Surveillance & Society

Imagining Surveillance Futures | **2020**

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The teachscreen showed 13:13. The class after lunch was always the hardest. Win was tired, the children were lethargic, there was still so much to share.

Win wasn't in the mood. She had divided the class into groups. They were supposed to be discussing the set questions, but were probably comparing e-pop boy bands, or what they were planning to wear to the fluid rights protest. This was the trouble with face-to-face learning. How were you supposed to monitor everyone? She could smell their disinterest, mixed with the scent of fleshy humanity metamorphosing from childhood into adulthood. Yet again, Win wished she was teaching virtually.

Amid the lethargy, one group was animated. They were in a huddle, pointing and laughing.

"What's all the fuss?" Win asked.

Too engrossed to hear.

"Sit down, Ari, or I'll erase your RCs."

Fourteen-year-old Ari had caught Win's attention from the moment she'd walked in. Her hair. Her walk. Her something. Win had a finely-tuned radar for disrespect.

"You can't do that," Ari said, with a clear voice.

"Really?" Win asked.

Ari stared at the teachscreen. It took up the whole wall. One by one, the other 24 twenty-four children looked too. Back in charge, Win made a series of hand movements, navigating through links and prompts until she came to a page of plain green overlaid with the black text and bland insignia of the global government.

Win air-typed. Six results appeared. After air-tapping on the second, Win pulled down a list of students from the top menu, then selected Ari's name. As one, the class was looking at the wall, where they saw a list of links, with photos.

Nic Smithson, father.

Rodrigo Smithson, father.

Jenn Nguyen, biological mother.

Jay Sharma, best friend-...

Win selected the top three. The option to erase appeared. She paused.

"I've changed my mind," Win said.

She held the pause, and Ari exhaled; but then Win hit "ok,", and "confirm.". Ari was frozen, staring.

"Your RCs are safe," Win said. "I'm erasing your parents' RCs instead."

Nic Smithson, father. Relational Credits erased.

Rodrigo Smithson, father. Relational Credits erased.

Jenn Nguyen, biological mother. Relational Credits erased.

"Woah, you *can't-*...," said Jay, from beside Ari. They were a full head-height shorter than Ari. Why were so many fluids petite? Jay's indignant stare was offset by visible relief. Their credits were intact. "Isn't that … *illegal*? You can't-…"

Win gave her smile of practised ambiguity.

"I just did," she said. "Now take your seats. Or I'll cancel your parents' flying licences."

The old saying was true. Threats really were a teacher's best friend.

"Right, why are we here?"

Twenty-five children stared.

"Rights," said someone, quietly.

"Pardon?" said Win.

"Privacy," said a child with inquisitive eyes. Win guessed she was from Oceania.

"Yeah, privacy," said another child, staking a claim. It was Ari, looking down. "The way privacy matters. Like, we need to protect it. Not because the law says, but-…"

Ari paused.

"Because what?"

Ari was still looking down. She was angry, clearly, but her words sounded disconnected and empty. Like a eulogy from a stranger.

Win savoured the discomfort, letting the silence swell. Until she was hit by a ripple, then another, and then a wave that dragged her under. The crash was familiar——not frequent, not infrequent——but this time she hadn't seen it coming. Gasping for another smile, Win wanted to surface, but this was a long-period swell, holding her down. She was clawing at nothing, making shapes out of water, teaching kids who didn't care.

"There are things we shouldn't know," said Ari finally, raising her eyes to meet her teacher's. Ari sounded defiant, and Win was grateful. "What I share can hurt my friends. And if I know things about you…."

"Good," said Win, her breath shallow.

"Like relational credits, right?" Ari went on.

"Ok," said Win. "How?"

"They're a reward. And they can't be taken away. The law says. Right?"

"Right, Ari," said Win. "Who knows the name of the law…?"

"But you took them away," Ari said.

Win's breathing steadied.

