

Guglielmo Siniscalchi\*

*Iconic Turn in Deontic Wor(l)ds.*

*From Visual Rules to Optical Dispositives*

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*Abstract:* These pages are a brief contribution dedicated to the exploration of the relevance of images for legal discourse. Considering the specific field of road traffic regulation, the paper shows, starting from Michel Foucault's seminal research on the concept of "dispositive", how the use of images produced by visual devices such as surveillance cameras or satellite navigators has gradually integrated legislation mainly composed of "graphic rules" (road signs). A passage destined to create a new order of an extra-legal nature that profoundly affects the construction of new forms of subjectivity.

*Keywords:* Dispositive; Foucault; Visual rules; Agamben; Traffic signs

*Index:* 1. *Was ist ein normatives Bild?* – 2. What is a (optical) dispositive? – 3. *Omnes et singulatim:* The power of the gaze – References

## 1. *Was ist ein normatives Bild?*

In the early 90's William J.T. Mitchell [1992, *The Pictorial Turn*] and Gottfried Boehm [1994, *Was ist ein Bild?*] defined with the expressions "pictorial turn" and "iconic turn" the overbearing return of images in all fields of our contemporary culture. In the past thirty years, visual culture has migrated from the purely aesthetic sphere to fields of knowledge that are only apparently distant, such as politics, economics, science, information technology, and, last but not least, legal language.

If the twentieth century, with the affirmation of legal positivism, was the century that identified the normative discourse with the textuality of codes, laws, and norms intended as the product of linguistic utterances, the twenty-first century seems to rediscover the visual, iconic and symbolic dimension of the law which has to face the challenge of globalization, the spread of the show business society and the society of "control", and the diffusion of informational languages.

Also, because the idea that legal language is also made up of images is ancient. It would suffice to recall the Latin etymology of the term "signum", which designates in a broad sense both the images (the signs, the banners, the paintings, and the sculptures ...) and the keywords (the signal, the command, the omen,

\* Assistant Professor in Philosophy of Law at the University Aldo Moro of Bari: [guglielmo.siniscalchi@uniba.it](mailto:guglielmo.siniscalchi@uniba.it).

the symptom ...)<sup>1</sup>; or the language of the *Emblemata* of medieval jurists – above all, the famous works published in 1500 by Andrea Alciato –; or, more, the reflections on the symbolism of the royal power of the eighteenth-century English jurisprudence studied by Ernst Kantorowicz, to disavow the textual drift of the twentieth-century legal positivism.

The nature of the link between images and law remains to be clarified. At first glance, we could imagine a bi-directional relationship: with a first direction that points straight from the norm towards the image; and a second, vice versa, which from the image leads to the universe of normative discourse.

The first direction points towards proper legal norms that have abandoned the form of the verbal language to embody the shape of a universal visual language. A typical example is road signs which are a corpus of rules (prohibitions, obligations and permits, but also indications and advice ...) crystallized in “universally” widespread and recognized images. From the “milestones” that marked the ancient ways of the Roman Empire to the most modern examples of electronic signals, the street codes are a clear example of “visual” rules. In this case, the direction clearly leads from the norm to the image.

Let’s consider the other verse. If it is true that there are “visual rules”, it is equally true that there are normative images. Provided, however, to broaden the semantic boundaries of the term “regulatory” by including in this category, not only the legal rules in a strict sense but also all those signs that express some “compulsive” force concerning a hypothetical recipient. Thus, the construction of the legal discourse is enriched with symbols, emblems, images, geographical maps or pictorial representations, just to name a few, which constitute the open and ever-changing set of normative images.

The historian and philosopher of law Pierre Legendre defines the “plural writings of the normative” as “nomograms”, alluding precisely to visual expressions such as dance, rituals, cinema, painting, emblems, or all socially relevant normative signs<sup>2</sup>.

