in our pockets. And these connected to the internet allow for messages being instantly transmitted across the world at the literal press of a button. The solid institutions that Foucault based his ideas upon and considered the disciplining forces have changed in both structure and dynamic. The understandings of individuals being the watchers of watchers, the watched and indeed themselves render classic surveillance frameworks less meaningful. The contemporary appreciation of surveillance places at its core the gradual decentralisation and enfranchising of many, who are able to watch the many. Humans and machines watch humans and machines. There now

increasingly exists the prospect, ability and desire and possibility of the gaze being returned and re-returned.

But the gaze ever since its inception has been bound to ideas of power and dominance and so continually needs to be assessed in terms of who is doing the watching; why are they watching; where they are watching? All against the backdrop of the technology acting as the conduit of control power.

In assessing surveillance as a feature of society, the terms used above such as 'power', 'control', 'authority', 'government', 'institutions', 'markets' etc. abound. And any discussion of surveillance will be entwined with these – though they are abstract and often indiscernible entities. There exists an imperceptibility to the extent of influence they exert over individuals and consequently surveillance practice has to be examined in light of the real-world state of affairs.

The progression to an understanding of surveillant assemblages is the tacit acceptance that surveillance needs to be explored with due regard to continuing developments and understandings. The inmates of the panopticon prison had no choice but to accept the gaze of the watchers in the tower. It would be countenanced and recognised as extension of the sanction that limited their freedoms, rights and will. But the theory that suggests an inescapable dominance

over passive and compliant members of society will need to be scrutinised as society is now more aware.

The panopticon nevertheless provides a worthy metaphor though should be evaluating a contemporary society where, rather than the *will* of citizens is negated*,* in many circumstances, behaviours are volitional. For example, innovative technologies have been developed where individuals 'self-surveil' through wearing devices which can continuously track their locations but also physiological responses for diagnostic purposes. The surveillance purpose is transformed into a 'user-centred' vantage point.

In understanding the direct relationship and even integration of technology with humans, Actor-Network Theory (ANT) provides a useful lens on how such technologies shape social processes. In this context the underlying assumption is that measuring accurately real-time physiological responses and incorporating the data in a connected information flow will improve diagnostic capabilities. Critical to ANT is the premise that technology ceases to be an external force – it stems from a social interest and so has the ability to shape social processes. It can provide alternative insights into power – for example Mike Michaels argues that a person connected, constantly to the internet and adept at being able to access vast amounts of instantaneous information becomes a source of power. A person who then is not connected to a network is isolated and powerless – he termed this

'a naked ape'. In essence, ANT describes a world constituted and proliferated by networks in which objects such as technology has a vital role in shaping social relations.[35]

The counter position to the empowered connected citizen is the notion that the power attained is in reality, only granted. And a Faustian bargain has been entered into where the free will in deciding to be connected is illusory and not free – there is the levy of being traced and tracked which is in effect, agreeing to a form of subjugation.

Governments, organisations and private companies have allowed this image of empowerment to proliferate and shifted the onus, for example, in health to the individual by encouraging take up of wearable technologies and downloading of useful applications that monitor health. Akin to the psychological ambition of the panopticon, the individual internalises the prescribed behaviour via the means promoted by the authority in surveillant assemblages. The health applications are effectively eyes to watch and pens to record. The individual has internalised the desired behavioural model in a self-inflicted process of regulation.

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[35] Michaels, M. (2016)

The historian Yuval Noah Harari postulates that the willing acceptance of wearable technologies that monitor and assess internal physiological functions marks a significant turn in the nature of surveillance. He terms traditional surveillance as 'over the skin' where an individual is watched and monitored to assess what they are doing; where they are going; who they are meeting etc. The idea being to gain physical insight of actions. The change is a move to 'under the skin' surveillance where physiological functions much as body temperature, blood pressure, heart rate etc. are measured to establish medical condition. His concern is one of mission creep, where the motivations and goals intents change but can be achieved through using the existing medical data for new purposes.

For example, a person wearing a wrist band to measure their heart rate when exercising is a useful diagnostic tool. But surveillance systems in operation now can now see if that person is at home, if they are streaming a TV show and when they are watching. In combination with the data from the wristband it will be possible to ascertain at which points during the show, blood pressure and heart rate were elevated. And this gives an indication to how a person feels – their possible preferences, political views and personality traits. Ominously, he states that sophisticated innovations could lead to authorities having access to biometric

data and be capable of creating a system which 'knows human beings better than they know themselves.'[36]

The continuing rapid proliferation of surveillance enabling technology and ease to access to it, has meant that surveillance and issues of privacy have become a predominant feature of contemporary society. This thesis will argue that there is a discernible trend in film, TV and graphic literature regarding the narratives about surveillance and social control which has been largely shaped by the terrorist attacks of 9/11.

The acclaimed director Christopher Nolan builds current political issues into the narratives of his films, and the 2008 Batman reimagining of *The Dark knight* focusses on mass surveillance and terrorism. The initial premise is that a widespread totality of surveillance which infringes on the citizens of Gotham City's civil liberties is the only way to stop terrorism. Batman is an articulation of a character with the resources and ability to surveil, detect and track criminals. He embodies a want for social control but stands as proxy to the governing authorities. This filmic representation of future surveillance capabilities has created a Baudrillardian hyperreality – an extension of the current realities. Analysing this work in terms of Barthes notions of semiotics reveals both horror

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[36] Harari, N. H. (2020)

and hope and this paper explores the critical possibilities of the near-future, interconnected world and navigates the implications of surveillance in pluralistic liberal democracies.

Christopher Nolan's brother, Jonathan Nolan, along with Lisa Joy are the writers of the 2017-2020 HBO series Westworld which also examines the relationship between freedom, surveillance and security. The central question it addresses concerns the vastness of the tracking and data gathering by private companies primarily for the purposes of marketing. This is a particularly current concern with companies such Facebook, Apple and Google coming under scrutiny. Foucault foretold the possibility of such circumstances and coined the term 'biopower', to describe the 'power over life and the species' body.[37]

But the global pandemic has highlighted the new level of mandatory tracking and tracing that governments, not private companies, around the world have issued in the battle against the spread of the virus. Unprecedented data collection from personal devices provide obligatory information regarding a person's movements, interactions, location and health. *Westworld*, in its third series expands on the consequences of similar concerns in an imagined but nevertheless conceivable future. A virtual panopticon has been created and complications arise

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[37] Foucault, M. (1961)

when initially laudable intentions of security are superseded by other motivations and personal information is used for nefarious reasons. The rationale for analysing a TV series is that the episodic nature allows for examining the development of the story over time.

In recent years the graphic novel has seen a resurgence and an art form previously derided has gained a new acceptability. Nick Drnaso's *Sabrina,* in 2018 was the first graphic novel to be longlisted for the Man Booker prize and acclaimed classics such as *To Kill a Mockingbird* have been reworked and was released in graphic novel form. *Verax: The True History of Whistle-blowers, Drone Warfare and Mass Surveillance* is less a graphic novel and more an illustrated treatise describing the world of surveillance. It asks the question: to what extent are individuals being surveilled? It goes on to address the spectre of blanket surveillance and the imprecise surveillance algorithms used for assassination of 'hostiles' which are unable to adequately factor in to their kill scenarios, the innocent civilians nearby. The government agencies involved use a wide array of surveillance technologies created by private contractors such as Amesys, Gamma and Vastech and the writers investigate whether governments which sanction such examples of activity are a threat to civil liberties or the protectors of it.

Ultimately the three formats are all telling stories through being witness to current events. As such, they are the palatable delivery of narratives through which

writers and directors along with their audience can make sense of the contemporary issue of surveillance and security that confronts society today. They maybe entertainment but can also serve as an accessible rendering of a possible future fraught with very real concerns that emanates from our current actions. And contemplating these now, can set in motion the ideas and designs that may help inoculate individuals from a future society infected with unbridled surveillance.

CHAPTER ONE

Christopher Nolan's 2008 *The Dark Knight* is an escalation film. As scene moves to scene, the action, stakes and tension rise until the final resolution at the film's culmination. The theme running throughout is how modern technology has advanced and the resultant connected panoptical device is able to continuously monitor and track all the inhabitants of Gotham City. The Dark Knight is a citizen (Bruce Wayne) of Gotham City but also a well-resourced, well respected business man who has vowed to fight evil. As his alter-ego, The Dark Knight, he has only unofficial ties to the state authorities and so is not restrained by legal and ethical strictures that they have to abide by. As consequence, The Dark Knight can be more effective. The main plot line describes how The Dark Knight through adapting already ubiquitous surveillance technology, endeavours to locate and capture The Joker- a criminal bent on chaos and destruction, willing to resort to terrorist tactics and acts to achieve his aims.

The Dark Knight adds to the Foucauldian premise of control through surveillance by adding the element of a personal morality. This is akin to David Lyon's understanding of modern surveillance of *caring* and controlling.[38] There is a dual purpose to the Batman's surveillance. First, his subject is being watched in order

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[38] Lyon, D. (1994)

to guide them into following a set of norms and accepted mores, but also the watcher protects and cares for the subject.

There are 100 instances of surveillance messaging, via reference to the panoptical device (the synopticon wall) or established telecommunications in a film that runs for 151 minutes – an average of once every 90 seconds.[39]

The Deleuzian concept of the rhizomic proliferation of surveillance is a continuing subtext. The opening shot introduces The Dark Knight as a watcher, monitoring Gotham City and The Joker is established as a canny antagonist.[40] From the outset it is clear that The Joker has an aptitude for resistance. The Dark Knight attempts to gain predominance through adept use and development of state-of-the-art technology but The Joker, at every turn, negatives the effectiveness of The Dark Knight's efforts to trace him by concealing his identity, consumer patterns and biometric data. The Foucauldian position that power resides with the authorities is inverted to through The Joker's manipulating of media telecommunications. The message is that surveillance can be controlled or subverted by anyone with the will and means to do so.

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[39] Sarich, D. (2016)
[40] The Dark Knight (2008), 00:12:02

Indeed, the film begins with the first negation of the Benthamite principle that underpins the panopticon and subsequent Deleuzian development of it in his notion of the surveillant assemblages – that of identification. The watcher in the tower must know who the inmates are and data must accurately be assigned to the blood and flesh person. The Joke*r* and his acolytes in the knowledge that they are being watched wear clown masks and make-up. They cannot be recognised or distinguished from each other and The Dark Knight has already become a watcher unknowing of what he is watching. His perspective is that the criminals he targets must, like the inmates of Bentham's penitentiary, adapt their behaviour and conform to societal norms or will incur his retribution – but for this they must be identifiable. The Joker smiles at the CCTV cameras focussed on him in open dissent of the panopticism which has proliferated the whole of Gotham.[41] His anonymity affords him this in a city has become a 'strategy of space' resulting in a new mode of 'obtaining power of mind'.[42] The rest of the criminal underground adhere to the principle of the Foucauldian interpretation of Bentham's panopticon and moderate their behaviour at the prospect of The Dark Knight seeing everything and everyone at any time, otherwise face violent consequences he metes out.

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[41] TDK, 00:45:22
[42] Galič, M., Timan, T., Koops, B-J. (2016)

Bruce Wayne is shown with the literal and figurative mask of The Dark Knight removed. He is in the foreground with a wall of screens behind him. These display CCTV surveillance camera footage of his friend the lawyer, Rachel Dawes, with the District Attorney Harvey Dent on a television broadcast news clip. He watches whilst tending to his injuries himself. He has embraced one form of surveillance in order to illicitly garner information and yet simultaneously avoided the prospect of institutional surveillance which he would be subjected to, if treated in an hospital.[43]

In the initial parts of the film the narrative establishes how Bruce Wayne remains outside of the panopticon gaze while utilising it himself to surveil Gotham. As a wealthy, resourceful and trained private citizen he is more effective at confronting crime than the authorities. Though have seen to it that the police are militarised, without the effective surveillance they are redundant. Consequently, the criminals fear more The Dark Knight who seems able to anticipate their every move.

The ineffectiveness of the authorities is shown in the scene where the police operation to raid a mob bank only finds an empty vault.[44] The Mob's accountant then explains to an assembled group of the underworld criminal fraternity that

[43] Foucault, M. (1963)
[44] TDK, 00:26:04

their money was removed in a pre-emptive measure and is now being held safely

beyond the jurisdiction of the Gotham authorities in Hong Kong.[45]

Although The Dark Knight is not part of the machinery of government, his aims

are the same as theirs and he acknowledges that the principles the authority

adheres to are necessary and worthy. Commissioner Gordon is the 'visible

embodiment' of the authority and his tolerance of The Dark Knight is effectively

a legitimisation through 'decree of the king'.[46]

The Joker understands the limitations of the panopticon and the legal limits that

The Dark Knight and the authorities cannot move beyond.

He calmly states:

'He (The Dark Knight) has no jurisdiction'.[47]

So, the authority is rendered ineffective by ethical tenets accepted and because

they have to follow due process, protected by legislation such as jurisdictional

scope. This results in the negative elements of society being unafraid of the

authorities and inexorably moving toward chaos and lawlessness. The control

society based on practical applied surveillance proposed by Deleuze is being

undermined through the reaction against it. If the pervading symbol of an

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[45] TDK, 00:26:14
[46] Deleuze, G. (2006)
[47] TDK, 00:27:22

oppressive authority is the use of surveillance to control a society then the natural revolt will first subvert and negative that symbol.

Didier Bigo in his effort to conceptualise the unintended consequences of the increased surveillance measures following the 9/11 Twin Towers attacks in New York City states that a constant 'state of unease' has pervaded the national consequence in the United States.[48] This only facilitates more surveillance as the increased psychological tension is accepted as an acceptable toll to pay for physical security. But the escalation also encourages detractors. The Joker's and his acolytes hide their faces so as not to be identified for their nefarious acts. Brands and Schwanen describe anti- surveillance citizens who wear anti-drone hoodies so as not be identified.[49]

In Hong Kong, new surveillance technology of sonar adapted telecommunications is introduced. The Dark Knight, a citizen, uses it to track a citizen, but also in an act of protest, disrupts CCTV cameras. Douglas Kellner sees a direct correspondence with the Homeland Security policies of the Bush-Cheney administration.[50] He compares the paralysis of the US government in dealing with those terrorist attacks and the subsequent descent into pseudo-legal behaviour with policies of mass surveillance with that of those described in The

[48] Bigo, D. (2006)
[49] Brands, J. & Schwanen, T. (2014)
[50] Kellner, D. (2010)

Dark Knight. In response, The Dark Knight laments the failure of a bedraggled and corrupt legal system and takes on the responsibility of maintaining law and order. But in order to do so countenances ever more morally oblique methods.

Andrew Klavan sees The Dark Knight as an endorsement of the Bush-Cheney administration and goes as far as likening the character of *The Dark Knight* to George Bush. He states:

'The 2008 film (*The Dark Knight*) is at some level a paean of praise to the fortitude and moral courage that has been shown by George W. Bush in this time of terror and war. Like W, Batman is vilified and despised for confronting terrorists in the only terms they understand. Like W, Batman has to sometimes push the boundaries of civil rights to deal with an emergency, certain that he will re-establish those boundaries when the emergency has passed'.[51]

One of the key policies following 9/11 was the surveillance programme devised by the National Security Agency (NSA) known as the 'Terrorist Surveillance Program (TSP). The key feature was that electronic surveillance was no longer bound by the laws found in the Foreign Intelligence Surveillance Act 1978 (FISA).[52]

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[51] Klavan, A. (2008)
[52] The Foreign Intelligence Surveillance Act of 1978, Pub. L. No. 95-511, 92 Stat. 1783

The NSA were able to monitor communications between people within US borders and those overseas if it was deemed that such people were associated with al-Qaeda or its affiliate organisations. What has since become apparent is that alongside this, the Bush administration also authorised additional widespread surveillance operations such as data mining. This program was ominously known as the Total Informational Awareness program (TIA).

The enactment of FISA was in direct response to the contravening of existing legislative guidelines by US intelligence agencies during the 1970's. So, it was particularly controversial when in 2005 The New York Times unearthed that the Bush administration had violated FISA and not obtained warrants from a judicial body (the Foreign Intelligence Surveillance Court – FISC) before wire-tapping the conversations of US citizens.[53]

President Bush argued that the program was vital and the measure necessary so as to prevent terrorist attacks and capturing the would-be terrorists before they could carry out their aims.

Subsequently, in 2007, the US Congress enacted the Protect America Act (PAA), which excluded FISA's electronic surveillance so the Director of National

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[53] Risen, J. & Lichtblau, E. (2005)

Intelligence and the Attorney General could authorise the collection of foreign intelligence without the need for an FISC warrant. Furthermore, Congress enacted the FISA Amendment Act in 2008 which permitted the 'targeting of a person reasonably believed to be located outside of the United States without them being identified as a terrorist suspect or a national security offender'.[54]

The Inspector General of Intelligence concluded that the 'FAA gave the Government even broader authority to intercept communications than the previous Presidential provisions found in the TSP'.

Subsequent disclosures by Edward Snowden revealed even more disturbing occurrences. Under the PRISM initiative, the NSA were directly tapping into the servers of nine leading US internet companies extracting audio and video, photographs and emails.

The Dark Knight utilises measures to apprehend The Joker which are analogous to those used in President Bush's call to arms in the 'Global War on Terror'. Similar to the TIA program, The Dark Knight asks the CEO of Wayne Enterprises, Lucius Fox, to employ electronic surveillance technology using sonar technology adapted for cell phones to network with computers. Fox is

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[54] Banks, W. C. (2009)

reticent as he appreciates that the device created will have the capability to spy on everyone in Gotham City. He only agrees to The Dark Knight's plan on the condition that it is for one time use only in the present emergency circumstances and that a safety trigger is built-in.[55]

CNN's Glenn Beck stated that the use of surveillance and eavesdropping employed by The Dark Knight were techniques central to the policies of Bush administration and that the film therefore reflects the 'conservative values on the Global War on Terror'.[56] Spencer Ackerman further claims that the Bush administration likened the character and traits of The Joker and his gang to those of al-Qaeda.[57]

The Gotham City authorities are also limited by geography. A mob accountant, *Lau,* evades capture by simply relocating to Honk Kong, stating:

> 'As the money is moved I go to Hong Kong. Far from Dent's (The Gotham City District Attorney) jurisdiction. And the Chinese will not extradite one of their own'.[58]

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[55] TDK, 01:55:17
[56] Beck, G. (2008)
[57] Ackerman, S. (2002)
[58] TDK, 00:35:34

He is safe as Gotham City has no leverage and so no possibilities for extradition exist. This is confirmed when Dent tells The Dark Knight:

'…the Chinese will not extradite a national under any circumstances.'[59]

Lau's escape mirrors the enviable, unhindered flow of capital across state borders. The Gotham authority is unable to move with the same speed and is restricted by laws and conventions limiting international scope and ambit.

The world of economics where the prospect of escape is a threat through which capital keeps nation states facilitating an environment where it can produce ever more increasing profits without the burden of paying the national taxes. But the solution to counteract the problem of state inertia and capital absconding comes in the form of the resourceful Dark Knight.

In *The Age of Surveillance Capitalism*, Shoshana Zuboff connects the considerations of Karl Marx who himself postulated surveillance as a political and economic tool – and a necessary, essential element in a modern nation-state run under capitalist tenets.[60] As well as being the fundamental ethos behind a control society, Marx believed that surveillance was a key political mechanism

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[59] TDK, 00:26:01
[60] Zuboff, S. (2019)

of domination.[61] Allmer analyses Marx's cycle of capital accumulation against the context of surveillance operations: applying surveillance in the capital circulation stage; labour force, workplace.[62] He further contextualises domestic surveillance in the capital production stage; and competitor surveillance and surveillance of consumers in the cycle of circulation. What emerges is an overarching theory that endeavours to explain modern types of socio-economic political systems that have brought about their own intrinsic ideas of power. Such an all-encompassing theory is appropriate as surveillance becomes ever more synchronised with an economic foundation which has meta and big data as its keystone.

