Article

Surveillance at the Roots of Everyday Interactions: Japan's Conspiracy Bill and its Totalitarian Effects

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Abstract

Japan's ultra-right wing government, led by Prime Minister Shinzō Abe since 2012, has been enforcing a number of controversial laws, such as the Secrecy Act and Security Act, which have enhanced surveillance and militarism. Without changing the Constitution, these laws allow the government to undermine the constitutional rights for individuals. The Conspiracy Law, Abe's next attempt, focuses on placing people's everyday communications under scrutiny. Against the modern principal of criminal justice, this law criminalizes the communications regarding crimes, without any criminal actions. Due to its extensively invasive character, the bill has been cancelled three times in the Diet in the past decade, but Abe insists that it is necessary for a successful running of 2020 Olympic in Tokyo as an anti-terror measure. While the Olympic gives the authoritarian government the best opportunity to incite nationalism and stabilize the rule, as the Nazi performed in 1936, surveillance comes forth to eliminate both public and private communications that question, criticize or counter the legitimacy of state power.

ZIFFEL: What is called freedom means, you own a petty private freedom to the extent that with having beer, you can say an opinion a bit strayed away from an official frame, but aren't immediately arrested.

*KALLE: Even with beer, it's risky to have an opinion around here. The Germans, and others before them, have found it dangerous. They are listening under every table. **They've choked off the little citizen's thirst for freedom at the root.***

(Conversations in Exile, Bertolt Brecht 1981,¹ emphasis mine)

Introduction

Japan's far-right-wing government, led by Prime Minister Shinzō Abe since 2012, has been proposing and enforcing several controversial laws, such as the Secrecy Act (2013) and the Security Act (2015). Those laws aim at enhancing the state's military force and surveillance. Abe's cabinet and his Liberal Democratic Party have never been shy about expressing their long held desire to revise the Constitution for re-militarization. Promulgated after the World War II, Japan's Constitution guarantees of basic human rights,

¹ Brecht wrote this play script mainly in 1940-41, when he was exiled from Nazi Germany in Finland. I translated this part from a published Japanese translation of the German original (1981) into English. Apparently, there is no published English translation of this text. But there is an English version of the adapted play (1986), which I reference in my translation.

the sovereignty residing in the people (not the emperor), and the renouncement of military force and war. Revising the Constitution requires approval from two-thirds of all national Diet members (i.e., Japan's deliberative assembly, like the British Parliament), and then a majority of all votes in a national referendum (Japanese Constitution, Article 96). Due to the difficulty of officially revising the democratic Constitution, Abe and his party have been following a different strategy: creating laws that undermine or nullify the effects of the Constitution in practice. For example, the Security Act allows Japan's Self Defense Force to join American wars under the name of "collective security," when the United States, not Japan, is attacked in different locations around the world. This clearly opposes the pacifist Constitution, which renounces war to solve international conflicts, and pulls the already contradictory Self Defense Force much further from self defense.

Along with militarism, surveillance bills have also been proposed and passed under the Abe administration. The Secrecy Act can imprison any individual who leaks files the government defines as "state secrets" for up to ten years, including whistleblowers and journalists. Subsequently, the government passed a revision of the Wiretapping Act (1999), having much widened the categories of crimes subject to wiretapping operations, and eliminated a previously required presence of the telecommunication company as an oversight to the wiretapping operations. This revision allows the police to tap a much wider range of subjects in police settings, such as the police station, and taxpayers are already paying for new software for this automatic operation.

The Conspiracy Bill, Abe's current proposal to the Diet (at this point of writing in April 2017), attempts to put people's everyday interactions under scrutiny on a new scale.² This bill criminalizes subjects just for *communications* in which they agree on alleged crimes, whether or not they actually committed any criminal *actions*. Similar to Abe's other attacks on democratic principles, this will replace Japan's postwar principle of criminal justice, which states that *no one is charged for a crime before taking action*. This principle was built on regret for the practices before 1945, where the secret police imprisoned and tortured many citizens based on their political beliefs and private thoughts, including numerous victims of frame-ups and false charges. Because of its invasive nature, the Conspiracy Bill has been discarded three times in the Diet in the recent past (2003, 2005, 2009). Abe re-named the same bill, "Terror and Other Preparation Crimes," and insists that the legislation is necessary to successfully run the Olympic games in Tokyo in 2020.

