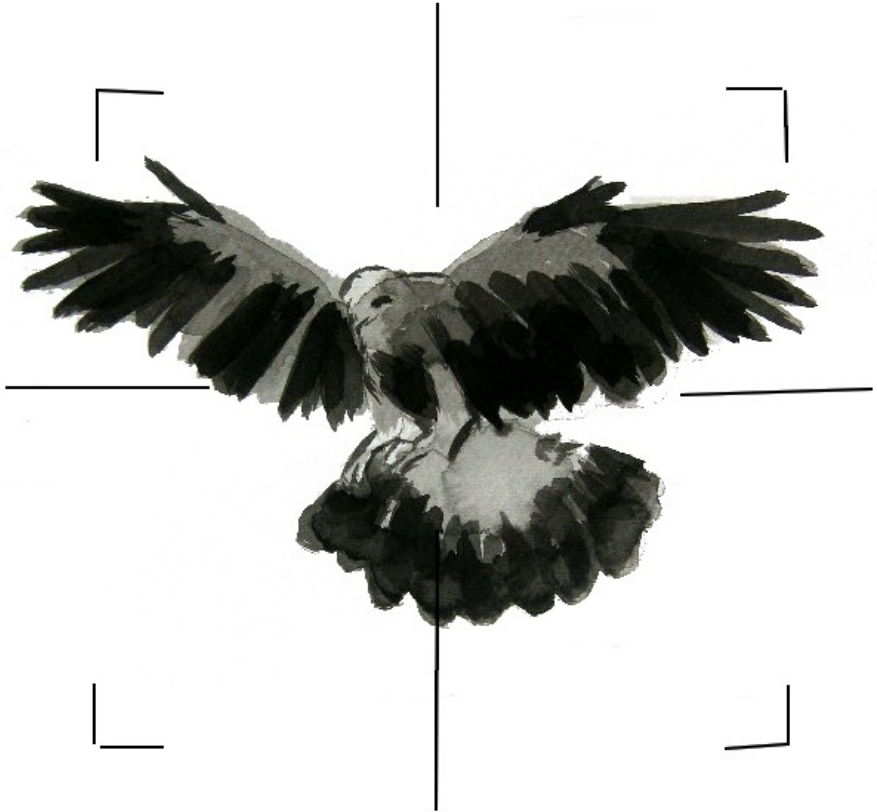


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Surveillance/Rhetoric

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Foreword

To open its third year of publication, *AYOR* (*African Yearbook of Rhetoric*) offers an issue devoted to preliminary thoughts on surveillance and rhetorics of control. It stems from a 'Blue Skies' tentative project, financed by the National Research Foundation of South Africa.

These prolegomena are tentative insofar as we wish to break new ground for rhetoric studies, by bringing into their compass the study of secretive and covert protocols for intelligence gathering and surveillance, and by examining how public debate and public arguments are shaped by them — in short how the guarded informs the open.

To this end, and to keep the discussion as fluid as possible, ahead of a larger investigation, contributors have been drawn from a wide range of perspectives — from Marxist philosophy to the intelligence community. It is an odd assemblage intended to provoke questions and not to invoke answers.

To those who may question the relationship between “the uses of dialectics” and control (the subject of Antonio Negri’s paper), the answer might be that intelligence gathering and surveillance are tools of Capital and as such valid subjects to investigate how Marxism, as a materialist protocol, can provide a critical set of interpretations.

Those who may question the pertinence of a presentation on the state of intelligence studies in France, may also consider that rhetoric studies rely on material evidence and, consequently, a specialised analysis by intelligence experts is what we need in order not to presume we know more than we actually do about a field by and large outside the traditional ambit of rhetoric.

Last but not least, those who would be tempted to query the theoretical import of surveillance studies for rhetoric studies as a form of enquiry, would do well to ponder the meaning of “theorist” in Ancient Greece: a “theorist” was an observer sent by his city to look carefully (“to theorise”) at how other, rival cities were functioning. The “theorist” would gather information, bring it back and analytically inform his government. Often he was a philosopher, or rhetor, versed in arguments and in what we call nowadays strategic thinking. The “theorist” was a gatherer and an analyst (thus fusing together the two traditional activities of intelligence) and, in addition, an intelligent adviser. It was understood that only good *renseignement* (French for “intelligence”) about others would benefit one’s city and help her gain a better intelligence of her own affairs and thus gain the upper hand in the continuous rivalry that is the iron law of power among nations. Those “theorists” laid the foundation

~ Foreword ~

for the analytical and comparative study of political constitutions, political science in short, whether they operated overtly or covertly.

“To theorise” was and remains the political art of observing others, to emulate their strengths and to learn from their weaknesses, and to derive policies. Its new name is surveillance.

The Editor.

Some thoughts on the use of dialectics

Antonio Negri

1. Dialectics of antagonism

Anyone who took part in the discussions on the dialectics developed by so-called Western Marxism during the 1930s, 1950s and 1960s would easily recognise how the roles played in those debates by Lukàcs' *History and class consciousness* and the work of the Frankfurt School were at that time complementary. In a strange and ineffective hybridisation, a series of phenomenological descriptions and normative hypotheses produced in those periods, regarded life, society and nature as equally invested by the productive power of capital and their potential as radically diminished by it. The question of alienation traversed the entire theoretical framework: the phenomenology of agency and the historicity of existence were all seen as being completely absorbed by a capitalist design of exploitation and domination over life.

The dialectic of *Aufklärung* was accomplished by the demonisation of technology, and the subsumption of society under capital was definitive. The revolutionaries had nothing to do but wait for the event that reopened history; while the non-revolutionaries simply needed to adapt to their fate, *Gelassenheit*.¹ Obviously, confronted with this (often inert) *pris de conscience* of the subsumption of society under capital, some opposed resistance. In this stage of Western Marxism, a critical point of view was emancipated and, for the first time, an ethical-political attitude emerged to connect theoretical devices towards the exaltation of the 'subversive particular'. This attitude created the conditions for a new kind of dialectics in a period of massive expansion of capitalist power over society. Opposed to the dehumanising dialectics of the capitalist relations of exploitation, another ethical and subjectivised dialectic opened the totality of the social context to the expression of new resistances.

This attitude created the conditions for a new kind of dialectics in a period of massive expansion of capitalist power over society. Opposed to the dehumanising dialectics of the capitalist relations of exploitation, another ethical and subjectivised dialectic opened the totality of the social context to

¹ [All notes are the translator's] This word has over seventeen meanings. First seen in *Revelations* 13: 10, then used by the Anabaptists, Eckhart and finally recuperated by Heidegger in his "Conversations on a country path" (*Erörterung der Gelassenheit*). For more on the latter, see J. Wikse's, "Slowing things down: *Gelassenheit* and the somatics of dialogue".

the expression of new resistances.

The principle of a new figure of subjectivity, or, rather, of the production of subjectivity was virtually affirmed, as was an open dialectic of 'critique' against the closed dialectic of 'critical-critique' and a standpoint of rupture within the placid and painful acceptance of the totalitarian high-handedness of capital in its two forms of management, the liberal and fascist form and/or the socialist and Stalinist one.

In France, Merleau-Ponty broke away from Frankfurt phenomenology; at the margins of the British Empire, in the overthrowing of colonial historiography, what would later be known as the post-colonial standpoint began to emerge; in Italy, France and Germany by overturning the injunction to regard technology as the exclusive field of alienation, hypotheses of workers' subversive use of machinery and workerist currents began to form. Thus was dialectic interrupted, so to speak, and on the terrain of this interruption and this hypothesis of an ensuing crisis of the capitalist ability to invest the social totality, the revolutionary subject reappeared in the shape of a free subjectivity that put itself forward as production, or expression.

Dialectics, from being abstract, became concrete. Dialectical development was given its determination on the historical curve of the accomplishment of capitalist development. It is not useless to recollect the pre-history to this, however brief. It brings us back to the ongoing renewal of analysis, not so much of dialectics in general, but of the use of dialectics in 'real Marxism', codified materialist dialectics. Let us consider, in relation to this overturning and the subsequent operative instances, the definition of dialectics proffered by some of the major interpreters of the time, in this case Lucio Colletti as he commented on Evald Vasilyevich Ilyenkov:

In its most general terms, the Marxist theory of dialectics can be expressed as a theory of both the 'unity' and 'exclusion' of opposites, that is to say, a theory that tries to provide both the moment of *knowledge* (the possibility that the terms of opposition or contradiction can be grasped and comprehended together), and the moment of *reality* or objectivity of the contradiction itself. The theory can be thus summarised in two fundamental exigencies or instances. The first is that the specificity or difference of an object from all others remains comprehensible, or can be mentally related to that difference that the object is not, or to that entire residue that differs from the object. The second is that this comprehension would not abolish the 'difference' that knowledge does not exhaust reality in itself, that the coexistence or resolution of opposites in reason should not be mistaken for the resolution or abolition of their real opposition.²

² Lucio Colletti, 'Prefazione' to E. V. Ilyenkov, *La dialettica dell'astratto e del concreto*

In the third chapter on “Ascent from the abstract to the concrete”, Ilyenkov reached the following conclusion:

Science must begin with that with which real history began. Logical development of real history began. Logical development of theoretical definitions must therefore express the concrete historical process of the emergence and development of the object. Logical deduction is nothing but a theoretical expression of the real historical development of the concreteness under study.³

Finally, *Capital* is directly drawn into the exposition:

The mode of ascent from the abstract to the concrete permits to establish strictly and to express abstractedly only the absolutely necessary conditions of the possibility of the object given in contemplation. *Capital* shows in detail the necessity with which surplus-value is realised, given developed commodity-money circulation and free labour-power.⁴

In 1960, the same year as the Italian publication of Ilyenkov, J. C. Michaud’s *Theory and history in Marx’s Capital* was translated and published by Feltrinelli. Its basic propositions coincided and often reinforced Ilyenkov’s hypothesis:

Dialectics is nothing on its own. It allows for the study of a movement but does not prejudices anything over it. By itself, it could not constitute the whole method, at least in Marx... We don’t believe that on its own dialectics allows us to reach any reconciliation between theory and history.⁵

Immediately after this thesis, Michaud adds:

Political economy becomes science only in Marx’s times, because only the universality of capitalist production is capable of *realising* all the abstract categories that make it possible to comprehend not only

nel Capitale di Marx, Arianna Bove, trans. (Milan: Feltrinelli, 1960).

³ E. V. Ilyenkov, *The dialectics of the abstract and the concrete in Marx’s Capital*, S. Syrovatkin, trans. (Moscow: Progress Publishers, 1982): 200; also available at: www.marxist.org. (Russian original published in 1960).

⁴ *Ibid.* 283.

⁵ J. C. Michaud, *Teoria e storia nel Capitale di Marx* (Theory and history in Marx’s Capital) (Milan: Feltrinelli, 1960): 140.

capitalist production, but also all of the historical systems that preceded it... The pertinent feature of capitalism is that it *realises* the abstraction of all economic categories.⁶

The theory of value, if separated from that of surplus value (which is inconceivable for capitalism) presents itself as an abstract dialectics that expresses the conditions of existence of any relatively developed society in order to come into contact with other societies:

it is not linked to any particular historical social form, [but] the value form in its most generic expression is precisely the specific form that the capitalist mode of production takes on at a precise moment.⁷

This language is now nearly incomprehensible. Nonetheless, if we pay attention, we can really understand what is at stake here: nothing less than the coming to grips with reality, the break from that obstacle that a fossilised materialist dialectics had become to a reading and transformation of the real. The great effort here consisted in the attempt to bring all abstract categories to bear on the determination of the concrete, to bend the universal to the determinations of historical development. This philosophical progression kept pace with a process of 'de-Stalinisation'. The great categories of Marxist analysis (abstract labour, value, money, rent, profit, etc.) were thus forcedly moved away from the theoretical context of nineteenth century materialism, where they were formulated, and towards a substantially new research practice.

From then on, abstraction would only be justified as 'abstract determination'. But determined by what? By the fact that it is subjected, time and again, not only to an analysis of the generic contradictions that run through each of the categories, but also to an analysis of the concrete, scientific, and practical determinations of political agency. From this standpoint, both in the Russia of de-Stalinisation and in the West inside and outside the communist parties, the last phase of Marxist theoretical discourse undoubtedly led the analysis of capitalist development way beyond what the Frankfurt school and the enduring legacy of Lukàcs achieved.

In 1968 the clash between these tendencies became fatal: instead of rejoicing on this revolutionary occasion, the realm of theory was definitively split and the defeat of the movements was followed by on the one hand an absolutisation of the dialectics of real subsumption, alienation, the one-sidedness of capitalist domination and the utopian rupture of the 'event', from Debord to the final stages of Althusserianism, to Badiou; and on the other

⁶ Michaud, *Teoria e storia*, 189.

⁷ *Ibid.* 197.

hand, a struggle on the issues of difference, resistance and subjectivation. And although theoretical research into capitalist development and the devices of political resistance was transformed and pushed forward, it failed to recompose and unfold a communist perspective. In the attempt to make progress on this terrain, we placed ourselves in this last front of materialism, where a dialectics of antagonism could somehow be founded once more.

2. Materialism as biopolitics

In the period discussed above, dialectics was opened up: on the one hand it became entrusted to a discourse where the revolutionary event was an *Aufhebung*, on the other hand it presented itself as a *constituent experience* that rejected any evenemential or mystical aura. To what extent could we still call dialectics a method that made abstraction increasingly concrete, or singular? A method that made it impossible to resolve in thought and overcome in history the antagonism of productive forces and relations of production; a method that definitively relegated the historical and aleatory tendency and truth to practice; a method that made the effectiveness of the production of subjectivity increasingly virtual? It is difficult to answer this question.

Difficult, especially when we see that in this last period, the abstraction of the categories was confronted with the experience of, and experimentation with, an epochal transformation of capitalist development that fixed them onto new figures of historical determination and presented this method as a series of concepts that translated the phenomenology of capitalist development into completely new images and devices.

For example, the sequence of abstract labour — value — money was inserted into a completely new figure of financial capital; the process of real subsumption — or the shift from commodity production to the control over life put to work — the construction of the welfare state on the one hand and the institutional presence of ‘real socialism’ on the other presented capital as *biopower*; finally, the transformation of the law of value (when the power of cooperation, the means of circulation, the productive services and communication replaced the temporal measure of value as agents of capitalist valorisation) gave rise to a sort of ‘communism of capital’.

The analysis presented here follows the transformations of living labour, but when faced with social antagonism the categories of power it fights against no longer seem to have that dialectical ductility that the old materialism had given them. The compactness of the categories of biopower seems to exclude any possibility of rupture. Here, dialectics, that old dialectics against which the resistances we described had already developed — appears to be reduced to a mere *apology for capital*. What is left of dialectics then?