Zuboff proposes that surveillance modifies human behaviour in order to monetise and increase profits. Surveillance has appropriated capitalism, facilitating an ethos of aggregation to inhabit the modern interconnected world – its ambit is to predict and alter human behaviour as a means to ensure market control and revenue. The old principles of capitalism i.e. supply and demand, though previously successful in addressing the needs and wants of societies, has been shifted aside. The consequence of an extending market democracy has been halted by surveillance capitalism which pays little heed to the interests of populations or societies.

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[61] Marx, K. (1867)
[62] Allmer, T. (2012)

In the absence of market democracy, the guiding principles become those of individualism and consumerism. It is not the overt watching (or not) that results in control through monitoring and information gathering but it is the modification of behaviour in the individual[63] in promoting a *culture*. And the goal is an unreachable one of unending self-improvement through one's own agency. The targets are tangible and present themselves as accumulation; the newest phone; the largest flat-screen TV; self-improvement through exercise and diet; self-enhancement through cosmetic procedures.

These adjustments become intrinsic and a signifier of agency. A combination of official state documentation of identification or traceability through a person's interactions with a connected system such as pressing the 'like' button on social media platforms become the new tools of power.

But there exists no data regarding The Joker. He is an unobservable entity. He cannot be identified as there are no government records or biometric data and this highlights the full extent of the state's powerlessness. The accepted methods of control are found wanting and Commissioner Gordon and The Dark Knight resort to base instincts as they interrogate The Joker. That The Dark Knight becomes

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[63] Foucault, M. (1975)

more and more physical and is losing the intellectual and moral high ground is a source of enjoyment and an intellectual victory for The Joker. The Dark Knight has been unable to break The Joker through using intellect and has had to defer to muscle. Foucault compares violence directed at the mind with violence directed at the body, concluding that an individual is able to endure violence to her/his/their body through control of her/his/their mind. But violence to the mind is a different prospect and much more difficult to counteract. He states that it is a far more effective tool in asserting control.[64] The Dark Knight is impotent as his brute force is negated by The Joker's intellectual responses.

The Joker eventually precisely because he is not he does tethered to a mobile phone. He uses the law that an arrested person has the right to make a phone call. The phone that he uses is the police landline and the call triggers an explosion. The landline itself is destroyed and there is no prospect for tracing where the call was made from. The old solid-state technology of the landline has been subverted and rather than a means of communication it had become a detonator for a bomb used for destruction.

The Joker continues with his reign of terror. He tells The Dark Knight there is an explosive device in a hospital which he threatens to detonate if The Dark Knight

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[64] Foucault, M. (1975)

does not follow his instruction to kill an accountant turned informant. In order to locate the accountant, The Dark Knight accesses hospital databases and cross references them with police databases to discover which police officer is guarding the accountant. The databases are able to be subverted because they are accessible.

The Dark Knight is fulfilling his role as the watcher/guard through finding and using quantitative data as a tool to surveil. Meanwhile The Joker is manipulating the Television broadcasting of news. In response The Dark Knight listens to telecommunications signals to pinpoint the police officer assassin tasked with killing the accountant.[65]

Deleuze's notion of unbridled surveillance elicits the prospect dystopian future that is adhered to by many post-structuralist scholars such as Galloway.[66] Though The Joker is the antagonist in the narrative, his manipulation of the broadcasting network can be thought of as a direct response and form of counter-resistance against The Dark Knight's authoritarian surveillance. The fundamental premise of the film, is that society is already being propelled towards technological saturation but the principles, methods and tools that Foucault discusses will not be longer be solely at the disposal of the authorities.

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[65] TDK, 01:44:53
[66] Galloway, A. R. (2004)

Deleuze asserts that it is corporations that have emerged as the principal surveilling actors and their pursuit of power is facilitated by a lack of transparency – control by stealth.[67] Nevertheless, individuals can to a point resist and protest through finding ways of utilising and manipulating technologies which are increasingly more accessible to individuals.

The Joker using technology to negate the surveillance power of The Dark Knight is a form of active resistance. Brunton and Nissenbaum would describe the actions of The Joker as an obfuscation technique.[68] He has a rationale for sabotage and the expertise to use older technology (but technology nevertheless), to resist against the superior technological prowess that the The Dark Knight and to a lesser extent the Gotham City authorities possess.

The Dark Knight is seen amongst the Gotham City rooftops tapping into phone communications of the entire city. He is in contemplative mood as the traditional non-technological means used to capture The Joker have resolutely failed. His foes have evolved and have become adept at countering traditional policing methods and the authority's failures embolden them only further. This sets the tone for the necessity of novel technologies and techniques to come.

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[67] Deleuze, G. (2006)
[68] Brunton, F. & Nissenbaum, H. (2013)

A chess game between The Joker and The Dark Knight ensues and The Joker exploits the telecommunications network to manoeuvre The Dark Knight to the locations of where his victims are held. He uses the fact that The Dark Knight is surveiling citizens and eavesdropping. The Joker furthers his own aims and makes a tool to hinder him an asset. This is a real prospect – Brands and Schwanen describe software that already exists which can feed data into feeds to manipulate algorithms.[69] Roessler further discusses 'pushback' on surveillance despite the asymmetry of power.[70] In everyday circumstances it is a double asymmetry in that first, the watched do not have a choice on how they are being monitored and the consequences of the data gathered. And second, an asymmetry of knowledge as the watched rarely no the full means and extent to their being watched. The Joker is not encumbered by this power imbalance as he understands The Dark Knight's motivations and capabilities. The Joker uses older forms of technology while The Dark Knight exploits the new.

As the chess game continues, The Dark Knight removes bullets that have been fired into a wall and uses complex biometric identification techniques to enhance the impression made by fingerprints. This is a combination of new and older practices – the science used to recover the fingerprints was state-ot-the-art but

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[69] Brands, J. & Schwanen, T. (2014)
[70] Roessler, M. (2002)

identification through fingerprints is a tried method of detection. This is only possible because fingerprints are stored on databases and The Dark Knight accesses these to work out the Joker's next move.

Databases existed before computer technology but the analogue methods to use and store data were cumbersome. The advancement in computer technology means relative ease of access and as corollary implications for the citizens as data stored about them is easily shared and often combined with other forms of data. Clarke describes the digital stored information regarding an individual as dataveillance.[71] And there is little clarity in its sorting as to where the data resides; where it has been moved to and what kind of correlations are being made and for what purpose.

Lyon states that social sorting emanates from a fear of others and despite increased reliance on algorithms is still biased has led to skewed profiling as both surveillance and its meaning allocation is still reliant on the white male gaze.[72]

The Dark Knight has bought into the notion that technological security is equivalent to intellectual superiority. The identification from fingerprint process that he uses exemplifies this. It is composed of two stages: de-territorialisation

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[71] Clarke, R. (1988)
[72] Lyon, D. (1994)

and re-assembly. The human corporeal form of the person was reduced to a fingerprint for identification. The fingerprint was mapped and distilled into distinguishing points that are linked. The result is an identifiable reduction of a de-corporealized body that is identifiable, easily transported and accessed. Haggerty and Ericson.[73]

And yet the fingerprint was a ruse set by The Joker to send The Dark Knight through a maze and distract him while he prepares to assassinate the Gotham's Mayor. The Joker has removed his make-up and since he has only ever been surveilled as The Joker, his real face gives him anonymity – he is free to walk around Gotham city. He is a terrorist hiding in plain sight, amongst the citizens, unprofiled. This is the same cloak of anonymity that the domestic Norwegian terrorist Anders Brevik wore when he carried out atrocities in 2011. It is the cloak of dominance that the white male in contemporary society has owned for centuries. Since 9/11, non-white males are viewed with more reticence especially if they have links to a state or region where Islam is prevalent as the major religion.[74]

When eventually The Joker is captured, the full extent of the power that emanates from his resistance to being subject to any mode of surveillance comes to light.

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[73] Haggerty, K. D. & Ericson, R. V. (2000)
[74] Seierstad, Å. (2015)

The Gotham City Mayor asks:

'Whadda we got?'

Commissioner Gordon responds:

'Nothing. No matches on prints, DNA, dental. Clothing is custom.

No labels. Nothing in his pockets but knives and lint. No name. No

other alias.'

In his efforts to conceal his presence in society, The Joker does not buy clothes – they have been made. Foucault discusses how the purpose of surveillance is to gather information and maintain control. This is first through governmentality where the optimum result is self-modulation of behaviour at being monitored or the prospect of being monitored.[75] Second, through what Deleuze describes as modulations – the changing fabric society propelled by corporations whose goal is to perceive and control international markets.[76] These modulations take place and have real world effects but are ethereal and invisible in. Surveillance is no longer a hard presence but is more abstract.

 Deleuze coined the term the *dividual*, to describe a person's *representation*. His notion was that society has become more compartmentalised and so have individuals within it. The panopticon is opaque and the individuals have been

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[75] Foucault, M. (1975)
[76] Deleuze, G. (1992)

splintered into pieces, with the might of consumerism needing different types of attention from citizen-consumers. Deleuze believed that the aim is not to render citizens docile but to shape consumers, whose representations -data bodies- have become more significant than their corporeal bodies.[77] And Haggerty and Ericsson[78] draw from Deleuze and Guattari's[79] concept of assemblages; any number of different objects that come together and work in unison as a functional element which is stable on its façade but below its surface, there exists discrete movements of untold phenomena, for example, people, signs, institutions, knowledge. These movements become stable arrangements – *assemblages* and are understandable as devices that keep and house the flows of auditory, visual, olfactory and informational stimuli. Such assemblages evolve into systems which allow for domination where one entity can govern the actions of another.

Surveillant assemblages then, are 'recording machines' whose purpose is to hold fast the movements or flows and fundamentally change them into reproducible events. For Haggerty and Ericson, modern panopticism continues to grow and it in tandem so does its uses. Via new technologies which can make and record discrete observations and the rise of computerised databases, security, governance, entertainment and profit are the mechanisms which provide avenues of control.

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[77] ibid.
[78] Haggerty, K. D. & Ericson, R. V. (2000)
[79] Deleuze, G. & Guattari, F. (1987)

This is what The Joker has avoided. There is no data about him. There exists no biometric information or official authority records. He buys nothing and has no consumer pattern or electronic paper trail to trace.

It soon becomes apparent that the only way to stop the Joker is through using an all-encompassing technological panopticon. The Dark Knight adapts SONAR technology developed by Lucius Fox, originally intended for benign purposes, into a device that can surveil the inhabitants of Gotham – another reinforcement of the ambiguous line that divides good and evil. Through listening to private conversations, Joker's whereabouts can be triangulated.

Though the device is based on echo location, Nolan uses the potent image of ceaseless surveillance through visual representation of the sounds captured. It is an amassed wall made of individual screens on which the industry of people's conversations is translated into something observable.

Nolan stated:

> 'I liked the thematic idea of the listening and watching wall, but found it a little far-fetched…and absolutely terrifying'.[80]

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[80] Wakeman, G. (2014)

The synopticon wall comprised of endless screens

A pivotal scene occurs when Nolan situates The Dark Knight, centrally placed in the frame as if on a crucifix, formed by the spaces between the screens of the synopticon wall. As the plot progresses the audience learns that The Dark Knight sacrifices truth and ultimately himself, for humanity.

The Dark Knight emerges from behind the synopticon wall.

The camera switches to a low angle shot of Fox who occupies the physical and moral high ground. The Dark Knight, at eye-level, considers the technology 'beautiful' whilst Fox calls it 'unethical… dangerous'.[81]

As The Dark Knight emerges from behind the screens a hand-held camera tracks his path: the subtle camera shake invokes the unsteadiness in Batman contrasting with the balanced circular dolly shot that focusses on Fox's face as he refutes Batman in measured tones.

The next shot shifts the camera angle to show only the screens – it is Fox's perspective, mimicking his eye-movement.[82] This constructs a narrative where the audience shares his subjective view and moral viewpoint. The synoptic wall is curved not flat and Nolan fills the frame with it, implying it continuous and enveloping. The camera focuses in to a mid-range shot of only the screens. The slow tilt up from the camera implies that the synopticon wall is infinite. The flickering screens it is composed of mediate through imitating familiar CCTV footage style.[83]

 The richest source of mise-en-scène is the performance of Morgan Freeman as Fox. The camera cuts away, panning to a close-up of his face and the coded

[81] TDK, 01:55:19
[82] TDK, 01:55:56
[83] TDK, 01:56:04

element in his facial expressions show his incredulity - eyes mesmerised, moving forth and back across the wall.

Soon enough The Dark Knight and Fox are face to face, in discussion.[84] The camera is fixed when on The Dark Knight, but switching to Fox, circles on a dolly, until he is in profile. Fox turns to the camera – both have compromised their physical and psychological positions (The Dark Knight conceding the 'beautiful' device is an extreme measure and Fox agreeing to its one-time use); both are at eye-level and now equal in standing. Their words become the focus and Fox calmly states such surveillance is 'wrong' whilst The Dark Knight feels justified in his actions to come – for the greater good – a Benthamite Utilitarian tenet.[85]

The following mid-range shot sees both Batman and Lucius Fox move towards the synopticon wall together. The camera focuses in and cuts between them to extreme close ups of their faces – slowly zooming in emphasize the seriousness of their considerations through the actors nuanced performances. Nolan shows Fox as a troubled man whereas The Dark Knight in guise is less human – only his mouth illuminated by the wall – a single light source low key image.

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[84] TDK, 01:56:14
[85] Bentham, J. (2010)

Nolan uses a depth of field shot – the camera pans out and sharp representations of Fox and The Dark Knight are moved in foreground whilst the synopticon wall in the background is now out of focus – its images undecipherable. The spectre of infinite glimmering synopticon wall, organic with movement and life, unites Fox and The Dark Knight. Nolan reasserts their importance as humans with agency against the backdrop of reinterpreted Deleuzian accumulation of surveillance data.[86]

The palette of this scene- colder blue/grey/stone from the enveloping screens is echoed throughout. It is a deliberate departure by Cinematographer, Wally Pfister, to distinguish from the warmer amber hues of *Batman Begins*. Shadowed, sullen tones reflect the murkier moral ambiguity which lies at the core of the narrative. And this is discernible in the extensive use of natural daylight intensifying the chiaroscuro effect in the day scenes which contrast the chiselled theatricality of the deep black-upon-black, noir influenced lighting style of night scenes.

Alongside depthful lighting, there is the visual aesthetic of a magnified approach seen in the wide angled shots in both intimate dialogue scenes and crucial action sequences – achieved by Nolan using IMAX cameras. Most of the picture was

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[86] TDK, 01:56:21

shot on 35mm film in the 2.35:1 aspect ratio but in addition Nolan employed 70mm horizontally mounted IMAX film. The result is the delivery of an overblown, awe-inspiring cinematic experience which has become Nolan's dominant artistic signature.

As Joker's chaos escalates, so does the intercutting of 35mm. The abrupt change in aspect ratio – filling out the screen in one shot, before switching to compressed letterbox format in the next disorientates the viewing experience.

Though the viewer is forced into discomfiture through the shifting camera aspects, reflecting that of the narrative, use of real locations where possible (rather than a soundstage), locates the story in a plausible world. And the limited use of CGI with the preference of practical in-camera effects, grounds dramatic sequences in real-world physics. Consequently, the film is relatable and visceral, despite Nolan's exaggerated, epic scale.

As the film nears its close, The Dark Knight has to face Harvey Dent who has now been pushed by The Joker to the edge of sanity and transformed into a villain and foe. Whereas in previous scenes the panopticon wall was overtly at the centre of the piece, now no indication is given on how The Dark Knight has come to the right location – the sinister implication is that the system is in the shadows; the panopticon is at industry, behind the scenes and The Dark Knight has the ability to locate anyone at will.

In Gotham City, the old surveillance methods are increasingly becoming a mere adjunct as the more expeditious and immediate nature of total surveillance in pursuing the criminals takes ascendency. And though the implications of total surveillance simmers below the surface, the viewer has seen how The Dark Knight embraced it when boiling point was reached. Unlimited surveillance was countenanced and used in the extreme circumstance of an unbridled terrorist running riot, so what will be tolerated when the next terrorist or foe comes along?

Following the 9/11 attacks, the Patriot Act was enacted and ratified by Congress which extended the surveillance and security powers of the US. Subsequently, the Snowden revelations leaked controversial allegations regarding the NSA's surveillance operations, The PRISM program and the 'five-eyes' collaboration between the US, Canada, the UK, Australia and New Zealand. Such measures indicated the extent to which civil liberties were being eroded by stealth and where personal privacy was disappearing. Bauman[87] states that the principles that Western, liberal, pluralistic democracies espouse such as person liberty, free speech, freedom to demonstrate are no longer a given.

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[87] Bauman, Z. (2013)

Simultaneously, the developments and increasing proclivity of surveillance points towards the linkages between security and consumerism. What may have been considered a hard security measure such as CCTV camera surveillance as opposed to the trackability of an individual through their electronic trail are different aspects of the same guiding ocularcentric tenet. Being able to see (and seeing equates to knowing) as much possible about individuals increases security. This, in the past has been a hierarchy, distinguishing watchers (usually the authority) and the watched (the citizens). And herein lies a security dilemma; increasing the security of one side is most efficiently achieved by reducing the security of the other.[88]

In *Mythologies*, Roland Barthes discusses *signs*, what they signify and the hidden meanings that lie behind.[89] Nolan's film, The Dark Knight is the sign from which it is understood that a story is to be told on screen. What it signified is a narrative describing the struggle and duality between good and evil. But transported within an entertainment medium is the idea that to defeat the evil, the measures taken may have consequences that threaten the very nature of the *good*. Nolan deftly asks questions of how far are we willing to go and what are we willing to concede in terms of liberties in order to protect our freedom. In Bentham's panopticon, surveillance was a means to modify the conduct of inmates and control the threat to society. Foucault believed that surveillance had since been normalised by

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[88] Wheeler, N. (2000)
[89] Barthes, R. (1957)

society through *disciplines* and were now irreversibly embedded in national consciousnesses as norms. And Deleuze predicted that individuals would willingly concede previously cherished information in the form as data and adhere to Foucauldian norms.

Nolan's talent was to recognise that using a smart phone is accepting a Foucauldian modern-day *micro-discipline* (individuals are linked and integrated into accepting veiled demands) and translating the possible consequences in to film. He embraces the duality within a smart phone: benign in that it can function as a map, make calls, and take photos; sinister when used to monitor calls, locate users and record people. His imagination extended the possibilities of a new technology in the idea of aggregated phones becoming an all-encompassing synopticon wall of surveillance able to continuously surveil society.

Nolan is a formalist and believes that film's innate property is its inability to portray the normalised experience of reality. Rather than this be a limiting factor, it affords the opportunity to modify and mould new, alternate visions of reality for artistic ends. The specific filmic techniques he uses in TDK such as IMAX filming; low and high camera angles; montage; fast and slow motion; atonal sound effects as well as the CGI (necessarily a staple of Comic book adaptation movies) enhances the normal way of experiencing. It moves the audience to his unique, filmic, value-added vision of the world in which he provides a cautionary

narrative of a perceivable potential future. It is a vision which has transliterated the idea that our mundane, everyday phone calls, unchecked, may be a downward spiral to unfettered, illegal, and immoral surveillance.