“Nomogram – Legendre specifies – est formé à partir de deux termes grecs, *nomos* noms (loi, règle, usage, ce qui a été adjugé, équivalent latin: *institutum*), et *gramma* gramma (tracé, schéma, écrit, lettre...)”. While “*nomos*” recalls the visual act of appropriation, measurement or occupation of a space, “*gramma*” further specifies the visual component in an original symbolic and ritual dimension, completely neglected by modern law theories. It is a figurative dimension – the so-called “*figuralia*” in Legendre’s language – often found, for example in Medieval jurists’ texts which Legendre deems as indispensable to recover to comprehend new normative processes of this post-modern era.

1 For a complete reconstruction of the etymological roots of “*signum*” see Lalande 1962: 991-992, where the author underlines the regulatory function of the term defining it as what designates an “action extérieure et perceptible destinée à communiquer une volition”.

2 On the concept of “nomogram” see above all: Legendre 1992: 60; Goodrich 2006: 13-34; and Heritier 2013: 24-48.

3 Legendre 2009: 271.

In these pages, I intend to deepen a concept located on the ridge between the directions I have indicated: the concept of “optical dispositive” intended as a machine or an apparatus which – by articulating rules and images, spaces and bodies – can produce normative effects through networks of aesthetic, graphic, symbolic, architectural and textual signs. My brief reflection intends to show how the concept of dispositive is key for understanding the further relevance of the visual and figurative in the regulatory universe of globalization and in the construction of a social order where the legal discourse seems to play an increasingly marginal role.

Let’s consider a paradigmatic case: the signs and indications on road and pedestrian traffic. In the road lexicon, there are more and more dispositives that are not the simple graphic translation of legal rules [visual rules] but are made up of a mix of often heterogeneous elements: drawings, pixels, diagrams, moving images, texts, symbols and architectural inventions. From the structures that convey and facilitate traffic to the very modern digital maps of satellite navigators, the new frontiers of social regulation techniques seem to increasingly move away from traditional legal territories, proposing coactive systems that profoundly and pervasively affect the recipient’s subjectivity.

The essay is made up of two sections. In the first, I clarify the conceptual meaning of the term “optical dispositives” by developing above all Michel Foucault’s intuitions through the interpretations of Gilles Deleuze and Giorgio Agamben. In the second, I briefly examine three types of optical road dispositives: traffic lights and the architectural structures that guide the conduct of motorists and pedestrians; video surveillance devices that exert constant psycho-social pressure on every possible recipient; and navigators and satellite maps which, through complex graphic systems, provide multiple information to the recipient, conditioning the entire driving experience.

With my investigation I ask myself about the differences between a standardization through visual legal rules and one through optical dispositives showing the emergence of an extra-juridical normativity that, to the traditional prescriptive-sanctioning mechanism, prefers to exercise a “soft” but continuous control on the recipient.

## 2. What is a (optical) dispositive?

From *genus* to *species*: defining the concept of optical device, it is necessary to clarify the semantic contours of the general concept of dispositive. The term “dispositive” has an ambiguous and multipurpose use<sup>4</sup> but it also has ancient etymological roots: it derives from the Latin “*dispositum*”, past participle of the verb “to dispose”, and immediately has undoubted affinities with the legal language. For example, recently, Jacques Aumont has identified four meanings of which (i) the first indicates the immediately enforceable part of a sentence or an administra-

4 Bianchi 2013/2014: 220-230.

tive order: a decision unrelated to the motivation that provides any justifications; (ii) the second, which, for Aumont, originates from eighteenth-century military lexicon, refers to the means, tactics and war strategies useful for achieving a certain goal (the victory of a battle, the encirclement of the enemy, the conquest of a territory ...); (iii) the third refers to the way, the order, in which the elements that make up a technological device are arranged; (iv) finally, in the cinematographic and visual field, the dispositive expresses all the tools that “contribute to arranging the image itself in space and to organizing its relationship with the viewer, somehow configuring their gaze.”<sup>5</sup>

The semantic realm of the term “dispositive” includes and mixes meanings that come from the legal and political lexicon with concepts that belong to the universe of technical, artistic and, above all, visual and cinematographic culture<sup>6</sup>. The *fil rouge* that tightens this constellation of meanings is the reference to an idea of order, of immediately effective and executive organizational rationality, of teleological reason oriented to mold bodies, acts and behaviours, which is expressed through the power of images and their relationship with the eye of every hypothetical recipient.