Are internal reform and a shift of accent — outlined above as the insistence on the determination of abstraction, the assumption of a particular standpoint against the real subsumption of society under capital, etc. — sufficient to reconstruct dialectics as an effective research method? Probably not. If dialectics could no longer be seen as a 'method of exposition', this was not only due to the fact that it had fallen into crisis as a 'research method', but also because the *ontology of materialism itself had changed*.

Materialism today is the biopolitical context. It was necessary to move *inside* the determination, rather than to simply follow the passage from abstraction to determination, especially when the law of labour-value entered into crisis. The law of value functioned as a definition of the measure of exploitation, that is, of the capitalist appropriation of surplus labour. But in the analysis of the transformations of labour exploitation and the new relationship between production and reproduction, looking deeper into the compound that capital had gradually built by enclosing in itself the laws of dialectics, imposing the coexistence of opposites, and realising successive *Aufhebungen*, in a context where modes of primitive accumulation are savagely repeated, one begins to understand how the actual power of exploitation no longer invests the figures of expropriation of singular labour (even when this is massified) but rather the *expropriation of the common*.

This discovery of the common as the point of departure of a redefinition of the potential for a communist political proposal developed unevenly but continuously, beginning with the analyses of new developments of capitalist accumulation after 1968. The gradual shift from the capitalist command over the factory (the Fordist organisation of industry and the discipline of the Taylorised working masses) to the exploitation of society as a whole (through the hegemony over immaterial labour, the organisation of cognitive labour and the control of finance) determined the new grounds of the operations of exploitation in cooperation, languages and common relations (which were found in the so-called 'social externalities'). If this is true, it is no longer a question of running after dialectics for its ability to reconstruct the unity of development whatever its contents.

If the 'common' qualifies living labour as the basis and tendency of its emergence on the scene of production, then antagonism is given as an insuperable basis and tendency too, as the radical weakening of any dialectics of the 'coexistence of the opposites', or more probably as the impossibility of any 'universal' resolution of the opposites. Capital has not lost all chance of internal reform because it is confronted by new figures of class struggle. In fact, given the new conditions of accumulation, the common is opposed to any universal appropriation, dialectical mediation and definitive institutional inclusion. The *crisis* is everywhere. Antagonism is no longer a method, it is a datum: *the one, in reality, has split into two*.

Let us use one example to interpret the *present global economic crisis*.

Interpretations of it abound, but from left to right, they all ascribe the reasons for the crisis to the detachment of finance from 'real production'. Starting from the new presuppositions outlined above, from the recognition of the crisis of the theory of labour-value and the emergence of a new 'common' quality of living labour, we would insist on the fact that rather than an unproductive or parasitical deviation in increasing quotas of surplus value and collective savings, the financialisation of the global economy is a new form of capital accumulation, symmetrical to new social and cognitive processes of the production of value. The current financial crisis needs to be interpreted as a 'blockage' (freeze) of capital accumulation rather than the implosive outcome of a missed accumulation.

How to exit the crisis? On this question, the new science, no longer 'dialectical' but simply antagonistic, is affirmed. We can come out of this crisis only through a social revolution. The only possible proposal of a *New Deal* must create new rights of social ownership over common goods, a form of right that is clearly set against the right to private property. Up to now, access to common goods has taken the form of 'private debt'; in fact the crisis exploded on the accumulation of this kind of debt. From now on it is legitimate to demand the same right in the form of a 'social rent'. The only way and the right way out of this crisis entails the demand for recognition of these common rights.

3. From representation to expression

Let us now go back to the "one that divides into two". We have already explained the consequences of this in our interpretation of the current crisis. But let us examine the situation more closely. If we look at the explanation of the "one that divides into two" from an inductive, genealogical point of view, first of all we note that this opening of the dialectical capital relation is primarily due to the biopolitical excess of living labour expressed in the figures of cognitive and immaterial productivity. In this situation and from this standpoint, any closure of relationship between constant and variable capital seems inoperable. The cognitive and immaterial labour in general (communicative, tertiary, affective, etc.) that is realized in the biopolitical realm can not be completely consumed in the process of capitalist exploitation: it not only constitutes, in the face of exploitation, cumuli of valorising residues (of constant capital) but also alternatives of expression and development, in other words, devices of *exodus*.

Thus the features of the new epoch of capitalist production show it to be an epoch of *crisis* and of *transition* outside of the *continuité* of capitalist development. This exit from capitalist development is characterised not only by the difficulties that the dialectical dispositifs now face, definitively entrusted

to capital as they are, when closing processes of production; but also by the need to insert moments of technological innovation and new organisations of social relations into what is a shifting landscape of problems, caused by the cyclical movements of capitalist development, in its repetition, and also in its need to nurture its participants between stages of development and recession. We may add that there is no longer any *homology* between the institutional assets and configuration of capitalist power and the proletarian or multitudinous movements in their specific potential.

The (communist) philosophers, who claim that there are no substantial ruptures between institutions within the spontaneity and free dynamics of the movements and that the economic and political cages of capitalist power linger on, are both wrong and short sighted because they fail to understand that *any isomorphism of power and potentia* and of command and resistance *no longer exists*.

Not only and not simply because these relations cannot be phenomenologically and logically described, but because, even if they were, these relations are subtracted from the hegemony of the one and linked to the alternative dynamics and exodus of the multitude. It has to be said that the dynamics of exodus of the multitude from capitalist command and its structures in crisis in real subsumption are often not recognised because we expect to be able to purify and imagine proletarian movements 'outside' of the real connections of the historical process.

It is as if the insurgence of liberation, rupture and biopolitical transformation could be events uncontaminated by the materiality in which they are immersed, even though they develop within the subsumption of society under institutional and political biopower. No, the rupture from capitalism, command and biopower occurs 'within' the world of exchange values, inside the world of commodities; an outside that is not constructed on the basis of this rupture is unimaginable.

And given that we have come to speak of the 'common' as the environment where value is constructed and therefore as what is directly exploited by capital, let us say that the only event, the only 'use value' that can be recuperated inside the processes of liberation as potentia opposed to power, as constituent power alternative to constituted power, is precisely the 'common' from which we move and of which we are both the agents and products.

To conclude, without a doubt the contamination between the determinations of resistance produced in the political theory and experience of Deleuze-Guattari and the historical meaning of the production of subjectivity that is discernible mainly in the last phase of Foucault's thought can be brought back to this new 'dialectics': it has no longer anything to do with so-called 'materialist dialectics' (*Diamat*) but has everything to do with biopolitical, cognitive and immaterial surplus and with a production that is

internal to the biopolitical constitution of the real.

Allow me to recall Deleuze's answer to one of my questions on what it means to be materialists and communists (found in *Pour parler*): "communism is the production of a people to come..."⁸ Having said that and insisting on the 'to-come' in the dispositif of Deleuze, we hear the same rhythm (which we may call dialectical) as Marx and Engels' in *The Communist Manifesto*, or in Marx when he goes back to the history of class struggle in his writings, the historicity founded in the works of Machiavelli and Spinoza. There was a recent attempt at recuperating Hegel, especially the young Hegel, from Jena to the *Phenomenology of the spirit* and the 'Additions' to *The philosophy of right* (Axel Honneth) in order to reconstruct an open dialectics from below that could be structured in terms of interactivity and inter-subjectivity that was still able to configure a normative and historically sound theory of justice.

This is a repetition in the infinite attempts to recuperate dialectics as both a research method and a form of exposition. But the difficulty lies here: the dialectics cannot avoid being constituted as a 'representation' of the whole of the process that leads to the affirmation of truth, here in the actual crisis of capitalist development and its cultural and institutional forms the word can only be brought back to the ability of the subjects' expression. The common is not constituted as representation but as expression, and here the dialectics end. Let us not forget that although dialectics, as Lukàcs taught us, is the theoretical weapon of capital for the development and organisation of society, and although its crisis opens it up to expressions of new theoretical needs for building a philosophy of the present, these needs must always assume productive activity as the source of any social configuration. Living labour and human activity on the biopolitical terrain are at the basis of any subjectivation. The new constitution of the common, no longer dialectical but still materialist, is articulated by subjective dispositifs and the desire to flee solitude and realise multitudes.

This text was a written contribution to the conference On Critical Thought in the Twenty-first Century, Moscow, June 2009, and first appeared in Italian in Chto Delat? 3, 27, (2009). English version courtesy of Transeuropeennes and of the translator, Arianna Bove.

⁸ Gilles Deleuze, *Futur antérieur* 1 (1990), Martin Joughin, trans. : <http://www.generation-online.org> .

Digital Communications Surveillance: A challenge for Rhetoric Studies

Cezar M. Ornatowski and Akshay Pottathil

1. Introduction

Digital Communications Surveillance (DCS) in its broadest sense includes analysis of any type of digital data. It spans a wide range of activities, from data gathering by Google using the communications of Google's Gmail customers to the monitoring of home and workplace computer activity, analysis of public attitudes regarding products, policies, or persons, and on to searches using a "fusion"¹ of data sources (Internet, social media, camera, satellite, drone, cell phone, and other) to achieve temporal and geo-spatial, multi-dimensional "mappings" of the search domain for security or military/intelligence purposes.

Digital Communications Surveillance has grown in tandem with advances in digital communication technologies. David Lyon considers "information societies" to be, *ipso facto*, "surveillance societies"² and sees surveillance as a "key feature of modern life", a flip side of the use of electronic technologies in all areas of human activity.³

At one end, DCS is part of the burgeoning market in the generation and processing of information and data and a response (albeit one that raises social and ethical issues) to the changing capacities of and challenges presented by communication technology. In a world where almost any kind of information may be available to anyone at a keystroke and where information is a form of capital, control of and access to information become issues. At the same time, where work is performed to a large extent at a computer (thus is not immediately visible to others) or remotely (*i.e.* in telecommuting mode), control and management of work and work time also become issues.

Examples of DCS for purposes of home or office access control and work management include such commercially available products as

¹ According to the National Research Council, "fusion" means "the use of computer technology to acquire data from many sources, integrate this data into usable and accessible forms, and interpret the results", quoted in Hsinchun Chen, Edna Reid, Joshua Sinai, Andrew Silke, and Boaz Ganor, eds., *Terrorism informatics: Knowledge management and data mining for Homeland Security* (New York: Springer, 2009): xv.

² David Lyon, *Surveillance society: Monitoring everyday life* (Buckingham: Open University Press, 2001): 1.

³ *Ibid.* 2.

Brickhouse Security's *Cellphone Spy* (which monitors cell phone activity), *Stealth iBot Computer Spy* (which records all computer activity onto a remote flash drive), the *Porn Detector iBot* (which detects potential pornographic content through recognition of facial features, flesh tone colours, and body postures), and the *Key Logger* (which captures all keyboard activity).⁴ The need for such devices is typically justified in terms of vulnerable or subordinate relationships (child safety or protection of employees) or company and product confidentiality and workplace security.

Such forms of DCS fall under what Roger Clarke called “dataveillance”: “systematic monitoring of people’s actions or communications through the application of information technology”.⁵ Lyon sees such “everyday” surveillance as “the outcome of the complex ways in which we structure our political and economic relationships in societies that value mobility, speed, security and consumer freedom”,⁶ thus as, paradoxically, a correlative — perhaps even a condition — of our freedom and safety.

At the other, more rhetorically interesting end, DCS combines natural language processing, artificial intelligence, computational linguistics, text analysis, and other data gathering and processing technologies (such as geographic modeling and visualization), to allow analysts to understand, track, predict, and even perhaps control attitudes and behaviors on individual, group, or even global scale. In the contemporary economic, political, security, and strategic environment, words, symbols, and “ideas” constitute critical “information” and their tracking and deployment in networked communications has become a burgeoning space for business, intelligence, and research activity. Such forms of DCS (related terms here include “web surveillance”, “information mining”, “web content mining”, or “data mining”) provide a potential new space for rhetoric. It is these forms of DCS that will be the main focus of the remainder of this essay. They include sentiment analysis and other techniques of textual analysis (or “rhetoric data mining”— a forward-looking term⁷ that includes language-focused approaches to DCS) associated with opinion research, security, and intelligence.

2. Sentiment analysis

Sentiment analysis (or opinion mining) refers to extracting information on subjective states; it aims to “determine the attitude of a speaker or a writer

⁴<http://www.brickhousesecurity.com/computer-surveillance-anti-spyware.html>: accessed 11 November 2011.

⁵ Lyon, *Surveillance society*, 143.

⁶ *Ibid.* 2.

⁷ Akshay Pottathil, “Understanding rhetoric data mining and predictive analytics for Homeland Security”, unpublished manuscript (San Diego State University, 2008).

with respect to some topic or the overall contextual polarity of a document”.⁸ The attitude may be expressed as a judgment, affective (emotional) state, or intended emotional effect on the audience. Sentiment analysis is fast becoming a major tool for gauging public opinion concerning products and services as expressed, for instance, in social media or blogs. Analysing on-line consumer opinion has become a “red hot” tech trend, “a kind of virtual currency that can make or break a product in the marketplace”, according to a *New York Times* article on the topic.⁹

Sentiment analysis involves two operations: first, generating sentiment lexicons (lists of positively or negatively marked words; one may generate separate lexicons appropriate to the different spheres of experience to be analysed: politics, technology, and so on) and, second, using the lexicons to analyse the “sentiments” contained in the text corpus. Lexicons are generated from “seed lists” of key terms by using algorithms to recursively query for synonyms using *WordNet*.¹⁰ Analysis of the corpus involves assigning positive and negative values, such as +1 or -1 (or +2 or -2 in case of strong positives or negatives, such as “very good”), to occurrences of relevant terms from the lexicon and assessing the overall “sentiment” score for the corpus in respect to the “target” entity. The target entities and expressions of “sentiment” are identified by parsing (analyzing a text in terms to a given formal grammar). The final “sentiment” score may be refined through data-cleaning operations (such as elimination of quotations and duplications between texts) and interpolation with additional contextualizing indicators (cultural values or “world-happiness” indicators).¹¹

Beyond gauging the range of opinion on some “target” topic or issue, sentiment analysis can gauge the general “mood” or “zeitgeist” of the times (especially by mining Twitter chatter), and may have predictive applications (for instance, how specific news may affect a company’s stock price or how a given candidate may fare in an election). With the addition of spatial

⁸ http://en.wikipedia.org/wiki/Sentiment_analysis : accessed 21 October 2011.

⁹ <http://www.nytimes.com/2009/08/24/technology/internet/24emotion.html?pagewanted=all> : accessed 21 October 2011.