Nolan has altered the way that surveillance and surveillance technology was depicted. In previous incarnations of The Dark Knight, he would be watcher alone using his own eyes. The authorities would be the purveyors of the sophisticated tracking technologies but as Nolan shows the flipside of the Dark Knight – his humanity and human-ness – he is imbued with a practical understanding of expanded surveillance potential. The earlier films emphasized The Dark Knight's actual watching and serve as reminder of the Benthamite proposition that he could be anywhere at any time so one should be mindful of their actions. Additionally, being a participant observer means a direct interaction with the foe.

There exists a tangible normalisation of surveillance in The Dark Knight. Disbelief is easily suspended as the technologies described are almost touchable in their nearness. As is the mindset to use it once it has been invented.

Jacques Lacan in his lectures on psychoanalysis discusses how societal zeitgeists can be persuaded and manipulated to move in a particular direction and Louis Althusser's notion of interpellation considers how surveillance is a repressive state apparatus (RSA) which has been internalised by individuals as a cultural

norm.[90] But that people are aware of its presence, the implications can be analysed and so understood.[91] It is fair to consider an auteur such as Christopher Nolan is not only delivering entertainment but also documenting and foreshadowing the possible manipulation and suppressing of liberties to increase societal understanding.

At extreme moments, previously uncountenanceable governmental policies were permitted. For many the curtailing of privacy was a necessary evil to accept to protect against the larger evil of terrorism. The defeat of The Joker is celebrated and so the means to that end have to be accepted. The docility as a result of self-modifying behaviours is hidden plain sight and Foucault believes it is readily acquiesced to, as benefits are considered as outweighing costs or they are rarely considered.

Panopticism is a tool to defeat the terror of The Joker through using a connected network of and mobile smart phones. The same smart phones that are empowering to citizens, in that vast knowledge can instantaneously accessed and communicated at a touch of a button. The same smart phones that are now part of the digital seduction of simplicity. They can replace credit cards, official documents can be carried in them, access to anyone is possible from anywhere.

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[90] Lacan, J. (1949)
[91] Althusser, L. (1971)

It is a difficult proposition for society to give up such progress. But being hidden in plain sight is nevertheless plain sight and there has been pushback to the prospect of a too-far-encroaching connected panopticon.

Clarke and Montini[92] note that being the end-users of social media gives individuals a high degree of technological awareness and thus scope for resistance. People acknowledge and understand that the world-wide-web connects everyone with access to a smartphone to vast banks of open source data. Amongst this will be information about the tools of surveillance, the procedures used and the motivations of those who hold the traditional reins of power – companies, corporations and governments. Knowing the apparatus and its ambit is a vital factor in nullifying it.

Steve Mann highlights the capability of those to point the gaze back at the watchers.[93] Every smart phone is a camera, a recorder, an editing tool and global communications device. Every individual owning one has the possibility of being a citizen investigative journalist able to capture real-time footage and disseminate it. And there are those who are dedicated to subvert the surveillance as a form of resistance through 'anti-programs' comprising of developing and harnessing

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[92] Clarke, A. & Montini, T. (1993)
[93] Mann, S. (2004)

software that disrupts data storage or even malware that renders surveillance hardware ineffective through corrupting the software it uses.[94]

The purpose of such obfuscation is a form of informational self-defence and an attempt to in some measure, redress the power imbalances of authority. And the participation in the struggle is a form of empowerment that attempts to mitigate against the surveillance-founded dystopian future post-structuralist surveillance analysts such as Deleuze and Galloway foretell of.

If the objectors have found agency through their understanding of surveillance systems and rather than avoid the gaze are using it, it is a form of active participation and so denies Foucauldian docility.[95]

Reading The Dark Knight as allegory to the circumstances around the 9/11 attacks and the policies of the Bush Administration that followed, John Ip provides a perspective where the citizens of Gotham are placed centre stage. At first, they are self-serving and demonstrate the individual-centred consumer culture that capitalism can engender.

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[94] Brunton, F. & Nissenbaum, H. (2013)
[95] Boyd, D. (2011)

The Joker presents a version of The Prisoner's Dilemma. There are two ferries floating in the harbour each of which has a bomb on board.[96] The passengers on each of the ferries face a choice. Either blow up the other ferry thus saving themselves or do nothing. If they opt to do nothing then The Joker will blow up both ferries. He aims to demonstrate the capricious nature of modern society and that individuals will at the prospect of consequences to themselves, defer from morality and inflict the harm on others. One of the ferries carries convicts whilst the other, citizens who have never engaged in crime. The citizens have a secret ballot vote and decide to blow up the other ferry – their rationale being the convicts chose crime and that should have consequences. But when the midnight time limit approaches and the bomb has to be detonated no person takes responsibility. On the ferry carrying the convicts, a criminal takes control of the detonator but instead of pressing the button, tosses it in to the sea. Both ferries have considered the lives of strangers and acted against self-interest. They have acted morally and this is a failure for The Joker. The Joker's acts of terrorism were beyond the control of the citizens but their response to its aftermath was. It is they who define the shape of society through their behaviours.

Bentham's liberal project linked architecture to an examination of societal discipline and his concept of the panopticon has been used as a framework to

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discuss surveillance theory that still resonates today. But this was not his only iteration of the panopticon. In constitutional code he describes the constitutional panopticon.[97]

In the constitutional panopticon it is no longer the few watching the many, but the many watching the few. The gaze is still fundamental but it has been inverted - citizens can watch upon those governing them. It is similar to the prison panopticon in that the architectural positioning in order to gaze is key. Transparency is at its core and Bentham believed that as more places become monitored, good behaviour is assured through publicising such. The media would play a vital role in delivering information about the governors and holding them to account.[98] The watching is not solely about inspecting what someone does but ensuring their actions are known to wider society. The control exerted is no longer sinister in that it exists to find fault but as all information is gathered, positive actions are also emphasized and disseminated. Brunon-Ernst describes this change as differing from Foucauldian discipline as the aim is to promote positive social behaviour rather than control though sanction or threat of sanction for transgression.[99] Comparison can be made with modern day technologies which have democratised the ability to watch and also the capability to transmit information across social media. Self-regulation takes place in the knowledge that

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[97] Bentham, J. (2010)
[98] Kaino, M. (2008)
[99] Brunon-Ernst, A. (2013)

very little can be kept private. The surveillance has become a more abstract proposition – a less present, less physical force that is exerted on citizens. There is a participatory approach to surveillance and responsibility shifts to the individual and in this way acting in a positive manner has been internalised as a response to external influences. The people aboard the ferries found their agency and an intrinsic ethic that The Joker was unable to suppress and so his plan failed.

But perhaps the most striking distinction between The Dark Knight and the realities of the use of surveillance is that in the in the film, the device was used as one-time response. The final act shows The Dark Knight issuing the order to Lucius Fox to activate the synopticon wall's self-destruct function. The screens behind them flicker, spark and crack. The Dark Knight gave the order and it was Lucius Fox's last act at Wayne Enterprise as a condition of its exceptional use was his resignation. The two that can operate the wall will do it no longer and also have ensured no one else ever can.

Lucius Fox turns away after the destroying the synopticon wall.

In the US the Bush administration convinced congress into passing the Protect America Act (PAA) by stating that without it the country would be more vulnerable to terrorist attacks. When in 2008 the PAA expired Democrats in the House of Representatives delayed legislation that would have given immunity to those companies who cooperated with the Government on Total Surveillance Program. This was met with the threat that such delay was endangering US citizens lives and consequently the US Congress acquiesced – the TSP was not a temporary exception to address a clear and present danger but became the foundation of quasi-permanent surveillance laws.

CHAPTER TWO

In a 2011 interview with Collider magazine, Jonathan Nolan stated that during the Bush administration he became 'fascinated by surveillance… with who's watching … and what are they doing with information collected?' He created the synopticon wall – the defining feature of *The Dark Knight* following the implementation of US policy that ushered in vast swathes of CCTV following 9/11 attacks.[100]

Darcie Rives-East contends that these two issues; 9/11 and increased surveillance are intrinsically linked in terms of the development of narratives in television series of the time to present.[101] And John Ellis further adds that the proliferation of CCTV and the consequential increase in panopticism will only continue so as long as the 'Terror' does. And TV would be a witness to such.[102]

Eight years after *The Dark Knight*, Nolan created the 2016 CBS TV series '*Person of Interest*'(POI) where he posited the idea of The Machine – a government created, cyber-surveillance supercomputer system that can predict the victims and perpetrators of crime by analysing and modelling surveillance data. Nolan subsequently pointed out that the similarity with National Security

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[100] Radish, C. (2011)
[101] Rives-East, D. (2009), p.1
[102] Ellis, J. (1999), p.74

Agency data processing Centre in Buffalo, Utah – part of the Bush/Cheney administrations Total Informational Awareness project (TIA) which could intercept private emails, mobile phone calls and web searches to analyse what it deemed 'national security threats'.[103]

His idea was to create a TV series where both writers and viewers could think on the question of how state surveillance operates and to what extent does it do so ethically. And as corollary, whether the balance scale has tipped towards need for security too far and so compromising personal privacy and civil liberty.

Ellis notes that the very act of watching TV is panoptic and akin to the prison guard in the tower of the Benthamite penitentiary – the viewer watches without being watched themselves. Though one premise is reversed in that a viewer is part of the many rather than the few.[104] Thomas Matiesen proposes that here the panopticon becomes a synopticon in that rather than a lone watcher, there exists a *viewer society*.[105]

And the viewer does not simply watch but is a wielder of judgement and works in conjunction with social media where forums for discussion such as Twitter, Facebook and Reddit exist. And these are themselves surveillance arenas where

[103] Daly, S. (2012)
[104] Foucault, M. (1975)
[105] Mathiesen, T. (1997), pp. 220-230

people watch and arbitrate. In essence viewers can become participants and watching is not then a passive activity but in part, a means to influence future ideas and representations.

Though the focus on surveillance studies has increased exponentially since 9/11 as governmental response to the terrorist attacks, Global corporations such as Google have also conducted their own forms of surveillance. Google, for example, acquires, analyses and processes huge volumes of data regarding individuals and the groups they belong to. Foucault termed this notion, biopower - which is defined as an organisations ability to exert influence over 'life and the species body'.[106] And governments are allied to such corporations in order to gain access to the information that has been gathered.

This marriage of state surveillance data and corporate surveillance information is a significant step towards the Deleuzian 'societies of control' model of society which gives primacy to the prevalence of surveillance and accepts its permeating into a great many aspects of day-to-day life. But the geometric progression jumps in technology and its accessibility by individuals in society provides weight to the notion that the previous Foucauldian model of panopticism is less relevant. The current circumstance has migrated from focus on institutions such as

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[106] Foucault, M. (1976)

Benthamite prisons or Foucauldian asylums endeavouring to control surveillance, but rather control of a society where the physical barriers are less important. Information easily traverses through the ether and surveillance is unhindered in both the private and public sphere.[107]

Though the Deleuzian position relegates the importance of solely state apparatus, such entities are still prominent. David Lyon points out that the state facilitates instant access to communication and this aggregated with the means to monitor populations becomes a *discipline* of control or *assemblage*. He asserts:

> 'The assemblage and the apparatus are overlapping, even superimposed and mutually informing systems, and the assemblage can still be appropriated by the apparatus'.[108]

This was ably demonstrated by the power of the response by western governments following the 9/11 attacks where the rhizomic tendrils of permeating surveillance were accessed for the purpose of mining data expeditiously.

Television has unsurprisingly honed into attractive narrative storylines which examine the State and how it interrelates with the public it means to protect. It is

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[107] Deleuze, G. (1995), pp. 180-181
[108] Lyon, D. (2003), p. 32

a subject which has been at the forefront of modern debate as part of the post mortem scrutinising how the attacks of 9/11 were allowed to happen. Some argued that to prevent such attacks in the future the surveillance capacity and ambit of the state ought to be strengthened – an example of a Deleuzian principle where one state response to terrorism is through monitoring for the purpose of predicting who will carry out the next attack, when this will happen and by what means.

The mode of this surveillance is one where technology provides data and then algorithms are used to assess risk following analysis of the data. But a concern is that such algorithms necessarily separate populations in to similar trait groups that are assessed to be more likely to commit attacks. This leads to discriminatory practices which can be internalised and the institutionalised.

The argument put forward is that overarching unfocussed surveillance is not effective and so directed surveillance is necessary. And the ensuing lessening of civil liberties through the infringements on privacy is an acceptable price to pay. Of course, increasing the scope of State surveillance takes us back to a Foucauldian concept where a government entity such as an intelligence agency whose powers of surveillance are amplified will serve to consolidate the power of state who granted the extended powers. Helen Plant states that in the modern era, the major agency of surveillance is the state through its executive limbs.

Furthermore, the defining feature of the modern state is its reliance on information gathered on the citizens, it means to govern.[109]

The United States aims to be a pluralist, liberal democracy where its citizens expect that one function of government is to protect those citizens. It is a nation of laws – but these have only been enacted with the implied assurance that the powers of state do not compromise the *health and safety* of the nation. Narratives of surveillance are subject to increased attention and this is because a writer such as Jonathan Nolan has identified that potential viewers are intrigued by the complicated narratives that examine the relationship between societal safety and individual freedom. As well as providing entertainment, such stories can alert the mind to contemporary issues and point out the difficulties. And perhaps this can provoke solutions. It is a simple way for people to tackle amorphous issues in the distinct format of television which has the ability to visually portray and bring to life these ideas over an extended time frame.

Nolan wastes no time in making his contract with the audience. The first lines of *Person of Interest* (POI) are spoken by computer generated voice which warns:

> 'You are being watched. The Government has a secret system: a machine that spies on you, every hour of every day.'[110]

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[109] Plant, H. (2016), p. 11
[110] *Person of Interest*: Series 1, Episode 1, 00:01 (2011)

The premise of the series reflects that of Christopher Nolan's *The Dark Knight* and examines surveillance after 9/11 against the backdrop of unimpeded growth and increasing ambit of clandestine intelligence services.

A central idea that underpins the narrative is that a device, known as The Machine, similar to the of the synopticon wall in *The Dark Knight* has been created. It can not only access all CCTV and monitor data streams but also, built-in automated algorithms allow for the predicting who is likely to be a victim of a crime. Armed with this information, its creator Arthur Claypool seizes the possibility to help the citizens before the crime against them is committed and apprehend the would-be perpetrators. Though intended as a benefit to society, soon the possibilities of anticipatory surveillance becomes apparent to more sinister figures who see an invention to control and manipulate.

In an episode titled 'The Devil's Share' we learn that The Machine's original purpose was to foil city-wide terrorist attacks in the manner of 9/11.[111] But even in its early stages the scientists who developed it are aware of the potential for misuse (governmental or otherwise) and decide to keep it a secret. This mirrors the concerns of the scientists at Los Alamos who were tasked with the creation

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[111] *POI*: Series 3, Episode 10 (2013)

of the first atomic bombs – there was justification in a project that would see the expedited the ending of a world war but deep concern in what the future may hold. In one of the most memorable quotations about the war and arguably the most famous said by any twentieth century scientist, Robert Oppenheimer, the Manhattan Project's lead lamented:

> 'I remember the line from the Hindu scripture, The Bhagavad-Gita. Vishnu is trying to persuade the Prince that he should do his duty and to impress him takes on his multi-armed form and says, -Now, I am become death, the destroyer of worlds-.'[112]

In POI the consequence for one of The Machine's creators having a similar moral stance is that he is targeted and killed by a shadowy government agency with less altruistic motives.

The antagonist throughout the series is Greer. He is a former British Intelligence Officer and we understand that his purview is founded on experiences of espionage missions the British conducted during the Cold War against the former Soviet Union. It is the conclusion that surveillance technology is the most effective tool for control. Referring back to actual events and the *Cambridge Five*

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[112] Giovannitti, L. & Freed, F. (1965)

spy ring, the episode 'The Cold War' depicts Greers' Secret Intelligence Service (MI6) past and disillusionment when the extent of their traitors' infiltration was unearthed.[113]

The Soviet Intelligence and Security Service (KGB) recruited Kim Philby, Guy Burgess, Donald Maclean, Anthony Blunt and John Caincross while they were still undergraduates studying at Cambridge University between the World Wars. Subsequently, Burgess and Maclean became British diplomats; Philby, a senior officer in MI6; Blunt was given a knighthood and became 'Surveyor of the Queen's pictures' and Cairncross was a civil servant who worked in The Cabinet Office, The Treasury as well as MI6 for a short time too. All the members of the spy ring had reached the higher echelons of British society and when details of their sedition emerged it was an humiliating and humbling time for both United Kingdom security agencies and the establishment in general.[114]

The plot of 'The Cold War' mirrors actual events that occurred. Greer is shown to be working for MI6 in the 1970's when further revelations as to the extent of KGB infiltration into the British clandestine agencies comes to light. He is witness to his colleagues and friends (including the deputy director) being turned and acting as double agents for the Soviets in exchange for wealth. The actual

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[113] *POI*: Series 4, Episode 10 (2014)
[114] Andrew, C. & Gordievsky, O. (1990)

Cambridge Five were motivated by politics and had long been members of the Communist Party in England after losing faith in the direction Capitalism was taking. It was their belief that the only real counter to fascism was through Communist Government.

The consequences of the revelation of the spy ring reverberated far beyond British shores – the United States who shared common goals, ideologies and a 'special relationship' now looked at Britain with suspicion.[115]

This mistrust is ably illustrated in POI when a plotline of how Greer tries to persuade the US Government to use the power of a newly developed device to rival The Machine known as Samaritan. It is similarly a state-of-the-art super surveillance system and he argues a necessity in order to counter a cleanskin (made up of US citizens) domestic terrorist group who call themselves *Vigilance.* Their goal is to return the United States to a state which upholds civil liberties and reasserts citizen privacy to the pre- 9/11 conditions before the ubiquity of total governmental controlled surveillance. The irony is that in the episode Deus Ex Machina, it is revealed that *Vigilance* has been a ruse, created by those seeking to limit privacy and only increase surveillance and state control.[116]

[115] Mcintyre, B. (2015)
[116] *POI*: Series 3, Episode 23 (2014)

Through such narrative arcs, Jonathan Nolan demonstrates the interconnectivity between surveillance and personal freedoms in a nuanced and paradoxical way. He tells a story of how those fighting for civil liberties are stooges with the dice loaded against them and so without possibility of victory. The struggle for liberties is portrayed as a form of domestic terrorism but this does not mean that Person of Interest is proffering the argument that the fight for civil liberties *is* necessarily terrorism but instead it is a way of flipping the traditional and largely accepted perspectives of American political culture and the simplistic history of an epic and heroic national struggle with an alternative and intriguing notion.

On one side is the protagonist whose motivation is to maintain the current circumstance and employ The Machine to help people. The argument is that the Pandora's box of surveillance has already been opened and the hope lies in benevolent use of its power. And part of a moral surveillance would be a tacit imperative to minimise any infringement of people's freedoms and certainly make no attempt to seek overarching controls in society. The message is that of a target equilibrium between surveillance use and personal freedoms and that stances positioned too far at either side will tip the balance. So, Person of Interest asks the viewer to accept the ubiquitous presence of surveillance with the clause that it could be a force for good through the provision of an extra layer of security.

The characters who operate The Machine are aware of Foucauldian philosophies and this brought to evidence in the episode aptly titled 'Panopticon'.[117]

The storyline is of 'Samaritan' being brought on-line and as consequence the team tasked with operating 'The Machine' fear for their lives. Samaritan is able to give its masters all- encompassing, continuous surveillance capabilities. The result is that The Machine and its human counterparts are now part of the panoptic system beneath which all is surveilled by Samaritan but they cannot return the gaze. Samaritan then has passed beyond its initial remit of a tool designed to increase the security of the nation but has become an antagonist to The Machine. The scope of ambition has out of necessity diverted from security delivered through the prevention of terrorist or criminal acts to a battle against the prospect of Artificial Intelligence driven dystopia.

