On Our Rising Dependence on Tech and the Scopes and Challenges of Surveillance Studies in India

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Abstract— *In an age where technology infiltrates nearly every facet of human existence, the scrutiny and examination of surveillance practices have gained paramount importance in recent years. This paper delves into the growing field of surveillance studies, elucidating its definitions, historical roots, and present-day significance, along with the context of India. Moreover, it explores how theories and practical aspects from Western countries can be applied within the Indian context. By offering an analysis of both historical and current surveillance practices, it aims to advance the field of surveillance studies locally.*

Keywords— *Surveillance Studies, Surveillance, Surveillance Studies India, Significance of Surveillance Studies, Theories of Surveillance Studies.*

I. INTRODUCTION

I was first introduced to this whole concept of what Zuboff calls 'surveillance capitalism' through one of the Ted Talks by Associate Professor of Philosophy at Oxford University, Carissa Véliz titled – "The Case for Ending Data Economy" (TEDx Talks, 2021). In that video, she illustrates through various historical evidence and contemporary case studies how the recent practices of technology and data driven economy can lead to detrimental consequences.

And just how much our lives depend on technology can be understood from the very recent Microsoft-CrowdStrike disaster. A single bug in a computer program put halt to a big portion of global economy; from airlines to banks to hospitals all over the world were affected to some extent. Not even India was safe, as Indian airlines also experienced downtimes. And this is just a single incident by just one company. In an era where technology permeates every aspect of our lives, the study of surveillance has never been more pertinent. Even though the specific domain of 'surveillance studies' is new, 'surveillance', as a concept and practice is nothing new and didn't just develop with the rise of technology (though definitely amplified quickly to a whole new level), but has

evolved significantly over time, and its impact on societies has been profound throughout history. This paper tries to examine the definitions, historical underpinnings, and contemporary relevance of surveillance and surveillance studies, with a focus on India and how it can grow here.

Defining Surveillance and Surveillance Studies

So, before delving into surveillance studies let us understand surveillance first. The Oxford Advanced Learner's Dictionary defines the word as – "the act of carefully watching a person suspected of a crime or a place where a crime may be committed" (Surveillance Noun - Definition, Pictures, Pronunciation and Usage Notes | Oxford Advanced Learner's Dictionary at OxfordLearnersDictionaries.Com, n.d.)

Or, the Cambridge Dictionary defines it as – "the careful watching of a person or place, especially by the police or army, because of a crime that has happened or is expected" (Surveillance, 2024)

So, looking at the two definitions the key word that comes out is 'crime'. If that is the case, then how is that word slowly transitioning into public sphere with association to modern technology and the internet? So, it's much more than that. In their introductory article to *Histories of*

surveillance from antiquity to the digital era, historians Andreas Marklund and Laura Skouvig gives the example of the challenges faced by Scandinavian Countries during WWI - In 1918, Lauritz Larsen, a young superintendent at the Danish Foreign Ministry's Censorship Office, discovered that censored telegrams were being improperly discarded. Despite reporting the issue, the matter persisted due to poor cooperation from telegraph staff. This incident highlighted the challenges faced by Scandinavian countries during WWI in maintaining neutrality through the system of secret cable surveillance. The system aimed to block information that could compromise neutrality but was difficult to operate due to the vast amount of information and poor collaboration among authorities. The challenges included unchecked telegram content and spies evading monitoring through various means. This case emphasizes the complexities of historical surveillance systems, which remain relevant today in the context of modern digital surveillance. Then they define surveillance "as a tool or practice for exercising power, for instance, through technologies and administrative procedures such as cable censorship or the bureaucratic registering of "suspicious" individuals. As such it is a historical phenomenon that clearly predates the digital age." (Marklund & Skouvig, 2021)

To understand that we have now 'surveillance studies', an interdisciplinary field that explores the implications, mechanisms, and consequences of surveillance practices. It encompasses a wide range of disciplines, including sociology, political science, law, information technology, and media studies, to understand how surveillance affects social structures, individual freedoms, and power dynamics.