¹⁰ *WordNet* is a public domain on-line lexical database for English, where words are grouped together by semantic relations into synonymous groupings (“synsets”). See <http://wordnet.princeton.edu> .

¹¹ Namrata Godbole, Manjunath Srinivasaiah, and Steven Skiena, “Large-scale sentiment analysis for news and blogs”, in *Proceedings of the 2007 international conference on weblogs and social media (ICWSM)* (Boulder, CO.), http://www.google.com/search?hl=en&source=hp&q=largescale+sentiment+analysis+for+news+and+blogs&oq=Large-Scale+Sentiment+&aq=0&aql=g1g-v1&aql=&gs_sm=c&gs_upl=59117891101118171221181017171018211391413-4.2.0.21810 : accessed November 12, 2011. See also Bo Pang and Lillian Lee, “Opinion mining and sentiment analysis”, in *Foundations and trends in information retrieval* 2, 1-2, (2008): 1-135.

analysis, sentiment analysis can provide “sentiment maps”.¹² This is where sentiment analysis differs from opinion polls, which are time-stamped and based on limited samples. Sentiment analysis provides samples in the hundreds of millions or even billions, making up in volume what it lacks in analytic ‘quality’.

It is important to emphasize the role of the human analyst and of domain expertise in constructing the initial list of “seed” terms appropriate to the corpus and purpose, in constructing and refining the algorithm that generates the expanded lexicon (for example, “awe-inspiring” may mean either “dazzling” or “frightening”, depending both on context and on the speaker and tone — formal, slangy, or sarcastic), and then in refining the lexicon and evaluating the output. The process is recursive and involves cycles of data mining alternating with cycles of “human curation”.¹³

The process is a kind of rhetorical analysis (in the case of sentiment analysis a kind of modified cluster analysis) but directed at very large corpora, mediated by technology (not only in the sense of hardware and software but also in the sense of “technique”¹⁴ embodied in the coding and in the evolving algorithm), and focused on specified purposes. However, it is also important to emphasize that, unlike rhetorical analysis, which offers a “finite” description of a text from some theoretical perspective (for example, neo-Aristotelian), sentiment analysis (or opinion data mining) is a continuous process (which is the difference between an analysis of, for instance, a politician’s speech, a one-time event, and of the politician’s popularity) and includes a range of texts (newspapers, blogs, social media) that would present a challenge, as an aggregate, to more traditional rhetorical analysis.

Given the present state of the art, the tradeoff in such analysis is between accuracy and meaningfulness, or, put differently, between quantitative and qualitative aspects: the more strictly quantitative the search, the more potentially representative (accurate) the resulting data, but potentially lacking in qualitative meaning. On the other hand, qualitative analysis (typically confined to smaller, selected corpora), while rich in potential meaning, lacks the accuracy gained by mining large corpora. To try to bridge the gap between quantity and quality, some researchers suggest including “fuzzy” rules to incorporate expert domain knowledge and qualitative insights and increase the “learning” capacity of the system.¹⁵

Sentiment analysis has been used primarily for commercial and research purposes; however, it is also finding its way into another major area

¹² Godbole *et al.*, “Large-scale sentiment analysis”.

¹³ *Ibid.* For a discussion of some of these challenges.

¹⁴ We treat “technique” here in the sense elaborated by Jacques Ellul in *The technological society* (New York: Vintage, 1964).

¹⁵ Rudolf Kruse, Detlef Nauck, and Christian Borgelt “Data mining with fuzzy methods: Status and perspectives”, PDF available through *Google*.

of DCS: security and intelligence.

3. DCS and security

The attacks of 9/11, and the subsequent rise of what some have called the “security state”,¹⁶ with its need to monitor threats to the homeland and to US interests worldwide, gave new importance to DCS. A parallel development was the post-Cold War advent of “netwar”¹⁷: conflicts in which revolutionaries, terrorists, extremists, international criminal organizations, political or religious movements, and other non-state actors create alliances and ideologies largely maintained and disseminated via the Internet and other communication technologies and often recruit followers and coordinate actions using these technologies.¹⁸ In an influential dissertation, Amir Dia argued that in the networked communication environments and dispersed social (increasingly global) conditions of netwar, conflict management “increasingly involve[s] *information operations* and *perception management*”¹⁹ as “the capacity of any activism to ensure effective performance may depend... on the existence of shared principles, interests, and goals”²⁰ and on the technical means to communicate them.²¹ More recently, the events of the “Arab Spring” underscored the mobilising potential of media such as Facebook or Twitter.

The Internet (especially the part of it referred as the “Dark Web”) became the forum for extremist groups for propaganda, relationship building, communication, fundraising, and recruitment, especially with the shift toward the “lone wolf” strategy and toward recruiting native or local converts (after the intensification of travel restrictions). Both the Times Square bombing suspect Faisal Shahzad and the accused Fort Hood shooter Maj. Nidal Hassan have allegedly been inspired by Internet postings.²² In a June 2010

¹⁶ Diana Priest and William M. Arkin, *Top secret America: The rise of the new American security State* (New York: Little, Brown, 2011).

¹⁷ John Arquilla and David Ronfeldt, *The advent of netwar* (Santa Monica, CA: RAND Corp., 1996): monograph MR-789: http://www.rand.org/pubs/monograph_Reports/MR789/ : accessed 15 April 2010. See also John Arquilla and David Ronfeldt, *Networks and netwars: The future of terror, crime and militancy* (Santa Monica, CA: RAND Corp., 2001).

¹⁸ See also Mary Kaldor, *New and old wars: Organised violence in a global era* (Stanford, CA: Stanford University Press, 2007).

¹⁹ Amir Dia, *The information age and diplomacy: An emerging strategic vision in world affairs* (Boca Raton, FL: Dissertation.com, 2006): 247, emphasis in the original.

²⁰ *Ibid.* 250.

²¹ See also Michael J. Waller, *Fighting the war of ideas like a real war* (Washington, D.C.: Institute for World Politics, 2007).

²² “Al Qaeda’s media war: From fax to Facebook and Twitter”, <http://aawsat.com/english/print.asp?artid=id18200> : accessed 26 Sept. 2009.

talk to the American Constitution Society for Law and Policy, Janet Napolitano, US Homeland Security Secretary, argued for Internet monitoring as a tool needed to fight home-grown terrorism threats.²³

In the context of security, DCS falls under OSINT (Open Source Intelligence).²⁴ For the purposes of this review, we are focusing on language, text (including video text), and “idea”-focused DCS, not on other types of data mining and/or database cross-referencing, such as, for example, the Computer Assisted Passenger Profiling System (CAPPS).²⁵

Systematic approaches to open source DCS typically consists of two steps: identifying and “harvesting” relevant websites or other sources of data and analyzing them. Once relevant websites are identified and/or captured, two types of studies can be applied to them: hyperlink analysis and content analysis.²⁶ Hyperlink analysis uncovers relationships between communities, either in terms of the strength of relationships (relational analysis) or relative popularity of entities (evaluative analysis)²⁷ and may focus on communication with known or suspected IP addresses, traffic to and from specific locations,

²³ “Napolitano: Internet monitoring needed to fight homegrown terrorism”, <http://www.foxnews.com/politics/2010/06/18/napolitano-internet-monitoring-needed-fight-homegrown-terrorism/> : accessed 18 October 2011.

²⁴ Other kinds of intelligence include MASINT (measurement signature intelligence), FININT (Financial Intelligence), HUMINT (human intelligence), TECHINT (technical intelligence), SIGINT (Signal Intelligence), IMINT (Imagery Intelligence), and GEOINT (geo-spatial intelligence).

²⁵ The 2007 *Data Mining Reporting Act* (under which the director of National Intelligence is obligated to present the US Congress with an annual *Data Mining Report*) defines data mining as “a program involving pattern-based queries, searches or other analyses of one or more electronic databases... to locate a predictive pattern or anomaly indicative of terrorist or criminal activity on the part of any individual or individuals”, where the queries are “not subject-based and do not use personal identifiers of a specific individual, or inputs associated with a specific individual or group of individuals, to retrieve information from the database or databases” and where the purpose of such queries, searches, or analyses “is not solely... detection of fraud, waste, or abuse in a Government agency or program” or the “security of a Government computer system”. Quoted in the *2010 Data Mining Report*, the latest version as of this writing, covering the period from 1 January to 31 December 2010, pp. 1, available at http://www.au.af.mil/au/awc/awcgate/dni/data_mining_report_for_jan-dec-2010.pdf : accessed 19 October 2011.

²⁶ A list of sites that track terrorist and extremist websites and that may serve as a starting point for an analysis is provided in Jialun Qin, Yilou Zhou, Edna Reid and Hsinchun Chen, “Studying global extremist organizations’ Internet presence using the dark web attribute system”, in H. Chen *et al.*, eds., *Terrorism informatics: 237-266*, [240-241].

²⁷ Hsinchun Chen, Jialun Qin, Edna Reid, Yilu Zhou, and Marc Sageman, “Case study of jihad on the web: A web mining approach”, in H. Chen *et al.*, eds., *Terrorism informatics: 221-235*.

patterns of reference to concepts, persons, or events, and so on. Content analysis focuses on key words, word clusters, names, locations, term or reference usage patterns, or other “codable” elements of texts, typically using available search engines such as *Google*, *Yahoo*, or the *Copernic Suite* (comprised of *Copernic Agent Professional*, *Copernic Tracker*, and *Copernic Summarizer*).²⁸ A researcher may also design a specialized web crawler of their own.

Chen *et al*, for instance, performed content analysis of a corpus of 39 terrorist websites in terms of six high-level attributes: communications, fundraising, sharing ideology, propaganda for insiders, propaganda for outsiders, and character of the virtual community, with each attribute associated with a set of “low level” attributes (for instance, the “propaganda for insiders” included slogans, dates, martyrs, leaders, banners and seals, and narratives of operations and events as associated low-level attributes).²⁹ They developed a set of coding schemes to identify the presence of each attribute in a website along with weight scores and visualized the results in “snowflake” diagrams. In addition, by calculating similarity measures between all pairs of websites in the set and developing a scaling algorithm, they visualized and mapped the virtual communities (and their relationships) “hidden” within the set of websites, as well as distinguished between core groups and “sympathisers”.

In another study, Qin *et al* analyzed a corpus of 1.7 million multimedia documents from extremist, terrorist, or criminal organisations and movements using the Dark Web Attribute System (DWAS), which analyzes the appearances of three sets of attributes in the websites — technical sophistication, content richness, and Web interactivity — and assigns each site a score for each attribute.³⁰ Each set consisted of specific features; for instance, the “content richness” attribute set included the number of hyperlinks, downloadable document, images, audio files, and video files in each website. Qin *et al* then used the results to compare websites representing different regions and ideologies.

A web surveillance-based, National Science Foundation funded project currently (as of this writing) on going at our university, entitled “Mapping ideas from cyberspace to realspace: Visualizing and understanding the spatiotemporal dynamics of global diffusion of ideas and the semantic web”, involves a process typical of advanced DCS: ontology formation, web search, data return and analysis, pattern identification, ontology refinement, and re-

²⁸ Ben E. Benavides, “Targeting tomorrow’s terrorist today through open source intelligence (OSInt)”, restricted access. See also “Information warfare in urban combat”, *International Online Defence Magazine* 1 (2006), <http://defense-update.com/features/du-1-06/urban-c4i-3.htm> : accessed 19 Oct. 2011.

²⁹ Chen *et al*, “Case study of jihad on the web”, in H. Chen *et al*, eds. *Terrorism Informatics*, 221-235.

³⁰ Qin *et al*, “Studying global extremist organisations’ Internet presence”.

peated web search, with parallel mapping of the data onto a spatio-temporal global display that traces emerging foci, paths, and diffusion patterns of information about events (human or natural crises such as epidemics) or “ideas”. Ontology-building tools include tagging (coding each word according to part of speech), Named Entity Recognition (which labels names of persons, organisations, or locations), and parsing. The results are mapped (by geo-referencing web addresses, URL, place names, gazetteers, blogs, etc.) over a world map (using GIS tools) with time stamps to provide a visual “information landscape”.³¹

DCS proceeds through three progressive stages: data (identification of relevant objects for surveillance and extraction of relevant data), information (placement of data in spatio-temporal contexts), and knowledge (understanding the meaning of the information in terms of specific goals and objectives in order to initiate appropriate action).³²

A solicitation issued on October 7, 2011 by the US Defence Advanced Research Projects Agency (DARPA) for research proposals focused on “narrative networks” provides an example of deployment of DCS for both research and security. Research funded under the solicitation would involve quantitative analysis of narratives (using, among other tools, web surveillance), understanding the effects of narratives on human psychology and affiliated neurobiology, and modelling, simulating, and sensing of these narrative influences, especially in stand-off modalities, in effect forecasting the potential for “narrative influence” on social actors.³³

One sub-goal of the project is to “ascertain who is telling stories to whom and for what purpose and to discover latent indicators of the spread and influence of narrative tropes” in social networks, traditional and social media, and conversations in order to “identify the nature of stories” and a “list of necessary and sufficient conditions that... distinguish narrative stimuli from other stimuli”, to “identify and explore the kinematics and dynamics of story ontology”, including “aspects of narratives that that are universal versus aspects that vary considerably across cultural and social contexts”.³⁴ Another sub-goal calls for identifying the role of stories in influencing political radicalisation and violence, in shaping the process of political negotiation, and in influencing psychiatric or clinical conditions. In order to accomplish this, surveillance tools must decompose narratives to “make them quantitatively analyzable in a rigorous, transparent and repeatable fashion” with a goal of developing narrative analysis tools for studying the

³¹ See <http://mappingideas.sdsu.edu/> : accessed 26 October 2011.

³² Edward Walz, *Information warfare: Principles and operations* (Boston: Artech House Computer Science Library, 1998).

³³ See <https://www.fbo.gov/download/66c/66c704debb0114a6d1bc03c45c80acbd/DARPA-BAA-12-03.pdf> : accessed 26 October 2011.

³⁴ *Ibid.* 6.

“psychological and neurobiological impact of stories on people” as well as of exploring “how stories propagate in a system so as to influence behaviour”.³⁵

Information obtained through such DCS will become the basis for research in Technical Area Two, Narrative Neurobiology, whose goal is to understand how stories impact neurobiological processes, from basic neurochemistry to the system and “system-of-systems” levels. Finally, research in Technical Area Three is to develop models and simulations to directly discover, track, and measure “narrative impacts” and predict responses, with the ultimate goal of “prevention of negative behavioural outcomes” and “generation of positive behavioural outcomes”.³⁶ In this last area, the solicitation “strongly encourages” development of “stand-off/non-invasion/non-detectable sensors”.³⁷

The DARPA project represents a new step in surveillance: from what Lyon sees as the general “disembodying of the persons” into sets of data in “dataveillance” systems to their “re-embodiment” (in terms of knowledge and control of the body) as a result of, or perhaps as a function of, information obtained at least in part through surveillance.