This is the ultimate theme of good versus evil[118] and reflects the primary storyline told in much of superhero literature including that which Christopher Nolan describes in *The Dark Knight* Trilogy. But reducing the narrative to a prosaic battle between two opposable and delineated forces is overly simplistic. In *Beyond Good and Evil*, Friedrich Nietzsche moves away from accepting previous dogmatic notions of good and evil and the lack of critical sense in accepting them

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[117] *POI*: Series 4, Episode 1 (2014)
[118] Tymieniecka, A.-T. (Ed.) (2005)

as distinct and oppositional moral forces. He posits that good and evil are different expressions of the same basic impulses but the premise of evil is easier to conceptualise.[119]

As Christopher Nolan moves the viewer through *The Dark Knight* trilogy he poses the question of whether a good man accepting sinister principles to reach an ultimate good aim can still be a good man. Has the compromising of accepted moralities along the journey meant that the good man is now transformed? And Jonathan Nolan's supreme talent is to show how such an enormous struggle plays out through extended scale in a continuous episodic series, on a human level. To do this on the small screen he uses tropes and genre conventions such as Hitchcock homages which were mainly the domain of feature films.

In *Sotto Voce* (defined as a lowering of vocal register to resonate higher), Jonathan Nolan writes in one episode a microcosm of the series which encapsulates the core theme running throughout. It is of a convoluted world with blurred moral lines, where victims of crime and perpetrators are difficult to distinguish as characters and their motivations change and evolve. It begins with a play on the title and in the opening scene where there is no dialogue.

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[119] Nietzsche, F. (1886)

From Seasons 1-4 Nolan has established the characters moral positions and that changing circumstances and pragmatism alters ethical stances. The soundtrack to the sequence is 'Fake Empire' by The National and the lines sung during this that accompany this scene are:

'Turn the light out, say goodnight

No thinking for a little while

Let's not try to figure out everything at once

It's hard to keep track of you falling through the sky

We're half-awake in a fake empire

We're half-awake in a fake empire'

The phrase 'tracking you' can be read as an understanding that it is difficult to help someone moving quickly or even floundering at a distance, which is what the operators of The Machine try to do. The chorus alludes to how people are not completely aware of the complex world they live through and that so perhaps security afforded through belonging to a sophisticated western nation is illusory.

Margot Lulick, the director of the episode, ably demonstrates nuanced interpretation of Nolan's ideas through her deft camera work.

In shot one the first viewpoint is from that of a surveillance camera. A car stops in a park and two characters (Reese and Fusco who are operators of The Machine) mirror each other as they exit from the vehicle. They are physically and by implication emotionally in synchronisation.

There are three parts to the surveillance aspect: first opening the new scene in an outdoor and open setting showing the ever-present danger our protagonists are in and so must meet off the grid. The two men are nevertheless targeted by a camera and their heads framed by a yellow box. The Machine applies different colours to the boxes in order to categorize the subject of its watching. A yellow box signifies a person who knows of its existence.

Shot two is of the same car in profile as well as the two characters but there is a change from the surveillance camera to a wide establishing shot that sets the context. The pat across the back from Frusco to Reece displays their bond and closeness. A relationship with the city can be seen through the use of a wide-angled lens showing the skyscraper skyline, river and bridge which frames the two protagonists. It also marks the end of the surveillance camera angle and the viewer becomes aware that the two are meeting in a surveillance blind spot.

There is significant change of tenor as the grainy, indistinct visuals used to represent the surveillance camera footage gives way to a sharp, focussed and crisp image. The cinematographer, Dave Insley, alters the colour palate from pastel shades to delineated brightened colour contrasts. Real life is more definite and defined than an artificially viewed life and the coming-into-focus points toward a more optimistic and less ambiguous possibilities for the two characters.

The following shot shows Finch, the main protagonist of the series, looking across at the city and world he means to protect. He is contemplative and alert but for a moment, alone.

The angle shifts as the two men from the car gather and meet with Finch. These three were the original human operators/companions to The Machine and are morally tied to Finch, as from the outset, all of them shared the same ambitions of security through a benign, ethically driven surveillance.

In the next frame, the camera zooms in on Finch's face for a close-up. His gaze is not on the horizon but is lowered with head bowed. The lens pans to follow his motion from left to right. The camera movement, perpendicular to the direction at which it is pointed is an indication of forward emotional impulse for the character. And the slow shift allows a deft transition between scenes, before the viewer sees Finch leave left of frame.

Another former member of the team (Root), acknowledges Finch and then turns the opposite way to Finch but keeping her body open to him, looks back to see

yet another of the original The Machine operators – Shaw. The team had lost contact with Shaw and there was a possibility that she had perished. This is an unlikely but hoped for reunion which points to the constant uncertainty of their predicament.


In a medium-range shot, Shaw is back-lit using a single source lighting set-up to give a sun-halo effect in the chiaroscuro of her hair. The light is bounced back on to Shaw's face with a white card to chisel her form out from the background. This is a visual representation of Shaw coming back from near death into The Machine family fold.

The penultimate frame is a return to the earlier establishing shot of the city but this time from an even wider perspective. It is more open and freer without the presence of the car and lamp post. The whole team is back together – standing in silhouette reminiscent of the dance of death scene from Ingmar Bergman's, *The Seventh Seal*.[120] The title of the film stems from the Book of Revelations

'And when the lamb had opened the seventh seal, there was silence in heaven for the space of half an hour' (8:1).[121] Silence is a motif that runs throughout and in this homage scene in Person of Interest there is an absence of dialogue.

 The Machine and its operators have a terrifying foe that is Samaritan. Their city is under watch and under attack and though they are a lone group, facing the real prospect of death, they face it alongside one another.
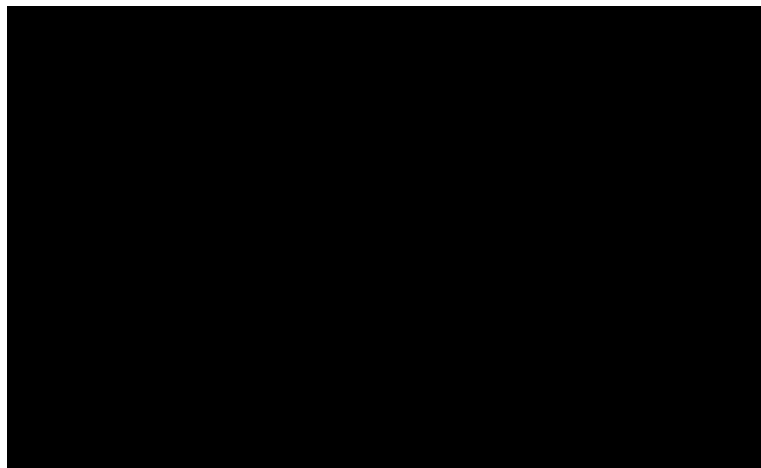
The final shot is the cut to black.

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[120] *The Seventh Seal*, Ingmar Bergman (dir.) (1957)
[121] The Book of Revelations, 8:1

By the fifth series The Machine has become a character in its own right. It has evolved from being a tool that illegally and continuously surveils citizens to a moral counterbalance against the malintent of Samaritan. In Person of Interest, Jonathan Nolan poses the sub-questions; can a machine built by humans, have the ability to acquire morality? Can The Machine, a machine, be good or evil?

Person of Interest hints at a Kantian understanding to answering these questions. In series three, The Machine is pitted against Samaritan. Both were conceived and created in the fight against terrorism and to prevent attacks on US soil but grew and extended their original scope, physically and psychologically. Where their motivations differ stems from The Machine following a kind of 'moral law' and Samaritan becoming the embodiment of 'radical evil'.

In an episode titled 'Cold War'[122] this is explicitly stated. The Machine and Samaritan enter a dialogue via their human interfaces and The Machine declares:

> 'I was built with something you were not – a moral code'.

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[122] *POI*: Series 4, Episode 10 (2014)

This moral code is a single principle that Kant termed a 'maxim'. Nolan also describes the 'constant purpose' which can be identified as Kant's 'categorical imperative' as both provide a method for evaluating the motivation behind an action.[123] It is in essence an incontrovertible principle to follow what has been concluded as the rational option. Though Kant's categorical imperative is an intangible concept that defies strict definition (in that is impossible to set down in code or even text) for the purpose of a full analysis, it is nevertheless important as a metaphor.

The Machine's categorical imperative is to protect human life and is akin to Kant's conception of the 'human formula' which is the belief that a human being is never a tool for use but is an end in itself. He states:

> 'Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means.'[124]

This is the direction to which The Machine's moral compass points – all of its operations must be (as it is an imperative) towards the protecting humans as its

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[123] Pelegrinis, T. N. (1980)

[124] Kant, I (1785), trans. Abbott, T. K.

own end and all other motivations such as accumulating power through the means of protecting humans must be negated.

Samaritan has a more laissez-faire attitude towards morality. It is able to countenance using humans for what it perceives as the more important goal – people are pawns that can be promoted to queens or sacrificed as the need requires. If the circumstances demand, a morality that gives primacy to the protection of humans can be discarded with as humans may be irrelevant in the great game. In the absence of Kantian 'categorical imperative' that prioritises a moral code, Samaritan is propelled towards accepting actions that subordinate ethical laws and becomes 'radical evil'.[125]

Radical evil is an entity in itself, bereft of morality in order to self-promote its own ideals or in Kantian terms – self-love. A position where moral law or the categorical imperative is trumped by own desires. It is the other side of the philosophical coin to which the The Machine's human team are guided by. The Machine only has the ambit of providing information – there is no compunction to act on it and so it is the human team that decided whether to and how to act on the data given. It is they, the humans who have the ultimate agency.

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[125] Kant, I. (1793)

The Machine and Samaritan are oppositional aspects of Kant's moral philosophies. The Machine is guided by the categorical imperative and its primary moral law is to protect mankind. Conversely, Samaritan only lusts for ever-increasing control over humans and is thus the embodiment of radical evil.

Another question that Nolan further poses is what consequences use of unfettered Artificial Intelligence (AI) may bring forth? AI has the possibility in conjunction with total surveillance of appreciating an enormous amount regarding a person's history and life circumstances. Based on this it can predict a person's future responses. What become the consequences for free-will and person liberty if this information is accessible?

Kant considers free-will or autonomy as something to be exercised - through such humanity will develop. However, he posits that humans prefer to be governed and lack the will to exercise their autonomy. This choice to live 'under tutelage' is the limiting factor of societal growth:

> 'Laziness and cowardice are the reasons why so great a portion of mankind, after nature has long since discharged them from external direction nevertheless remains under lifelong tutelage, and why it is so easy for others to set themselves up as their guardians. It is so easy not to be of age. If I have a book which understands for me, a pastor who

has a conscience for me, a physician who decides my diet, and so forth,

I need not trouble myself. I need not think'.[126]

This sentiment is echoed in the episode '*Deus ex Machina*'[127] which describes a United States Senator being tried in court for excessive use of surveillance who is attempting to justifies his policies and during his statement pronounces:

'The truth is, the people want to be protected, they just don't want to know how'.

The senator's presumption is that people prefer security under Kantian 'lifelong tutelage' where there is an absence of free-will. To live beyond the yoke of tutelage is the essence of Kantian Enlightenment.

The two digital constructs despite being created for the same purpose have diverted in the way to achieve their aims. And in doing so, for Samaritan the aim has also subsequently shifted. The Machine conversely contains benevolent intrinsic coding and as a result adheres to a categorical imperative that gives moral direction in its operations. But the mere existence of such a device would be a threat to free-will and so an uncountenanceable proposition for Kant.

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[126] Fleischacker, S. (2013)
[127] *POI*: Series 3, Episode 23 (2014)

Jonathan Nolan in an interview with Buzzfeed discussed how his premise had become a reality and that the Government's PRISM program was a nascent facsimile of The Machine. But that it was corporations who had extended the technological boundaries and were developing AI 'roughly as intelligent as a human that can be industrialised and used towards specific applications'.[128]

It is clear that he is particularly concerned with private corporations that have no loyalties to anyone but their shareholders, and where little oversight exists. Democracy in the US still has fail-safes as the Executive still has to answer to Congress as to where data is stored and how it is used. Corporations however, are holding data that can be used to control in Deleuzian manifestations because citizens blithely sign up and agree to largely unread terms and conditions regarding their data in order to gain access to and stay connected in the digital world.

Nolan believes that under the surface of our day-to-day interactions with our fellow men and women, within the technologically interconnected world at large, there is a narrative which is important and enticing – the story of private companies using AI to build a something that will change the world.

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[128] Aurthur, K. (2014) https://www.buzzfeed.com/kateaurthur/why-person-of-interest-is-the-most-subversive-show-on-televi

In the third series of Nolan's subsequent project, Westworld, alongside co-writer Lisa Joy, the world of AI, surveillance and data driven futures provides an understanding of free will and how it might be traded for security or the prospect of security. Westworld Series 3 can be thought of as a development and then extension of the ideas first conceived in Person of Interest.

The viewer is introduced to a dystopian future where order and structure in society is data based and propelled. The city of Paris has been destroyed during a war and one of the surviving inhabitants, Serac, builds a super computing system that uses big data, complex algorithms and predictive technologies to plot the course and navigate humanity in all of its affairs. He believes data to be neutral – it does not suffer from the complications of human capriciousness and so is reliable as a tool for unbiased analysis. Reliability brings predictability and eliminates randomness or chaos. The humans that oppose Serac hold that a world where human life is dictated by quantum computers using data to build a picture of predictable outcomes reduces humans to automatons.

Nolan and Joy investigate a world where surveillance has brought forth a society not just shaped by data but controlled by it. Moreover, it is not humans using the data to control others but the data gathering machines themselves, using AI to

calculate, promote and administer the paths that humans and then humanity takes. Coldry and Yu define datafication as:

'the process whereby life-processes must be converted in to streams of data inputs for computer-based processing'.[129]

 They believe that this may be the next stage of societal and human development.

The Foucauldian micro-discipline of naturalising the process of handing over personal data connects the ethics of mass data usage with the idea that 'the principal business model of the internet is based in mass surveillance.[130]

And such continuous mass surveillance does not sit well with the principles of liberalism, pluralism and autonomy which are the cornerstones of democracy.[131]

But as Saifer and Dacin point out, the UK and the US, both western liberal democratic states, set narratives of otherness which elicit the feelings of apprehension and anxiety, in order to present the argument of omnipresent surveillance equating to security and protection.[132]

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[129] Couldry, N. & Jun Yu (2018)
[130] Schneier, B. (2013) https://www.schneier.com/blog/archives/2013/08/the_publicpriva_1.html
[131] van Dijck, J. (2014)
[132] Saifer, A. & Dacin, T. (2021)

Nolan and Joy have tapped into this spectre of the increasing remit and power of organisations based on surveillance producing and reproducing continuous data. In Westworld Series 3 we are introduced to Rehoboam, a supercomputer so powerful that it can use data to predict how every person will act in the future: the choices they will make; their successes and their failures. It has been sold to the population as an avenue to unlocking their slumbering potential, but in reality, it is the key to a Deleuzian society of control where an individual's free will and autonomy has been removed.

One of the main protagonists is the character, Caleb. Through his story the viewer learns that Rehoboam, predicts people's futures and then from that point reverse assesses their lives and calculates their potential societal value. Due to a childhood that was shaped by trauma Rehoboam using AI predicts that Caleb will commit suicide within the next ten years and therefore restricts him any long-term opportunities – these would be redundant for a person with limited time and therefore potential. The issue is that Rehoboam can only base its outcome scenarios in a linear fashion and is unable to consider that providing opportunity may increase self-worth and self-esteem, make for better relationships and so diminishing the probability of a Caleb talking his own life.

Unlimited surveillance of the population and the subsequent data being used to limit and control citizen's liberties by powerful organisation's has a long and distinguished history – famously described by George Orwell in his seminal dystopian novel, Nineteen Eighty-four. It has been a consistent theme for story-tellers who acknowledge the fear and consequences of being constantly watched and recorded on a societal level through human level stories. However, for the most part such tellings tend to describe power residing with organisations who use it to repress. Power is hierarchical – rulers impose their will on the ruled. If data on an individual gives power to a ruler then the more data possessed and utilised equates to more power to the ruler.

In the episode 'Genre',[133] Rehoboam's creator, Serac has identified outliers – individuals who do not conform to the parameters that Rehoboam can understand and assess. He separates them from the population and hides them in a facility where they are to be reconfigured and reprogrammed. They are considered a hindrance to the advancements that Rehoboam is making. A hierarchy of value has been created by Rehoboam where it has deigned that one person is more valuable than another based on the AI algorithms. Those not worthy are cast aside, irrelevant and in need of re-programming.

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[133] *Westworld*: Series 3, Episode 5 (2020)

This issue is not a new one posed by Nolan and Joy. Samaritan and Rehoboam are similar in that they disregard irrelevant numbers. The viewer sees Dolores Abernathy, a constructed host and staff member of the Westworld theme park, liberate people by showing them the rails that they have been continuously placed on without prospect of deviation through choice, for their entire existences. Examples are given of people who are designated societal failures by Rehoboam: a man who is unable to find a job and therefore disallowed from having children; a mother whose daughter will take her own life based on genetic disposition to anxiety that runs in her family; another woman who will go on to develop Alzheimer's disease and so is forbidden from having children as a way to remove the faulty gene from society.

When faced with such dilemmas Rehoboam takes a deterministic approach. There are no opportunities for those in the fray to us make their own decisions and attempt to avert the consequences foretold. Rehoboam simply sacrifices them. What Jonathon Nolan and Lisa Joy have done by letting Dolores provide all concerned with their own data, is to address the core issue at the heart of both Westworld and Person of Interest – that of information based free will. Nolan and Joy lead the viewer to appreciate that a machine, even though created by humans, if given too much power will reduce people to pawns to be promoted or sacrificed for the sake of other pieces on the board. And though such a chess type game can be reduced to decision-making which computers are adept at, a computer

however powerful will never understand the complexities and nuances of humanity that are incomputable and so, will ultimately remain a mere tool.

Jonathan Nolan and Lisa Joy in creating Person of Interest and Westworld give the audience an opportunity to consider the changes that are occurring in society presently, via plausible future depictions. The questions of surveillance, big data and technologizing of a society where computers use algorithms to measure and designate stations to individuals has moved storytellers to propose the directions that humanity might tend towards. Nolan and Joy have focussed on the contemporary concerns of surveillance and the effect on privacy; automated algorithms with inherent bias; governmental and corporate transparency and accountability. Perhaps the forward-looking nature of such speculative fiction can provide a pre-emptive glance at how democracies square liberal and pluralistic tenets with an ever more datafied society propelled by machines relying on codes and algorithms to guide humanities next steps.

As Kirinen and Guston point out, 'engaging with our algorithmic future, necessitates the cultivation of a critical imaginative gaze.'[134]

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[134] Karinen, R. & Guston, D. H. (2010) https://link.springer.com/chapter/10.1007%2F978-90-481-2834-1_12

Nolan and Nolan and Joy provide a context to shine a light upon new technologies through a plausible future/present world. Nolan shows how The Machine could evolve into Samaritan – from benevolent to malignant through subsuming what it considers in the best interest for humanity through what it has learned about humanity. He unfurls the technological pathways to thoughts of societies needs and wants and then allows for the possible ways to govern an unknowable future.

Rieder and Volker define literature such as Person of Interest and Westworld as – datafiction.[135]

It can be thought of as a subset of speculative fiction that investigates and illustrates the datafication of humanity in entertaining, imaginative and accessible ways. Such narratives can therefore provide opportunity for a critical understanding of how surveillance and then data acquired from it can be a means to control and/or manage society. These may be stories for now, but nevertheless are a foundation for thought and act as a lens to view the present consequences of a technology determined future and perhaps consider prophylactic options to protect against perceivable undesired possibilities.

