Dialogue

Participatory Security and Punitive Agency: Acclimation to Homeland Surveillance in the United States

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Introduction

Following the January 6th attack on the United States Capitol by right-wing protestors, users shared a flurry of posts on various social media platforms urging their networks to report information to law enforcement in support of arresting those involved in the attack (Lapowsky 2021; Myre 2021). These crowdsourced tips provided the Federal Bureau of Investigation (FBI) with upwards of 270,000 pieces of social media content related to the identity of those involved in the attack, and journalists who evaluated court proceedings in the following months report that this resulted in four-hundred people being charged in federal court (Hymes, McDonald, and Watson 2021; Penzenstadler 2021). The Assistant Director in Charge of the FBI, Steven D'Antuono, thanked those who had participated in the crowdsourced investigation: "We know it can be a difficult decision to report information about family, friends, or coworkers, but it is the right thing to do, and the FBI continues to need your help to identify these suspects" (qtd. in FBI 2021a). Americans were shocked and upset by the events of the 6th, with four in ten adults reporting strong reactions of disgust and horror, and only 6 percent reported not being surprised by the event (Hartig 2021). Many leveraged this emotional response by taking action against those viewed, rightly or wrongly, to have violated the norms of peaceful democratic processes. In doing so, they participated in state-led surveillance with a punitive goal in mind, to enable the use of technologies like digital fingerprinting and facial recognition against those they perceived to have acted in a politically, legally, or socially deviant manner. The United States security apparatus is aware that public willingness to participate in surveillance practices is a key factor in implementing invasive technologies like data mining for Personally Identifiable Information (PII), Global Positioning System (GPS) tracking, and email monitoring (Sanquist, Mahy, and Morris 2008). The brewing surveillance response to the January 6th Capitol Hill attack has parallels in the responses associated with upticks in homeland security and law enforcement surveillance over the past thirty years in the United States. In the interest of understanding the normalization of social media monitoring and physical surveillance practices by the state, this essay poses the question: does the state prime its citizens to accept otherwise unpopular surveillance infrastructures by leveraging participatory surveillance practices that allow citizens to wield punitive state practices themselves?

Ward, Megan. 2021. Participatory Security and Punitive Agency: Acclimation to Homeland Surveillance in the United States. *Surveillance & Society* 19(3): 345-349.

<https://ojs.library.queensu.ca/index.php/surveillance-and-society/index> | ISSN: 1477-7487

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Background

Despite Americans becoming more concerned about their personal privacy and private data throughout the years, the general populace remains supportive of surveillance measures in service of homeland security, border control, and policing—though less so in support of public health initiatives (Maniam 2016; Lewis 2020; Maytin et al. 2021; Zhang et al. 2020). While younger generations tend to be concerned about their own personal privacy regarding government surveillance, they are willing to both “access and distribute” the information of others. The public has largely come to accept government and private company surveillance as an unwanted but necessary requirement of online life (Fulton and Kibby 2017).

Support for increased surveillance also tends to rise after events that challenge perceived stability and safety, and declines slowly thereof, as displayed by the surge of support for invasive state measures after the 9/11 attacks (Pew Research Center 2011). Correa-Cabrera, Garrett, and Keck (2014) are some of the many scholars who’ve argued that a “culture of fear” can entice a public to accept infringements of privacy and even human rights in exchange for assurances of safety (Larsson 2017; Prewitt et al. 2004; Skoll 2016; Strozier 2011). The Department of Homeland Security, itself formed with passionate haste to prevent terrorism after 9/11, continues the “If you see something, say something” campaign to this day. The social dynamics at the core of this campaign are ones of vigilance and distrust against those subjectively perceived as “other,” and this citizen-enacted focus on alterity ultimately enables preemptive violence by the state (Larsson 2017). James P. Walsh (2014: 239) argues that this trend of citizen “deputization” is global and has grown to challenge “seemingly tidy political distinctions” between what are state and non-state operations. This deputization invites citizens to participate in state-processes of immigration enforcement, border security, and domestic surveillance formally through official tip lines, and culturally through social media spectacle—like law- and transit-enforcement-run Twitter and Instagram accounts that display humorous and illicit finds—and reality television (Walsh 2014, 2015, 2019, 2020).

Despite ideological commitments to personal privacy, individual rights, and concerns about government overreach, the public continues to participate in government surveillance practices, not only as subjects but also as willing and enthusiastic actors. It is possible that the enthusiastic participation derives from the same culture of fear that motivated the creation and support of the post-9/11-American-surveillance landscape, and this culture continues to justify its expansion. However, I posit another, though hardly contradictory explanation: a state can prime and prep its citizens to accept otherwise distasteful breaches of personal privacy and rights through the opportunity to take matters into their own hands and enact justice against those they deem guilty. Citizens become more than just passive subjects of state surveillance as they are deputized as motivated agents of that surveillance.