The concept of “dispositive” as a complex structure that links legal and institutional dimensions and visual and figural dynamics makes its debut in the debate of French philosophy in the early 70s of the last centuries. Louis Althusser in the essay *Ideology and Ideological States Apparatuses* [*Idéologie et appareil idéologique d'État*], published in 1970, expressly distinguishes two types of “compareils d'État”: the former are characterized by the ability to use systems with coercive force (from the police to the courts passing through prisons or public administrations), while the latter only provide for the diffusion of a certain ideology, intended precisely as a collective and symbolic representation, generalized and socially dominant (see schools, churches, modern media or unions ...)<sup>7</sup>. In the same years, in cinematography Jean-Louis Comolli, Christian Metz and Jean-Louis Baudry use the term “dispositif” to indicate the film and the space of the cinema hall as devices intended to convey an ideology by orienting the gaze and the behaviors of the spectator. By crossing psychoanalytic suggestions (especially Lacan ...)<sup>8</sup>, filmic theories and nascent theories of social control, the meaning of “dispositives” begins to mix the seventh art with legal-philosophical and sociological disciplines<sup>9</sup>.

5 Pinotti, Somaini 2016: 172.

6 The link between film and legal meaning of the term “dispositive” has recently been brought into focus by Mancino 2014: 129-139.

7 Althusser 1970. Although the close correlation between the concepts of “apparatus” and “dispositive” is undeniable, Foucault has repeatedly stressed the difference by attributing to the dispositive a different field of application and unrelated to the strict state and legal logic of the former. In this regard, see below the comments on the misunderstandings and the English translations of “dispositif” with “apparatus”.

8 Lacan's fundamental text is: Lacan 1998[1978].

9 In addition to the numerous writings of Christian Metz, probably the most significant works are Comolli 1986[1972]; and the two articles by Baudry 1991[1970]: 73-82; and 1988[1975]: 13-32.

But it is only along the direction of thought traced by Foucault and Deleuze that the term “dispositive” indicates an optical machine that exerts regulatory pressure within a defined space. A device where the gaze ends up taking on control and surveillance functions and images show their persuasive power<sup>10</sup>. Althusser’s intuitions cross the theories of cinema and visual arts by widening the meshes of reflection on the normative discourse and on the possible evolutions and metamorphoses of legal and institutional forms.

The dispositives are mainly analysed in two fundamental works by Michel Foucault: *Discipline and Punish. The Birth of the Prison* [1975, *Surveiller et punir. Naissance de la prison*] and *The Will to Knowledge. The History of Sexuality. I* [1976, *La Volonté de savoir. Droit de mort et pouvoir sur la vie*]; are cited in many essays and lectures between the 70s and 80s; and they are studied in depth in the two courses at the Collège de France held in 1978 [*Security, Territory, Population*] and 1979 [*The Birth of Biopolitics*]<sup>11</sup>.

The most famous example of a disciplinary visual dispositive investigated by Foucault is Jeremy Bentham’s *Panopticon*: the prison project designed, but never actually built, by the English philosopher in the eighteenth century, constitutes the archetype of every gaze machine where the power exercised by the beholder without being seen ends up conditioning and “disciplining” the behaviour of the observed subject. With its combination of visual elements (the eye in the guardian’s tower), architectural inventions (the circular and transparent structure) and legal and institutional implications (the prison sentence and prison), the Panopticon, at least in the Foucaultian reinterpretation, represents the perfect paradigm of disciplinary dispositive that anticipates the society of control and surveillance of our day<sup>12</sup>.