This paper examines the Conspiracy Bill as a focal point to subject peoples' everyday interactions to police investigation, and frame them as potential conspirators against the government. At the same time, this bill represents an already existing surveillance practice behind democratic oversight, and plays a role to legitimate the illegal practice and further reinforce it. I argue this point from a perspective drawn from revelations by the NSA whistleblower Edward Snowden. I interviewed Mr. Snowden via video channel in May, 2016.³ He worked as an NSA contractor at the U.S. Yokota Air Base in Japan from 2009 to 2011. What he told me illuminated the normally hidden background of Japan's surveillance legislation.

In the following, drawing on some of his comments in the interview, I will first explain that the Conspiracy Bill was generated by Japan's authoritarian regime, as well as the global technological nexus of "Collect It All." Secondly, I will argue that the Conspiracy Bill legitimates illegal surveillance practices by both the U.S. and Japanese governments, and define legitimation. Finally, I will discuss how the legitimated

² At the very end of the editing process of this article, the Conspiracy Bill was passed in the Diet, on June 15, 2017, at 7:46am in the Japanese Time. Abe's administration took an unprecedented measure to pass this bill by suspending the discussion, omitting the vote at the Law Committee, and submitting it to a plenary session in the House of Councillors. The malfunctioning of the Diet was complete.

³ This was the first interview by a Japanese journalist with Edward Snowden. I have written a number of articles on this interview for Japanese journals and magazines, and also published a book (Ogasawara 2016). However, this article is my first English writing on the interview.

surveillance against people invites a totalitarian tendency, which can rapidly construct “surveillance at the roots of everyday interactions.” In the epigraph, Brecht showed how Nazi Germany lawfully turned citizens into informers for power. By intervening in peoples’ conversations in general, the Conspiracy Bill may “choke off the little citizen’s thirst for freedom at the root.”

Everyone Is Watched: Snowden’s Revelations about Japan

The Conspiracy Bill criminalizes any conversation or correspondence that hints at committing a crime, from vandalism to murder, from marijuana cultivation to passport forgery, from copyright violation to unlicensed horse racing. It covers a vast array of criminal, civil, and administrative laws, encompassing originally 676 kinds of crimes. It was reduced to 277 kinds, using the number of subjected crimes as a means of bargaining with opposition (Asahi Shimbun 2017). Again, the post-WWII Japanese principle of criminal justice presupposes one’s acting on a crime, so no one should be accused of a crime because of their thoughts. Without declaration, the Conspiracy Bill attempts to undermine the principle and criminalize individuals for sharing information that could potentially suggest the thought of a crime, regardless of any effective action. Prominent Japanese lawyer Yuichi Kaido and others point out that the Conspiracy Bill resembles the Peace Preservation Act (1925-1945), which repressed many socialists, intellectuals, journalists, editors, and others (Kaido 2017; Adachi 2016; Ogura 2017). It punished whoever allegedly criticized the government: about 2,000 Japanese are estimated to have been tortured and killed, without the decisions of death penalty, while 48 Korean leaders of anti-Japanese imperialism were sent to death row under the Peace Preservation Act (Mizuno 1987, cited in Kaido 2016; Suh 2017).