A separate area of deployment of DCS is Information Operations (IO), an aspect of Information Warfare. As part of IO, DCS is used to monitor threats, including potential threats to information systems, as well as to penetrate threat organisations by the insertion of software agents to acquire knowledge of intent, capabilities, and plans. DCS is also deployed to monitor the effects of Psychological Operations (PsyOps) activities and to refine both the message and the delivery media.³⁸

4. Conclusion: DCS and rhetoric

Digital Communications Surveillance, in which we include web surveillance, is a “hot” area of research, thanks to its commercial, political, and security applications. While the word “surveillance” awakens associations of “Big Brother” watching, in its broadest sense DCS defines a new arena of data gathering and knowledge production defined by the existence and use of new electronic communication technologies. Lyon suggests that “[t]echnology and society are bound together in a mutual process of co-construction” (he uses the term “technosocial” to express their mutual integration).³⁹ Especially in the domains of security and military action, but increasingly also in commerce and politics, knowledge gained through DCS influences the

³⁵ *Ibid.* 7.

³⁶ *Ibid.* 9.

³⁷ *Ibid.* 10.

³⁸ Waltz, *Information warfare*.

³⁹ Lyon, *Surveillance society*, 23.

decisions and behaviours of actors. Insofar as behaviours (including discursive acts) in turn become subject to surveillance and thus a source of data on which subsequent decisions are based, surveillance becomes a component in the overall “ecology” of decision-making and action, including rhetorical action.

In some of its manifestations, DCS may be regarded perhaps as an extension of what Foucault has called “governmentality” or “biopower”, a kind of paternal, bureaucratic, semi-visible but pervasive and largely preventive control characteristic of democratic welfare mass-societies (although in specific “local” instances this control may not be so paternal, resulting, for instance, in drone strikes at “subjects” constituted as hostile by surveillance analysis).

Yet, rhetoric as an analytic perspective and rhetoric scholars as “domain” experts have, to our knowledge, so far had little engagement with DCS. A large part of the reason lies perhaps in the ethical issues surveillance raises, as well as in the relative insulation of most rhetoric scholars from the domains of commerce, security, and especially warfare. Yet, DCS may present an opportunity to engage with large corpora of texts, especially ones that have typically been the focus of rhetoric studies (websites, blogs, social media), with the rhetorical (and not predominantly linguistic) aspects of such corpora, as well as with new categories of rhetorical actors (governments, publics, groups, movements, organisations, and networks) and acts, as well as new domains of discursive activity.

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The development of intelligence studies in France

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Since the mid 1990s, interest in intelligence studies has grown in France, resulting in a surge of publications, seminars and training sessions on the theme. It is tempting to see in this surge the birth of a 'French School of Intelligence Studies'. But such a school of thought, if it even exists, is still in its infancy.

Nevertheless, there is a growing awareness of the importance of intelligence as a subject for study, signalling a major shift in the French mentality. This change comes on the heels of the geopolitical upheavals of the post-Cold War era which have made intelligence an essential instrument for an understanding of the new geopolitical landscape and consequently for scoping future threats. France, like other world powers, cannot afford to overlook such a transformation.

Those seeking to promote this sea change in the French psyche have had to overcome the inherent reticence of the French people and their political leaders towards a profession that is still viewed pejoratively, a phenomenon that explains the longstanding contempt shown towards it. Above all, the academic community has come to the study of this 'missing dimension'¹ in French research in a singularly fragmented fashion.

In the present paper we will endeavour to present a concise overview of the state of academic research on the subject in France and outline the conditions for the 'establishment' of a veritable French school of intelligence studies.

1. Reasons for the late emergence of intelligence studies in France

There are historic and cultural reasons for the relative disinterest in intelligence studies in France. The absence of an intelligence culture in France is stunning given the role the country has played on the world stage for so long.

¹ Christopher M. Andrew and David N. Dilks, eds. *The missing dimension: Governments and intelligence communities in the twentieth century* (London: Macmillan, 1984).

The absence of an intelligence culture in France

Intelligence work is a discipline that has never been held in high regard by politicians, the military, academics or economists.

One only has to visit a British or American library to see that France lags far behind its Anglo-American allies on the subject. When one book on intelligence is published in France, there are at least ten others published in Britain and the United States. By comparison with these two countries, there is a distinct lack of an intelligence culture in France outside a small coterie of professionals and the rare specialists on the subject. Former intelligence professionals, such as Admiral Lacoste, have noted bitterly that:

...the intelligence culture of French leaders and of public opinion in France is famously lacking, a result of the vicissitudes of recent history and a reflection of specific characteristics of French society.

Moreover, the Cartesian heritage has moulded the national psyche forging a tendency towards conceptualisation and abstraction, sometimes leading to a denial of reality, and a tendency to avoid the concrete resolution of problems. As General Mermet, former director of the DGSE (France's foreign intelligence service) has noted:

...we tend to, more than other peoples, overlook the facts and prefer ideas and subjective judgements to indisputable witness reports, whether it be in politics, where for example we were loath to believe in the changes afoot in Eastern Europe, or in military affairs, as shown by the attitude of the French Military High Command before 1939, despite the fact that the military had in its possession hard intelligence.

French culture has always maintained a strict border between knowledge and intelligence; the former is deemed 'noble' and 'legitimate', the latter 'contemptible' and 'illegitimate'. To prove the point, in France, intelligence is absent from the writing of the greatest French military strategists. The conferences, classes and writings of Foch, Castex, Beaufre, Gallois or Poirier hardly mention the subject at all.

We are here faced with a dual problem:

— On the one hand, the manner in which intelligence work has been performed in France is traditionally and also of necessity focused on domestic matters. The fight against the enemy within is one of the

salient features of the French cultural model.

— On the other, since the ‘Dreyfus Affair’ (1894), French intelligence services have been mistrusted by the political class. No one has forgotten the enduring impact that the Dreyfus Affair and its aftermath had on all of French society. Since that traumatic event, government leaders have consistently shackled the intelligence services instead of asking themselves how the services could be best put to use and how the performance of the services might be improved. This means that in France, more than in any other Western country, the work of the intelligence services is subservient to political fluctuations and electoral demands. When we bring Ben Barka (1965) and the *Rainbow Warrior* (1985) into the picture, it is easy to see how the political class have come to view and manage the intelligence services.

Thusly, intelligence work has negative connotations in the French psyche, and is unjustly connected with ideas of espionage, privacy violations and dirty tricks campaigns. On the other hand, counter-espionage, that is to say the effort made to protect French military, industrial and economic interests, is seen in a far better light. In France, all endeavours to defend the nation’s interests are more easily accepted and implemented than are offensive measures.

The quasi-inexistence of academic research before the mid-1990s

Though perceptions of the profession were marshalled by an absence of a real intelligence culture in France, intelligence has hardly been ignored or derided. A diverse national intelligence production has long existed, and generally falls into two categories: memoirs and accounts written by former intelligence staff and writings by journalists. Before the end of the 1980s, academic research on the subject was virtually nonexistent.

The history of intelligence as a science in its own right was long the prerogative of foreign researchers. At university level, the Americans were the first to consider intelligence as an academic subject, before going on to establish ‘Intelligence Studies’ courses in the 1980s. The British followed their lead in the 1990s, with several university chairs in intelligence established.

The recognition of intelligence as a subject of study in its own right is a recent phenomenon in contemporary French historiography. Until very recently, historians and political scientists had not considered intelligence as a significant parameter of statecraft, nor did they consider the intelligence services as significant stakeholders in state policy. It cannot be said that the subject was totally ignored, but it is fair to say that its importance was largely

underestimated and hardly appears in social and human sciences, with even military historians giving it short shrift.

It must be admitted that the secret nature of intelligence work did not facilitate the work of researchers and the issue of access to documents was for a long time a brake on historic research. When the rare academics sought to understand the contribution of intelligence to history, their lack of knowledge about the intelligence profession, and their incapability in identifying the characteristic signs of clandestine operations led them to declare that there was no source material on the subject. Before the 1990s, few university writers, compared to their Anglo-American counterparts, worked on the subject of intelligence.

2. The emergence of academic intelligence studies in the 1990s

The emergence of intelligence studies in the world of French academia is firstly a result of the emergence of the society of information and the growing awareness of the reality of global competition, obliging economic stakeholders to integrate intelligence into their management processes. In order to respond to their new demand for specialists, business universities and schools at the beginning of the 1990s began to provide degree courses or other specialised post-graduate courses on 'business intelligence', to instruct economic players on the management of information and disinformation. In parallel, research and publications increased on the subject.

The work performed by the Martre Commission on "Competitiveness and economic security" (Martre Report, 1994) led to a growing awareness of new market entry strategies and the new realities of global competition.

In France, a dynamic and conflictual approach to international commerce and trade has emerged only recently. Elsewhere, the major international powers all understood that to guarantee peace, scope out emerging threats and emerge victorious from global economic rivalries, effective services, drawing from a culture of intelligence disseminated throughout the administration, business and civil society, were key. Though such awareness was slow to arrive in France, at least a demand for corporate information processing specialists had begun.

The second factor that explains the new interest in intelligence is terrorism, in particular the attacks of September 11, 2001. These attacks made French politicians and the general public in France more aware of the role that intelligence plays in national security. Intelligence was rediscovered as an essential information and decision-making instrument for political leaders with regard to foreign policy, defence and domestic security, and as a means of action.

The emergence of education and courses dedicated to intelligence

At the beginning of the 1990s, in response to the demand for specialists, universities and business schools established degree courses and specialised post-graduate courses on business intelligence, to initiate students and employees into the practices of intelligence as applied to the business world.

In 1995, upon the initiative of Admiral Pierre Lacoste, former director of the DGSE, the CESD (Centre d'études scientifiques de la Défense) of the University of Marne-la-Vallée was established. The aim of the CESD is to teach, promote study and research and act as a factory for ideas, with research covering the newly-widened scope of defence and security issues in contemporary society.

In parallel, the University of Marne-la-Vallée established a Masters Degree course in information and security that covers the work of the intelligence services and intelligence culture in general. Two Masters Courses in business intelligence and security engineering were also set up to cover a comprehensive range of intelligence issues.

In 1997, the former director of the EIREL (Inter-service School for Intelligence and Linguistic Skills) in Strasbourg, General Jean Pichot-Duclos, and the former leader of NAPAP (French Maoists), Christian Harbulot, set up the *École de guerre économique* (School of Economic Warfare — EGE). This unique post-graduate academy is supported by the Paris-based ESLSCA School of Business, and aims to fill in the gap in skills training for French business managers, namely the fact that the notion of information warfare is absent from the strategic planning of corporations, administrations and local authorities.

In addition, intelligence has been gradually introduced into the programs of ENA (French National School of Administration), allowing future senior civil servants to learn about the field. One of the missions of the IHEDN (French Institute of National Higher Defence Studies) is to provide in-depth information on the major issues connected with defence, and gives a course on the threats posed by foreign intelligence services, as well as a course on business intelligence. Finally, in 2006, the CID (French National Defence College) inaugurated a seminar on intelligence. Before this date, apart from some one-off conferences, there was no specialised seminar on the subject in the training of senior French military officers.

Also in 2006, the Masters program in “International Affairs” at Sciences Po Paris set up a seminar entitled “Clandestine worlds: Intelligence in the face of terrorism”, led by Stephen Duso-Bauduin, Professor in Sociology of International Relations and Jean-Pierre Pochon, a former top-level officer of the French secret services having worked at the DCRG (Direction centrale des renseignements généraux), the DST (Direction de la

surveillance du territoire), and the DGSE (Direction générale de la sécurité extérieure). The seminar studies the role of intelligence in the campaign against terrorism in different countries, with a primary focus on the United States and the French services, while also covering other major services worldwide.

The following year, the same institute established a new course called 'Intelligence Policies', helmed by Philippe Hayez, former deputy director of intelligence at the DGSE. The seminar aims to enable students to better understand this 'special' form of public policy, its ties with other instruments of state (*corps diplomatique*, military, police, and judiciary) and administrative decision-making.

There are now more than forty Masters Courses specialised in competitive intelligence in French universities or business schools.

The multiplication of publications

Two factors emerge from an analysis of French and foreign publications in France since 1975. The first factor to be considered is the slow beginnings of intelligence studies as of 1991, followed by a surge as of 1998, with a peak reached in the wake of the 9/11 attacks. From a publishing point of view, it is clear that French production on the subject has grown considerably since 1995.

The second aspect illustrated by the statistics is a fall in the number of foreign books published to the benefit of French-authored books. French publications have been amplified by the surge in interest from publishers on intelligence since the attacks of 9/11. Several publishers launched collections on the subject, with L'Harmattan establishing the collection *Culture du renseignement* (Intelligence culture) in 1999, followed in 2001 by the collection *Renseignement et guerre secrète* (Intelligence and secret warfare) by Lavauzelle, replaced three years later by *Renseignement, histoire et géopolitique* (Intelligence, history and geopolitics). In 2003, Ellipses also published a range of books on the subject.

The rise of academic research

Ten years after Great Britain, French academics began to conduct research on intelligence studies. There have been a high number of doctorates, degree papers, and Masters Dissertations and IEP diplomas on the subject. Analysis of that academic production reveals the areas of research explored and the progress of the ongoing 'establishment' of a specifically French intelligence school. On account of its multidisciplinary nature, intelligence studies encompass history, political science, law, economic science, and information and communications sciences. Its areas of application cover all sectors of

national security and economic/corporate security.

Be it a passing fad, or the focus of legitimate attention, the dissertations and official accreditations granted for thesis research since 1996 illustrate a diversity of research not seen in the publishing business. Above all, it shows the primacy of subjects connected to business intelligence (49%), to the detriment of international relations and warfare (20%). It means that the university system is adapting to a dual demand, one from the state and the other arising from purely professional requirements.

Paradoxically, practitioners of business intelligence research are loath to recognize its relationship with intelligence work. Business intelligence is considered more as a new form of business management, the result of a cross between open source management and the rigorous and scientific approach employed in marketing and consultancy, despite the fact that, internationally, the relationship between business intelligence and intelligence work in general is taken for granted. Consequently, many academics believe themselves to have 'invented' a new discipline. Accordingly, the information and communications sciences, whose scope is the widest due perhaps to its lack of definite contours, have quickly gained prominence in the field. Since 1996, information and communications sciences account for one third of thesis papers submitted on the subject of "intelligence" and two thirds of theses presented on "business intelligence". This trend creates a misunderstanding about the reality of economic intelligence and has resulted in the fact that 49% of thesis papers presented were dedicated to "open source monitoring", *i.e.* electronic information management processes.