Rarely, however, Foucault is concerned with providing a precise definition of the concept. Only in an interview released in 1977 about the publication of the volume *The Will to Knowledge* the philosopher was asked about what a device is: “What I am trying to pick out with this term [the dispositive, *le dispositif*] is... a thoroughly heterogeneous ensemble, consisting of discourses, institutions, architectural planning, regulatory decisions, laws, administrative measures, scientific statements, philosophical, moral and philanthropic proportions – in short, the said as much as the unsaid. Such are the elements of the dispositive. The dispositive

10 If we wanted to trace analogies between the theory of twentieth-century law and the theory of disciplinary power in Foucault we could identify assonance with the legal realism of Alf Ross. On this point, I would like to refer to: Siniscalchi 2017.

11 For a map of the concrete meanings and uses of Foucault’s dispositive concept see Raffnsøe, Gudmand-Hoyer, Thaning 2016: 272-298. For a philosophical reconstruction of the concept in Foucault, with particular attention to the influences of the phenomenology of Husserl and Heidegger, see Redaelli 2011. Redaelli investigates the relationship between writing and discipline in the concept of dispositives, focusing above all on the close relationship between “codex” and modern regulatory devices, between “trace”, memory, archive and social control.

12 Allow me to refer to: Siniscalchi 2017: 51-63 for a reconstruction of the Foucaultian interpretation of *Panopticon* also through the Lacanian analysis of Jacques-Alain Miller.

itself is the network that can be established between these elements.”<sup>13</sup> Then he continues by stating that the dispositive is the “game” [*le jeu*] that takes place continuously between all these heterogeneous elements, between the said and the unsaid, the visible and the say-able, the word and the gaze. A game that has only one stake: the constant and total conditioning of the subject.

A few years later, Gilles Deleuze reinterpreted the Foucaultian concept in optical and visual function. To the question “*What is a Dispositive?*” [1989, *Qu’est-ce qu’un dispositif?*], which is also the title of the essay dedicated by Deleuze to the Foucaultian device, the French philosopher replies: “The apparatuses [*les dispositifs*] are similar to Raymond Roussel’s machines, as Foucault analysed them. They are machines make people look and talk [*sont des machines à faire voir et à faire parler*]”<sup>14</sup>. This first answer is already sufficient to understand how each dispositive is a mechanism where saying and showing, the visible and the say-able engage in their “battle” – in Deleuze’s “Kafkaesque” lexicon ... -, by weaving new lines of power and generating unexpected forms of “subjectivation”, strategies and fires of resistance. Optical dispositives are tools that allow you to observe something or someone, to know the object in focus and then, thanks to this knowledge, to exercise a power that has as its goal the discipline of the recipients, the control of the bodies (*les corps dociles ...*), their taming through the gaze. Also, the dispositives are generated by continuous and, at times, random “language games”, to use Wittgenstein’s conceptual lexicon, between “discursive formations” and “non-discursive formations”, as Foucault recalls in *The Archeology of Knowledge* [1969 *L’archéologie du savoir*], from statements and visibility, in a continuous game of metamorphosis between knowledge and power.

More recently, Giorgio Agamben has also questioned the conceptual origin of the term “dispositive” in a short essay titled *What is an Apparatus?*<sup>15</sup> Agamben’s answer always moves from Foucault’s intuitions trying to reconstruct the philosophical roots and show new fields of application of this concept. Agamben finds in Jean Hyppolite, one of Foucault’s teachers, the origin of the intuition of the French epistemologist. In the famous volume *Genesis and Structure of Hegel’s Phenomenology of Spirit* [1964, *Genèse et structure de la “Phénoménologie de l’Esprit” de Hegel*], Hyppolite often dwells on the concept of “positivity” that Hegel uses to distinguish natural religion from “positive” religion, the latter term meaning just a “complex of rules, rites and institutions that are imposed on individuals by an external power but that are, so to speak, internalized in the systems of beliefs and feelings.”<sup>16</sup> A power that initially imposes itself from the outside but then becomes