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[135] Rieder, G. & Voelker, T. (2020) https://jcom.sissa.it/archive/19/01/JCOM_1901_2020_A02

What differentiates Person of Interest and Westworld from other AI narratives is that is that the consequences stem from narrow use of AI but perpetuate through its broad proliferation. Continuous technological advancement is expected and accepted by society and is for the most part, under the control of humans. Innovations come from a specific want or need, for example, to do things more efficiently. And the governed believe the motivations by states or corporations and are often simple and benign –such as increased security for safety or increase profits to benefit the economy. This means that Foucauldian micro-disciplines which enter society are not covert, only their Barthesian hidden meanings are, so the negative implications pass largely ignored.

Other imagined futures portend a more overtly pessimistic imagining and navigate malign intent openly. Fictions such as James Cameron's 1984 film *The Terminator* as well as Lana and Lilly Wachowskis *The Matrix* (1999) describe how technologies created by humans gain understanding/insight/consciousness/hyper-intelligence and then proceed to eradicate or control an obsolete and redundant humanity. These are entertaining premises but most AI experts concur that they succumb to an error in understanding of what intelligence is and 'the behaviour of recursively self-augmenting systems'.[136]

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[136] Chollet, F. (2017)

Though Jonathans Nolan and Lisa Joy's ideas are a version of these, they proffer a more realistic imagining of a future since the aim of the human creating the advanced technology is precisely to find sentience -a version of conscious agency. In Westworld the conceivable speculations can be categorised into five interdependent and connected areas: surveillance; social distinguishing; prophesizing; rise of corporate power and the direction of big data.

There is a long line of literature telling of over-reaching surveillance and the consequential dystopia that follows. The progenitor was Orwell and *Nineteen-Eighty-Four* and the vision of a society where citizens are under the constant gaze of the authority. Civilisation has become a panopticon and privacy has been eliminated; technology progress is used by the government as a means to suppress individual freedoms. Dorian Lynskey – in his book *Ministry of Truth: a Biography of George Orwell's 1984* – discussing the relevance of the novel in present times states:

> 'While it's still a warning, it has also become a reminder of all the painful lessons that the world has seemed to have unlearned since Orwell's lifetime. I hesitate to say that Nineteen Eighty-Four is more

relevant than ever, but it's a damn sight more relevant than it should be'.[137]

And Nolan in an interview with Stephen Greene discusses how re-reading Orwell just before writing Series 3 influenced him:

'We knew that we were presenting a world in which there was a panoptic like, algorithmic intelligence watching and organising things. But you also want to see the concomitant arms race of illegality. I think there will definitely be criminality in the future. As long as there are humans, the dark side of human appetite, as long as there is wealth and equity, there will always be criminality.'[138]

Nolan and Joy posit in Westworld Series 3, a private company that uses surveillance and data devouring technologies to weaponize the information they have acquired. In the theme park it has created, guests are surreptitiously monitored and this reflects the real-life present concern of how electronic devices integrated into our lives are already encroaching on privacy. In 2019 Google announced that its Nest home security system contained an undeclared microphone and that a software upgrade had inadvertently activated it.[139]

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[137] Lynskey, D. (2019), p. xix
[138] Greene, S. (2020)
[139] Lee, D. (2019)

The data that private corporations store and share is part of system that predicts behaviour and then hopes to manipulate it. Giving access to data allows technology corporations to observe, assess, influence and eventually mould behaviours. This is not a far cry from the circumstances described in Westworld where host robots are programmed to perform a series of actions within a pre-ordained story.

The historian and futurologist Yuval Noah Harari discusses how surveillance is moving 'under the skin'. Governments and corporations have long been using technology to monitor our movements and this has provided data on preferences, politics and personality. But the recent COVID 19 outbreak has meant that information regarding body temperature, blood pressure and heart rate all required for the laudable task of disease prevention has been acquired.

The concern is mission creep and that once surveillance is internalised within the human body it may be used for other purposes. He postulates a circumstance where a smartwatch with a heartrate monitor provides data corresponding with over the skin monitoring that has information about what the subject is doing, for example watching a television program or browsing a website. This then gives an information of not only the body responses but what stimuli have evoked those

responses – how a person feels at a particular time and the cause behind it. He further states that:

> 'The implications of this are extreme. They can go all the way to the establishment if totalitarian regimes – worse than anything we have seen before.'[140]

Technology companies continue to develop smartphones to be habit-forming via the using and reliance of applications (apps). These are designed to take advantage of human cognitive processes and then modified to exploit addictive tendencies and further increase user dependency by additions that may have not been recognised in initial engagements.[141]

Nolan and Joy extend this premise to addiction to the technology contains within the theme park. In Episode 2 of Series 1, titled 'Chestnut', Robert Ford played by Anthony Hopkins considers how clients could become inspired by particular aspects of the worlds within the theme park and would have to return. Indeed, one character, Wood, comes back year upon year for forty years and eventually the theme park replaces the real world and the character he plays, becomes his reality. Ford states:

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[140] Harari, Y. N. (2020)

[141] Chen, C.-Y. (2018)

'They come back because they've discovered something no one else has discovered before'.[142]

Another seminal work in speculative literature is Aldous Huxley's 1932 novel *Brave New World*, where social control is administered through a system of nuanced micro policies that have brought about a docile society at the expense of free will.[143]

People are separated into classes with psychologically pre-determined proclivity toward duties; the more intellectual tasks are given to the elite alphas and at the opposite end of the spectrum, the epsilons are given 'semi-moron' work. But this is not *Nineteen Eighty-four* with the overtly coercive one-party government where the population lives in fear of foreign invasion and therefore accepts a continuous wartime footing suspension of their freedoms.

Lisa Joy in an interview with the New York times stated: 'The near future is eminently recognizable and, on the surface, appears clean and well organised' – more like the gilded cage of *Brave New World* than the police state of *Nineteen Eighty-four*.[144]

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[142] *Westworld*: Series 1, Episode 2
[143] Huxley, A. (1932)
[144] Orr, C. (2020)

David Lyon discusses the core issues surrounding surveillance and social sorting and highlights how surveillance is part of everyday life with the goal being to 'plan, predict and prevent by classifying and assessing profiles and risks'.[145] Of course, life would be impossible without personal and social categorisation but it is the shift towards automation and intent to control through codification that makes the system sinister. Oscar Gandy describes this as 'the panoptic sort' – an automated discriminatory technology which through its assessment affects people's choices and dictates their opportunities.[146] This is precisely the scenario in extremis that Nolan and Joy illustrate when Rehoboam first designates Caleb as a resource drain because investment in him cannot not be warranted due to his predicted suicide. The parallels between narrative threads in Brave New World and Westworld continues in regards to power of consumerism.

The Brave New World is one where citizens pursue happiness through a willing devotion to state sponsored consumerism. Their feeling of wellbeing is dependent on attaining the goods that the state continually endorses and encourages – moreover not adhering to the principles of a consumer society is deemed a crime against all of society. Comfort is equated to happiness and it is achieved through an anodyne, scheduled and highly regulated life. And the suppression of free will

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[145] Lyon, D. (2018)
[146] Gandy Jr., O. H. (2021)

is such that as revolt, those who seek to be free of the regulated life, covet 'the right to be unhappy'.[147]

And consumerism is the first issue that Nolan and Joy introduce to the viewer, but in its most extreme iteration. Westworld is a theme park where people can purchase life experiences and opportunities in a safe and predictable alternate reality. And this without the fear of the consequences that exist in real life. Westworld is a reminiscence on the old, fond memories of a frontier with the possibilities of undiscovered worlds and encounters. But the old frontier was based upon hegemonic consumption and the consequent need for one group to dominate others. The creator of the hosts, Ford, recognises this is a flaw in the motivation of humans and it will inevitably emerge. He describes the ultimate consumption and laments:

> 'We humans are alone in this world for a reason, we murdered and butchered anything that challenged our primacy … Do you know what happened to the Neanderthals? We ate them.'[148]

The hosts are the new Neanderthals and though they may not be eaten, for a price they can be disposable playthings to satiate human hunger to fulfil base and

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[147] Huxley, A. (1932)
[148] *Westworld*: Series 1, Episode 9

savage impulses such as rape and murder. A quote that appears multiple times throughout the series is:

'These violent delights have violent ends'.[149]

Shakespeare in *Romeo and Juliet* put these words in mouth of Friar Laurence as cautious advice for Romeo. The whole stanza runs:

These violent delights have violent ends.

And in their triumph die, like fire and powder,

Which they kiss as they consume; the sweetest honey

Is loathsome in his own deliciousness

And in the taste confound the appetite.

Therefore, love moderately; long love doth so;

Too swift arrives as tardy as too slow.

He is warning of a feud becoming a war between the families of Romeo and his love Juliet and that Romeo should pay mind to what repercussions his want may bring about. The analogy in Westworld points to the overt consumerism with little regard for consequence. Wealthy patrons pay huge sums of money to visit an

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[149] William Shakespeare, *Romeo and Juliet*: Act 2, Scene 6

amusement park and through subjugating less-than-human hosts experience an unbridled fulfilling of their atrocious wants. But a life without reckoning means no place or need for morality. And what future for humans bereft of morality?

Edward M. Forster's, *The Machine Stops*[150] is a canonical writing that tells of technology encroaching on a society that becomes increasingly dependent on it. Society arrives at a point where humans no longer interact with each other directly but only through machine intermediaries. They feel the need not to communicate in any other way and embrace the ease that technological progress affords. Without the need to connect with one another face-to-face, humans eventually lose the ability to. Social contact becomes possible only under the watchful gaze of a loving machine and a grateful human race comes to worship it as deity. This is not the story of conflict between humans and machines run amuck, after achieving their own sentience but one of hubris and the consequences when people choose to be overly dependent on but pay little mind to the possible outcomes technological progress might warrant.

Like Westwor*ld*, it is a tale of decadence and how humanity becomes lost in fabricated world of its own creation:

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[150] Forster, E. M. (1909)

'Man, the flower of all flesh, the noblest of all creatures visible, man who had once made God in his image, and had mirrored his strength on the constellations, beautiful naked man was dying, strangled in the garments that he had woven.'[151]

Spencer Kornhaber, David Sims and Sophie Gilbert in *The Atlantic Magazine*, discuss acknowledge the homage that Nolan and Joy extend to Forster and how the narrative in Westworld is a proximate development of the short story written eleven decades previously. The idea of how technology 'bleeds into' society in a slow seep. They make comparison to another celebrated work of Forster, *A Passage to India*, and how initial British commercial interest evolved into the political and resulted in the complete colonisation of India turning it into a vassal state.[152] Eventually the pre-existing world continued as servant to the wants of the more powerful, newly arrived interlopers. Indeed, one of the fantasy worlds in Westworld mimics that of the British Raj.[153]

Jonathan Nolan in *Person of Interest* and with Lisa Joy in *Westworld* demonstrate how television can prove fertile ground for exploring the social and political concerns regarding surveillance, big data and automated decision-making. The situations described are not so far into the distance to be unrecognizable. The

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[151] Ibid., pp. 39-40
[152] Forster, E. M. (1924)
[153] Kornhaber, S., Sims, D. & Gilbert, S. (2018)

settings of a city and a theme park are familiar and moving issues to an only just abstracted place shines a light on the problematic micro-disciplines that pass by invisibly in the real world through unquestioned Deleuzian assemblages.

Watching these series can give an indication of how surveillance and the aggregated technologies alongside are culturally envisioned and what the future may hold, if the line of trajectory continues. The extended and adaptive medium that television gives to speculative fiction is a path to countenancing alternatives for investigating broader cultural narratives and imaginations.

Nolan and Joy through constructing an artificial world alongside an imagined real one and ask of the viewer to take a deeper look into the implications of increased surveillance. They allegorise the panoptic gaze and the ubiquitous rise of security technology following in Person *of* Interest and Westworld to that of the post 9/11 reality of our real world and propose a future of monitored citizens with a resultant reconstruction of human identity.

CHAPTER THREE

The comic as a mode of literature has its own sociological and cultural heritage and cannot be subsumed within the general category of popular culture - analysis of which has been dominated by the moving image, such as in film and TV. As a lens for investigating surveillance and its normalisation within society the comic book can provide a differing insight as it is becoming ever more appreciated as an important expression of popular culture. Comics are recognised as an avenue for marginal discourses and their creators have been noted for providing narratives that can be particularly useful when considering complex issues such as surveillance, where previous analysis has been for the most part, dominated by mainstream perspectives.

Jason Dittmer notes that comics can appeal to a mass audience and its fiction and non-fiction connotations are an integral part of popular culture. And comic books, in tandem with film and TV has embraced the implications since the 'War on Terror'.[154] As with the other art forms considered above, a comic book may not attempt to directly affect policy decisions. Notwithstanding, studying them as a widely consumed entertainment media adds a perspective on the zeitgeist

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[154] Dittmer, J. (2013)

regarding what narratives that are being created around important sociological issues and this can inform the wider debate.

The creators of comics and many of their interested audiences may belong to marginal groups. This is of particular importance when investigating surveillance where official discourse has been guided and filtered through traditional hierarchical structures such as the state and its extensions. The purview from and the view of comic books becomes salient when the possibility of pushback or resistance arises.[155]

In the graphic novel *Verax*, the marginalisation in the discourse emanates from the very journalists whose day-to-day life writing of their investigation of surveillance impacted upon their lives. Biography is the genre they chose for the narrative, but in the form of a graphic memoir.

They are carrying on the tradition of Art Spiegelman and *Maus*, where a creator has not only gained credibility for the aesthetic in their work but also (and more importantly) hold esteem from their intellectual understanding and interpretation of a political world under discussion - because it is their lived experience. Spiegelman also wrote from a deep personal perspective when he described the

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155 Hansen, L. (2006)

holocaust through the relationship with his elderly father. *Maus* has been translated into thirty languages, sold over three million copies and Spiegelman was awarded the Pulitzer prize.[156]

Comics can also provide insight into the manner in which those who are not among the elites in society experience international and national affairs such as surveillance. This is a purview derived from feminist scholars writing and practising in the area of International Relations. The notion put forward is that comics have a long and distinguished history of forming like-minded communities who tend towards and have invested in the comic book form as a medium. And that this galvanisation of groups has exponentially grown with the advent of the Internet.[157]

In *Understanding Comics,* Scott Macleod dedicates a chapter to defining what a comic is. There is a general understanding that a comic has to be a combination of both drawn and text images but McCloud expands and after unearthing a definition of 'juxtaposed pictorial and other images in deliberate sequence',[158] further adds that 'the secret is not in what the definition says, but in what it doesn't

[156] Leith, S. (2020)
[157] Sylvester, C. (2013)
[158] McCloud, S. (1993), p. 9

say'.[159] The absence of detail is a deliberate device to empower the audience to fill the spaces both within the text, outside of the text and more broadly, in outlook.

There are two theoretical schools of thought that predominate the analysis of comics. First is the semiotic which focuses on the unique sign-signifer-meaning system and second the cultural/sociological that examines the societal effects and implications that derive from comic production and consummation.

Groensteen gives the semiotic strand definition of a comic:

> '…interdependent images that, participating in a series, present the double characteristics of being separated…and which are plastically and semantically over-determined by the fact of their co-existence in *praesentia*.'[160]

As there is a reliance on the interdependence of text and images, the cultural sociological perspective adds that comics include all narratives where the drawn visual representation is as vital to the communication of the message, and is in conjunction with the text - the pictorial does not simply function as an adjunct

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[159] Ibid., p. 21
[160] Groensteen, T. (2007)

illustration for clarification purposes. Books such as *Orwell For Beginners*[161] and *Foucault For Beginners*[162] that do not have a set sequence of panels to follow, but nevertheless are based on the combination of text and drawn representations to carry the narrative fall within this categorisation.

Film and TV are distinct from comics which has its own specific semiotic DNA and socio-cultural inheritance. A comic is distinguished from these, first by having drawn portrayals as the primary mode of expression – there is a deep creative element as the images are *mediations* of the reality described, be it of people, places or events – and not direct facsimiles. Furthermore, a comic is defined by being a synthesis of image and text but without the need for prioritising either.

This differentiates comics from illustrated stories or text only literature such as a novel.

And the distinction from photography is in the sequential nature, whereas a photograph can work in singularity. Films and TV do operate with images in sequence but the frame sequencing is imperceptible to the eye and is designed to be.[163]

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[161] Smith, D. & Mosher, M. (1984)
[162] Fillingham, L. A. (1993)
[163] McCloud, S. (1993), p. 68

The idea is to produce an illusion and make connections from one seamless frame to another to give a mimic of reality to the audience. Comics move at the pace which the audience decides on, and rather than attempting to produce continuous images that imitate reality, the gaps are intentionally set to help articulate the narrative.

In summary, the semiotic approach explains how comics are read as image-text artefacts to provide their stories and the socio-cultural thought school acknowledges the place of comics as a cultural phenomenon in the broader context of literature and society.

The semiotic understanding of comics has provided the vocabulary and language terms needed to appreciate the unique aspects of the comic and how its intrinsic values have situated it within society. First comes the 'frame' – this encloses and places a form *on to,* and within a space. Groensteen describes this as:

'…a portion of space, isolated by blank spaces and enclosed by a frame that ensures its integrity.'[164]

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[164] Groensteen, T. (2007), p. 25

The boxed drawn pictures within the frame are 'panels' and when they are aligned sequentially and horizontally, this is known as the 'strip'. Between these panels, the separating blank space is known as the 'gutter' and the 'margin' borders the page as well as the panels. Speech is presented in balloons which are line borders enclosing the words. A page may consist of many frames and is describes as the *hyperframe*. It is the principle unit of analysis.[165]

The text in a comic first provides the written commentary but also, intrinsically is part of a visual message in its form. Sizes, boldness, and fonts can all be changed to imbue a response in the audience. And the positioning of the text is a creative decision on the part of the creators to impart a particular message.

Ivan Greenberg and Illustrators Everett Paterson and Joseph Canlas add to the body of literature in other formats to provide an informative and full history of the surveillance in society through the medium of a graphic novel. *The Machine Never Blinks* is non-fiction narrative that details surveillance in society from its earliest days.[166]

As a non-fiction comic that uses the combination of text and illustration to describe a narrative, *TMNB* is part of an increasingly visual medium that has

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[165] Ibid., pg. 35
[166] Greenberg, I., Patterson, E. & Canlas, J. (2020)

transcended traditional comic book narratives and evolved into visual reportage. And the core element that distinguishes it from traditional text journalism is the essential aspect of the drawn images – without which the story would be unfinished. Text journalism does sometimes incorporate accompanying illustration but in such instances, the pictures enhance the story but are not integral to it. In graphic journalism there is co-dependency of words and artwork and the meaning cannot be fully communicated and ascertained without both.

Contemporary graphic journalism has its roots in Art Spiegelman's graphic Holocaust description,[167] and the concept was further developed in works such as Joe Sacco's non-fiction comic book series *Palestine*.[168] This was based on his real research conducted in the West Bank and Gaza strip.