However, the Peace Preservation Act’s surveillance capacity pales in comparison with the Conspiracy Bill’s techniques to monitor populations. The Conspiracy bill has extensive powers and technological capacities to collect information from internet, mobile phone, and social media users, which is especially concerning as these platforms are saturated in peoples’ everyday lives from young to old, from rich to poor. And shockingly enough, Edward Snowden revealed in 2013 that the American National Security Agency (NSA) has developed global surveillance systems to collect personal data from these digital communication networks. The U.S. government has technically established the ability to collect, retain and search all electric communications, via surveillance devices embedded in landing sites of trans-ocean cables, or from the main servers of Information and Communication Technology giants like Google, Microsoft and Facebook (Greenwald 2014). Under this new intelligence strategy of “Collect It All,” emerging from the “war on terror,” the NSA has partnered with other countries including Japan.

My interview with Snowden focused on how the NSA operates surveillance in Japan, and how Japan uses NSA surveillance. He first explained the global mechanism for data collection, referring to the Japanese case. “The question is, is the NSA spying on Japanese citizens? The answer is, of course. They are spying on everybody. That’s how these programs work. That’s why they call it bulk collection. That’s why everybody else calls it mass surveillance. It is indiscriminate in its interception of communications.”

This does not mean that all Japanese with Information and Communication Technological devices are placed in real-time surveillance by the NSA. Rather, Snowden described it as a “time machine” that can go back to the past. “What we’re creating is a kind of surveillance time machine where all of your communication that happens just as a product of what you’re doing as you go about your daily life...they all go in the bucket by default. They don’t need to do extra work to snatch your SMS, that’s already falling in the bucket. They just have to know, do we want to look at this?” NSA agents look up the information stored in the reservoir in retrospect, whenever and wherever their attention goes.

Japan and the United States have a long relationship regarding military intelligence, ever since the American occupation in 1945-1952. Desmond Ball and Richard Tanter found that the United States developed about 100 sites for its signal intelligence (SIGINT) activities during the “Cold War” (which was a hot-war period

in East Asia) (Ball and Tanter 2015). According to them, today, about 1,000 U.S. personnel are engaged in such activities, mainly at Yokosuka Navy Base (Kanagawa), Marin Camp Hansen and Kadena Air Base (Okinawa), and Yokota Air Base and the U.S. Embassy (Tokyo). Among them, Yokota Air Base hosts the office of the Department of Defense Special Representative Japan, the senior representative of the NSA in Japan, where Snowden used to work. Yokota has become a major internet surveillance and network warfare center (Ball and Tanter 2015:1). And it was recently reported that the NSA has provided the Japanese counterpart XKEYSCORE, the program Snowden calls the “Spy’s Google” (Gallagher 2017).

This evidence demonstrates that the technical capability to drag out all communications is already present, and the Conspiracy Bill provides Japanese police agencies legitimate *reasons* to use the existing illegal technologies. More importantly, the communications placed under scrutiny are not only interactions relating to crimes, but *all interactions*, because the police search for crime-related conversations out of all communications. It is with the same logic that “Collect It All” drag-nets all communications to prevent a few potentially violent acts. In this sense, the Conspiracy Bill inclines toward predictive and preventative crime investigations. It can be also situated in the neoliberal trend of crime control, like “zero tolerance” or “broken window theory,” that reverses the modern principle of “innocent until proven guilty.” But the novelty of the Conspiracy Bill is, again, criminalizing the idea itself without the deed, and the reality that everyone is watched through digital networks.

Legalize the Illegal

Therefore, the Conspiracy Bill attempts to legalize ongoing state surveillance activities practiced and developed without legitimate procedures and democratic discussions. In fact, such procedures have grown secretly beyond public attention. But they now demand official endorsement and authority. Furthermore, when the bill becomes law, it can punish people who do not abide by the authority.

Snowden explained to me that this is a common strategy of the NSA when pressuring other countries to legalize hidden surveillance systems and covert activities (Ogasawara 2016). According to him, the NSA has a group of about 100 lawyers who research how the NSA can get around human rights restrictions written in constitutions and laws in different countries, which prevent the governments from spying on their own citizens. Removing these legal protections is an important task for the NSA to collect more data and classify it while keeping the process out of the public eye. The NSA first developed this scheme of creating judicial run-arounds with a group of countries called Five Eyes (U.S., Britain, Australia, New Zealand, and Canada), and then exported it to other countries. “You don’t have to pass the law exactly as we say. But in our experience, (we say) this is what you should aim for, you should do this, you should do this, you should do this. Those other countries go, ‘Well, hey, we should do this,’” said Snowden.