13 Foucault 2001[1977]: 299.

14 Deleuze 1989: 186. English translation: Deleuze 1992: 159-169.

15 Agamben 2009. On the improper English translation of French “dispositif” with “apparatus” and the philosophical implications of this choice see Bussolini 2010: 85-107. It is interesting to note that the difference between the concept of “dispositive” and that of “apparatus” is also underlined by Gilles Deleuze and Félix Guattari in 1987.

16 An interesting interpretation of the philosophical origins of the Foucaultian concept of dispositive alternative to Agamben is found in: Pasquinelli 2015: 79-89, which traces the

constitutive of the most intimate sphere of the recipients: a power that is no longer imposed for the fear of a sanction, but through complex rituals of self-discipline and control of desires and drives.

The concept of “positivity” characterizes the archaeological phase of the philosophical project of Foucault – see the frequent use in the volume *The Archaeology of Knowledge* –, to then evolve into that of a dispositive<sup>17</sup>. According to Agamben, two differences emerge from the passage: the first concerns the nature of the power exercised which, as in the *Panopticon*, assumes an anonymous and indefinite nature; then the role of the subject that is fully captured and controlled by the logic and regulatory strategies of the dispositive. It is not just a matter of “dis-positioning” the recipient towards certain behaviours, but of accompanying and guiding the entire vital and social sphere of the individual. The logic of the dispositive does not obey the permitted/prohibited or valid/invalid binary code but constitutes the individual as a subject, continually produces new forms of subjectivity.

This is why Agamben inscribes the dispositive in a theological framework always starting from the Latin etymology. More precisely, in the notion of *oikonomia* – understood as the set of activities in the economy of the Trinity entrusted to the Son to lead towards salvation of men to underline nature of a power which, compared to the use of brute force, would rather administer, guide, lead towards a pre-established goal<sup>18</sup>. Almost a “pastoral” power that does not just control and supervise but is able to accompany its flock to a specific destination. Not the fear of sanction but total control of the subject’s soul: thus pastoral power produces its effects by transforming the entire subjectivity of the recipient.

More than the traditional legal standardization tools, dispositives seem to fit into the framework of that “state of exception” which, according to Agamben, binds authors such as Walter Benjamin, Carl Schmitt and Michel Foucault<sup>19</sup>. With an anonymous power that acts widely without any legitimacy, dispositives increasingly resemble exceptional measures that have become normal in the era of global governance. If the term “apparatus” refers to the logic and lexicon of the theory of law, for of government, the dispositive reveals the dimension of an anonymous and widespread power, which moves along the extreme edges of the legal, capillary conditioning our lifestyle<sup>20</sup>. An efficacy made increasingly possible by the union between devices and technological evolution.

Foucaultian concept to the thought of Georges Canguilhem and his reflections on “normal and pathological”.

17 Hegelian roots suggest that positivity is a condition that affects in the long run by changing the habits and beliefs of a social group. The idea that legal discourse evolves through long phases that resemble climate change was recently proposed by Incampo 2015: 263-277.

18 Agamben 2011.

19 Agamben 2003. On the analogies and differences between Foucault and Schmitt regarding norm, normality and exception, I allow myself to refer to: Siniscalchi 2017: 1-19.