The rationale for using graphic journalism and the comic form is found in its potential to enthral and connect in a way that other media cannot. As the creator of the New York Times graphic journalism column *Meanwhile*, Wendy MacNaughton states:

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[167] Speigelman, A. (1973)
[168] Sacco, J. (1993)

'The hand-drawn image hooks our eyes and slows us down. We recognise it as being made by another human, and we connect in a way that I don't think we do with any other medium'.[169]

This human-to-human connection has potential to elicit empathy as Scott McCloud discusses in his 1993 comic book about comic books, *Understanding Comics*.[170] Aaron Basinger expands on McCloud and states that this is because the comic form is particularly adept with and traditionally has been drawn to issues such as alienation and isolation, which are concerns that many people will experience. These themes are prevalent and central to many comic book narratives and so a connection is facilitated and then more likely made.[171]

A further factor is the increasing popularity of the comic book as a genre and this has led to the generating of vast revenues in crossover industries such as film, TV series and video games. *The Dark Knight* and *The Dark Knight Rises* occupy spots in the top ten highest grossing movies in history. In TV series such *as The Walking Dead* which is based on the continuing graphic novel series of the same name, research conducted by Gorman shows that not only has the TV audience passed the six million viewers mark, the age range of the viewing public is wide

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[169] As cited in Hodara, S. (2019)
[170] McCloud, S. (1993)
[171] Basinger, A. (2014)

and evenly spread – between 18 and 49 years of age.[172] With the cultural influence that graphic novels bring, the subject of surveillance and its increasing prevalence in society and as corollary the possible consequences and implications, has become an important subject and so ripe for examination.

As a result, the impact and appreciation of graphic novels being elevated to a literary genre has materialised and the format has gained acceptance and is increasingly regarded a medium of high literature. Following the awarding of the Pulitzer Prize to Art Spiegelman for *Maus* in 1991, the New York Times proclaimed:

'Maus…is a serious form of pictorial literature'.

In 2012 Joff Winterhart and Mary Talbot gained accolades for their graphic novels *Days of the Bagnold Summer* and *Dotter of her Father's Eyes*[173] both of which were nominated for the Costa Book Award. Publishers have had to adapt to the zeitgeist and rising popularity of graphic novels and slowly, any residual reticence based on comics as a format primarily aimed at children has given way. Dan Franklin, the publishing director of Jonathon Cape, considered it 'a joke'[174] when the two novels were nominated for the Costa award and subsequently

[172] Gorman, B. (2010), pp. 18-49
[173] Winterhart, J. (2012) & Talbot, M. M. (2012)
[174] Barnicoat, B. (2012)

admitted the company had severely underestimated how much interest from adults had been generated. For Craig Thompson's *Habibi*[175] – based on a love story set in the middle east – three reprints were required to satisfy demand. Franklin acknowledged that publicity from The Costa Book Award and the consequent marketing push from sellers such as Waterstone's had encouraged 'untold many' to read the books.

Ivan Greenberg, the creator of *TMNB*, is an academic specialising in security and has written extensively on the subject of the intersection between surveillance and civil liberty.[176] *TMNB* draws from his previous research and distils the issue of how surveillance has already encroached upon society and continues to do so at an alarming rate.

Greenberg writes in his introduction:

> 'I believe that graphic novels can lead the way to inform, and transform, the public's understanding of the perils of living in a surveilled world'.[177]

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[175] Thompson, C. (2011)
[176] Greenberg, I. (2012)
[177] Greenberg, I., et al (2020), p. 130

Ralph Nader, who writes the foreword to the book, is an American political activist who has been credited with ensuring important government reform clauses such as the Freedom of Information Act[178] and the Whistleblower's Protection Act.[179] He made four attempts to become President of the United States and wrote to G. W. Bush warning of the US Government agencies 'increasing their power to conduct surveillance on citizens'.[180]

As it is a documentation of how surveillance has been usurped by Governments and corporations as a tool for control over the last two hundred years, the authors of *TMNB* begin through a description of Bentham's idea of The Panopticon. In four pages consisting of fourteen panels, the essence of the inception of state surveillance and its relationship to power and authority is given. The first page first is split in two – the first panel is an illustration of the outside of a circular building and simultaneously its schematic innards. Underneath in bold capitals is the title: 'Chapter 4: THE PANOPTICON'.[181]

Below this is the second a panel showing Jeremy Bentham thinking. Crucial concepts are in text balloon and the terminology of 'self-surveillance' as well as

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[178] The United States Department of Justice: Freedom of Information Act Improvement Act of 2016 (Public Law No. 114-185), accessed at: https://www.justice.gov/oip/freedom-information-act-5-usc-552

[179] The United States Department of Justice: Whistle-blowers Protection Act 1989 (5 USC 2302, Public Law No. 101-12), accessed at: https://oig.justice.gov/hotline/whistleblower-protection

[180] Lozanda, C. (2015)

[181] Greenberg, I., et al. (2020), p. 28

the principle of 'a new mode of obtaining power of mind over mind' are introduced. Resonance in this comic format is found in the necessity to dispel extraneous considerations and focus on the crucial through being succinct. The two panels are an introduction to establish ideas and give a historical context to the cross-temporal narrative which is to follow.

The next page juxtaposes Bentham's time of the eighteenth century with that of the present. Two panels are set next to each other; separated by dividing space – the gutter. This does not function solely to divide one panel from the next but serves as an opportunity for the reader to engage with the author(s) through the gutter's bridging of one panel to the next. Comics are in the main, a single-sensory medium relying on sight but the gutter allows and encourages all the other senses.
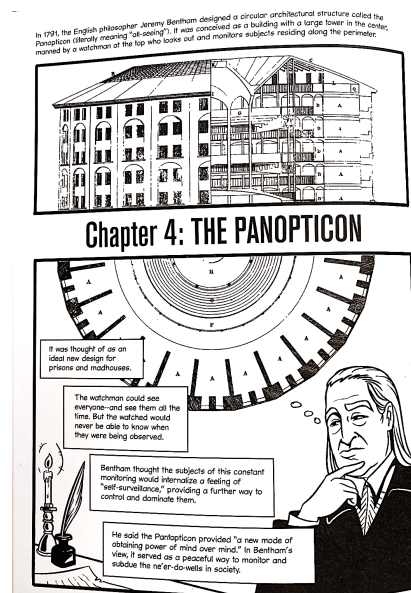
Appreciating the status of the gutter is essential in understanding how a comic works – as they are the device by which the panels are separated. Creators have it borne in mind from the outset that a comic will only have a limited number of panels and therefore less latitude than a film, TV series or novel. From one image to the next has to have a line of continuity. That space in between the panels links and confers agency to the audience to fill blank field with their own understandings. There is a sense of 'doubleness' – as the void has the elements of *absence* and *presence*. The absence is the separating space and the presence are the bridging ideas that will fill the space. It is not an extensive area – there are limits to what can be imbued but the consequence is that from a semiotic perspective the gutter is where many of the meanings will be located. The unit of analysis – the page or frame within the book is the sign that a story is to be told. The panels signify the narrative will be told in comic form and it is within the gutter, that many cloaked meanings can be found.

In this instance, the gutter functions as a temporal divide and also a mirror. The two panels are reflections of each other but for the time they are set within and representing. Bentham is in the central tower that can oversee the prisoner's cells and in the adjacent panel a watcher looks on to an array of screens reminiscent of

Christopher and Jonathan Nolan's synopticon wall from *The Dark Knight*. The screens are blank and show no images yet the message is clearly made to the reader – the watcher sees everything. Even within the depictions of the screens there is a presence that fills the blankness.

The two panels beneath continue this narrative and are in the same form. The panels are bridged by a gutter but in this instance, the watching of inmates in the eighteenth century and of a citizen in the twentieth is actualised. Rather than the prospect of people being watched, the reader sees the people *are* being watched – the watcher in the tower sees an inmate entering a place that is forbidden and in the modern-day adjacent panel, the driver of a car appreciates that she is being tracked and located by a satellite. In four panels and five text boxes, Greenberg, Paterson and Canlas have conveyed the core elements of how surveillance theory originated and its relevance to contemporary society.

The Machine Never Blinks, p. 29

The next panel re-posits Bentham and begins a new narrative thread that examines changing nature of state sanctions and punishments, i.e. a move away from inflicting physical violence and towards a system where the constant panopticon gaze is intended to bring about self-discipline. And then how this can lead to mental trauma.

Turning the page, the narrative shifts to the twentieth century and the figure of a contemplative Michel Foucault, lit by an angle-poise lamp, sitting at a desk with books both behind. And in front of him and beside him, is a set of handcuffs. The story is that of an intellectual, developing his theory through scholarliness and erudition. The panel below is a close up of his head in thought and the thought

balloons further develop the nuanced vocabulary of surveillance. Without explanation, the terms 'Institution of control', 'self-surveillant', 'technological trajectories', 'biopolitics', and 'visual-spatial contingency' are given. Again, this is part of the contract made from a comic book writer to their audience – there is space for the reader to investigate and consider the words that describe and are used in surveillance theory. It is a subtle prompting rather than an overtly instructive imperative.[182]

The last panel on the page is borderless and without boundary but for the margins of the page which act as gutter. The reader's eye is drawn to the centre of the panel – a close-up of Foucault's eye. Alongside this are *his* terminologies – 'The eye sees all…', 'visible is vulnerable…', 'erosion of the subjective self', and 'permanent visibility is dangerous…'. The creators have peppered a high-powered précis of the central elements of Foucault's surveillance considerations before a coda that bookends the chapter through a return to both Bentham and Foucault on the next page.[183]

This final panel is where the *closure* comes. The increasing focus from panel one – where Foucault is seen at a desk, to panel two – Foucault's head; to the final panel – a close-up of just one eye – draws in the reader and distils outlying

[182] Ibid., p. 32
[183] Ibid.

perspectives. The ideas have become realised through the audience observing constituent parts, and from these constructing 'the whole'. McCloud describes this process:

'the audience is a willing and conscious collaborator and closure is the agent of change, time and motion'.[184]

The elements here are the zeroing in on Foucault's thoughts through increasing close-ups; The separation of his thoughts (in the balloons) from that of an omniscient narrator whose explanations are hard-edged through definite panel lines of bold black rectangles; and then the leaving of room for thoughts to breathe by keeping the final closure panel *un*boundaried and unencumbered.[185]

The last two pages of the chapter describe the conclusion to Bentham's life, his legacy and brings the audience back to present time through the explanation of his 'auto-icon'.[186]

Just before Bentham died in 1832, he requested in his will that his skeleton be preserved, clothed in his own garments, with a wax replica of his head surmounting. It has been displayed in a mahogany cabinet in the South Cloisters

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[184] McCloud, S. (1993), p. 65
[185] Greenberg, I., et al (2020), p. 32
[186] Ibid., pp. 34-35

at University College in London since 1850. The theory promoted by the curators there was that Bentham knew such a sight would provide inspiration for debate around *watching* and *seeing*, to the generations of scholars to come, at the college he helped found.

The link between the Bentham's panopticon and the contemporary proliferation of surveillance through media such as CCTV is explicitly made in *The Machine Never Blinks* but the implications for data capture are an even more current circumstance. In 2015 the members of the UCL Panopticam project team added to Bentham's cadaver a webcam that records the movements of those who come to view the auto-icon. The images are broadcasted live on-line in order to test surveillance algorithms. Statistics regarding how many visitors came each day to the 'inspection house', as it has been named, was recorded. The aim was to analyse the data sets and test algorithms in order to estimate and then predict, using a simple low-tech webcam system, the number of visitors and visits. Also recorded are the vast breadth of emotions displayed by those who come to view Bentham in his post-life state.[187]

The issues raised are the surveillance state; online observation; digital scrutiny and the ethical concerns regarding unwarranted recording in the public sphere. In

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[187] See – University College London, 'Panopticam', accessed at: https://blogs.ucl.ac.uk/panopticam/

order to address these, the panopticam team members ensure that individuals are not identified and that the filming of them does not place participants at risk of criminal liability. Nor will their financial standing, reputation or employability be in any way affected.[188]

This recent project ably demonstrates that Bentham's principles and theories are still relevant and are being applied to draw attention to the concerns of modern society.

Representations in comic books are part of a system, intentional or not, where, as Deleuze described, the elements of surveillance, including its history, constituents and possible future has been normalised and woven into the contemporary social fabric.

The introduction of Foucault in the chapter alongside Bentham is a precursor to a thought experiment that Greenberg, Paterson and Canlas propose later in the book. Chapter 10 is titled 'The Power and The Pen' and is an account of a fictional conversation that could have taken place between two giants of literature – Foucault from the field of Philosophy and George Orwell from speculative or science fiction.[189]

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[188] See – University College London, 'About Panopticam', accessed at:
https://blogs.ucl.ac.uk/panopticam/about-panopticam/
[189] Greenberg, I., et al (2020) pp. 73-79

It begins with two evenly sized panels that provide an introduction or prologue to the discussion to follow. That the panels are evenly sized indicates equivalent importance. The images within the panels are not in themselves ideas but are representations termed, *icons* – 'any image used to represent a person, place, thing or idea'.[190] But a mediation such as this, rather than a visceral representation allows for a freer interpretation on the part of the audience.

The first panel sets the scene and serves as prologue. The whole of the book is monochromatic and night is emphasized here in the contrast between the black ink night, dotted with white stars; the shadows cast against the fluorescing light of the café where the protagonists are to meet for their discussion and the lit lantern hanging in the foreground. This is an example of *aspect-to-aspect* transitioning between the panels.[191] The aim is to set a mood through illustrating the setting and is borrowed from a staple of Japanese mainstream comics which tend to be longer and therefore have more leeway and ambit to develop a contextual background.[192]

In the chapter, the complicated idea of power and in particular, the power vested in authority is examined. Scott McCloud proposes that the comic book form is

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[190] McCloud, S. (1993), p. 27
[191] Ibid., p. 72
[192] Ibid., p. 81

unique in mode and distinguished by its ability to resonate with the audience through maximising audience involvement. When the audience enters the comic world, because of the simplification of images, they are imprinting their own selves on the characters drawn with whom they identify. He states:

'…the cartoon is a vacuum into which our identity and awareness are pulled…we don't just observe the cartoon, we *become* it.'[193]

Concepts, even complex ones, because of what the icon of a character says, rather than who they are, are more easily grasped.

In the '*…for Beginners*' series of comic books which are non-fiction biographies of people in comic book format, Foucault is seen on the cover as man who has lost all his hair on his oversized head, and is bespectacled.[194] In the same series, Orwell is drawn as young man without glasses and a full head of hair writing feverishly on a typewriter.[195] In *TMNB*, the panel after the setting of the scene conversely shows a young Foucault in his twenties and an older established Orwell, portrayed in his forties when he was already a success.[196] The audience
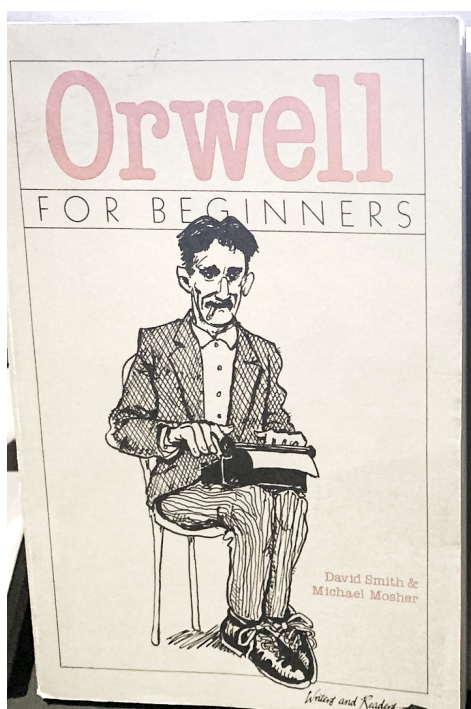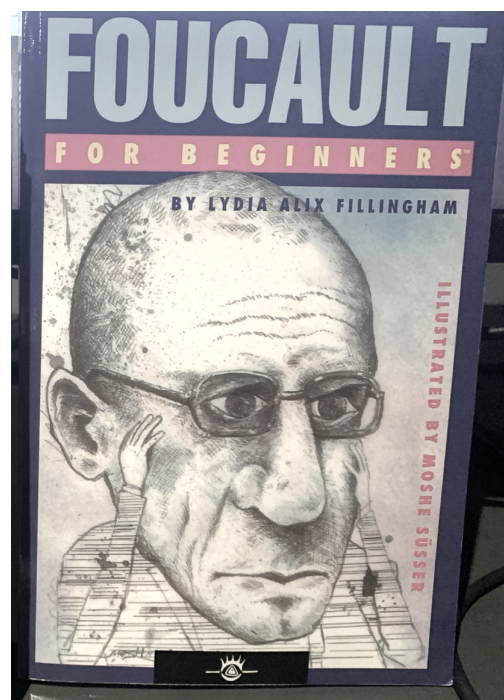
[193] Ibid., p. 36
[194] Fillingham, L. A. (1993)
[195] Smith, D. & Mosher, M. (1984)
[196] Greenberg, I., et al (2020), p. 73

is given the first instance of a process where they will choose which character and which ideas to take on themselves.

Orwell for Beginners   *Foucault for Beginners*

In *TMNB*, Foucault asks Orwell's his opinion on the definition and power and the discussion ensues. Orwell bases his response on historical events and the power of nations whereas Foucault is more concerned with the power entanglements in the relationships between people in their day-to-day interactions. In less than a page and just four panels a broad historical perspective and a narrower practical

emphasis of the power dynamics are brought forth. The last panel on the page has of Orwell drinking from a glass of wine and asking the question of Foucault:

'…what exactly is this thing you call a "disciplinary mechanism?"'[197]

In this one panel through the phrasing of the question it is clear that Orwell is casting doubt on Foucault by asserting that the idea is only Foucault's and not a given, through the use of the pronoun 'you' and by describing disciplinary mechanism as 'this thing'. And the turning of the page as the question is posed, acts as a natural gutter for the audience to formulate their opinion before the discussion continues on the next page.

The fictitious argument gives the writers of *TMNB* to present Orwell describing his new book *Nineteen Eighty-Four* as a narrative to describe possible governmental control. The panel shows a copy of the book and its cover has a single-eye watching out.[198] This elicits the question from Foucault regarding how people may counter official surveillance and his thought process is premised on his reading of Orwell's novel. *TMNB* has linked Foucault to *Nineteen Eighty-Four* via an imaginary interaction which in the mind of the audience is entirely believable. A fictional account has produced the building blocks of real and

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[197] Ibid.
[198] Ibid., p. 74

complex theories, delivered through the narrative of the story. Moreover, the following two pages in *TMNB* summarise crucial aspects of Orwell's novel in a manner that a medium without pictorial representations cannot.

The idea of Big Brother's constant and ubiquitous gaze along with how the propaganda machine of the nation of Oceania operates, is demonstrated by the panels showing posters pinned to every wall. Big Brother is personified – represented by a serious looking man with coal black hair and a moustache unmistakably reminiscent of that of Adolf Hitler.[199] In the next two pages the panels replicate the image of the face twelve times and illustrates the deep societal saturation of the message and how it then, inescapable it is for the citizens.

The character of Orwell explains the nature of the communication, in the balloons, commenting of the image of Big Brother: 'His eyes seem to follow you about wherever you move.'[200] This is direct reference to the words in *Nineteen Eighty-Four*:

> 'It was one of those pictures which is so contrived that the eyes follow
> you about when you move. "BIG BROTHER IS WATCHING YOU",
> the caption beneath it ran'.[201]

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[199] Ibid., p. 75
[200] Ibid.
[201] Orwell, G. (1949), p. 7

There is nuance in his language and the undercurrent of a creeping message is given but the comic book form adds more immediacy to the message via the pictorial mediation.

 The key slogans stating 'FREEDOM IS SLAVERY', 'WAR IS PEACE' AND 'IGNORANCE IS STRENGTH' are written across banners and the term 'NEWSPEAK' are all placed centrally – a white font over a black background.

The eyes of the audience are drawn to its power.[202]

The Machine Never Blinks p.76

[202] Greenberg, I., et al (2020), p. 76

In the original novel, the three slogans are described more prosaically and in an understated way to provide colour to the setting for *The Ministry of Truth*. The protagonist, Winston Smith can only just read them:

'From where Winston stood it was just possible to read, picked out on its white face in elegant lettering, the three slogans of the party:

WAR IS PEACE

FREEDOM IS SLAVERY

IGNORANCE IS STRENGTH'[203]

In *TMNB* the banners are shown not described and the words upon the banners are superimposed over the image of Big Brother – not on posters but as an unbounded presence and on screens. *TMNB* has conjured the notion of the message being disseminated by technology without the need to describe - and this is more impactful.