The History and Presence of Surveillance in Society

Surveillance, as evident, is not a novel phenomenon; it has been an integral part of societies since ancient times. From the watchful eyes of rulers in ancient civilizations to the sophisticated espionage systems of empires, surveillance has been used to maintain order, control populations, and safeguard power. As Marklund and Skouvig states, it is a "historically situated phenomenon" (Marklund & Skouvig, 2021). Though earlier it was more commonly referred to as spy work. So, let's look at some of the historical examples of surveillance.

Obviously, the country that first comes to mind when thinking about surveillance is China. In their documentary film, "China - Surveillance state or way of the future?", DW showed the extent of contemporary Chinese surveillance (DW Documentary, 2021). From CCTV to digital fingerprinting even within the Great Chinese

Firewall, and other computer-based technologies are used to monitor every move of Chinese citizens.

But the attempts of such surveillance and what we now know as 'data' collection is not a contemporary phenomenon in Chinese history. As Rebecca Robinson explains in "Big data in early China", how the early Chinese empires, Qin and Han, developed advanced systems to monitor and control their populations, which reached up to 57.7 million people. They used population and tax registries, travel and commerce regulations, and a detailed legal system. Additionally, they implemented a 20-tier rank system and mutual responsibility methods. Even without modern technology, these rulers aimed to ensure every individual fulfilled their tax and labor duties while preventing crime and rebellion. By establishing legal regulations and population management techniques, they turned the citizens themselves into instruments of surveillance, making people aware that they were always being watched. This way, the population played an active role in their own monitoring. (Robinson, 2021)

Now let us turn toward Elizabethan England who had famously proclaimed, "I have no desire to make windows into men's souls." As evidently, England was divided in terms of religion with the newly established Anglican Church, and Elizabeth proclaimed her stance on religious tolerance which marked a considerable shift from earlier Tudor policy. Apart from religious tension I'd also like to point to the Spanish Threat following the failed invasion by the Spanish Armada in 1588.

At home by the 1570s religious tensions had peaked so much that the Government had to produce the "An Homilee agaynst disobedience and wyllfull rebellion" following the Northern Rebellion of the Catholics and Elizabeth's excommunication by Pope Pius V. As Knighton puts it, "In what would become England's first great brush with espionage, spies and even kidnappers were deployed to keep the queen safe." (The Ruthless 16th-Century Spy Network That Kept Queen Elizabeth I Safe, 2023)

Among Elizabeth's advisors Sir William Cecil and Sir Francis Walsingham did significant 'surveillance' work to keep the queen safe. The latter even formed a sophisticated spy network. Cyphers were also used using special inks which became important in the infamous Babington plot and the subsequent execution of Mary. And of course, we all know about fogged notion of the famous playwright Christopher Marlow being another famous spy.

In this context the topic of thought surveillance in Elizabethan England must also be mentioned as Anni Henriksen writes about. The idea is crucial to our modern understanding surveillance though in a different way and

context. As she writes quoting C.R. Duggan that how the 1352 treason law defined "When a man doth compasse or imagine the Death of our Lord the King" it is "to be judged Treason". This shifted the idea of outward act of crime to conceiving the criminal intent into focus. This is where Anni connects this with the words of Elizabeth regarding probing into men's souls as the "overt criminalisation and targeting of the mind as a potential threat to political stability". (Henriksen, 2021)

Now let's move on to The Sun King's France where surveillance was introduced to control informal sexual practices, a topic very much relevant to present times in terms of women's autonomy and on the sexual rights of LGBTQ+ people.