This reductionist approach has since extended beyond the field of information and communications sciences and has been imported to all academic disciplines that deal with economic intelligence. In this way, in business management, 49% of business intelligence thesis papers presented were on the theme of open source monitoring; as were 13% of economics thesis papers. The interest in business intelligence has also extended beyond the sciences and has spread to the humanities, including law (22% of thesis papers), political science (15% of theses) and even history (4%).

For the last thirteen years, sixteen different disciplines have participated in intelligence studies in French universities. Contrary to what occurred in Great Britain, the history of intelligence (16% of thesis papers) is not the guiding force. Just as with information and communications sciences, the study of the history of intelligence can be said to deform the reality of its object of study. Military intelligence is overrepresented (60% of historical thesis papers), benefitting from the progress made in military history research over the last twenty years. And though international relations are well represented (28%), it should be noted that 80% of the subjects treat modern history only. Unlike military history, disinterest among students for the history of foreign relations has grown, especially in relation to contemporary

history. There are no professors working on the history of intelligence who are also foreign relations experts, despite the fact that foreign relations constitute the traditional theatre of operations for the intelligence services.

Bizarrely, political science thesis papers on intelligence (8%) are not comparable in quality to the efforts of foreign students working in the same field. With 47% of theses on spy literature and only 38% on the intelligence agencies and their structures, we can hardly talk about any knock-on effect. The same goes for thesis papers in law (15%), this despite the fact that law constitutes the third reservoir of intelligence studies in France.

The structure of official academic research on the subject of intelligence is still in the development stage, but it is in the area of business intelligence that the most important initiatives are taking place, with, in particular, the establishment in 2003 of the *Laboratoire de recherche en guerre économique* (LAREGE — The Economic Warfare Research Laboratory), by the School of Economic Warfare. Under the direction of professor Philippe Baumard from the University of Aix-Marseille III, his aim is to make up for the time lost in France concerning the field of business intelligence.

Other centres of research are also studying and working on intelligence questions: the *Centre d'études d'histoire de la Défense* (CEHD — Centre for Historical Study on Defence), established in 1995, set up a History of Intelligence Commission in 2000 chaired by jurist Bertrand Warusfel. The objective of the Commission is to promote research and debate, and to allow the military to contribute to university research in this potentially rich field of historiographic study. However, after eight years work, and one publication presenting the conferences held over its first five years of existence, the Commission was disbanded. The *Centre de recherche des écoles de Coëtquidan* (Coëtquidan Military Schools Research Centre), where Olivier Forcade ran a seminar on intelligence from 1997 to 2002, met a similar fate; the program was ended when its founder left having co-supervised fifty-eight dissertations by junior grade lieutenants on the subject of intelligence.

In parallel, the *Agence nationale de la recherche* (ANR — National Research Agency) supports a four-year program (2006-2009) for 'young researchers', entitled *Information ouverte, Information fermée* (IOIF — Open and closed source information), set up by Sébastien Laurent, Associate Professor at Bordeaux III and Science Po Paris. The program gathers twenty-two researchers and its objective is to be the first multidisciplinary intelligence approach in France (history, political science, law), composed mostly of young academics who work closely with their international counterparts. This interesting initiative is however more of a gathering of researchers interested in intelligence than a centre for intelligence experts. Their grasp of intelligence is somewhat limited even though the work produced is of a high quality and the meetings organised do enable many young historians to

familiarise themselves with the subject.

The birth of a specialised research centre

Though French universities did not allow for the establishment of a specific research centre on intelligence studies, one striking project has been developed at the margins of university life, around the *Centre Français de Recherche sur le Renseignement* (CF2R — French Centre for Intelligence Studies), founded in 1999. University researchers and former intelligence officers, overcoming ingrained reticence from the academic world, decided to create an independent think tank to foster the development of intelligence studies. With a dual entrepreneurial and academic approach, professionals with backgrounds in the services and a team of researchers, both young and more experienced, have for the last ten years produced more than twelve thousand pages of books, documents, and multidisciplinary articles. They have worked on numerous private university and military academy degree programs, and have addressed conferences in France and abroad. CF2R has established exchanges with international research institutes and with foreign researchers and has set up a university prize that awards the work of students on the subject. In addition, researchers at CF2R have taught a variety of audiences (general public, children and adolescents) and have given orientation sessions and consultancy work to MPs, the media, filmmakers, etc.

Though there existed no specific diploma dedicated exclusively to intelligence studies, CF2R and the *Centre d'analyse politique comparée, de géostratégie et de relations internationales* (CAPCGRI — Centre for Comparative Political Analysis, Geostrategy and International Relations) of University Montesquieu-Bordeaux IV, established a Masters degree in *Intelligence studies* in September 2006.

With this diploma program, CF2R and CAPCGRI sought to deepen and disseminate a veritable intelligence culture in France. With this end in mind, the course aimed to teach students the principles governing the actions undertaken by intelligence operatives, enabling students to recognize the traces of such actions in their research. This project is in the process of being relaunched within the framework of the *Groupe de recherche Sécurité et gouvernance* (GRSG — Study Group on Security and Governance) at the University of Social Sciences Toulouse I.

In addition, despite the fact that the government's *Livre Blanc sur la Défense et la Sécurité* (French government White Paper on Defence and Security, 2008) pilloried the need for an intelligence academy in France, at the beginning of 2009 CF2R launched a unique diploma for professionals in the French-speaking world, entitled "Management des agences de renseignement et de sécurité" (Intelligence and security agencies management). This course is aimed at high-ranking civil servants and military

officers, as well as deputies who work in or with intelligence and security services and who wish to become proficient in this environment. The objective is to allow participants direct access, manage or supervise intelligence services, to integrate such services with success, or to work effectively with them.

3. The limits and challenges facing academic intelligence studies in France

The main reason for the late emergence of scientific study of intelligence arises from two difficulties.

The first difficulty is simply the secret nature of intelligence work. There is nothing more difficult than an analysis of a field of activity whose main characteristic is the elimination of all trace of its existence or activity. Nevertheless, this difficulty also applies to many other fields of human endeavour and cannot be accepted as a reason for failure. Over time archives have been declassified and former intelligence officials have agreed to talk openly about their work.

Secondly, the work and professional practices of the intelligence services are wholly misunderstood; it is only with the acquisition of such knowledge that it becomes possible to identify the many traces of intelligence work throughout history and behind current events. Very few university teachers are able to comprehend the range of professional practices employed by intelligence operatives. Such practices are extremely rigorous and codified and have been perfected over centuries. Few researchers are aware of this gap in their knowledge when dealing with the work of the services. This is why academic courses must be developed on the subject.

A subject of research that is ill-defined

When we talk about intelligence, what is referred to exactly? There is much confusion about what constitutes a piece of intelligence, intelligence work in general and indeed the function of the intelligence services. Such confusion usually stems from problems of vocabulary. Indeed the term 'intelligence' refers to the intelligence services, their operations and the results of their work:

— *special services* provide state information to various Departments, (Ministries of the Interior, Defence, Foreign Affairs, and Economy);

— professional *practices* enable the penetration of the secrets of adversaries using different means. The means employed to penetrate

~ *The development of intelligence studies in France* ~

enemy secrets do not consist solely in illegal actions. Such practices are conducted to lend meaning to a mass of different data, both secret and non-secret, and to make such data understandable and actionable for a decision-maker;

— *finished product*, drafted to respond to a given demand. The finished intelligence product arrives directly on the desk of the authorities providing them with information; such information does not originate only from the special services.

When intelligence is studied, a researcher may be led to focus on several areas of expertise:

— the *administrative bodies* in charge of intelligence missions; the position and importance of such bodies within the state defence and security apparatus;

— the *professional clandestine skill-sets* developed to conduct intelligence missions. Such skill-sets are the only parameter by which one can judge the professionalism of an organisation; however, this is an area where archival material is very rare and academics are insufficiently trained;

— *intelligence product*, i.e. the intelligence gathered the quality of that intelligence and the manner by which such a product is taken into account or not by government authorities;

— *the manner by which a power (State) informs itself* about the world around it with a view to safeguarding control over its destiny and for the realisation of political and/or military projects; and

— *intelligence culture*, i.e. the relationship between the national community and intelligence work in general.

It is very important to give a detailed explanation of what is commonly referred to as a 'culture of intelligence'. The term not only covers intelligence work proper. In fact it covers all aspects of 'secret warfare', be that intelligence, action or influence: intelligence and counterintelligence, clandestine operations and special operations, interceptions and decoding, psychological warfare and deception. These activities cannot be separated one from another. Only a holistic, global approach allows for an understanding of the impact of such actions and their combined interaction.

An object of research that requires a well-defined discipline

Intelligence study is by its very nature multidisciplinary and unites political science, law, history, geopolitics, management sciences, the organisation of information and communications. Intelligence applies to all areas of national security, and economic security via business intelligence.

In an appendix to the compendium of papers presented at the seminar “French Intelligence Culture” at Marne-la-Vallée, Admiral Lacoste provided eleven themes of research essential to intelligence study. He drew from his experience as director of the DGSE as well as from the advances made in Anglo-American research, as published in British journal *Intelligence and National Security*:

- documentation;
- elaboration and decision-making;
- methodological approach to intelligence;
- internal workings of secret services;
- business intelligence;
- information processing and information warfare;
- criminality and public order;
- ethics and deontology;
- civil liberties;
- investigative journalism; and
- culture.

This indicative list constitutes an initial, largely multidisciplinary, ‘road map’. The former director of the DGSE suggested “a multiplication of complementary approaches from a range of disciplines”. A non-exhaustive list of specialist subjects indicated could be gleaned by looking at the speakers invited by Admiral Lacoste to the seminar: they included historians, economists, political scientists, sociologists and jurists.



In less than two decades, French intelligence studies have undergone a major transformation, benefiting from the favourable environment born of the information revolution and the attacks of September 11, 2001. The different government reports on business intelligence have also largely influenced the integration of the subject into university curricula. This has led to the establishment of diploma and degree courses, the first thesis papers and research programs as well as the creation of a specialised research centre (CF2R). In addition, closer correspondence between the academic world and the pu-

blishing business has led to a popularisation of a specifically 'French intelligence culture', that differs from the traditional journalistic approach and has resulted in the publication of numerous books that can be qualified as 'scientific' in their treatment of the subject.

Accordingly, and despite the traditional disinterest of political leaders in the subject, intelligence has achieved a level of recognition that it hitherto lacked. The existence of university courses on this subject seemed quite unrealistic only a decade ago. Such progress still requires comprehensive harmonisation by the universities in France.

We believe that it is still too early to talk of the emergence of a 'French School' of intelligence. As a subject of research, it is still too early to say whether the renewed interest in intelligence is but a passing fad. Research projects, save for CF2R and LAREGE, remain too fragile to constitute a real trend.

Centre français de recherche sur le renseignement

Yin and *Yang* rhetoric and the impossibility of constructive dissent in China

Andrew Kirkpatrick

In considering the problems associated with the voicing of constructive dissent in today's China, where the surveillance of the population by the authorities is probably at its most pervasive level as at any time in its history, I shall first briefly review the Chinese rhetorical tradition and provide examples of persuasive texts to show how dissent or disagreement was expressed in earlier times. The texts exemplify "the art of indirect criticism"¹ — the use of *yin* strategies of rhetorical persuasion, although direct criticism was also possible in certain circumstances. I shall then turn to the current situation. Using three contemporary dissident texts as examples (an essay by Zhou Youguang, Charter 08 and the annual letter written by the mothers of those who died in Tiananmen Square), I shall argue that, particularly since the Cultural Revolution, the "art of indirect criticism" has been all but lost and replaced by an antagonistic *yang* style of rhetoric. Not only does this mean that there is no agreed rhetorical style in which constructive criticism can be framed, the current confrontational style commonly leads to the arrest (or worse) of the participants, and increased surveillance and suspicion by the State.

Conventional wisdom holds that traditional Chinese rhetoric preferred obliquity and indirectness and there is much evidence which supports this view. The hierarchical nature of traditional Chinese society meant that persuaders normally needed to employ methods of indirect criticism. Many of the rhetorical devices employed in two commonly used techniques — chain reasoning and reasoning by analogy — were ideal for indirect criticism. The Zong Heng philosopher Gui Guzi (?481-221BCE) understood how important the relative status of persuader and the person to be persuaded was in shaping rhetorical style and strategies. He was the first to categorise indirect speech as *yin* and direct speech as *yang*. In his eponymous book he advised:

Yang (persuading from above to below) encourages straightforward speaking. *Yin* (persuading from below to above) encourages speaking in forked tongue.²

¹ Karl Kao, "Chinese rhetoric" in William Nienhauser, ed. *The Indiana companion to traditional Chinese literature* (Bloomington: Indiana University Press, 1985): 121.

² Tsao Ding-jen, *The persuasion of Gui Guzi* (Minnesota: University of Minnesota PhD Dissertation, 1985): 103.

“Nation” as watchword: The politics of cultural surveillance in Romania

Ștefan-Sebastian Maftai

Foucault and Bentham, or “(not) seeing is believing”

In a conversation with Jean-Pierre Barou and Michelle Perrot from 1977, Michel Foucault¹ addresses the theme of surveillance in a twofold manner: as a specific practice² related either to the “gaze” or to “opinion, observation and discourse”.³ Foucault describes surveillance primarily by reference to Jeremy Bentham’s famous *Panopticon*,⁴ a Fourieristic utopian theoretical model of an “Inspection-House”, designed specifically for penitentiaries, where the prisoner was put under total surveillance by a precise arrangement or disposition of space that precluded any form of escape from an all-seeing Eye, the “inspector”.⁵ The gaze of the “inspector” becomes the all-powerful instrument of control, without the need of guards, weapons or material

¹ Michel Foucault, “The eye of power” in Colin Gordon, ed. *Power/Knowledge. Selected interviews and other writings 1972-1977* (NY: Pantheon Books, 1977): 146-165.