20 For a cartography of the concrete meanings and uses of Foucault’s power concept see: Elden 2017.

In this sense, Agamben's analysis is also very useful because it updates the list of dispositives proposed by Foucault by questioning the regulatory function performed by visual machines such as video surveillance circuits, social networks, or the various systems that characterize the information society, only to remember a few. But, if for Foucault the dispositives aim at the constitution of new forms of subjectivity precisely through the disciplinary strategies, for Agamben the new technological mechanisms tend rather to produce a continuous cross between processes of subjectivation and subsequent processes of de-subjectivation: first, the device constitutes the subject through disciplinary techniques and tools by approving acts and behaviours; then incorporates it entirely into its own governmental mechanisms, depriving it of any form of active participation in reality and of empowerment towards its actions<sup>21</sup>. Indeed, the total "mediation" that the dispositive operates between the subject and the environment leads, according to Agamben, to the end of any social and even sensorial experience. The mix between subjectivation and de-subjectivation processes ends up breaking up and fragmenting the identity of every possible subjectivity by reducing the subject to a number, a code, a file, a string, a mere biological fact.

In summary: we could identify some essential characteristics to define an optical dispositive. The first consists in the preference of these tools for widespread, anonymous and capillary management and control techniques, with respect to the prescriptive-sanctioning logics of the twentieth-century legal discourse. Social regulation techniques where the regulatory and disciplinary power is conveyed by the gaze through the use of images, graphic signs and architectural projects that organize the relationship between space and bodies. Finally, as emerges above all from the filmic meaning of the term, the decisive involvement of the subject: if the rules are limited to prohibiting and sanctioning individual acts or conduct, the dispositives invest the recipient in its entirety by changing the relationship that the ego maintains with the reality and slowly shaping expectations, points of view and ideologies.

Following the previous interpretations we could define an "optical dispositive" as a network of knowledge and suitable powers, not only to orient the conduct of the recipients, but to produce forms of subjectivation and de-subjectivation through the construction of a visibility regime, or through the power of gaze and images.

### 3. *Omnes et singulatim*: The power of the gaze

The regulation of road traffic is a privileged field to show the relevance of optical dispositives in the regulatory and disciplinary field. The graphic component already characterizes the traditional systems of road signs: as witnessed by twentieth-century law theorists such as Hans Kelsen, Herbert L.A. Hart and Alf Ross,

21 For a philosophical reconstruction of Foucault's subjectivation concept see: Deleuze 1988.



signage is a system of graphic signs that visually translates legal rules<sup>22</sup>. A heterogeneous set composed of both graphic rules and primitive dispositives such as traffic lights where the visual impulse, and not the graphic sign, conditions the conduct of the motorist or pedestrian in a prescriptive sense.

In *The Concept of Law* [1961], for example, Hart recalls the red traffic light to serve as an example for one of the key points of his theory of law: the difference between an “internal point of view” and an “external point of view.” According to Hart, to an “external observer,” the red traffic light can only be an indication of the likely halting of traffic: by repeatedly watching the behaviour of the cars, the observer can easily predict what will happen every time the light changes from green to yellow and red.

The visual signal only testifies to the existence of a habit, a behavioural regularity. In the case of an “internal observer,” i.e. an agent who participates in and acknowledges the rules of a legal system, the turning on of the light expresses the existence of a genuine rule bearing a penalty.

If the traffic lights are visual machines that graphically translate a prescriptive rule – red light/ban and green light/permit -, road traffic and, especially urban traffic, in recent years have seen a significant increase in increasingly complex dispositives.

As Mariana Valverde recently observed, regarding the laws of the street in Toronto, “the roadway is in turn a complicated assemblage made up not only of asphalt, painted lines, traffic lights, and vehicles but also of [...] formal and informal rules governing interactions amongst vehicles and between vehicles and other entities (pedestrians, cyclists, curbs, painted lines).”<sup>23</sup> An assembly, or we could also say a dispositive, of heterogeneous visual elements that produces social regularity, not only through the graphic translation of legal rules but also with “informal” regulatory tools, with a “regulation beyond normativity”<sup>24</sup>: architectural barriers, panoptic technological systems, and digital displays are all suitable devices to create order through the precise placement of bodies in a clearly defined visible space.

(i) The traffic roundabouts, for example, are typical architectures suitable for regulating road traffic which, in many cases, have now replaced the traffic lights.