As Natália Perez writes how in Ancien Régime France, sex was officially meant solely for procreation within a marriage sanctioned by the Roman Catholic Church. However, the reality was far more complicated. Following the Protestant and Catholic reformations, the conjugal family became central in Christian societies. By the late seventeenth century, as post-Tridentine morals spread through the socio-religious order in France, police, church leaders, and communities increasingly scrutinized and pressured those who deviated from accepted sexual behavior. (Perez, 2021)

In her essay, Perez traces how in the latter half of the seventeenth century, under Louis XIV's rule, France saw the rise of sexual surveillance as a key policing directive. Perez provides three case studies from written documents to track the extent of surveillance. The first example is of an abortion giver and a practitioner of other 'secret' stuff as horoscope and divinations named Comte de Longueval at the hand of Nicolas de la Reynie, Lieutenant-General of the Police of Paris. Perez states through this case how "surveillance relied on fluid cooperation between different groups in society" and also "secret or concealed information was of particular interest in surveillance efforts". (Perez, 2021)

The second example she gives is of Marc-René de Voyer de Paulmy d'Argenson's leadership as Paris' police chief from 1697 to 1718, when the force used paid informants called mouches to help catch men soliciting sex. These mouches would lure unsuspecting men in public areas, report their actions to the police, leading to their arrest.

In her third example, she provides how surveillance was used as a method of population control in Versailles much like the early Chinese example. As noted by her, police reports from 1697 and 1698, found at the Archives départementales des Yvelines, show local authorities' concern with the religious and administrative impacts of sexual transgression. These reports include details on

infants' baptisms (or the absence thereof) for monitoring and town management purposes. (Perez, 2021)

So, as seen from these historical examples, surveillance in some way or another has been present in societies across cultures and India too is no exception. As Nilanthan Niruthan explains in his article on the sophisticated Indic spy system as evidenced from the Rig Veda, containing "references to spies, or 'spasa', being used by the god Varuna or how they are shown in active work in the revered Indian epics of Ramayana and the Mahabharata. (The Indic Roots of Espionage, 2019)

Theoretical Frameworks: From Early Thinkers to Modern Philosophers

Now let's look at some of the theoretical and philosophical practices regarding this. If surveillance is present since ancient times, then works on them should too.

There are references to espionage and surveillance work in the ancient texts of Manusmrithi and The Arthashastra, however, as expressed by Niruthan there is dearth of solid academic research on this and so is the case for the newly developed Surveillance Studies that needs to be fulfilled.

In the Western canon too from earliest days we see in legends (like the cap of invisibility or the cloak of invisibility) and in philosophical thought experiments (like in Plato's Ring of Gyges) interests about invisibility and clandestine work. And to stretch further Plato's idea of the Philosopher King who has access to all knowledge and is able to oversee the entire population, implies a degree of surveillance to ensure the state's functioning.

There are instances in Bible that are similar to our earlier examples of Chinese and Versailles. As Keith Laidler observes in the Book of Numbers how the spies were sent to collect information ('data' in modern terms) about the land, population, town layouts, soil quality, and presence of trees. Basically to assess the strengths and weaknesses of the enemy. (Laidler, 2008)

Similarly, as observed by Terry Crowdy in his book The Enemy Within: A History of Espionage - "the earliest surviving record of espionage dates from the time of Pharaoh Rameses' war with the Hittites and the battle of Kadesh. (c.1274 BC) …The Hittite king Muwatallis sent two spies into the Egyptian camp posing as deserters to convince pharaoh that the Hittite army was still quite distant. Rameses believed their story and unwittingly allowed part of his army to march into a Hittite ambush. Fortunately for the pharaoh, he captured two more Hittite spies and had his officers interrogate them…the Hittites spies revealed that an ambush had been set…Ramses was therefore able to bring up reserves and avert disaster at

what became known as the battle of Kadesh." (Crowdy, 2011)

There are also references to spying and surveillance in the Chinese classic Sun Tzu's The Art of War or even in Herodotus' Histories.

Now let's fast forward to modern thinkers when surveillance as we understand it today begun to emerge in the works of Jeremy Bentham, who laid the groundwork for understanding the relationship between surveillance, power, and society. In Galič, Timan, Koops's work of a comprehensive overview of surveillance theories they've structured it into three parts - architectural theories (Bentham and Foucault), infrastructural theories (Deleuze, Haggerty, Ericson, and Zuboff), and finally, contemporary conceptualizations. (Galič et al., 2017) Let me provide a brief overview of their ideas.