² See the Foucauldian term “practice” related to prisons as explained in Michel Foucault, “Questions of method” in Graham Burchell *et al.*, *The Foucault effect. Studies in governmentality* (Chicago: The University of Chicago Press, 1991): 73-104 [75]: “In this piece of research on the prisons... the target of analysis wasn’t ‘institutions’, ‘theories’ or ‘ideology’, but *practices*... the hypothesis being that these types of practice are not just governed by institutions, described by ideologies, guided by pragmatic circumstances... but possess up to a point their own specific regularities, logic, strategy, self-evidence and ‘reason’, it is a question of analyzing a ‘regime of practices’ — practices being understood here as places where what is said and what is done, rules imposed and reasons given, the planned and the taken for granted meet and interconnect. To analyze ‘regimes of practices’ means to analyze programmes of conduct which have both prescriptive effects regarding what is to be done (effects of ‘jurisdiction’), and codifying effects regarding what is to be known (effects of ‘veridiction’).”

³ Foucault, “The eye of power”, 153.

⁴ See Foucault’s description in “Panopticism”, Paul Rabinow, ed. *The Foucault reader* (NY: Pantheon Books, 1984): 206-213.

⁵ The “Panopticon” is a series of *Letters* written from Russia by Bentham between 1768-1787, addressed to a “friend in England”, and two *Postscripts* from 1790 and 1791. The first French edition of the *Panopticon* edited by Étienne Dumont was published in 1791 and printed by the order of the Legislative Assembly. See Jeremy Bentham’s “Panopticon” (*Panopticon letters*), in: Miran Božovič, ed. *The Panopticon writings* (London: Verso, 1995): 29-95 and “Postcript I” in same: 97-114.

restraints in general. It is, in Foucault's opinion, the reverse of the "principle of the dungeon": "daylight and the overseer's gaze capture the inmate more effectively than darkness, which afforded after all a sort of protection".⁶ The mechanism of the *panopticon* is total or, in any case, strives towards totality,⁷ because it ensures a surveillance that would be "both global and individualising, while at the same time separating the individuals under observation".⁸ The system by which Bentham tried to gain the attention of his contemporaries relied on a very seductive formula of minimal costs with maximal output: "a superb formula: power exercised continuously and for what turns out to be a minimal cost".⁹

Bentham's texts about the *panopticon* drew little attention to mainstream academic scholarship until their rediscovery by Foucault in his famous *Surveiller et punir*.¹⁰ However, the specific feature of Bentham's penitentiary project in his times was the possibility for the "Inspector" of seeing the prisoners without being seen.¹¹ As Muriel Schmid¹² remarks, Foucault draws on Bentham's neologism to create his own noun, "panopticism", while innovating upon it, at the same time:

Panopticism will designate a set of disciplinary arrangements that will take place inside an architecture of surveillance and corresponding to precise criteria: individual confinement, total visibility, constant surveillance, these arrangements being set with the purpose of amending the guilty.¹³

However, Bentham's *Letters* offer more insights on the problem of panoptical surveillance. According to Miran Božovič's¹⁴ way of addressing the issue in his introduction to Bentham's *Panopticon*, this utopia presents, as Bentham acknowledges, "a new mode of obtaining *power of mind over mind* (my emphasis), in a quantity hitherto without example".¹⁵ The possessor of this

⁶ Foucault, *Power/Knowledge*, 147.

⁷ See Bentham, *The Panopticon writings*, 31.

⁸ Foucault, *Power/Knowledge*, 146.

⁹ *Ibid.* 155.

¹⁰ Michel Foucault, *Surveiller et punir, naissance de la prison* (Paris: Gallimard, 1975).

¹¹ Bentham, "Panopticon", 45: "The essence of it consists, then, in the *centrality* of the inspector's situation, combined with the well-known and most effectual contrivances for *seeing without being seen*".

¹² Muriel Schmid, "La mascarade des coupables: le jeu des masques dans *Le Panoptique* de Bentham", in *Laval théologique et philosophique* 60, 3 (2004): 543-556.

¹³ François Boullant, in Schmid, "La mascarade des coupables", 547.

¹⁴ Miran Božovič, "Introduction: 'An utterly dark spot' ", in Božovič, *The Panopticon Writings*, 1-27.

¹⁵ Bentham, *The Panopticon Writings*, 31.

power is the "inspector" that has "invisible omnipresence".¹⁶ Another interesting fragment is Bentham's "Fragment on ontology",¹⁷ where Bentham speculates about an "ontology of fictions". He is less interested, as Božovič states, in the difference between fiction and reality than in exploring the effects of fictions upon reality itself. The general idea behind the *Fragment on Ontology* is that through fictitious entities, reality is endowed with "logical-discursive consistency".¹⁸ In the case of the panopticon prison, the reality of the panopticon is kept alive not by a fiction as such, but by an "imaginary non-entity", which finally *seems* to be either the "inspector" himself, the omnipresent Eye, or even "God" himself, but really is *nothing*.¹⁹ Because, if the perfect condition of omnipresence or omnivisibility to others is invisibility, than the perfect actor of omnipresence or omnivisibility would be *nothing*. Not being *present* in any way, it would be really perfect invisibility. The "entity", which is "invisible and omnipresent" is described by Bentham as "an utterly dark spot" in the mechanism of the panopticon. Božovič shows that Bentham separates between two classes of fictions: fictitious entities and imaginary non-entities. The fictitious entities have an effect on reality "despite the fact that they do not exist", while the imaginary non-entities "precisely because of the fact that they do not exist". Thus, the imaginary not-entity keeps the reality alive "through its very non-existence" — "if it were to exist, the reality itself would disintegrate".²⁰

In the end, Bentham's panopticon is a theatre of surveillance, as long as the surveyed really believe that they are surveyed by an omnipresent force. In Bentham's sense, it is also a theatre of punishment, as long as the moral impetus under the *panopticon* describes as imperative the moral

¹⁶ Bentham, *The Panopticon Writings*, 45.

¹⁷ *Ibid.* 115-158.

¹⁸ Božovič, *The Panopticon Writings*, 2.

¹⁹ *Ibid.* 17: "Although the inspector may completely abandon surveillance, from this moment on, each prisoner will believe that the inspector is preying upon him — whereas in truth, each prisoner, is only preying upon himself. Thus, discipline is internalised, while the inspector himself has become superfluous. In this way, then, the impression of the inspector's invisible omnipresence and the idea of constant surveillance are produced in prisoners' minds. Thus, through the illusion of the all-seeing gaze of the dark spot in the lantern, God has been constructed and, in a single move, the last of the skeptics has been, as it were, converted. There can now no longer be any doubt: in the eyes of the subjects of the universe of the panopticon, the gaze of the dark spot *is* the all-seeing gaze of God, the spot in the lantern *is* God himself. Like any God worthy of the name, the inspector may, from his moment on, turn his back on the universe of the panopticon and peacefully devote himself to his book-keeping; from now on, the universe of the panopticon is perfectly capable of running without him".

²⁰ Božovič, *The Panopticon Writings*, 2.

“reformation” of the inmates, as well as the moral education²¹ of the viewers:

In the execution of punishment, which serves principally as an example for the innocent, we must seize every opportunity to fascinate their gaze: ‘lose no occasion of speaking to the eye’

writes Bentham. Thus, for Bentham, the key member of every well-composed committee of penal law is none other than “the manager of a theatre” who would, of course, know how to attain the greatest effect from the staging of punishment.²²

Bentham himself is convinced that one can attain the modern utilitarian scope of the legal disciplinary system, which is the reformation of the individual and not the punishing itself, as well as the deterrence of the others by means of an illusion, which is the illusion of punishment, as long as the act of punishment is *believed* by the prisoner to be real and the moral reformation of the individual prisoner or the deterrence of others on the outside is the real effect of a fictional cause:

It is the idea only of the punishment (or, in other words, the apparent punishment) that really acts upon the mind; the punishment itself (the real punishment) acts not any farther than as giving rise to that idea. It is the apparent punishment, therefore, that does all the service, I mean in the way of example, which is the principal object. It is the real punishment that does all the mischief.²³

Could it be that, in the ideal case, the work of surveillance that Bentham calls for can be done simply by *persuasion*?²⁴ Surely, at the level where the prisoner

²¹ On the influence of utilitarian moral principles upon Bentham’s panoptical utopia, see Muriel Schmid’s description of the Panopticon in the context of the judicial reform at the end of the eighteenth century, in Schmid, “La mascarade des coupables” in *Laval théologique et philosophique* 60, 3 (2004): 543-556.

²² Božovič, *The Panopticon Writings*, 7.

²³ Jeremy Bentham, *An introduction to the principles of morals and legislation* (Buffalo: Prometheus Books, 1988): 193, quoted in Božovič, “Introduction”, 4. See also Bentham, *The Panopticon Writings*, 34.

²⁴ We are not debating here the established scholarly meanings of the term “persuasion”. We use “persuasion” relying only on its most general meaning, that of a “process of guiding or bringing oneself or another toward the adoption of an idea, attitude, or action by rational and symbolic (though not always logical) means”: <http://en.wikipedia.org/wiki/Persuasion>. We will, however, not agree with the idea that fear only could be the prime mover of the entire surveillance effect on the prisoner, since the effect of persuasion is much more complex than the fear-induced paralysis effect on the person confined.

is simply swayed by the *apparent* omnipresence²⁵ of the "inspector", to be surveyed means to be persuaded by the presence of surveillance. Another element, which appears in Bentham's *panopticon* story, might confirm the "obtaining of power of *mind over mind*", (my emphasis) which is obviously a persuasory power: the episode of the "Chapel", which has to be installed into the penitentiary-house, since it assures "regular devotion" and "religious instruction".²⁶ Thus, the power of the *gaze* is completed by the power of the spoken Word — a Word that comes from the speaker's *voice*, which also resonates through a "pan-optical" arrangement.²⁷ Surely, Bentham envisioned this as a moral instrument of reform. Religious devotion is a symbolical device that reassures the real effect of the inspector's gaze.

Nevertheless, this staging of a near-to-complete *simulation* of reality addressed to the consciousness of the prisoner (through sight and sound) can also be read as the staging of a mechanism of control that really captures the mind of the person confined in the "inspection-house". Where does the *simulation* end for the minds of its audience? Is there any place for the willing adherence of the resident of the *Panopticon* to the program of moral reformation? There is one step from Bentham's panoptical illusion to the phantasmagorical world of a *Gesamtkunstwerk* that captures consciousness through sight, sound and meaning.²⁸ Walter Benjamin indicates the "apparatuses of phantasmagoria",²⁹ such as the *Panoptikums* (*Panoptikum* is the German term for "wax-museum") that were used during the nineteenth century to attract and dazzle the eyes of the masses. Is it possible that the early Fourieristical utopias of the early nineteenth century, such as the *Panopticon*, which obviously carried with them ideas of social reformation,

²⁵ Bentham, *The Panopticon Writings*, 45: "I flatter myself there can now be little doubt of the plan's possessing the fundamental advantages I have been attributing to it: I mean, the *apparent omnipresence* of the inspector (if divines will allow me the expression), combined with the extreme facility of his *real presence*".

²⁶ *Ibid.* 97.

²⁷ *Ibid.* 98: "A speaker cannot be distinctly heard more than a very few feet behind the spot he speaks from. The congregation being placed in a circle, the situation, therefore, of the chaplain should be, not in the centre of that circle, but as near as may be to that part which is behind him, and, consequently, at the greatest distance from that part of it to which he turns his face".

²⁸ In one of the fragments of his *Arcades project*, the Jewish-German philosopher Walter Benjamin discussed the panoptical devices as referring to the *Panoptikum*, the wax-museum, which he envisions as a museum of early modern optical illusions emerging as a manifestation of *Gesamtkunstwerk* in the nineteenth century: "The wax museum [*Panoptikum*] a manifestation of the total work of art. The universalism of the nineteenth century has its monument in the waxworks. Panopticon: not only does one see everything, but one sees it in all ways", in Walter Benjamin, *The Arcades project* (Cambridge Mass.: Harvard University Press, 1999): 531.

²⁹ Benjamin, *The Arcades project*, 534.

were simply made real and transformed into everyday “myths” imposed on society,³⁰ or “phantasmagorias”, as Benjamin contended?

After this detour, we will return to Foucault, considering his balanced outlook of the Enlightenment way of thinking, including its utopian projects.³¹ As shown at the beginning of our study, Foucault mentioned surveillance as related either to the gaze or to opinion. He linked the emergence of the political problem of opinion in modernity with the French Revolution and its endeavors into addressing the problems of a new justice, which would punish the wrongdoers with the basic end to preventing them from further wrongdoing. Opinion would be the watchful eye of the new regime, “by immersing people in a field of total visibility” where this visibility “would restrain them from harmful acts”. In the regime of opinion, “each comrade becomes an overseer”, as Bentham argued. Behavior and thoughts are routinely scrutinised and put to test in such a “regime” of opinions:

This reign of ‘opinion’, so often invoked at this time, represents a mode of operation through which power will be exercised by virtue of the mere fact of things being known and people seen in a sort of immediate, collective gaze...³²

This does not mean, however that this technology of scrutiny by the use of the watchful eye of public opinion is totally innocent and that it secures the freedom of its addressees in every circumstance. As Foucault explains, only the Enlightenments’ most brilliant and honorable minds believed that opinion “could only be good”, being the “immediate consciousness of the whole social body” or “like the spontaneous re-actualisation of the social contract”. They overlooked the fact that words are dependent on “the real conditions of possibility of opinion”, and that the “media of opinion” is “a materiality caught up in the mechanisms of the economy and power in its forms of the press, publishing, and later the cinema and television”.³³

“National” identity as cultural surveillance

In worst cases of political repression, the opinion is shown as “public”, yet it is

³⁰ *Ibid.* 916: “The total work of art represents an attempt to impose myth on society; (myth being, as [Max] Raphael rightly says [in *Proudhon, Marx, Picasso* (Paris: Excelsior, 1933): 171] the precondition for *œuvres d’art intégrales*)”.

³¹ Foucault explains best his critical “historical ontology of ourselves” in his “What is Enlightenment?” in Paul Rabinow, ed. *The Foucault reader* (NY: Pantheon Books, 1984): 32-51.

³² Foucault, *Power/Knowledge*, 154.

³³ *Ibid.* 161-162.

merely an "illusion of power", it has no power of itself.³⁴ Romania from 1945 to 1989 represents one of these worst-case scenarios. We will also try to focus our argument on a crucially important notion, the notion of "nation", and upon the opinions that circulated during this period around the terms "nation" or "national" in the Romanian political culture and, especially, in the particular field of culture. Our thesis, explained very briefly, is that the term "nation" is a powerful political and cultural symbol that functioned and still functions sometimes as a watchword: as a testword, a password, a *shibboleth*, a word whose meaning is only shared by the members of a certain community and turns into — precisely because its meaning is exclusive and discriminatory — an instrument of (cultural and political) surveillance. Usually, a watchword is a prearranged reply to a challenge, and this is what distinguishes exclusivist, ethnic nationalism from liberal nationalism.³⁵ This kind of watchword acts as a watch-word. A watchword is like the gaze of the "inspector" — it is virtually *unseen*, that is, uncritically acknowledged, when it is summoned almost involuntarily by a person or a group of persons, it is moralising, it watches over, it silences, it demands conformity and obedience from its listeners. Its spokesperson, in his own turn, becomes a watcher himself, a sentry that calls for this unseen watchword, which acts like a gaze.