"Yes, Ari. Have you heard of the 'teachers' exemption'?"

Back in the room, Win wasn't talking into a void. Ari stared, expressionless.

"Who remembers the global social credit scheme?" Win asked.

Nothing.

"Before you were born, there were ways to reward people and punish people. Loyalty programs gave customers gifts for shopping at a store, or flying with an airline, or using a product. Financial ratings let customers get loans or money cards. And people, and their friends, and their families, were given trustworthiness scores because every data point about them was compiled into *a single database*…."

Some children looked confused. Some looked shocked. Most looked bored.

"… and then in the 2030s, all these schemes were combined by the new global government. That was it. The global social credit scheme. Your score's low? Well, you can't travel, and your digital rights are gone, and you've lost your job. Unfair? Sure, but if you said so you lost social credits. So almost no one said so. And people with high scores? They liked it, because they got fresh groceries, green apartments, travel passes… at least until the data pandemic."

Win wanted a reaction but didn't get one.

"And then, after the reset, the GSCS was abandoned and the relational credit scheme was brought in. No punishments. Just rewards."

"But you erased my parents' RCs…" said Ari. "You *can't*."

Ari paused. Win said nothing.

"Also, is this yours?" Ari asked, deadpan.

Ari was holding something in front of her. Win's personal device.

"Yes, that's mine."

Win had been teaching history classes for long enough to sense the sudden shift. The children were enjoying this.

"How did you get it?"

"We found it. Over there."

Ari motioned with a nod of her head. Win cursed herself for being so distracted.

"Did you…?"

Teaching wasn't about imparting knowledge, Win remembered. It was about power.

"Did we…?" Ari paused, "…access it? That's not allowed. Right?"

Win's PD was facepass-protected. Did the children have the dark skills to access her status, socials, or credits? She'd been careless, which wasn't nearly as upsetting as the remote possibility that these children had seen glimpses of her.

"Thank you," Win said, taking back her PD. Had Ari seen her mind pills? Journal? Messages from Julia, by turns affectionate, threatening, explicit?

"Miss Win," said Ari. "You don't need to have something to hide to have something to hide."

"Pardon?"

"Privacy. That's why it's important."

Ari wasn't just disrespectful, she was dangerous. When class was over, Win would ask IT to sweep her PD for eye-access. For now, she needed a diversion.

"Everyone, pick up your V-rooms," she said. The lift in mood was palpable, as the children put on their specs, which reminded Win of reading glasses. Win guessed that not one of these children had ever seen reading glasses.

"Right," said Win. "From the history menu choose the *2020* module."

In their seats, the children resembled synchronised dancers performing a routine in which they were only allowed to move their hands.

"You're going back to the year 2020. And you're going to have to work together."

The children were barely listening.

"You have ~~20~~ twenty minutes. Good luck."

The children's bodies stayed, but their minds departed, and Win was glad.

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"Welcome back," Win said, as the children removed their specs. They were flushed.

"That was *awesome*," said one.

"There's a word I haven't heard in a long while," said Win. "Really? 2020 was *awesome*?"

"It was *horrible*," said another. "Data pollution. The pandemic. The *disease* pandemic. That was~~…...~~"

"Ari? What did you think?"

Win had spent all ~~20~~ twenty minutes on her personal device. If Win's personals had been accessed, Ari had wiped all trace. That didn't prove much.

"Um," Ari scratched for words. "It was~~-~~… horrible. But fun too. You couldn't escape. Is that really how it was?"

Ari sounded vulnerable. Win was taken aback.

"That's *exactly* how it was," said Win. "You visited a compilation of reconstructed reality."

The children were still adjusting from virtual to real. Always took a while.

"So, what's changed?"

"The law," said Jay.

"Right," said Win. "Which law?"

"The *Data Exploitation Act*," Jay said quickly.

"Good," said Win. "You read my mind. Like the Thought Police."

