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What does the panopticon mean in the age of digital surveillance?

The parallel between Jeremy Bentham's panopticon and CCTV may be clear, but what happens when you step into the world of data capture?

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The philosopher Jeremy Bentham famously requested in his will that his body be dissected and put on public display. This came to pass, and his skeleton now sits in a glass case at University College London, adorned with a wax head, waistcoat and jacket and sat on a wooden stool, staring out at students from its glass case.

Bentham was regarded as the founder of utilitarianism and a leading advocate of the separation of church and state, freedom of expression and individual legal rights. And now, from beyond the grave, his cadaver contains a webcam that records the movements of its spectators and broadcasts them live online, part of UCL's PanoptiCam project which tests, amonst other things, surveillance algorithms. As I write this, a young couple are walking across the corridor, his hand pressed against the small of her back.

Prof Melissa Terras, director of the UCL Centre for Digital Humanities, tells me that the camera is used to learn the best way "to identify and count different people in still images, accurately." UCL are hoping that it will spark discussion around contemporary surveillance, but it isn't a coincidence that this webcam is attached to Bentham's box. The PanoptiCam project is a pun

on the "panopticon", a type of institutional building that has long dominated Bentham's legacy.

The Panopticon legacy

As a work of architecture, the panopticon allows a watchman to observe occupants without the occupants knowing whether or not they are being watched. As a metaphor, the panopticon was commandeered in the latter half of the 20th century as a way to trace the surveillance tendencies of disciplinarian societies. Is it still a useful way to think about surveillance in an age of NSA and GCHQ?

The basic setup of Bentham's panopticon is this: there is a central tower surrounded by cells. In the central tower is the watchman. In the cells are prisoners - or workers, or children, depending on the use of the building. The tower shines bright light so that the watchman is able to see everyone in the cells. The people in the cells, however, aren't able to see the watchman, and therefore have to assume that they are always under observation.

"The panopticon wasn't originally Bentham's idea. It was his brother's," says Philip Schofield, professor of the History of Legal and Political Thought and Director of the Bentham Project at UCL.

"His brother Samuel was working in Russia on the estate in Krichev and he had a relatively unskilled workforce, so he sat himself in the middle of this factory and arranged his workforce in a circle around his central desk so he could keep an eye on what everyone was doing."

Bentham went to visit his brother in the late 1780s, saw what he was doing, and decided the centralised arrangement could be applied to all sorts of different situations - not just prisons but factories, schools and hospitals.

Bentham managed to persuade the prime minister, William Pitt the Younger, to fund a panopticon National Penitentiary, but a stream of problems eventually meant the project was abandoned. Bentham never saw a panopticon built during his lifetime. A number of prisons have since incorporated panopticon elements into their design but it wasn't until the 1920s that the closest thing to a panopticon prison was built - the Presidio Modelo complex in Cuba, infamous for corruption and cruelty, now abandoned.

The abandoned Presidio Modelo complex in 1995 Photograph: The Guardian

'The principle is central inspection'

The French philosopher Michel Foucault revitalised interest in the panopticon in his 1975 book Discipline and Punish. Foucault used the panopticon as a way to illustrate the proclivity of disciplinary societies subjugate its citizens.

He describes the prisoner of a panopticon as being at the receiving end of asymmetrical surveillance: “He is seen, but he does not see; he is an object of information, never a subject in communication.”

As a consequence, the inmate polices himself for fear of punishment.

“The principle is central inspection,” Schofield tells me. “You can do central inspection by CCTV. You don’t need a round building to do it. Monitoring electronic communications from a central location, that is panoptic. The real heart of Bentham’s panoptic idea is that there are certain activities which are better conducted when they are supervised.”

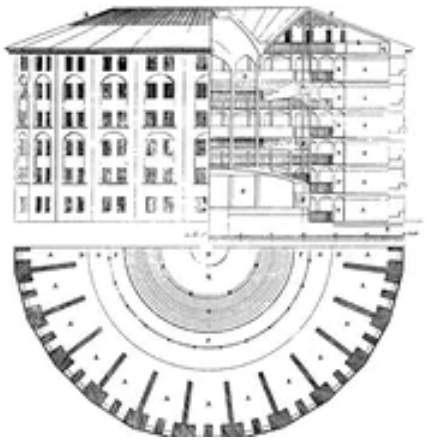
In many ways, the watchtower at the heart of the panopticon is a precursor to the cameras fastened to our buildings - purposely visible machines with human eyes hidden from view.