The circular ring that replaces the intersection of multiple roads has the function of streamlining and facilitating traffic by reducing the probability of accidents between vehicles and therefore contributing significantly to increasing road safety. This is an apparently simple mechanism: the spatial distribution of bodies – in this case of circulating vehicles – in a visibility regime delimited by the circularity of the architectural structure creates a normative order that is not only the product of the immediate visual translation of a prescriptive rule. Indeed, very often as in the Italian Highway

22 There is now ample literature on the relevance of road signs for theory and legal discourse. Among the many works, I would like to point out: Studnicki 1970: 151-172; Wagner 2006: 311-324; Lorini 2011: 1969-1976; Lorini 2015: 341-350; Lorini, Loddo 2017: 197-211; Maynard 2017: 327-353; Siniscalchi 2019: 150-159.

23 Valverde 2009: 163-181. Among Valverde’s works, see also 2012.

24 See Lorini, Moroni 2020: 1-11.

Code, roundabouts are not governed by any specific provision but they involve a series of behaviours that mix tacit prudential rules (slow down and report changes of direction in advance), legal rules (obligation of yield to whom has already engaged the roundabout) and aesthetic elements (some roundabouts characterize the landscape that hosts them or are characterized by the presence of real artistic installations)<sup>25</sup>. If with the traffic light, the recipient's conduct depends on the chromatic variations of the light signal, the roundabout builds a visibility space where the eyes of those who must enter the circle and those who are already in the ring continually meet. The structure of the roundabouts functions as a mutual surveillance dispositive between drivers where order and safety are guaranteed, not so much by compliance with a prescriptive rule, as by the construction of a particular "visibility regime".

(ii) If the structure of the roundabout, with its circular dimension, recalls the optics of the *Panopticon*, technological tools that seem to duplicate the logic of Bentham's project indefinitely are becoming increasingly popular: video surveillance devices now also characterize the regulation of the urban and suburban traffic through the production and collection of a complex network of images and information<sup>26</sup>. The function of CCTV cameras, however, does not consist exclusively in the possibility of verifying *ex post* the fulfilment of a transgression to apply the related sanction: the simple presence of an optical dispositive, for example near an intersection or the speed slowdown signal, can certainly be a deterrent to facilitate compliance with the law<sup>27</sup>. The psychological mechanism is the same as that described by Bentham in the *Panopticon*: just as prisoners cannot know if anyone is observing them from the central tower of the utilitarian prison, so motorists are led to respect the rules for fear of a watchful and omnipresent eye. The dispositive works precisely through the power of this invisible gaze which, projected into a defined space, exerts psychological pressure conditioning subjects' behaviour.

Not only. The widespread diffusion of these panoptic systems also serves to constantly monitor road traffic flows by signalling critical points – peak times, some particular road junctions ... – and identifying times and ways to "facilitate" the movement of vehicles or pedestrians. The collected images allow the continuous and progressive correction of traffic in areas where "disorder" and "inefficiency" are created, thus enabling social normalizing effects without the use of rules or laws<sup>28</sup>. Therefore, these dispositives allow the construction of a knowledge aimed at the exercise of disciplinary power by reproducing on a global scale the logic of visual control inaugurated by Bentham's *Panopticon*.

25 The dispositive as a multimedia installation that touches public places and everyday objects is the focus of many video artists – from Bill Viola to Nam June Paik, just to remember the "pioneers" of this art ... – and of many seventh art theorists such as Raymond Bellour. Among the many works of the French philosopher and theorist, I would like to mention at least: Bellour 2012.

26 Leonardi Bricalli 2019: 144-161.

27 A now classic volume is: Garland 2001. For a more recent reflection that links technological development, neoliberal capitalism and total control strategies see: Zuboff 2019.

28 On the relationship between video surveillance, urban spaces and control strategies see: Firmino, Trevisan 2012: 28-41.