Win scanned the faces of Ari and her friends for any tell of guilt. Nothing.

"Who knows where that reference comes from?"

A dozen hands shot up, and Win pointed to a red-haired boy with freckles.

"George Orwell," he said. "*1984*. We study it in lit."

"Good," said Win. "I'm glad some things haven't changed. Any other laws?"

"The law that protects our relational credits," said Ari, softly.

Win nodded.

"And the name of that law?"

Ari shook her head. Her expression now was resigned, not defiant.

"Ok, that's your homework, Ari. That's everyone's homework. Before our next class, write a 600-word report on the privacy laws passed after the data pandemic. The *Data Exploitation Act*. But also the *Relational Privacy Protection Act*. The *Data Dignity Act*. The *Surveillance Crimes*…"

"Can we write about the trial of the Tech 4?"

Every time the same question.

"Sure," said Win. "But focus on the law. Not the trial, or what the Tech 4 said, or how long they went to prison…"

Mumbles and murmurs.

"And Ari," said Win, "I didn't erase your parents' RCs."

Win let that sink in.

"There's no such thing as a teacher's exemption. I'm sorry, but I wanted to make a point. That *is* how it used to be. Relational credits *were* erased as a punishment…"

Win felt her words evaporating as soon as she spoke them. The class was nearly over.

"So my parents…?"

"Yes, Ari," said Win. "Their RCs are safe. That was pretend."

"Good one, Miss Win," said freckles, sarcastically.

The children's attention was already in the park, or at home, or in their next V-session.

"Well, thanks for being so attentive," said Win, fighting fire with fire. "See you next week."

More mumbles and murmurs as the children shuffled belongings, then shuffled their metamorphosing bodies towards the door. Ari and Jay were last to leave. Holding hands, they walked right past Win before Ari spun around. Ari and Win were the same height, as if they were the parents, and Jay was their child.

"Your facelock was off," Ari said. "On your PD."

Win's eyes widened.

"But don't worry," Ari said.

Win hesitated; Ari didn't.

"My parents fight," she said.

"Oh," said Win.

"A lot. They fight a lot. I was worried. About the RCs. Their fights are…."

"That's no good."

"It's ok," said Ari. "I'm ok. Just wanted to say."

"Well,…thank you," said Win. "You know, there are people you can talk to."

Ari nodded, looked at her feet.

"Or you can talk to me," Win said. "And I'm sure you can talk to Jay."

Jay smiled.

"I know," Ari said.

Win took a deep breath.

"Can I tell you two something?"

The children looked at her, the three of them alone together beside a teachscreen that showed 13:59.

"Sometimes when I teach it feels like… I'm wasting my breath, and there's just…."

A warning popped up to announce that the system was about to go into sleep mode.

"Nothing?" asked Jay.

"Right," said Win.

They stood there for a few moments, until Ari put in her earbits.

"Thanks," said Ari.

"What are you listening to?" Win asked.

"An old fluid called David Bowie. *Diamond Dogs*. It's good."

"It is," Win said. Faintly, through the earbits, David Bowie howled. *Future Legend*. "And in the death…." Win used to know every dystopian word.

"You know, gender and privacy are alike," Win said.

Ari and Jay said nothing, but Ari took out her earbits, so Win went on.

"They're not binary. Gender isn't just male or female. Privacy isn't just private or public. They're more subtle. More special."

The two children stood still, looking at Win, their expressions a contest of understanding and bewilderment. Then Ari smiled.

"See you next week," Win said.

"Right," said Ari. "And at the protest?"

"Maybe," Win said.

The children nodded, then filed out of the classroom, past the teachscreen and through the techdock, all vivid and real as they stepped out into the bright warm April day, holding hands.