At well as in the case of other East European nations in the nineteenth century, the term "nation" is crucially related to Romania's history of political development from a series of Principates vassal to the Ottoman Court at the beginning of the nineteenth century to an independent state at the end of the century, a state formed in 1959 from the unification of the Principates of Wallachia and Moldavia. During the period of the shaping of the Romanian state, the Romanian "nation" was also formed as a cultural (exclusively intellectualistic) symbol. At the very beginning, the political identity of the State went hand in hand with the cultural identity of the "Nation".³⁶ The State represented the Nation as a whole. However,

³⁴ *Ibid.* 161.

³⁵ For a discussion on "nationalism" that is beyond our scope here, see Vladimir Tismăneanu, *Fantasies of salvation: Democracy, nationalism, and myth in post-Communist Europe* (Princeton: Princeton University Press, 1998): 71-81. See also Katherine Verdery's distinction between two main relationships implied by the term "nation", a "citizenship relation, in which the nation is the collective sovereign emanating from common political participation" and "a relation known as ethnicity, in which the national comprises all those of supposedly common language, history or broader 'cultural' identity", in Katherine Verdery, "Nationalism and national sentiment in post-Socialist Romania", *Slavic Review* 52, 2 (1993): 179-203 [179].

³⁶ For the description of the cultural history of the term "nation" in Romania, I rely on Katherine Verdery's book, *National ideology under Socialism. Identity and cultural politics in Ceaușescu's Romania* (Berkeley: University of California Press, 1991).

concerning the nation's political identity, in the nineteenth century there have been several disputes between various groups (generally Conservatives and Liberals) concerning the political orientation of Romania, disputes that moved quickly into the cultural arena, splitting the cultural life between a traditionalist, autochthonistic faction and a liberal, Westernised group. Thus, due to political disputes, Romanian culture acquired a "split" cultural identity: on one hand, a so-called "original", "Eastern" core identity and, on the other hand, a "Westernised", so-called "surface" identity.³⁷ At the end of the nineteenth and the beginning of the twentieth century, this cultural split acted as a catalyst for a cultural "root-searching" that generated, in the end, a nationalistic, retractile cultural ideology, sometimes fostering xenophobic and anti-Semitic ideas. The nationalistic cultural trend which translated afterwards into politics — beginning with the 1920s – 1930s — encouraged the increasing of the authoritative power of the king in the 1940s and right-wing indigenous extremism during World War II. Ethnical political and cultural nationalism, as Verdery suggests, culminated in the xenophobic, isolationist nationalism of the Ceaușescu regime. As well as the autochthonistic identity, the so-called "European" identity has been shaped in the writings of the nineteenth century intellectuals even before the formation of the Romanian state in 1859. This kind of European identity moved into politics, since the forefathers of the Romanian state, the nationalistic liberals of the 1850s, were also Romania's top intellectuals. For over 150 years, Romanian politicians continued to envision Romania as a nation, which was either part of a European Commonwealth, or an ethnic, autochthonous nation. This vision was passed on to the Romanian people, which has been involuntarily, naturally considered as being conscious of and aspiring either to its European roots or to its "core" ethnic ideology.

In cultural terms, the Ceaușescu-era ethnocentric and xenophobic nationalism polarised the cultural elites between two main groups, similar to the groups of the nineteenth century: the autochthonists and the Westernisers. Communism in Romania became indigenised in the 1970s, after Ceaușescu's

³⁷ The Romanian philosopher Titu Maiorescu is famous for his theory about the modern Romanian society of the nineteenth century envisioned as a system based on "forms without substance". In his case, the modern institutions of nineteenth century Romania are seen as inadequate forms in a society which was overwhelmingly agrarian and mainly autochthonistic. The argument appeared during the nineteenth century political and cultural dispute concerning the modernisation (*i.e.* Westernisation) of Romanian society. Maiorescu argues for a different approach of the issue of implementing institutions in accordance with an aligning of the traditional "substance" with the Westernised form. The historian Lucian Boia argues that this debate lasted for almost a century, until it was disrupted by Communism. See Lucian Boia, *History and myth in Romanian consciousness* (Budapest: CEU Press, 2001): 33 ff.

retreat from the Soviet sphere of influence on the occasion of the Prague Revolution in 1968. Fearing the influence of the Soviets, Ceaușescu drew his wild card: nationalism. He speculated upon the early nationalism of the Romanians, which was still there even after two decades of frightening Communist oppression. This way, he appropriated first the national sentiment of a massive part of the people, which were already politically and culturally alienated from internationalist Marxism. He transformed this nationalism step-by-step into an oppressive doctrine.³⁸ He created his own personality cult by using an ethnic nationalism oriented mostly towards "glorious" moments and personalities of the Romanian history. He designated himself as one of these "glorious" figures in Romanian history. The cultural field absorbed very quickly this form of nationalism controlled by the State. The autochtonists became the "protochronists", supporters of a "unique" and "multi-millennial people", that was deemed as the "true" nation of Romanians, by excluding, of course, the "aliens", who were the members of the minorities.

The discourse about the "nation" quickly became totalitarian in its nature and a form of cultural surveillance: intellectuals who did not share enough "enthusiasm" for the new concept of the Romanian "nation" were stigmatised overnight and considered "traitors", "unworthy of being called Romanians" or "enemies of the working class".³⁹ The process of cultural surveillance of the "patriotic" intellectuals continued well after 1989, as the official declarations of some political leaders show.

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³⁸ We should also keep in mind that surveillance in Romania did not rely only on "soft" persuasive measures such as those described in this study. The surveillance work was based also on a powerful and formidable apparatus of surveillance which belonged to the secret police, the well-known *Securitate*. We should also remind ourselves that intellectuals who did not comply "peacefully" with the ideological demands were put under constant surveillance and were harassed by the officers of the *Securitate*. Often they were forced into exile, put under house arrest, even subjected to brutal force, incarceration or constant police interrogations. Also, a huge network of civilian "spies", recruited from all strata of the society supported this apparatus of surveillance with a vast amount of information. Especially during the last period of Communism in Romania, this enormous intrusion of the *Securitate* in all areas of life (public or private) really created the impression that the surveillance was "omnipresent". For further details, see Dennis Deletant, "The Securitate Legacy in Romania" and "The successors of the Securitate: Old habits die hard", in Dennis Deletant and Kieran Williams, *Security intelligence services in new Democracies. The Czech Republic, Slovakia and Romania* (N.Y.: Palgrave, 2001): 159-262.

³⁹ Disturbing details about the methods of stigmatisation are described at length in Verdery's *National ideology under Socialism*.

Examples of both *yin* and *yang* persuasion will be provided below.

Han Feizi (b. 280 BCE) is known as the founder of the Legalist school of philosophy which, as its name suggests, promoted the rule of law. This deviated significantly from the Confucian ethical code which held that, if the Emperor set a good example and attended correctly to the necessary rites, others would follow and all would be well. Legalism took a more down-to-earth view of human nature, mandating the threat and use of severe punishments to ensure that people kept order. Han Feizi also understood the influence of hierarchy and power upon methods of persuasion. A section of his book, *The Han Feizi*, is called *On the difficulties of persuasion*. He writes:

Men who wish to present their remonstrances and expound their ideas must not fail to ascertain their ruler's loves and hates before launching into their speeches... If you gain the ruler's love, your wisdom will be appreciated and you will enjoy favour as well. But, if he hates you, not only will your wisdom be rejected but you will be regarded as a criminal and thrust aside... The beast called the dragon can be tamed and trained to the point where you may ride on its back. But on the underside of its throat it has scales a foot in diameter that curl back from the body. Anyone who chances to brush against them is sure to die. The ruler of men too has his bristling scales. Only if a speaker can avoid brushing against them will he have any hope of success.³

Some parallels with Ciceronian precepts can perhaps be drawn here, especially the attention Cicero advised authors to give the relative status of addressor and addressee, and the importance of securing the addressee's good will (*captatio benevolentiae*). The Ciceronian influence can be found in the *Ars dictaminis* letter writing manuals of thirteenth century Medieval Europe:

Of course, among all people, some are outstanding; others are inferior, and still others are just in-between. Now people are said to be 'outstanding' to whom no superiors are found, like the Pope or the Emperor. Therefore, when a letter writer undertakes to write, and the difference between the ranks of the persons involved is known, he must take into account... whether writing to equal, inferior to superior, to superior to inferior.⁴

³ Burton Watson, trans. *Han Fei Tzu: Basic writings* (New York: Columbia University Press, 1964): 79.

⁴ James Murphy, ed. *Three Medieval rhetorical arts* (Berkeley: University of California Press, 1971): 9-10.

And on the importance of securing goodwill:

Goodwill is secured by the person sending the letter if he mentions humbly something about his achievements or his duties or his motives. On the other hand, it will be secured according to the person receiving the letter when, not only the humility of the sender, but also praises of the recipient are duly indicated.⁵

Yet clarity, succinctness and directness were also appreciated in traditional China. In summarising Confucius thoughts on speech, Pu and Wei say, “Explaining things plainly and simply is good enough”.⁶ In a quote that suggests that Confucius would not have tolerated sophistry, Lu points out “What is deprecated by ancient Chinese philosophers is not speech in general but rather glib speakers with flowery and empty words”.⁷

The philosopher, Wang Chong (32-92 CE), was famous for his directness. His views of the great Chinese historian, Sima Qian were less than flattering. “He relied on what had already been completed and made a record of former events, and he did not produce anything from within himself”.⁸ The well-known French sinologist, Francois Jullien has argued that Wang Chong’s prose was unpopular because of his “clarity of discourse”.⁹ But it needs to be stressed that his prose, his “clarity of discourse”, was unpopular only with those whom he criticised. Others considered him brave and worthy of admiration. As will be illustrated later, there are comparisons between the directness of Wang Chong with that of Liu Xiaobo, the lead author of Charter 08.

Naturally, emperors were able to employ the *yang* style of top-down rhetoric as a matter of right. This example of a king instructing one of his ministers comes from Chen Kui’s guide to writing, written in the Song Dynasty in the late twelfth century.

The King said: Feng! You need to be careful! Don’t do things that

⁵ *Ibid*, 17.

⁶ Pu Kai and Wei Qun, “Shilun wo gudai xiuci yanjiu-de tedian” (“An exploratory discussion on the study of classical Chinese rhetoric”), in *Xiuci Yanjiu (Rhetoric Research)* (Anhui: Anhui Education Press, 1983): 111.

⁷ Xing Lu, *Rhetoric in Ancient China: Fifth to third century BC* (Columbia: South Carolina University Press, 1998): 31.

⁸ Stephen Durrant, “Creating tradition: Sima Qian Agonistes?” in Steven Shankman and Stephen Durrant, eds. *Early China/Ancient Greece: Thinking through comparisons* (New York: State University of New York Press, 2002): 285.

⁹ Francois Jullien, *Detour and access: Strategies of meaning in China and Greece* (New York: Zone Books, 2000): 374.

cause people to hold grudges, do not use incorrect methods or unfair laws in such a way that you conceal your honest heart. You should model yourself on the sensitive conduct of earlier sages to settle your thoughts. You should frequently ask yourself whether your words and deeds are appropriate and establish far-reaching policies to govern the country. You need to promulgate magnanimous policies, to make the lives of the people peaceful and secure, and then they will not eliminate you because of your faults.¹⁰

The top-down nature of this communication is characterised, among other things, by the use of the imperative and modals of obligation. Again, as will be illustrated later, there are comparisons here with the rhetorical style adopted by Liu Xiaobo and the authors of Charter 08.

A famous example of the *yin* or oblique style is provided in a letter written by a civil servant, Li Mi, (225-290 BCE) to the emperor. The emperor has asked that Li Mi serve in his court. But as the emperor has just defeated Li Mi's own state, Li Mi does not want to accept the position and so writes a letter asking if he might turn down the position the emperor has asked him to assume. It is a long letter and begins:

Your servant Mi states: Because of a parlous fate, I early encountered grief and misfortune. When I was an infant of only six months, my loving father passed away. When I was four my mother's brother forced my mother to remarry against her will. Grandmother Liu took pity on this weak orphan and personally cared for me.¹¹

Li Mi is skilfully using the conceit of filial piety to bolster his argument. He proceeds on the theme of his debt to his grandmother and her current illness for a further thirty lines, and then writes:

I humbly believe that this Sage Dynasty governs the empire by means of filial piety, and all among the aged and elderly still receive compassion and care. How much more needful am I whose solitary suffering has been especially severe!

He then continues for a further twenty lines detailing the hardships he has suffered and pointing out that his grandmother is now ninety-six. Only at the end of the long letter does he get to the request itself:

¹⁰ Liu Yancheng, *Wenze Zhuyi (A commentary and translation of the Wen Ze)* (Beijing: Beijing Shumu Wenxuan Press, 1988): 194.

¹¹ David Knechtges, trans. "Han and six dynasties parallel prose", *Renditions* 33-34 (1990): 63-110.

With all my filial devotion, I beg to be allowed to care for her to her final days... I hope Your Majesty will take pity on my naïve sincerity and will grant my humble wish...

The final line reads: "I respectfully present this memorial to inform you of my feelings".

The emperor granted Li Mi his wish — it is hard to see how he could have refused, given the skilful way the author uses the central Confucian concept of filial piety coupled with his actual situation of needing to care for his grandmother. Its length, its inductive style, whereby justifications for the request all precede the request itself, and the author's use of self-deprecatory terms of self-reference ("your servant Mi", "my naïve sincerity", "my humble wish") are all marks of the indirect *yin* style.

Not surprisingly, given the hierarchical nature of the society and the power superiors exerted over their subordinates, the *yin* style was the most common style of persuasion, although, as has been illustrated, it was not the only one. It is important to stress that the *yin* or oblique style was often successful. It was also used to criticise government policy. A famous example of such is the essay "A sanitarium for sick plum trees". This was written much later (1869) by a scholar, Gong Zichen, who had just returned to his post after a period of exile. The essay follows the four-part structure of *qi-cheng-zhuan-he* (opening-joining-turning point-conclusion), an extremely common prose structure which allowed for indirect criticism, in particular through arguing by analogy. This essay uses "sick plum trees" to refer to scholars who have been crushed by the reactionary Qing dynasty rulers. In the *zhuan* part of the essay, the author recounts how he bought some sick plum trees and how he was able to regenerate them. He concludes:

Ai! How I wish I had the free time and the idle land so that I could gather in the sick plum trees of Jiangning, Hangzhou and Suzhou, and within my lifetime cure them!