Citizen Surveillance and Punitive Agency

On January 10, 2021, John Scott-Railton (2021), a human rights and digital studies researcher at the Munk School of Global Affairs and Public Policy, University of Toronto, tweeted to Twitter users to “be proud if you contributed to ANY identification effort,” referring to the FBI tip-line intended to find those who stormed the Capitol. This statement came four days after the event, during which people from around the United States pored over the images released by the FBI, journalists, and the Capitol Hill breach participants themselves. The goal was to find and punish those involved. Though some scholars like Joan Donovan (2021) and Kate Klonick (2021) urged caution about privacy concerns, the dangers of state overreach, and potential for mistakes and harm by well-meaning online vigilantes in real-time, the public continued to enthusiastically participate with threads on Twitter and comments on Instagram where users shared photos and leads about possible identities with passionate commentary (Lapowsky 2021).

Robert Tynes (2021) suggests an optimistic view of this engagement, wherein doxxers “turned surveillance back on itself and reinstated morality,” protecting democratic processes by holding a mirror to the false narratives self-publicized by the January 6th rioters. Considering the enthusiasm with which citizens networked on social media to reveal the perpetrators, many no doubt acted with this optimistic goal in mind.

However, as Robert Topinka, Alan Finlayson, and Cassian Osborne-Carey (2021) point out, political activists surveil each other online consistently and yet extremism continues to flourish within this spotlight. The idea that citizen-led surveillance and any resulting shame and incrimination is a productive process in itself is complicated. It is not enough to reveal the lies of the extremist right, and in fact many of these white-supremacist, Christian nationalist, and conspiracy communities desire the “oxygen” of the media and public eye (Phillips 2018). This public surveillance is also not without human consequence. These practices can lead to misidentification and harassment of innocents with little opportunity for redress against a nebulous crowd-sourced campaign (Wadhwa 2013). Despite arguably well-intentioned efforts to find those who threatened a democratic process on January 6th, innocents were wrongly outed, accused, and harassed by this overzealous “citizen” policing (Kornfield 2021).

The language used by the “online sleuths,” a phrase that journalists used to describe those submitting tips and private investigative findings, was gleeful and retributive and received thousands of likes, shares, and replies of agreement (Myre 2021). For example:

“I gotta say, busting terrorists and reporting them to the FBI is pretty satisfying”
(🇺🇸❤️🇺🇸🇺🇸🇺🇸 Anis Jerbi 🇺🇸❤️🇺🇸 2021)

“This is one I’m rooting for to get caught as she seemed to a ringleader. The FBI should produce decks of playing cards with insurrectionists pictures on them like they did during the Invasion of Iraq” (Dobie Wan Kenobi 2021)

“I would like a little more assurance that they are going to get every last one of them and at least make they regret their attack on democracy. Every. Last. One”
(YourNameHere 2021)

Here, the same political demographics who protested civil liberties violations in the post-9/11 era imagine catching terrorists with ludic enthusiasm. In response to an FBI tweet asking for information to identify suspects, one user replied back, “@FBI I’ve submitted 2 Idaho insurrectionists. One of them is still galavanting all over Facebook. Get on it” (RuralLiberal 2021). By January 26, only twenty days after the event, the FBI deemed the investigative help and tips they received from the public “remarkable” (FBI 2021b).

The FBI leveraged the networked nature of online life and the outrage directed towards those who stormed the Capitol to motivate the public into a highly successful law enforcement investigation. While the US has long encouraged the public to help law enforcement and intelligence agencies detect threats, social media networks provide everyone a means of surveillance. At least initially, the public put aside concerns about civil liberty violations in the wake of an event that challenged the perceived stability and safety of the general public. There was also an element of collective “fun” as people used their friend, family, and social networks to piece together the identities of those they perceived to have defiled a government institution and interrupted a democratic process. One user whose tips directly led to the arrest of a rioter described their online social media investigations as a hobby (Suebsaeng and Sommer 2021). There is demand not only for the arrest but also the punishment of the rioters whose pictures were circulated on social media—a punishment the state is assumed to mete out, should they be given enough help finding the perpetrators. In exchange for their investigative and surveillance support, the public is rewarded by seeing those they turned over brought low. In this way, citizens are both acclimated to and *into* surveillance by not only being allowed to participate in the state process in some way but also to exercise their own interests, ensuring the punishment of those they believe to have acted in a socially or politically deviant manner. By allowing citizens not only a means to participate in the surveillance and policing they themselves are subject to but also enact these surveillance procedures in ways that benefit their own ideological aims and goals, the state enrolls the public as both subject and actor in a deputization process, which may create consensus for these surveillance practices.

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