The parallels between the panopticon and CCTV may be obvious, but what happens when you step into the world of digital surveillance and data capture? Are we still “objects of information” as we swipe between cells on our smartphone screens?

Unlike the Panopticon, citizens don’t know they are being watched

Jake Goldenfein, researcher at the Centre for Media and Communications Law, University of Melbourne, tells me it’s important to remember the corrective purposes of Bentham’s panopticon when considering it as a metaphor for modern surveillance.

“The relevance of the panopticon as a metaphor begins to wither when we start thinking about whether contemporary types of visuality (effectively digital and data-driven) are analogous to the central tower concept. For example, whether this type of visuality is as asymmetrical, and - I think more importantly - being co-opted for the same political exercise. Does the fact that we don’t know we’re being watched mean we are being normalised in the way the panopticon was intended to correct behaviour?”



Jeremy Bentham's panopticon diagram Photograph: The Guardian

As Goldenfein suggests, the asymmetrical exposure of inmates in Bentham’s building is of a different order to how government bodies such as GCHQ conduct surveillance. In the panopticon the occupants are constantly aware of the threat of being watched - this is the whole point - but state surveillance on the internet is invisible; there is no looming tower, no dead-eye lens staring at you every time you enter a URL.

It wasn’t until the Snowden leaks that the scale of NSA and GCHQ operations became known. This arguably makes the system more panoptic post-Snowden, when we are aware of it, but it hasn’t been the official rhetoric. The original emphasis, and still the emphasis today, hasn’t been on correcting behaviour but on providing security, namely from terrorists.

Another important difference is the relative intangibility of data surveillance. With Bentham's panopticon, and to some extent CCTV, there is a physical sense of exposure in the face of authority.

In the private space of my personal browsing I do not feel exposed – I do not feel that my body of data is under surveillance because I do not know where that body begins or ends. We live so much of our lives online, share so much data, but feel nowhere near as much attachment for our data as we do for our bodies. Without physical ownership and without an explicit sense of exposure I do not normalise my actions. If anything, the supposed anonymity of the internet means I do the opposite.

My data, however, is under surveillance, not only by my government but also by corporations that make enormous amounts of money capitalising on it. Not only that, but the amount of data on offer to governments and corporations is about to go through the roof, and as it does the panopticon may eme nodel once more. Why? Because our bodies are about to be brought back into the mix.

Internet of things: morals reformed? Health preserved? Industry invigorated?

The looming interconnectivity between objects in our homes, cars and cities, generally referred to as the internet of things, will change digital surveillance substantially. With the advent of wider networked systems, heralded by the likes of Google's Brillo and Apple's HomeKit, everything from washing machines to sex toys will soon be able to communicate, creating a vast amount of data about our lives. And this deluge of data won't only be passed back and forth between objects but will most likely wind its way towards corporate and government reservoirs.

With everything from heart-rate monitors in smartwatches to GPS footwear, a bright light is once again being thrown on our bodies. Will we feel exposed under the gaze of a central tower? Perhaps not, but with habits and physical stats charted against the norm, we will feel scrutinised nevertheless. Much of the justification of this is the alleged benefits to health and wellbeing. "Morals reformed – health preserved – industry invigorated" – not Apple marketing material but Bentham's words on the panopticon.

There may not be a central tower, but there will be communicating sensors in our most intimate objects.

Bentham didn't want the panopticon to be a tool for oppression, and in fact its failure eventually led him to develop a type of anti-panopticon later in life – where a minister sits in an exposed room and is surrounded by members of the public who listen and ask questions.

The idea is that this transparency holds power to account, because the most dangerous people in society can be rulers. It is important that they, as well as prisoners, workers and children, feel watched.

It is difficult not to think of that audience chamber when you stare at Bentham in his box, a skeleton on a stool, an object of information posed for all to see.

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