Orwell added the TV screens into the novel as a late addition. Though he did not own a television set himself, by the summer of 1948, 50,000 TV licenses had been issued. This number was rising at a geometric rate and the fear of Orwell's

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[203] Orwell, G. (1949), p. 9

prescient two-way telescreen also was increasingly prevalent. In fact, Sir Kingsley Wood, the Postmaster General was compelled to announce:

'I would like to reassure any nervous listeners, that, wonderful as television may be, it cannot, fortunately, be used in this way.'[204]

However, as Dorian Lynskey points out – the logic dictated that the signs were already pointing to an exponential development in technology and that advancements in surveillance capability, in particular, would catch up with the totalitarian imperative for a surveillance state.[205]

Orwell did not think of *Nineteen Eighty-Four* as a prophecy but maintained that the future described was plausible:

'I do not believe that the kind of society which I described necessarily will arrive, but I believe (allowing of course for the fact that the book is satire) that something resembling it could arrive.'[206]

When Edward Snowdon the software engineer, provided documents to *The Guardian* and *Washington Post* broadsheet newspapers revealing the scope and

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[204] From Moran, J. (2013), see Lynskey, D. (2019), p. 316, n. 176/3
[205] Lynskey, D. (2019), p. 176
[206] Orwell, G. – ed. Davison, P. (1998), Vol. 20, p. 136

size of the US National Security Agency's electronic surveillance program he referenced Nineteen Eighty-four and how Orwell had provided a warning of the danger in authorities harvesting personal data and information. Bernie Sander's described the NSA as 'very Orwellian' and it prompted the New Yorker to pose the question:

'So, Are We Living in 1984?'[207]

In 2015, two years after Edward Snowden revealed the extent of the US domestic spying he became the subject of his own graphic novel. Ted Rall the editorial cartoonist investigated, and gave in satirical tone, the continuing story of authoritarian surveillance. The comparisons with *Nineteen Eighty-Four* are subtly presented but graphic images of the prospect that NSA surveillance workers able to gawk at naked couples via hacked webcams are sobering and bleakly reminiscent of Orwell's description of the consequences when personal privacy is eliminated.[208]

Rall opens with an illustration of Orwell, once again sitting at a typewriter, composing his magnum opus, following the end of World War II. The premise for Orwell, Rall states, is 'the worst government possible'.[209] The world is

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[207] Crouch, I. (2013)
[208] Rall, T. (2015)
[209] Ibid., p. 7

oppressed to level beyond the 'totalitarian nightmares on Nazism and Soviet Stalinism'.[210] Rall makes the link between Orwell and present day by highlighting how Governments obsessed with terrorism embrace technology to constantly watch its own citizens. Analogous to the PRISM program, all communications can be monitored and then used by the government for any reason whether related to the initial premise of countering terrorism, or not.[211]

The story is in the form of a biography and so examines why it was Snowden, in particular, rather than any of the 1.4 million Americans who had access to the secret information that was compelled to disseminate it. As the narrative moves to the present time the questions and issues are posited simply and the panels show the NSA has remained un-investigated and therefore no possibility of restraint or sanction arises.[212] The comic book biography form provides for an approach where the most serious of concerns are succinctly addressed in both prose and picture. That it is intended for adults and children alike and has been created with both in mind stresses the fact that issues of privacy and information security affect everyone. It requires ingenuity to avoid over-complication for a younger audience and yet present complex ideas for all.

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[210] Ibid., p. 8
[211] Ibid., p. 9
[212] Ibid., p. 10

In terms of bridging fiction and narrative non-fiction biography, the comic book is a supplementary discourse medium, that due to its inherent qualities of accessible pictorial manuscript can elicit and promote understandings that text by itself cannot. The authors of the '*...for Beginners*' series of biographies state:

> 'Writers and Readers Documentary Comic Books are Introductions to some of the major thinkers and ideas of our time. Their form pioneers an attempt to bring words and images together and to translate the most complicated information into a simple, readable and amusing story.'[213]

The books combine both frameless and traditional panelled combinations in their descriptions and integrate the core idea of comic book form without a full commitment to the genre. Notwithstanding, it is reliant on co-dependence of text and pictures to relay the message.

In *Orwell for Beginners*, a chapter is dedicated to his novel *Nineteen Eighty-Four* and is structured in a manner to emphasize the substantive and serious issues alongside illustrations that ensure unpalatable concerns are easily digested.[214] Rather than the pictures supporting, defining or modifying the story of the novel,

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[213] Smith, D. & Mosher, M. (1984), p. 1
[214] Ibid.

the depictions are of Orwell's ideas contained within the novel as well as extrinsic analysis.

The ideas of control societies that Foucault and Deleuze described many years later in embryonic form is described through the story that Orwell tells and the narrative that runs alongside. The biography discusses how the fictional authority seeks the fealty of the masses lower ranked bureaucracy, known as the outer-party. The method of control is societal conditioning through the constant watching of the governed population by the surveillance police:

'The party study with extraordinary minuteness the meaning of facial expressions, gestures and tones of voice. Even heartbeats are monitored. The goal? To discover, against his will, what another human being is thinking?'[215]

This idea of voluntary obedience derived from the Benthamite self-regulation principle is itself drawn from earlier sociologists such as Étienne de La Boétie. Smith and Mosher set adjacent text on panels, without any pictorial representation to explain how Boétie pre-figured *Nineteen Eighty- Four* and Orwell's other allegorical novel, *Animal Farm*. They quote:

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[215] Ibid., p. 176

"'Men are like handsome racehorses, who first bite the bit and later like it, and rearing under the saddle a while, soon learn to enjoy displaying their harness and prance proudly beneath their trappings.'"[216]

A consequence of their innovative hybrid textbook and comic book form, is the use of real photographs mediated pictorially in addition to drawings and texts. In this instance, to contextualise the quotation a photograph of the British fascist leader Oswald Mosely with his blackshirts at a rally is set at the top of the page. A cartoon image of Mosely – a close-up smile or smirk – is super-imposed over the photograph.[217] The text describes the narrative; the photograph anchors the representation to a real event and the illustration within the panel, assures the audience that the medium of investigation retains comic book form.

George Woodcock – the anarchist Canadian philosopher and friend to Orwell who wrote *The Crystal Spirit*[218], a critical study of Orwell's works – described how he felt when in 1965 he heard the news on the radio of his death:

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[216] Boétie, as cited in – ibid., p. 175
[217] Ibid.
[218] Woodcock, G. (1966)

'"A silence fell over the room and I realised that this gentle, modest and angry man had already become a figure of world myth."'[219]

Orwell was angry and so is his protagonist from *Nineteen Eighty-Four,* Winston Smith. Winston's rage seeps out of him as he internally rails against the constant watching by the Thought Police and the regimented life issued via the telescreens. When he first sees the youthful and beautiful Julia, his rage at the constrains and the of coveting her with no prospect of going to bed with her is manifested as hate:

'Vivid, beautiful hallucinations flashed through his mind. He would flog her to death with a rubber truncheon. He would tie her naked to a stake and shoot her full of arrows like Saint Sebastian.'[220]

In *Foucault For Beginners* the creators Lydia Alex Fillingham and Moshe Süsser begin the chapter detailing his 1975 work *Discipline and Punish* with an illustration of Damiens the king killer being lanced, shot full of arrows and thus no less tortured than Saint Sebastian.[221]

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[219] Lynskey, D. (2019), p. 185
[220] Orwell, G. (1949) – cited in Smith, D. & Mosher, M. (1984), p. 181
[221] Fillingham, L. A. (1993), p. 113

Even documenting the worst depravities of humankind is possible without having to recoil in disgust and put the book away when reading a comic book. There is enough abstraction for the illustrated depictions not to be gratuitous and still inform the audience. The creators have changed the style used in the comic book biography of Orwell to one more adapted to viewer-identification.[222]

The chapter on the panopticon begins with a text explanation of the premise – and rather than a drawn interpretation of the panopticon an architectural schematic is set in a panel. The link to the ideal prison is then explained, followed by a mediated photo -printed depiction of a generic prison. The panels are not set in a deliberate sequence – they are static and juxtaposed against the text as gloss to the fulsome exposition.

As the historical development and intervention of social theorists influenced the movement away from punishment in the form of pain and spectacle towards a model of imprisonment the thoughts of the public, their objections and questions are given in the form of speech balloons. Though this is a nod toward a more comic book style the panel that follows is in essence a simple border for the text. It explains the principle of the panopticon in a non-traditional text style by enlarging the borders and therefore narrowing the line width.

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[222] McCloud, S. (1993), p. 42

This indicates a clear break with tradition to standard book format and presents the complex argument of prisoner self-regulation and a regimented schedule to instil desired work habits, in a digestible chunk. As with a purer and more mainstream comic book form the principle is of accessibility through the essential and only a summary of the most pertinent points so as to give the audience agency to form their own thoughts in the gutter. Different fonts and font sizes; long page breaks; adjusting of accepted and normalised border sizes all contribute to distinguishing this form of text from those found in conventional drawing-less books, either fiction or non-fiction.

The pictures drawn depict Foucault with an oversized head with arm raised and finger pointing, delivering his thesis. Though there is no reference to Karl Marx there is an illustration of him further down the page. Foucault, his idea, and Marx are connected and it is up to the audience to first enquire to whom the illustration is of and what then is the relationship.[223]

The comic has been used to provide an historical context of how the salient ideas in surveillance theory were formed through graphic non-fiction biography. Bentham, Orwell and Foucault's contributions have been clarified and illustrated.

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[223] Fillingham, L. A. (1993), p. 128

The genre of narrative non-fiction has been used in comic books such as *The Machine Never Blinks* when the creators conjured a plausible meeting that could have taken place between Foucault and Orwell.

This backdrop has been expanded on by the contemporary creators Pratap Chatterjee and Khalil who have addressed how surveillance continues to develop and then has global repercussions in their non-fiction graphic novel, *Verax*.[224]

The full title is *Verax: The True History of Whistle-blowers, Drone Warfare, and Mass Surveillance.* It is a chronicle of true events that are the consequence of the surveillance programs developed by governments around the world following 9/11. The form is that of an exposé describing the alleged mass surveillance law-breaking the United States government has carried out via its clandestine agencies. The account is given in narrative non-fiction, comic book form.

The creators, decided to expand on their previous relationship where, as a journalist Chatterjee would write an article and Khalil would draw a picture to summarise its main points – the idea being that the audience's eye is first pulled towards an image before the explanation via the text.

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[224] Chatterjee, P. & Khalil (2017)

McCloud's perspective is that the drawn image is part of an extension to the symbol orientated culture that makes up the contemporary world and that an audience participates in a drawn image through imbuing it with life.[225] Khalil proposed the idea of a collaboration in the form of a comic book to Chatterjee who agreed as the concept involved the writers essentially being underdogs; telling truth to power. This has traditionally been the position of satirical political cartoonists.

Initially, similar to the Orwell and Foucault books, the idea was a biography of Edward Snowden the whistle-blower. But as they investigated and documented the extent of the US Government spying on its own citizens they realised the surveillance had a tangible remit of targeting people deemed to be terrorist threats and then eliminating them through the new technology of drones and drone strikes. The narrative moved beyond simple issues of privacy to unauthorised targeted killings at the behest of the state.

As the story dealt with complex issues and the goal was to demonstrate the tensions and immediacy, images in tandem with a précis text of a comic was the most apt solution. Khalil states:

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[225] McCloud, S. (1993), p. 59

'The esoteric nature of the challenge was something new… it wasn't just a matter of summing things up, it was a matter of actually conveying some of the detail… (but) not to get lost in the minute and so make things digestible. I was constantly trying to find the image sequence that would make this palatable to the average reader.'[226]

The title of the comic book derives from the codename that Snowden chose for himself; Verax, from the Latin, which translates as truth-teller.[227]

Chatterjee and Khalil use a standard format of comic book which is common to the twentieth century European tradition: panels containing drawn images where a character's dialogue is within speech balloons. One panel is divided from its adjacent panel by a gutter and this runs in sequence till there is a closure. The element of 'cartooning' characters rather than being hyper realistic to encourage viewer involvement and a significant differentiation in the presentation of setting – which is more accurately drawn – is termed *masking*. It allows for the reader to be part of the sensory cartoon world. McCloud describes the distinction between the levels of depiction as serving a dual purpose for the reader: first to 'see' and second to 'be'.[228]

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[226] Dueben, A. (2017)
[227] See Gellman, B. (2013)
[228] McCloud, S. (1993), p. 43

In *Verax*, the story is real and the protagonist is one of the creators of the comic book. As a consequence, it is autobiographical in nature. The illustrator Khalil's skill, lies in allowing the reader to identify and empathise with the protagonist Chatterjee to be recognisable as someone else, but also providing enough ambit for themselves to be also to be involved and embroiled within the events described. Verifiable incidents are referenced and described - they show how the story of surveillance is a continuously developing one. For example, as stated above, the New York times posed the question: 'So, are we living in 1984?' – and Thomas Drake, an NSA cryptographer who voiced his concerns regarding privacy through the formal and accepted government oversight architecture was deemed an enemy of the state, which prompted him to say:

'We are living in an Orwellian world where whistleblowing is equated with espionage.'[229]

As *Verax* continues, the description of how surveillance came to be investigated and then presented in comic book format is explained. The history of how Chatterjee and Khalil began their collaboration is woven in as part of the story and explains how the vagaries of being an investigative journalist and a political

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[229] Chatterjee, P. & Khalil (2017), p. 32

cartoonist propelled them to 'think outside of the box' to use their attributes, connections and particular interests.[230]

This is the metanarrative that the medium allows. Conversations are illustrated so those in dialogue are clearly seen without the extra text explaining such. Figures and facts as part of, for example, a telephone call, are embedded rather than stated and so come across as information as part of a story, rather than polemic. The salient statistic, that in the UK there are 4.2 million CCTV cameras - which equates to one for every fourteen of the population – is discussed as an event explaining how Chatterjee had to leave the UK for the US in order to carry on his investigation.[231]

A few pages later, without exposition a character is introduced by means of an illustration of a single bespectacled eye[232] – a trope that has been used as a metaphor for surveillance in literature and society for many decades. The 1949 original book cover of *Nineteen Eighty-Four*;[233] the cover of the graphic novel of *1984: The Graphic Novel*;[234] the cover of *The Machine Never Blinks*;[235] in *Orwell for Beginners*[236] and *Foucault for Beginners*[237] as well as many others have all

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[230] Ibid., p. 71
[231] Ibid., pp. 72-73
[232] Ibid., p. 75
[233] Orwell, G. (1949)
[234] Nesti, F. (2020)
[235] Lynskey, D. (2019)
[236] Smith, D. & Mosher, M. (1984), p. 176
[237] Fillingham, L. A. (1993), p. 67

used the single eye and so this image representing a constant unblinking gaze has become synonymous with that of surveillance.

The single-eye character is not expanded on as the story progresses and the narrative compels the audience to keep on reading as it becomes part mystery and part thriller. The creative storyline, with brevity of text and bolstered by familiar and recognisable, if unexplained, elements in the illustrations propel the book at a faster pace than a standard novel.

It is not until seventeen pages later[238] the identity of the man illustrated by focussing upon a single eye is revealed as Edward Snowdon. And though he becomes instantly recognisable after the fact, the lack of detail in the cartoon ensured that the intrigue within the story remained.

The succinctness of text makes for use of only the most essential and resonant words and phrases. The headline the of Guardian newspaper's exposé is given without the need for exposition:

'NSA Prism program taps in the user data of Apple, Google and others

By Glenn Greenwald.'[239]

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[238] Chatterjee, P. & Khalil (2017), p. 92
[239] Ibid., p. 108

This also places emphasis on the gutter and gives agency to the audience to make connections. The personal account of the creators continues to be scaffolded by the real events and the following page describes the real address given by President Barack Obama at the Fairmont Hotel in California on 7 June 2013. It was the first time the concerns were addressed in public and the comic book account replicates his actual words which referred to, and gave the rationale behind the actions of his administration.

'You can complain about Big Brother and how this is a potential… you know… program run amok. But when you actually look at the detail… then I think… we've struck the right balance.'[240]

The description of the story follows a chronological timeline. The creators through giving their audience leeway to conjure their own ideas, influence the conclusion to be drawn through the panel-to-panel transitions. For example, during the Obama speech, five panels show how the address progresses. Each panel is a continuation from the next but rather than depicting a static president at the lectern, five different angles are given. These comprise of panel one: a headshot; which moves on to panel two. This is a half body drawing with the

[240] Ibid., p. 109

President's hand gesticulating. The next panel is another headshot but drawn smaller and tilted at forty-five degrees with the seal of the *Office of the President* of the United States emblazoned. The penultimate shows President Obama in full length profile, taking questions from journalists and then the final panel for closure, is a drawing that depicts the back of President Obama's head. The text within the speech balloon is an answer to a reporter's question.[241] Changing the perspectives keeps up the momentum of a static but pivotal event. This is an example of an aspect-to-aspect panel transition.

Verax p. 109

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[241] Ibid.

The closures are important because the narrative shifts from the first-person perspective of the writer Chatterjee, describing his own actions to that of the third person when recounting events where he was not present. When the subject matter moves on from describing his own actions to that of a journalist filmmaker, Laura Poitras, where he was not present, the creators use scene-to-scene transition. But first there is closure of the Chatterjee's involvement.[242]

In essence closure is part of the contract a storyteller has with their audience where there is the recognition of the need for that audience to participate in an *experience* process. There is a want to know how a story ends on the part of the audience, as well as to travel the journey to its conclusion. However, it is vital that the there is a deferring of knowing the ending and so waiting until the story finishes.

Verax is teleological as well as chronological. The story begins in the past but arrives to its conclusion in the present. It starts with the premise that there will be an ending. The main transitions will be action-to-action as these show the progression of the events as the minute, hours and days pass.

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[242] Ibid., pp. 60-61

And though the story will end at present, closure, as with any closure is not final. It is a construction that allows the move from one part of the story to the next with the information already gathered neatly tucked away. It is also a path to linking the story of *Verax* to the story of the audience's own lives. This the principle direction the creators want to take the audience.

The critic Henry James explained this using metaphor particularly apt for stories told with illustrations:

> 'Really, universally, relations stop nowhere and the exquisite problem of the artist is to eternally draw, by a geometry of his own, the circle in which they shall happily appear to do so…He is perpetual predicament that the continuity of things is the whole matter for him, of comedy and tragedy; that this continuity is never broken, and that, to do anything at all, he has at once intensely to consult and intensely to ignore it.'[243]

Verax ends with a quotation by Chelsea Manning the US Marine and intelligence operative who gave information to Wikileaks and Julian Assange, regarding unarmed civilians in Iraq being shot and killed. It states:

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[243] James, H. (1875)

'We're getting all this information from all these different sources and it's just death, destruction, mayhem. We're filtering all through the facts, statistics, reports, dates, times, locations, and eventually just stop. I stopped seeing just statistics and information and I started seeing people. I have a responsibility to the public…we all have a responsibility.'[244]

Though this is the last sentence of the epilogue, it points to a continuing story and this is an important aspect of closure. Closure does not equate to finality. All stories are a continuous thread but artists decide where to put the knots of interest and how to tie off the string. For Henry James the most important aspect of the continuation of a story is how it is ended.