Bentham's Panopticon and Foucault's Panopticism and Disciplinary Societies: Bentham's Panopticon is his most famous that has now become a prevalent metaphor for surveillance, almost synonymous with the term itself. The idea gained significant recognition through Foucault's interpretation, which popularized the concept of panopticism and led to Bentham often being viewed through Foucault's lens. As it turns out, Bentham conceptualized not one but four Panopticons, each adapted to different social contexts, with the prison-Panopticon being just one of them, which Michel Foucault later expanded upon in his theory of panopticism. Galič, Timan, Koops notes the other three being – "'pauper-Panopticon' (designed for the housing of indigents but also for reformation and work…., the 'chrestomatic-Panopticon' (a Panopticon-shaped day-school, where one inspecting master could supervise pupils without being seen,… the 'con- stitutional-Panopticon' (although the term Panopticon is not used, the architectural arrangements are panoptic." (Galič et al., 2017)

Bentham's Panopticon concept describes a prison designed as a circular (later revised to octagonal, and for paupers, dodecagonal) structure with a central watchtower. The idea is that an inspector in this tower can observe all prisoners, creating an illusion of constant surveillance. Prisoners are made to believe they are always being watched, even if they are not. During Bentham's era, surveillance was limited by physical constraints, and it was the inspector's extended power from a central point that was emphasized. The inspector was perceived as an invisible, omnipresent force.

This aligns with Foucault's theory of panopticism, where surveillance is seen as involving an all-seeing inspector. Importantly, Bentham's vision was not to establish a society controlled by constant surveillance. Instead, the

goal was for discipline to become internalized, eventually negating the need for the inspector and perpetual watching. As noted, "The Panopticon should be seen as a template, which can and should be adapted to the specific circumstances of other parts of society". (Galič et al., 2017)

Bentham's Panopticon concept, extensively analyzed by Michel Foucault, has had a profound influence across various disciplines due to its depiction of power dynamics in modern societies. Foucault primarily focused on the Panopticon's prison design to illustrate how power operates subtly but pervasively in Western societies since the 18th and 19th centuries. He argued that mechanisms of surveillance and discipline have infiltrated everyday life through institutions like schools, hospitals, and factories, leading individuals to internalize societal norms and control. This shift from sovereign power, characterized by overt control and territorial loyalty, to disciplinary power, marked by hidden and dispersed mechanisms of conformity, signifies a fundamental change in governance. Unlike sovereign power, which is visible and centralized, disciplinary power is diffused across various societal institutions, operating through them to enforce conformity and discipline. This form of power, although independent of the state, still relies on institutional frameworks to function effectively, thereby integrating and transforming traditional modes of governance into more technocratic approaches. (Galič et al., 2017)

While CCTV and other electronic surveillance methods extend the principles of the Panoptical model, they also highlight its shortcomings due to the transformative effects of ICT on society and its institutions. Foucault foresaw a transition from disciplinary societies to control societies influenced by new technologies and surveillance techniques. These control societies further the process of de-individualization and lead to de-humanization, where people are perceived not as individuals but through their representations. And this brings us to post-panoptical surveillance theories.

Post-panoptical surveillance theories: In a world that is to use Schiller's words, "electronically colonized", we've to move beyond the spatially limited panoptical model to analyze modern surveillance. Deleuze and Zuboff propose alternative frameworks that address surveillance in today's technologically advanced society. Deleuze, for example, emphasizes new environments for surveillance, while Zuboff introduces the concept of surveillance capitalism. These approaches suggest that novel analytical tools are essential to understand contemporary surveillance dynamics effectively.

Deleuze noted that the institutions described by Foucault and their methods of discipline were either disappearing or transforming into new forms of control and surveillance. In collaboration with Guattari, Deleuze expanded on the transition from disciplinary societies to control societies. Although they did not directly address the Panopticon, they introduced new concepts of power, suggesting that the socio-technical landscape had changed. In his impactful essay, "Postscript on the Societies of Control," Deleuze argued that discipline was no longer the primary goal of governance; instead, it had shifted to various forms of control.