(iii) The third paradigmatic case seems to have nothing in common with panoptic disciplinary dispositives. Interactive maps and satellite navigators, which for some years have characterized car driving experiences, are visual tools that should only provide useful information to the driver. For example, suggesting itineraries, indicating refuelling stations or other businesses, indicating the presence of prohibitions, speed limits and driving directions.

These dispositives do not translate legal rules and do not possess any prescriptive-sanctioning force: they are limited, possibly, only to communicate the presence of other regulatory signs. Yet in these devices, which mark the technological evolution from the old road maps to the new maps designed by the graphic displays, following the analysis of Agamben, lines of subjectification and de-subjectivization converge: disciplinary powers and the construction of new forms of subjectivity they are the prerequisite for a subsequent and total incorporation of the subject into the virtual mechanisms of the dispositive.

Just think how these devices are able not only to track every movement of those who use them but also to signal the user to exceed speed limits or the presence of a one-way sign or a no-parking zone. While not expressly translating prescriptive rules, but merely signalling their presence or the transgression of the limit or prohibition, the dispositive “gently” conditions the conduct and actions of the driver. So far it would seem that the “panoptic” and the invisible gaze of the device exerts only psychological pressure on the recipient, a disciplinary power aimed at “normalizing” acts and behaviours. In reality, the graphic representations of the display immerse the observer in a parallel universe: a virtual space where the reporting of permits and prohibitions intersects with commercial suggestions, tourist indications, or urban traffic information. It is no longer a question of orienting individual acts with norms or rules, but of producing order and social regularity through the creation of an interface, in Agamben’s sense, between the subject and reality, where the user’s gaze ends up to gradually rely on the indications provided by the dispositive.

In Agamben’s lexicon, we could say that these devices intersect subjectification processes, through the exercise of a disciplinary gaze, to de-subjectivation processes, in which the user observing the display is entirely incorporated into the virtual reality designed by the technological support.

If, as Jonathan Crary writes, at the beginning of the twentieth century the birth of cinema contributed to the creation of a new form of spectatorial subjectivity, the diffusion of these optical dispositives marked the definitive disappearance of a type of driver and the birth of subjectivation triggered by new technologies and visual control strategies<sup>29</sup>.

Although different from each other, the three types of dispositive briefly examined present some common features that are relevant for understanding the new frontiers of the relationship between normativity, visibility, and construction of the social order.

29 See Crary, 2009. On the legal and political relevance of the spectatorial subjectivity, I would like to refer to: Siniscalchi, 2017.

(i) Firstly, unlike the graphic rules, the dispositives do not simply translate a legal rule visually but they construct a normative network of signs, symbols, and visual structures that tends to regulate, control and orient the recipient's bodies and behaviours. Indeed, increasingly, the graphic rules are replaced or embedded in the gears of more complex devices composed of texts and graphic elements, images, and words.

(ii) Secondly, we must highlight the link between the exercise of a deontic power and the function of the gaze: Jacques Derrida defined the relationship of force between the observer without being able to be looked at (protected by a visor) and the one who undergoes "visor effect" look. All these dispositives – still in Derrida's lexicon – seem to work following the logic of a "spectral" power where the observer is invisible, dematerialized or, tends to manifest themselves, when they have already exercised their power<sup>30</sup>.

(iii) Finally, the effects produced on the recipient. Here, too, it is not simply a question of prohibiting or permitting an act but of progressively conditioning the entire conduct of the subject, triggering true processes of subjectivation and de-subjectivation. With increasing intensity – from simple roundabouts to the graphic technologies of the displays – the driving experience ends up being recorded and relocated to the virtual space made up of the device.

*Omnes et singulatim* – according to the formula taken from Foucault -: if the rules are limited to identifying and sanctioning offenders, the dispositives are a management tool for every possible recipient, without any distinction between lawful or unlawful conduct; universal control mechanisms yet immediately effective against each individual, where the establishment of the social order is the result of continuous eye conditioning.

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