The story of *Verax* is the investigation of a continuing conspiracy against the people it means to govern, by the US Government. And the story of a down-on-his-luck journalist and his struggle to find meaning and agency. Chatterjee and Khalil know that their audience expects and are able to deftly provide intermittent closures as the story progresses, because they have two modes available – pictures and words.

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[244] Chatterjee, P. & Khalil (2017), p. 229

In Chapter 10, the narrative is in first person with Chatterjee meeting with Khalil. The panels are an example of action-to-action and in a succinct manner describe a conversation which is used as a trojan horse to carry within an explanation to the audience. The closure of the scene appears with the last panel where the scene ends with an un-numbered, full-page representation of the United States as a serpent coiled around an intelligence tree constricting the trunk and branches.[245] The scene concludes but leads on to a double page spread panel-less illustration of the digitalisation of the world. Chatterjee is explaining to Khalil the extent to which a citizen can be tracked and watched.[246] The illustrations permit the telling of an embedded narrative concisely.

This embedded narrative as a device continues as Chatterjee and Khalil discuss with a mathematician how in the fight against terrorism, mathematical rules and algorithms are being used to 'vectorise' human beings. This is a concept similar to datafication where attitudes, demographics, behavioural and lifestyle choices are quantified and then used to identify terrorists and differentiate them from non-terrorists.[247] The panels do not show Chatterjee and Khalil but describe the explanation given by the mathematician through his thoughts.

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245 Ibid., p. 135
246 Ibid., p. 136
247 Ibid., p. 213

Chatterjee and Khalil, the creators use an ancient representation of the vergence of mathematics and a human being to contextualise this to the audience. In 1490, Leonardo Da Vinci using the concept of ideal proportions given by the Roman architect Vitruvius, drew the image of a man whose dimensions were determined on a numerical basis. This is used in diagrammatic form to explain how a person can be reduced and represented on the presumption of data.[248] In *Verax*, the data is shown as streams of the binary digits 1 and 0 that emanate from the man. The page is a single large panel and this confers the importance of the notion. It is an example of a subject-to-subject transition. The drawing and corresponding text demonstrate the way that data has subsumed the muscle, bone and skin as a way of judging what a human being is comprised of. This transition scheme navigates the audience through the ideas of the mathematician as he explains the concepts to Chatterjee and Khalil. They in turn are explaining to their audience.

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[248] Isaacson, W. (2018)
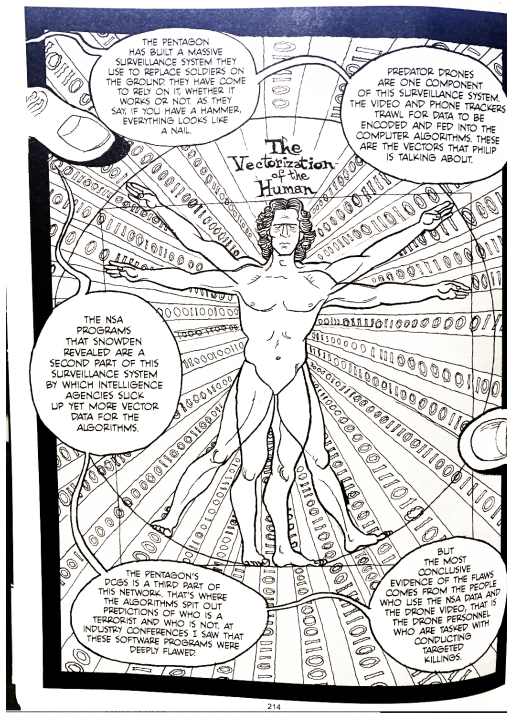
Verax p. 214

McCloud states that these categories of transitions are fluid and imperfect but nevertheless act as base to understand the writing process of comic book creators. The more that the audience can appreciate the ideas behind the storytelling, the more agency will they have to determine how to assign meaning within the panels, between them in the gutters and at what level the closure is. Comic books are dependent on the audience becoming involved and participating through their unique interpretations of the hidden or yet to be uncovered and discovered messages found in the space and spaces.

CONCLUSION

Film

Since the 9/11 attacks - an event which changed the nature of contemporary society - the depiction of surveillance in film has been brought in to sharp focus. Film and surveillance share operational practices and principles, in that both are dependent on visual and audio monitoring or recording. There is also a tangible similarity to that of Bentham's concept of the panopticon penitentiary: there are those who *watch* and there are those subject to *watching*. Delving deeper, cinema brings the prospect of multitudes doing the watching and so brings to mind an advancement on Bentham towards the Foucauldian iteration of the panopticon in regards to masses and mass media.

The advancement in surveillance technologies and the infrastructure that supports such (connected computers and massive automated databases) have pivoted narratives towards that of pervasive surveillance. This has led to a questioning of the established authorities' motives and roused investigations in to the manner by which data is acquired and then the extrajudicial use of that information. *The Dark Knight*[249] depicts a superhero motivated to protect the citizens of Gotham

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[249] *The Dark Knight,* dir. Nolan, C. (2008)

City but eventually succumbing to the pull of the illegal use of surveillance. He is tempted by the power gained and opportunities afforded as a step towards exerting a control over society through manipulating benign audio and visual technologies that are embedded into mobile phones.

What is remarkable is how *The Dark Knight* charts the journey of the protagonist- from a technology expert to one who becomes a surveillance expert and continues down an morally bereft spiral staircase, despite full knowledge of the implications that total surveillance has. He is increasingly seduced by its power and it is only a reckoning with his lifelong friend that motivates him to use that power in one isolated mission of pursuing *The Joker* – an embodiment of terrorism and therefore evil. Christopher Nolan deftly provides the transition from a thematic understanding of surveillance to one of structural engagement. His skill is in showing the evolution of *The Dark Knight* from a technical surveillance expert to a perpetrator and unnerving overseer who despite misgivings, oversteps the legal and ethical boundaries of how surveillance technology survey should be used.

So, a fast-paced, plot driven story in the classic superhero mode of good versus evil is only as important as the narrative given through the exploration of the inner turmoil of the protagonist. *The Dark Knight* is as much a telling of psychological and moral considerations involved in surveillance as an action-centric, comic

book tale. The nexus between society's for the most part, unquestioning acceptance of tracking capabilities and cameras on mobile phones and surveillance is highlighted to provide the premise of a 'viewer society' where Foucault's notion of the masses being able to watch, is realised.

A mobile phone is no longer a simple communication device. It is a concealed, miniature camera and audio-recording device which now has fingerprint and facial recognition technology built-in. They can be tracked by satellites to give the users location to within any three-metre space on the earth. *The Dark Knight* is an allegory of what can occur when benign technologies are used nefariously, albeit in one man's pursuit of the greater good. He uses technologies already prevalent in society to hack into the system in order to capture his foe. The message is that technology is already here and that it can be used to gain advantages for the purposes of good, evil or even a good through evil.

Films such as Michael Radford's adaptation of Orwell's *Nineteen Eighty-Four* (1984)[250] examined the psychological aspects of surveillance and its use as a control mechanism on individuals and society in turn. *Minority Report* (2002)[251] depict protagonists who must manipulate surveillance technologies as a means to survive. More recently, *V for Vendetta* (2005)[252] portrayed societies where the

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[250] *Nineteen Eighty-Four*, dir. Radford, M. (1984)
[251] *Minority Report*, dir. Spielberg, S. (2002)
[252] *V for Vendetta*, dir. McTeuigue, J. (2005)

state conducts unsolicited surveillance to monitor and control its citizens. *The Adjustment Bureau* (2011)[253] posits the story of organisations with the ability to surveil people to ensure their lives adhere to a 'plan' and where any individual agency constrained. *Snowden* (2016)[254] is a biography of Edward Snowden, who leaked the NSA's illegal surveillance techniques as classified documents to the public and press, and his subsequent treatment as a traitor. All of these are part of a process where films with surveillance as a concern are at the core of the narrative and so the issue is 'normalised' through its examination. This reflects a post 9/11 society where surveillance technology infrastructure has been created by Western governments and accepted by its citizens along with advancements in personal technology which can act as panopticon in the pocket and a tracking device all at once.

The argument exists that such devices democratise surveillance, transforming it into sousveillance and the more monitoring (from all directions) will herald a society, transparent and free from secrets. Contrary to this perspective, films such as *The Dark Knight* reminds its audience of the potential pitfalls of unchecked, unbalanced surveillance.

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[253] *The Adjustment Bureau*, dir. Nolfi, G. (2011)
[254] *Snowden*, dir. Stone, O. (2016)

Television Series

The discourse surrounding surveillance as depicted in television following the 9/11 attacks, follows a similar one to that of cinema. It reflects the concerns of issues such as Governmental overreach as a response to 'the War on Terror'; the significant rise of surveillance and the emergence of an ever more ocularcentric society. The rationale for these changes was the protection of the nation by their Governments through the efforts of their observable departments such as Homeland Security as well clandestine agencies such as National Security Agency (in the United States).

Television comprises of scripts and screenplays. These are original texts which can be examined from a number of perspectives alongside the viewing material. In this project the focus was how the narrative function of television reflected and interpreted the major implications of surveillance following the 9/11 attacks in New York and Washington. Uniquely, the longitudinal nature of a TV series gives opportunity to analyse over an extended and extendable period of time.

Television continues to merge with the internet and the understanding of serial programming as 'television' must be reconsidered in the light of the emergence of 'streaming'. Notwithstanding, episodic programming is still produced by networked companies as well as streaming services such as Netflix. But

streaming adds a dimension in that the audience can watch a complete series in a sitting without the need to 'appointment view' – where the audience watches at a set time according to TV scheduling.

The HBO drama, *Person of Interest*[255] ran across five seasons and so the audience had, via social media, the power and ability to influence its production as the episodes progressed. So, surveillance trends as they occurred were in some measure modified by the viewers themselves through their responses on social media forums. The viewer became a tangible participant in shaping future narratives as program makers could see who was watching, (and catering for that audience) as well as by taking on board their critique.

This empowers the audience in a synoptic/panoptic manner as they are not only watching but also making judgements and this agency gives rise to the twin enjoyments of experiencing through the watching as well as being in a position where opinions matter and can be considered for future episodes. The viewer then is doubly invested resulting in surveillance themed TV series where it was both a mode to deliver the story and a means to creative new narratives.

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[255] *Person of Interest*, Nolan, J. (2011-2016)

Person of Interest also empowers its protagonists within the storyline. They represent the people as they are (and perhaps the viewing audience) civilian citizens attempting to tell truth to power and limit the state's ultra vires actions. It is not a symmetrical battle and the protagonists are out-resourced but through their ingenuity and bound by moral compasses pointing true north, refuse to be outfought.

The ethical and philosophical cornerstone of pluralist, liberal, Western democracies is that they will uphold citizens' rights, the rule of law and human dignity. The question then arises of to what extent have these principles and mores been compromised in the struggle against terrorism after 9/11. The project submits that Foucauldian notions of a state sanctioned panoptic gaze has been represented in TV since the twin tower attacks to show how surveillance has been used as a response to not only watch over but also to effect an idea of what a national identity should be.

As the gaze is now not only top down and has focussed 'inwards' at society, television viewing operates as a part of the social panoptic apparatus. Smart cameras can link to social media sites such as Facebook and Twitter, record footage and then distribute it instantaneously across the world. Such videos can show, for example, how an arm of the state is overreaching and violating laws and moral codes. Though this counter-surveillance does not constitute traditional

TV it is viewable on YouTube and similar sites and is an avenue for the audience to counter-watch the apparatus of the state. This return panopticism on the part of the public has found its way to TV series *Person of Interest* and is a notion that Foucault described as 'double conditioning'.

> 'The analysis, made in terms of power, must not assume the sovereignty of state, the form of law, or the overall unity of a domination are given at the outset: rather, these are only the terminal forms power takes.'[256]

Power is redistributed as citizens are able to impinge on the state power through the ability to 'return gaze' and this becomes a form of resistance. In television this pushback is seen in how TV is modified by the creators taking into account societal perspectives. Perhaps in the future more TV series like *Person of Interest* will identify the changing and complex nature of the relationship between state and individual. The narrative fire of resistance increasing on the part of the viewer through the return gaze and double conditioning and how that blurs the line between state and citizen panoptic power has already been kindled. The world is a place where citizens use and utilise the panopticon continuously, watching each other, watching one another.

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[256] Foucault, M. (1978)

George Orwell's seminal novel *Nineteen Eighty-Four* is an iconic twentieth century narrative. The language he invented is part of the contemporary lexicon in both the world and world of surveillance. 'Thought-Police, 'Doublethink' and 'Big Brother' are familiar and provoke considerations that have become pertinent and relevant in contemporary society.

In 2021 Fido Nesti adapted and illustrated it into a graphic novel and one of the most influential texts of all time has now been re-interpreted and developed for a new audience. Perhaps it reflects the current zeitgeist in society where state sanctioned surveillance via CCTV is commonplace and images become as important as words.

Direct comparisons can be made with the society described in the novel with that of our public spaces, and workplaces today. Orwell's protagonist, Winston Smith encounters telescreens and micro-listening devices and similar screens and phones with microphones have become part of our modern existences. The context is similar too in that there is an intangible and continuous war ongoing. And the ominous conclusion in the 1949 novel tells of a society where division

and social exclusion is a governmental policy; privacy is barely existent and its incremental erosion has been mirrored in a loss of human dignity.

Will Eisner, the comic book artist and writer coined the term 'graphic novel' in 1978, in order to differentiate his works from comic works which had been long stigmatised as simplistic, directed towards an audience comprising of children and consequently far from high literature.[257] But Eisner considered comics to be novels in that the most fundamental aspect with pure text literature was the storytelling and this, both modes shared. E. M. Forster agrees:

'The story is the backbone of the novel.'[258]

Eisner, Orwell and Forster all wrote fiction. The graphic novel has had its own development and with particular reference to surveillance, the comic book form has been adapted for biography such as those of Orwell himself, and Foucault too. Using comics as a vehicle to tell stories of lives is well established and a process where rather than an elongated exposition of a person's life is given, the idea is to distil the said life into its most salient moments. The pictures facilitate this paring down and the well-known advertising adage of 'one look is worth a thousand words' comes to mind.[259]

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[257] Eisner, W. (1985)
[258] Forster, E. M. (1927)
[259] Barnard, F. R. (1927), cited in Ratcliffe, S. (2016)

But more than being a means to saving sentences, a picture can provide the visual cue to elicit an emotional response of sight, sound and smell, in an instant, and without conscious effort on the part of the audience. There is no curtailing or lack of research and comic book biographies are not truncated versions of 'real' text only works. Rather, they are concise, accessible and sophisticated renderings which have the advantage of being able to be read expedited, if the audience chooses.[260]

Creators such as Greenberg, Paterson and Canlas have documented the history of surveillance in primarily non-fiction, graphic mode but seizing the opportunity for thought experiments that illustration offers have extended non-fiction into a countenanceable fictional imaginings. For example, in *The Machine Never Blinks*, the creators describe a meeting and conversation between Orwell and Foucault in order to carry important ideas and pressing contemporary concerns of citizen tracking and personal privacy.[261] This fictitious narrative occurs in an imagined formulation of time, and the undefined sequential progression of comic form uniquely allows, and moreover facilitates this. The audience can imbue their own understanding of the degree of time in the panel-to-panel successions, which is only hinted at by the creators.

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[260] Barnett, D. (2014)
[261] Greenberg, I., et al (2020)

Other comic book creators, such as Pratap Chatterjee and Khalil have told their own non-fiction stories in comic book form – an authentic report of a real experience combining first-hand knowledge of the both the physical and psychological concerns. In *Verax,* Chatterjee provides the text and Khalil the images.[262] They chose the format as an extension of their experiences as text journalist and cartoon satirist respectively. Both appreciated the comic book audience accepts a contract of connecting the words and images as equivalently weighted, indivisible participants forming a unified whole. It is this combination which has allowed the comic book format to flourish – the visual vocabulary of the pictorial representations in sequences, alongside the structured realism of non-fiction, fiction or biographical text, reliant and dependent on each other.

The particular sociology of the journalists was also a significant factor as the narrative reads as an exposé of the metaphorical of Goliath (the US Government) by a significantly less-resourced, David – the jobbing, intrepid journalists. The comic as a marginal, traditionally under-respected than the other literary modes and so subversive medium, is an apt vehicle to carry the story.

Key Issues

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[262] Chatterjee, P. & Khalil (2017)

Works of fiction and creative non-fiction provide an avenue for both academic and non-academic discussion. Though of course, precisely defining what exactly surveillance now entails is an ongoing task as the parameters of monitoring develop and widen. CCTV cameras are a feature of modern society but governments have been found to engage in mass wiretapping and every time a person uses public WIFI they can be tracked. Data mining and under-the-skin new technologies which provide information about ourselves which is recordable are effectively novel forms of surveillance and it remains unclear how and for what purpose the accrued data might be used.

Fictional depictions are primarily for entertainment purposes and are meant to be experienced rather than picked apart for sociological inquiry. But as speculative, experience driven media, they can premise or foretell a place, physically and temporally, where we have as a society, not arrived. Such works can reflect and shape the understandings of surveillance. The narratives are carried within the trojan horse of the described experience but in order to be believable must be rooted in the vocabulary that the audience understands.

Looking at the example of CCTV depictions of the synopticon screen in *The Dark Knight,* the grainy camera footage of *Person of Interest* and the representations of the banks of screens in *The Machine Never Blinks* it is clear there are

intertextual visual co-incidences. These are similar to one another and believable because the optics of surveillance are already prevalent in society and so are familiar. Looking at the this from a Barthesian *Mythologies* perspective, the argument is made that a sign with the image of a camera is a *sign*. What it signifies is that there is a technology placed ahead that can detect, monitor and record. The hidden meaning is that the there is an authority overseeing this process and that authority has the ability and legitimacy to sanction its citizens for contravening its rules.

The panopticon has been accepted as it pervades society in the Deleuzien rhizomic movement. This has been accelerated by modernist embracing of technological advancement which has democratised smart phones with monitoring technologies built in. These are globally available even in developing nations and has become baseline means of engagement in society. In effect, the panopticon has evolved into the synopticon through electronic media take up by the masses. This brings to Foucauldian tenets of the disciplinary society made possible by the *disciplines* – micro acceptances to ease day to day lives but which modify individual and then societal consciousness.

The synoptic society is also a filmic one. And the gazes described in cinema, TV and comic book form examined has become voyeuristic in that, with the means of a panopticon in our pockets – individuals become enablers of the proliferation

of the gaze. But films, TV and comic books do not hypnotise into a mode of action where citizens have no agency, and in fact, have brought forth counter narratives which move and inspire people to resist authoritarian trends even when changes in society are framed as positive and irresistible.

Bentham's perspective was that panoptic surveillance was the act of being watched but not necessarily *continually* being watched. Only the prospect of this was necessary.

This is important from a Foucauldian or Deleuzian political perspective which considers the unquestioned forms of state power, facilitated by embeddedness and automation of technological advancements. Once that power has been subsumed though the internalization of the potential gaze the panopticon becomes a disciplinary society.

Contemporary, technology and media-based culture has enabled and altered the dynamic of the Benthamite gaze from one where the few watch the many, to where the many can watch the few back, and also the many back too. The panopticon becomes a synopticon and this then shifts Foucault's theory of disciplinary power. If individuals are watching each other and there is the prospect of being continually watched by state and citizens alike, privacy is already lost and the question becomes to what extent?

The Dark Knight, Person of interest and *Verax* envision a not-too-distant future where the synoptic gaze adopts a Foucauldian position. Surveillance and AI algorithms based on acquired personal data assign values to members of society. The question then shifts from who are the watchers and what will they do with the information garnered from the watching, to, whom configures the parameters to decide who in society should be watched then what consequences for the control and discipline of society when a ubiquitous synoptic gaze has been internalised? And this is an auspicious topic of consideration for future research.

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