Then, he reported that the United States actually designed the Secrecy Act of 2013 in one of these attempts. “This is exactly what happened with the Secrecy Act in Japan. When I was in Japan, we would have Japanese partners come over to our building in Yokota. They knew we were there. It was like the world’s greatest secret, because we were sharing information that we were gaining from all this spying.” The NSA showed a low level of classified information to the Japanese, using it as a carrot and stick, and continuously told the Japanese that the NSA could share a higher level of classified information if Japan changed the law. Accordingly, Abe’s cabinet forced the Diet to vote for the highly controversial Secrecy Bill, without agreement among the parties, and it was passed. The Secrecy Act enables the Japanese government not only to protect and nurture American surveillance systems, but also to hide the illegal data sharing between the U.S. and Japan, and the spying on people in Japan.

Therefore, it is realistic enough to situate the Conspiracy Bill in this context. The Secrecy Act of 2013 contributed to concealing and *protecting* from democratic transparency both the U.S. SIGINT activities in Japan, and Japan’s cooperation. Yet, direct surveillance of citizens is still illegal. The revision of the

Wiretapping Act in 2015 succeeded in generalizing the categories of wiretapping subjects by the Japanese police, and giving the police a useful *means* of wiretapping. It requires warrant, but normally never declined by the court when the police asked. In this way, the police have a much wider range for listening to people's conversations. Finally, the Conspiracy Bill gives the police legitimate *reasons* to intervene in all peoples' conversations, and the conversation can constitute a punishable crime. With the protection, means, and reasons for the government, the Conspiracy Bill can complete the process of covert surveillance officially, to investigate all communications. This creates the up side down world of democracy: government's conspiracy of illegal surveillance becomes justice, and peoples' communications become conspiracies against the government, under the Conspiracy Bill.

Recent arrests of dissents in Okinawa, the southwestern island housing 75 per cent of U.S. bases in Japan, can be seen as an advance notice of the government's application of the Conspiracy Bill, with digital surveillance capacities. Okinawa has been a main site of resistance to U.S. bases since the military occupation period (1945-72, longer than the main island Japan in 1945-52), but particularly from 1995, when three U.S. soldiers raped an elementary school girl, evoked the large collective protest.⁴ Under the Abe administration, policing against the protesters has become increasingly brutal. Hiroji Yamashiro, the chair of Okinawa Peace Movement Center, was repeatedly arrested for petty offenses, and different surveillance technologies have been involved in the U.S.-Japan relay to imprison him.

In his first arrest in February 2015, a video footage shot from a surveillance camera inside Camp Schwab, regarding Yamashiro's "unlawful" entry to the camp, was uploaded to YouTube as "evidence." It was reported later that Robert Eldridge, the foreign policy deputy director of the U.S. Marine Corps on Okinawa, provided the footage to a man in Okinawa, and he uploaded it (Ryukyu Shimpō 2015).⁵ When Yamashiro was again arrested in October 2016, the suspected act was the crime of damaging property, cutting two barbed wires surrounding a U.S. helipad construction site (Ryukyu Shimpō 2016). But it was apparently not enough for the two governments to punish him, and two other charges were soon added to the list: the crime of interfering with a government official in the exercise of his duty and his bodily injury, which allegedly happened in August 2016. Then Yamashiro was arrested one more time for obstructing business by force, referring to his act of blocking the gate of Camp Schwab with other protesters in January 2016 (*Okinawa Times* 2016; *Nikkan Gendai* 2017). Note the dates of his ever-increasing suspected actions kept going *backwards* in the timeline, just as Snowden described the NSA surveillance scheme as a "time machine" to the past. The police clearly targeted Yamashiro, videotaped his actions, and detained Yamashiro for five months in the accumulation of petty suspicions, while denying him bail or meetings with family members, before the court started his trial in March 2017.