Deleuze discusses how capitalism and globalization are transforming Western societies, turning institutions like schools, hospitals, and factories into corporations. Unlike nations focused on long-term societal progress, corporations aim for short-term results through constant monitoring of markets and workforces. To illustrate Deluze uses the analogy of a carpenter whose skills may become valuable one day and obsolete the next as markets evolve; which he called modulations. As noted by Galič, Timan, Koops, "A difference with Foucault's Panopticon is that these modulations take place in ways that are often invisible for the subjects or citizens. Where discipline for Foucault was effective because of its visibility and its active (yet involuntary) participation—you have to work/pass the exam/abide by rule X—Deleuze states that modulations happen in invisible or opaque networks that are unperceivable to individual citizens. As a result, surveillance also moves away from being a present and often physical force on individuals, to become more abstract and numerical... It is the divided individual—consumers and their purchasing behavior— who has become important to monitor and control. Deleuze coins this the dividual. In a Deleuzian society, the point is no longer making bodies docile, but to mould consumers, whose data-bodies become more important than their real bodies." (Galič et al., 2017)

Surveillance Capitalism: The very recent attempt at post-panoptic surveillance theory is from neo-Marxist point of view. Though to be fair Marx himself thought surveillance as part of capitalist economy, but with rapid development in technology, the newly emerged theory of surveillance capitalism tries to posit surveillance as "a dominant and overarching feature of capitalist society." (Galič et al., 2017)

Though the term itself is not coined by Zuboff but it definitely has been popularized by her. As she explains in her article, "Big other: Surveillance Capitalism and the Prospects of an Information Civilization", surveillance has allegedly taken over this new form of capitalism, with a fresh logic geared towards predicting and influencing human behavior to generate profit and control the market in a networked world. (Zuboff, 2015)

Big data serves as the cornerstone of the new economic logic, which centers on prediction and its monetization—selling access to real-time data about people's daily lives to influence and modify their behavior for profit. The extensive and constant recording of daily transactions means that the market is no longer unknowable as in classical liberalism; instead, it is becoming transparent and knowable in new ways. Unsurprisingly, Google is considered the epitome of this new economic logic and commercial model.

These organizations gather and analyze our digital activities, including likes, dislikes, searches, social networks, and purchases, to generate data for commercial exploitation. This is typically conducted without our complete awareness of the level of monitoring involved. Then there are data broker companies whose business are to collect these data and analyze and sell to interested companies like an insurance company for example would be interested in your driving habits monitored via GPS to properly assess your insurance claims.

New Technologies for Mining of the New Oil

The mathematician Clive Humbly famously said in 2006, 'data is the new oil' for the 21st century. Following the Snowden Revelations back in 2013 and the Cambridge Analytica scandal in 2018 sparked a renewed interest in the global debate on privacy, surveillance, and the balance between national security and individual rights. But still being a new area for research and with active powerful companies' business interests being involved it's hard to know the true extent of surveillance tactics being used.

As Holloway writes, "Newly available data sources have dramatically increased the quantity and variety of data available. Our expanding sensor-based society now includes wearables, smart home devices, drones, connected toys and automated travel. Sensors such as microphones, cameras, accelerometers, and temperature and motion sensors add to an ever expanding list of our activities (data) that can be collected and commodified.

Commonly used wearables like smart watches and fitness trackers, for example, are becoming part of everyday health care practices. Our activities and biometric data can be stored and used to interpret our health and fitness status." (Holloway, 2019)

Technology Penetration in India and the Challenges

India with its burgeoning population and rapid technological adoption, presents a unique context for examining the implications of surveillance. The proliferation of smartphones, internet connectivity, and

digital services has transformed the daily lives of millions of Indians. From online banking to e-commerce and social media, technology is now an indispensable part of the Digital Indian experience.

This increasing dependence on technology has, however, raised concerns about privacy and surveillance. The collection of vast amounts of personal data by both private companies and government agencies has led to debates about data protection and individual rights here too.

The state of privacy and data protection in India has seen significant developments in recent years, particularly with the introduction of new legislation and the active role of various organizations.