Research Statement

One particularly confounding aspect of privacy is that it both connects us and separates us. On ~~the~~ one hand, it is through privacy that we bond with others, given that it is through the judicious and deliberate sharing of ourselves——and the way others share of themselves——that we are able to trust, befriend, and love (Fried 1968; Rachels 1975). On the other hand, it is through privacy that we can retreat into ourselves, by limiting access to our bodies and to information about us (Warren and Brandeis 1890; Gavison 1980). This paradox is at the heart of the challenges posed by digital privacy, and is what I wanted to explore: the way that our secrets and intimacies enable us to connect deeply, and sometimes unexpectedly, even as they leave us vulnerable and exposed. This is a tightrope we walk. It defines us as human, and it explains why the challenges to privacy in a digital age are so deeply significant.

Another confounding (and related) aspect of privacy is that it transcends the individual. This has been expressed with accounts of privacy as "networked" (Marwick and boyd 2014), "collective" (Sarigol, Garcia, and Schweitzer ~~Sarigol~~ 2014), and "relational" (Bannerman 2019~~8~~; Molitorisz 2020). This has never been more true than in a digital age, and it explains, for instance, the way that a data broker or a social media network may have a highly detailed profile of me, even if I go out of my way to avoid having any online presence at all. My face may appear in photos posted by others; details about my life might be aired by my colleagues online; and even the company I keep reveals me, given that birds of a feather flock together. This has been dubbed the "privacy leak factor" (Sarigol, Garcia, and Schweitzer ~~Sarigol~~ 2014)~~,~~, and research has shown that people are very worried about data leakage. For instance, they think shadow profiles (where services build profiles of non-users) are "unethical,"~~,~~ "abhorrent," and "unacceptable" (Molitorisz, Meese, and Hagedorn 2021: 40). Still, how should the law respond? What should be the rules here? It's all well and good to prohibit a digital service from collecting data without consent, but is it reasonable to prohibit a digital service from making inferences? Inferred data is one of the greatest challenges facing privacy regulators today, a challenge exacerbated by the fact that different jurisdictions are adopting different approaches (e.g., see Centre for Media Transition ~~CMT~~ 2020).

Drawing on these philosophical and jurisprudential themes, I wanted to imagine a future in which humanity had successfully grappled with these challenges. This imagined future, perhaps surprisingly, is post-dystopian. Following the "data pandemic"——which, in turn, followed the COVID-19 pandemic——regulators globally enacted sweeping laws that stopped the sorts of exploitative data practices that had bloomed in 2020 to threaten dignity, autonomy, relationships, and democracy (Zuboff 2014~~,~~; 2021). In this imagined future, a jaded and anxious history teacher takes her fourteen~~14~~-year-old students on a virtual visit back to 2020. Along the way, *1984* keeps surfacing. The references are both explicit and implicit: the protagonist's name is Win and her off-stage other half is Julia; the first and last lines are a play on Orwell's oft-cited opening sentence; and Ari is a fan of David Bowie's *1984*-themed *Diamond Dogs* album. But whereas Orwell (and Bowie) saw a dystopian future devoid of privacy, Win, Ari, and Jay inhabit a world where Orwell's vision isn't an imagined future~~,~~ but a nightmarish past. As a result, however, they have to struggle with issues of trust and vulnerability. And as relationships come to the surface, issues of gender, and gender equity~~,~~ and gender terminology, arise too. In my lifetime, issues of gender and sexuality have improved significantly: when I was in high school in the 1980s, homophobia was common; now that my kids are in high school, they celebrate Pride, ~~and~~ gender-neutral pronouns, and a rich multiplicity of gender and sexuality. The future inhabited by Win, Ari, and Jay is even better than the present, but still imperfect.

Hence the need for a fluid rights protest. And it's on the topic of fluidity and Bowie, finally, that Win has a teaching moment, when she draws a link between gender and privacy, opening Ari and Jay's eyes.

Today's privacy challenges threaten us individually, and collectively. But the future is hardly predetermined. With the right individual, collective, and legal responses, privacy——and people——can prevail. What we need to do now is to imagine the sorts of futures we want.

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