Yamashiro's case evidences the existing U.S.-Japan surveillance nexus and interests, and shows what the Conspiracy Bill will target on the day it legitimizes the present illegal and grey-zone surveillance. In fact, the crime of obstructing business by force, of which Yamashiro was accused, is one of the crimes detailed by the Conspiracy Bill, and obstructing construction of a military base was exactly referred to as an applicable case of the bill in the Diet (Oguchi 2017). Although Snowden told me that he was not directly involved in any operations in Okinawa, he agreed with my view that the NSA has been spying on peace actions there. "That would be a top task for prioritization," he commented. "There's more than one location

⁴ In 1996, officially admitting the "burdens of Okinawa" and to reduce them, the U.S. and Japanese governments announced to return the Marine Corps Futenma Air Station, built by the U.S. force in a dense city area. But revealed later was, it meant a replacement of the old, dangerous base to a brand-new, high-tech, larger base, planned for the east coast of Okinawa, Henoko. Ongoing protest in Okinawa is to prevent the new constructions of U.S. bases in Henoko and others. Protesters have been sitting, canoeing and diving in the planned sites, and delaying the construction, for more than 20 years.

⁵ The U.S. Marine covertly dismissed Eldridge from the position, due to the inappropriate use of the footage (Ryukyu Shimpō 2015).

of US intelligence set up in Japan. What do you think those ones in Okinawa are actually doing? They have a tremendous capability and they're not there for decoration."

Then, how would legitimization of covert surveillance change our everyday lives? It is already practiced, though illegally. Is it too late to do anything about it? Does legalization by the Conspiracy Bill really matter?

Yes, it would change our everyday lives irreversibly. Surveillance tends to expand to get for more information (Lyon 2007), and legitimization provides a legislative basis to expand it. A stalk of surveillance grows faster and taller when planted in the fertile soil of official endorsement in the sunshine of legitimacy, rather than staying in the shadow of restricted circumstances. That is why the NSA has pressured foreign governments to make new laws. It is a significant transformation from being illegal and the exception, to legal and a principle of state activity. Legitimation of covert surveillance will bring us more direct, visible results of surveillance, and further accelerate technological development and enlarge networks.

Yet, it may be noteworthy that legitimization of covert surveillance by no means automatically suggests transparency. Surveillance, especially military intelligence, essentially opposes transparency. Though the Conspiracy Bill officially endorses covert surveillance as criminal justice and overtly intervenes in peoples' lives, the processing of individual cases will be kept hidden. The government wrote the Secrecy Act first, among others, probably for this reason. Legitimation does not refer to democratic openness, unless different measures for transparency are set up. In fact, the Secrecy Act allowed the government to classify 272,020 documents as state secrets in 2015. That number increased by 82,827 from the previous year (Yamashita 2016). The government no longer has to examine the disclosers of these files, and can immediately keep media, journalists and citizens from accessing the information. This undoubtedly deflects transparency, participation, and freedom of information.

A recent example of powerful effects of legitimating covert surveillance can be found in the United States, after the inauguration of President Trump. Trump's executive order to ban travelers from seven predominantly Muslim countries from entering the United States (*Guardian* 2017), has geared up invasive scrutiny against Muslim citizens to an official and collective level, although intensive surveillance had already been practiced against the same group at individual levels before the executive order. Freedom to move and reside, especially beyond international borders, had already been undermined during the "war on terror" under the Bush and Obama administrations, without an official announcement of racism. But when Trump's order abandoned the deceptive appearance of "random" surveillance, repressive operation would officially take over state apparatuses, and unfair practices become law. Legitimation of covert surveillance will only bring arbitrary power to the forefront, without democratic oversight, in the U.S. SIGINT partner Japan, too.