Government Initiatives

Digital Personal Data Protection (DPDP) Act, 2023: Passed in August 2023, this is India's first comprehensive law on personal data protection. The DPDP Act, which draws inspiration from the General Data Protection Regulation (GDPR) of the European Union, aims to balance the right to privacy with the need to process personal data for lawful purposes. The Act includes provisions for individual consent, data breach notifications, transparency in data processing, and rights of individuals over their personal data. Though, some concerns have been raised about the broad exemptions granted to government agencies, which could potentially undermine privacy protections.

Supreme Court Rulings: The landmark 2017 judgment in Justice K.S. Puttaswamy v. Union of India recognized the right to privacy as a fundamental right under the Indian Constitution. This has been a driving force behind the push for stronger data protection laws.

Non-Governmental Organizations (NGOs) and Civil Society

Internet Freedom Foundation (IFF): IFF is a prominent NGO advocating for digital rights, including privacy and data protection. They engage in policy advocacy, litigation, and public education to promote stronger privacy protections.

Centre for Internet and Society (CIS): CIS conducts research and advocacy on internet governance, privacy, and data protection. They have been actively involved in analyzing and critiquing data protection legislation in India.

Digital Empowerment Foundation (DEF): DEF works on digital inclusion and empowerment, focusing on ensuring that marginalized communities are aware of their digital rights, including privacy and data protection.

DPDPA is a significant step forward, but its implementation is still in progress. The law aims to balance individual privacy rights with the need for data processing for lawful purposes. However, the complexity of regulating India's vast digital landscape poses a challenge. From aligning sector-specific regulations with the overarching DPDPA remains a challenge to being a vast country with over 1.4 billion population. Raising public awareness about data protection rights and advocating for stronger privacy measures are ongoing challenges.

Scopes for Surveillance Studies in India

The field of surveillance studies is ripe for exploration in India. The country's diverse socio-political landscape, coupled with its rapid technological advancements, provides a rich context for analyzing the implications of surveillance. Researchers can investigate the intersections of technology, governance, and society to understand how surveillance practices shape individual and collective experiences.

Despite the promising prospects, surveillance studies in India face several challenges that must be addressed. Public awareness about data privacy and surveillance is still relatively low, which hampers efforts to engage citizens in meaningful discussions about their rights and the implications of surveillance. Educating the public about these issues is critical for fostering a culture of vigilance and informed consent.

The cost of developing privacy-friendly alternatives to established international services, such as the Proton suite in Switzerland, is another significant hurdle. Indian companies must invest considerable resources in research and development to create secure and user-friendly platforms that can compete with global counterparts. This challenge is compounded by the average Indian consumer's tendency to prioritize free digital products over paid ones, unlike in many developed nations where there is a greater willingness to invest in premium services for enhanced privacy and functionality.

Moreover, the rise of artificial intelligence (AI) since the advent of models like ChatGPT has introduced new dimensions to the surveillance landscape. AI technologies offer powerful tools for analyzing vast amounts of data, but they also raise concerns about the potential for misuse and the erosion of privacy. In India, the deployment of AI in surveillance practices necessitates a critical examination of ethical standards, regulatory frameworks, and the balance between innovation and individual rights. As AI continues to evolve, it is imperative that scholars and policymakers work together to ensure that its applications

in surveillance are aligned with the principles of justice and equity.

CONCLUSION

Within the brief scope of this paper, I have tried to illuminate the flourishing field of surveillance studies, showcasing its growing traction in Western countries. My approach for bringing in the historic perspective on the evolution of surveillance and the theoretical methodologies should help in understanding the multifaceted impacts of surveillance on our society.

As we turn our focus to India, it becomes evident that surveillance studies remain in a nascent stage. However, the theoretical and practical frameworks established elsewhere can offer a valuable blueprint for advancing this discipline within India. By adopting these tried-and-tested methods, Indian researchers can navigate the complex socio-political and technological landscape of the country, fostering a deeper understanding of surveillance practices.

My endeavor is not merely academic; it is a crucial step toward safeguarding the values that underpin a democratic society.

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