From Authoritarian to Totalitarian: Surveillance at the Roots of Everyday Interactions

The government proposed the Conspiracy Bill three times before to ratify the United Nations Convention against Transnational Organized Crime, which was adopted by the General Assembly in November 2000 and approved by the Japanese Diet in May 2003 (Kaido 2017). However, the Japan Federation of Bar Associations and hundreds of criminal law experts do not see the need for the bill to ratify the U.N. Convention (Kaido 2016). Apparently, the 2020 Olympic Games gave the Abe administration a special opportunity to put a new label on an old bill, and present it as an anti-terror measure, though the writer of the Legislation Guide for the U.N. Convention admitted that the Convention is nothing to do with terrorism (Nakai 2017). All other recent political circumstances, such as China's economic growth and military power, and the North Korean missile crisis, are also used to pass this controversial bill through the Diet without deliberate discussion. Clearly, this bill has been pushed from the top down in the political structure, and crystalizes the authoritarian character of the Abe administration. However, there will be another effect of this bill on the day it becomes law.

The Abe administration restored an article that had been taken out of the Conspiracy Bill by the previous government: “the person who reports oneself to the police will be reduced or exempted from a sentence.” Reporting to the police about a conversation the person had with others is the only way for the person to avoid being charged with the crime of conspiracy. This article encourages and justifies being a secret informant for the government. If the person thinks the conversation could be subject to a conspiracy charge, or if the person is afraid of being reported by someone else in the conversation, the person can run to a police station, and all other participants would soon learn that the private conversation within a private circle they trusted was actually under surveillance. Any casual conversation, honest critique, discontent, or inconvenient truth would lose its space to be expressed and recognized socially. No matter the type of gathering, from trade unions to community volunteers, from the anti-nuclear movement to women’s rights groups, participants would feel differently about those spontaneous relationships under the Conspiracy Act, in terms of their level of trust with others. *By encouraging spying on private communications with others, the Conspiracy Bill distorts, deteriorates, and discredits humanistic, personal relationships, and sets up “surveillance at the roots of everyday interactions.”*

This seems the most terrifying effect of the Conspiracy Bill. Though Japanese political culture is internationally notorious for being hierarchical, collective, and obedient to authority, there are an enormous number of civil groups fighting for equality, human rights and social justice. Most groups are small, but they occasionally develop a nationwide coalition, for example, to defend Article nine of the Constitution, prohibiting the state to participate in war, or to stop nuclear power after the Fukushima Disaster in 2011. They have pointed out inconvenient facts to the government, and demand policy changes and reforms, while they have created safe times and spaces for the people who want to discuss and share their difficulties in lives as common issues. The Conspiracy Bill attempts to sneak into these safe, intimate relationships, and secretly listen to the honest feelings of individuals, by changing participants into spies.

This “surveillance at the roots” will correspond well with authoritarian governments, and nurture a totalitarian power by incorporating citizens into sovereign surveillance. This authority changes every citizen into a “conversation informant.” Citizens are likely to be careful about what they say in their interactions as private conversations can be reported to the police. Or more likely, they will keep honest feelings to themselves, instead of releasing them through words. Surveillance at the root of spontaneous interactions will supplement the state authority, transforming Japanese society from authoritarian to totalitarian.

On the other hand, this almost obsessive interest in peoples’ interactions reveals the instability of an authoritarian government that does not stand for democratic agreement and choice. If the government were well supported by the people, such an intensive level of suspicion would not be necessary. But the Abe administration has kept enforcing several controversial laws, as if there were no opposition.⁶ Abe refuses to face criticism, and further acknowledge the facts. In September 2013, at his final presentation in the competition for the 2020 Olympic Games at the International Olympic Committee in Buenos Aires, Argentina, Abe declared, “Some may have concerns about Fukushima. Let me assure you, the situation is under control. It has never done and will never do any damage to Tokyo” (PMJHC 2013). Well, the contaminated water from the reactor continued to flood into the Pacific Ocean, and radiation spread into the air, not only over Japan, but all over the world. No hero and no high-technology succeeded in containing the radioactive harms. That was clearly a shameless lie. Abe has been behaving as if there were no disaster, no radiation, and no people who are still displaced from their communities after losing family and friends, jobs, and homes. Furthermore, his administration is eager to reactivate the nuclear power plants, which have

⁶ For the main purpose of this issue, and to be concise, I focus on empirical and historical aspects of surveillance and do not bring theoretical discussion in this article. But it’s worth to note that this type of power cannot be categorized as “regulatory” in the Foucauldian sense of bio-politics. It shows more overlaps with disciplinary power, and rapidly inclines to what Achille Mbembe (2008) called “necropolitics.” This may reflect that history is never linear or progressive, as Benjamin suggests in “Theses on the Philosophy of History” (1968).

ceased working since the Fukushima Disaster, and are sitting on active fault-lines in the Japanese volcanic archipelagos. Abe and his colleagues ignore the facts, and govern based on fantasy. Thus, their governance is essentially fragile, as it is not built on truth, democratic participation and agreement. Then, how can they maintain their power?

One strategy they take in the use of surveillance is *to erase the truth and inconvenient facts socially*. The truth becomes a political agenda only when it becomes socially acknowledged. If people do not talk about facts and feelings, then they do not exist socially. Surveillance at the roots of communications can contribute to silencing people, and denying inconvenient facts for a fragile government. The Conspiracy Bill prevents people from talking about inconvenient and critical facts because of fear; fear of being criminalized for communicating something unfavorable to the state.

In turn, surveillance at the roots of social expressions can construct totalitarian subjects in individuals, probably more effectively than authoritarian government itself, because this happens in everyday interactions with different actors in private lives. It will help keep authority well maintained, voluntarily and automatically. It is not only new, state-of-art technologies that can achieve total surveillance, but also political techniques used in totalitarian states not so long ago. In the same text from which the epigraph was drawn, Brecht puts an anecdote telling how effectively and quickly this mechanism of surveillance at the roots worked before:

KALLE: They succeeded to make everyone afraid of everyone in a short period of time. Here's a story I was told. A foreigner is visiting a business friend in Hitler's Germany. 'How's it going under the new regime?' he asks as he enters the office. His friend turns pale, mumbles something inaudible, reaches for his hat and pulls the foreigner towards the door. The visitor expects to hear the answer in the street, but his friend looks around timidly and turns into a restaurant where he chooses a table in a corner, far from all the other eaters. After he orders a cognac, the foreigner asks his question again, but the German looks suspiciously at the lamp on the table, its bronze base could have a microphone. They pay the bill, the German takes his business friend to his bachelor's flat, right into the bathroom, turns on the taps to make a loud splashing noise, then says, just loud enough to be heard very closely—'We're satisfied.' (Brecht 1986: 16)

Surveillance helps the authoritarian regime to alienate the most spontaneous actions of individuals, based on mistrust of others. It restrains or domesticates spontaneous emotions for others, such as friendship, empathy, solidarity and aid, and then replaces kindness, warmth or righteous indignation, with betrayal, calculation or cynicism. Surveillance at the roots of everyday interactions can be a turning point from authoritarian governance to totalitarian society, by destroying and incorporating interpersonal relationships and personalities.

When Snowden decided to reveal the NSA surveillance systems to the public, his only concern was there might be no reaction from the public. However, this fear was unwarranted. Citizens of different countries overwhelmingly reacted to his revelations, and expressed anger against the secret spying on their lives. People naturally have the mind to think, heart to feel, the power to respond, the intelligence to criticize, and the courage to demand freedom. The authoritarian government tries to chain those human values and possibilities down with the Conspiracy Bill. But as Snowden himself demonstrated, it is crucial to reveal and cut off every chain extending from authoritarianism to totalitarianism.

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