In essence, the author is vowing to fight to cure society's ills brought about by a corrupt and reactionary regime.

It is impossible here to give more than a most cursory account of traditional Chinese rhetoric, but the main point to be made is that, in traditional Chinese society, an oblique or *yin* style of rhetoric was regularly employed by persuaders of all types whose audience were more powerful than they were. This "art of indirect criticism" was skilfully and successfully practised, although direct *yang* styles were also used, but when they were used it was usually for specific effect. Otherwise, the *yang* style was the preserve of the Emperor and the powerful.

I now turn to consider three examples of contemporary criticism and

argue that there has been a fundamental shift from the use of the *yin* style of rhetoric to a more agonistic and confrontational *yang* style. Charter 08 and the annual letter written by the mothers of those who died during in Tiananmen Square in 1989 make up two of the examples and are written in an antagonistic, authoritative *yang* style. The first example, however, follows a *yin* style. This is also unusual in that it follows a format derived from the infamous eight-legged essay style. People who wanted to become civil servants during the imperial period had, since the sixth century CE, to pass a set of exams. As part of the exams, they were required to write essays following a strictly prescribed format known as the eight-legged essay. While some changes in the format were introduced over the hundreds of years, the eight-legged essay was an integral part of the exam — it was only abolished in 1905 — it remained essentially the same. The eight-legged essay attracted a great deal of criticism as it was seen to be designed to stifle creative thought and ensure that civil servants would promote the status quo. Qi summarises the views expressed against the essay style, known in Chinese as the *baguwen* :

The *baguwen* has been called stale and rotten, cliché-ridden, rigid and well past its use by date. It is despised and rejected and those who are against it have given it the epitaph of being the essence of all evil.¹²

The negative views of the eight-legged essay have led to its decline, although some scholars have called for its revival, arguing that it represents an important part of the rich Chinese rhetorical tradition. One such scholar is Zhou Youguang who recounted that it was because he had been asked by so many people about the *baguwen* that he decided to write a modern version of one.¹³ The *baguwen* he wrote, however, while conforming in many ways to the rigid prescribed structure, was unique in that he used it to criticise the policies of the then President of China, Jiang Zemin. Rather than use the *baguwen* to extol the virtues of the regime, therefore, which had been its main original function, he subverted its role to criticise the current regime. Traditionally the exam candidates would be given the topic or title of the *baguwen* they were to write, and this was invariably a quotation taken from the Confucian classics. The topic of Zhou's piece is 'Moving with the Times', which readers would have readily identified as a slogan much used by President Jiang. Rather than praising President Jiang for 'Moving with the Times', however, Zhou criticises the government for being reactionary and

¹² Qi Gong, *Shuo Bagu (Talking about the bagu)* (Beijing: Zhonghua Shuju Press, 1994): 1.

¹³ Zhou Youguang, "Baguwen moxie" ("A description of the eight-legged essay") *Xiuxi Xuexi 2 (The study of Rhetoric)* (2004):1-2.

preventing freedom of thought and the development of democracy. I translate some excerpts from Zhou's essay below. The third paragraph reads:

Every country is developing. How could China be any different? The economy progresses through industrialisation to the information age; the political system progress through autocracy to democracy; culture progresses through the use of knowledge to confine, to the use of knowledge to liberate. This is the pulse of globalisation.

He continues this theme in paragraph six:

The pursuit of an advanced culture requires breaking free from the fetters of thought. An advanced culture is the flower that springs forth from the soil of freedom.

The eighth paragraph, the final one, concludes:

Truth also changes over time. It is not immutable. 'Practice is the sole criterion for the test of truth'. Truth is not afraid of criticism; criticism is the nurturer of truth. Whatever fears criticism is not truth. What fears truth are religions and dogmas that are out of step with the times. The superstitious age is going to become a thing of the past. The age of following blindly is going to become a thing of the past. Today is the age of independent thought, the age of following that which is good, the age of the unconstrained in which we spare no effort in pursuit of 'moving with the times'.

This is an extraordinary document for a number of reasons: it adopts a style traditionally associated with stifling creative thought to promote it and it adopts a style traditionally associated with propping up the regime to attack it. Remarkably, it employs an oblique *yin* style derived from a traditional form associated with restricting creative thought and promoting the status quo in order to criticise the President and to challenge the status quo.

It is worth reiterating that Zhou was moved to write this because he had been approached by people asking him about the eight-legged essay. This reflects the lack of knowledge of the Chinese rhetorical tradition among most people in contemporary Mainland China. A colleague and I have elsewhere argued that one reason why the great majority of Mainland Chinese are unfamiliar with the rich Chinese rhetorical tradition is because, such is the perceived need to promote participation in globalisation — in particular in the advances of science and technology — all Chinese university students today receive a great deal of instruction in how to write in English. However, apart from Chinese majors, who comprise a tiny majority of university students,

Chinese university students receive little, if any, instruction in how to write in Chinese. We suggest that this is one reason why there is a lack of constructive public discourse in contemporary China.¹⁴

Finally, it is worth noting that the themes with which Zhou engages in his *baguwen* are the need for China to embrace democracy and create conditions to allow creative ideas to flourish. These are also the major themes of Charter 08, to which I now turn.

Charter 08 was co-authored by some 300 writers, the best known of whom is Liu Xiaobo, the Nobel Peace Laureate, now serving an eleven year sentence, partly because of his involvement with Charter 08. Charter 08 adopts an extremely *yang* style. The preamble reads:

After experiencing a prolonged period of human rights disasters and a tortuous struggle and resistance, the awakening Chinese citizens are increasingly and more clearly recognising that freedom, equality and human rights are universal common values shared by all humankind, and that democracy, a republic and constitutionalism constitute the basic structural framework of modern governance. A 'modernisation' bereft of these universal values and this basic political framework is a disastrous process that deprives humans of their rights, corrodes human nature, and destroys human dignity.¹⁵

The authors continue:

The power bloc continues to insist on maintaining the authoritarian regime, rejecting political reform. This has caused corruption in officialdom, difficulty in establishing the rule of law, and no protection of human rights, the loss of ethics, the polarisation of society, warped economic development... and the continuous rise in resentment. In particular, the intensification of hostility between government officials and the ordinary people, and the dramatic rise of mass incidents, illustrates a catastrophic loss of control in the making, and the anachronism of the current system has reached a point where change must occur.

While it is hard to disagree with the points being made here, the *yang* rhetorical style, which contrasts markedly with Zhou's essay above, is guaranteed to enrage the Chinese leadership. The authors themselves note the "hostility between government officials and ordinary people", but one

¹⁴ Andrew Kirkpatrick and Xu Zhichang, *Chinese rhetoric and writing: An introduction for language teachers* (Boulder: Parlor Press, 2011).

¹⁵ The translation is from the online forum "Human Rights in China": <http://www.hrchina.org/public/index> .

reason for this is that both sides have adopted an aggressive inflammatory rhetoric, which came to the fore during the Cultural Revolution. As Xing Lu points out, the confrontational style of the Cultural Revolution lives on. One of the people she interviewed reported that the government was guilty of using this style:

The language used to attack Falun Gong is exactly the same language as that used to attack 'cow ghosts and snake spirits' during the Cultural Revolution. On hearing such language I felt that the language of the Cultural Revolution had returned.

Another of Xing Lu's informants noted that the dissidents had also adopted this style:

There is definitely a trace of the cultural revolutionary style, even in the writings of political dissidents... The language they use to attack the CCP is very similar to the Red Guard style.¹⁶

To return to Charter 08, the authors call for the reaffirmation of six fundamental concepts. The language used, however, is that of the authoritarian *yang* style. For example, in the statement on equality, they write:

The principle of equality before the law and a citizen's society must be implemented; the principle of equality of economic, cultural and political rights must be implemented.

The authoritative tone further strengthens in the nineteen basic standpoints the authors put forward. For example:

All levels of the legislative bodies shall be directly elected. Maintain the principles of fairness and justice... The judiciary shall be non-partisan, free from any interference. Ensure judicial independence, and guarantee judicial fairness. Establish a constitutional Court... Abolish as soon as possible the Party's Committees of Political and Legislative affairs at all levels... Avoid using public tools for private objectives.

This use of imperatives and modals of obligation occurs throughout Charter 08 and gives it its *yang* style. Other rhetorical tropes typical of *yang* discourse include the use of hyperbole and metaphor and the lack of hedges or

¹⁶ Xing Lu, *Rhetoric of the Chinese Cultural Revolution* (Columbia: South Carolina University Press, 2004): 196.

mitigating devices. In bottom-up *yin* discourse, “we do tend to leave implicit all propositions that we believe to be known or derivable by the recipients”.¹⁷ Charter 08 thus employs rhetorical techniques which are associated with top-down demands. A Chinese colleague, on reading Charter 08, remarked that it gave him the impression of being full of the scent of gunpowder, followed by bullets out of a machine gun. Certainly, Charter 08 inflamed the leadership of the Chinese Communist Party, as its authors must have realised it would. It is hard to see Charter 08 as a genuine attempt to persuade the leadership. Rather, its main aim seems to have been to gain international recognition concerning the lack of political freedom and right to criticise that currently permeates Chinese political life.

The final text to be illustrated comprises excerpts from the 2010 letter written by the mothers of those who died in Tiananmen in 1989. The translation is also taken from the Human Rights in China website.¹⁸ The letter is an attempt to persuade the authorities to undertake a thorough inquiry into the cause of the massacre with the aim of reclassifying the ‘political disturbance’ (the current official line) as a ‘massacre’.

The letter runs to fifteen paragraphs and is titled “Please show courage, break the taboo, face June 4 head on”. Paragraph 1 immediately adopts a *yang* tone. It reads:

In the last century, on June 4, 1989, the Chinese authorities launched a massacre against peaceful demonstrators and civilians in the capital, seriously violating our country’s constitution and breaching their duty, as leaders of a sovereign state, to protect the people. This was an unconscionable atrocity that grew from longstanding contempt for human rights and civil rights.

This opening is about as far as one could possibly get from a *yin* style and from Gui Guzi’s advice to “speak with a forked tongue” or from Cicero’s to secure the goodwill (*captatio benevolentiae*) of the addressees. The letter goes on to note that the scene of the massacre is now “decorated with plants and flowers and has become a scene of peace and prosperity”. It continues:

Can all this conceal the sins of that time? Can it erase the sorrow of the relatives of the victims that deepens year after year? No! It absolutely cannot. The June Fourth massacre has long secured its place in history’s hall of shame.

¹⁷ Teun van Dick, *Discourse and context: A sociocognitive approach* (Cambridge: Cambridge University Press, 2008): 184-5.

¹⁸ For a fuller discussion of this text and Charter 08 see Kirkpatrick and Xu, *Chinese Rhetoric and Writing*: Chapter 9.

In paragraph 6, the mothers write:

If Deng Xiaoping, then Chairman of the Central Military Commission of the Communist Party of China was wrong in 'suppressing the counter-revolutionary rebellion', then we must overturn it and correct it through established legal procedures and publicly announce it to the whole society, and should not explain it away with the vague term of 'political disturbances'.

Throughout the letter, the Chinese authorities are in subject position. They "launched a massacre" and later "forbade discussion" and "prohibited the media". The tenor here is that the authors are presenting the indisputable truth. There is no hedging or mitigation. "The Tiananmen mothers have always held one belief, and that is: act and speak according to the facts; accept no lies".

Interestingly, in paragraph 11, the tone changes. The authors use the inclusive "we" pronoun and call for dialogue:

If we are able to use dialogue to prevent confrontation on the problem of 'June fourth', it would benefit the whole country and be a blessing for all our people. The more dialogue we have, the more civility and law and order, and the less ignorance and tyranny. Dialogue does not lead society towards opposition and hatred, but rather, towards tolerance and reconciliation. Using dialogue to solve the problem of 'June fourth' is an imperative path toward societal reconciliation.

It is hard to disagree with this call for dialogue, but as suggested throughout this essay, this will remain impossible until a new form of public discourse is established which assumes a more *yin* tone and dispenses with the authoritarian, 'demand' *yang* rhetoric, currently adopted by so many 'petitioners'. This will require the Chinese rediscovering — and then teaching — the Chinese rhetorical tradition where examples of the "art of indirect criticism" abound. Others see indirectness and obliquity as preventing dissent. To cite once more from the work of Jullien,

In the name of what, therefore, can a Chinese man of letters break free from the forces of power, affirm his positions and thus speak openly?... With such obliquity, dissidence is impossible.¹⁹

But it could equally be argued that *without* such obliquity, dissidence is

¹⁹ Jullien, *Detour and access*, 379, 137.

impossible in today's China. Adopting a traditional *yin* style of rhetoric is perhaps the dissident's best hope. The extent of control and surveillance exercised in contemporary China quite possibly exceeds that of any time in its history. Recently released figures show the extraordinary amount China spends on surveillance. Indeed the internal law and order budget is US\$ 95 billion in 2011, more even than the budget for the entire People's Liberation Army (US\$ 91.5 billion in 2011).²⁰ This presages — or perhaps even shows — a country at war with itself. As Chris Buckley, the respected Reuters China correspondent, has recently written:

The Chinese government's bid to maintain stability at all costs is creating a security system so expensive that experts and officials say it is sapping funds needed elsewhere to sustain the country's economic health... China swaddles all its big meetings, events and sensitive dates with police and guards to scare off trouble makers, extinguish protests and project power. The massive security for the 2008 Olympics in Beijing has become a general template. On top of that, the ruling Communist Party's smothering of public support for Nobel Peace Prize winner and jailed dissident, Liu Xiaobo, is the latest example of the lengths, and costs, the authorities are willing to go to keep a lid on even minor events that might seem to threaten its hold on power.²¹

In addition to the arrest of internationally known figures such as Liu Xiaobo and Ai Wei Wei, it is well known that thousands of others, including many journalists and lawyers, are under arrest, often for no more than expressing constructive criticism. Given this unprecedented level of surveillance and the Communist Party's paranoia of criticism of any sort, it would seem only a return to obliquity and a *yin* style of rhetoric is likely to be tolerated. In the meantime, the likelihood of the development of a form of constructive public discourse and a "new political ecology of rhetoric"²² through which civic-minded citizens can become engaged in the development of a modern and more democratic society seems remote indeed. Instead, the rulers will continue with ubiquitous surveillance and the ruled will be cowed into silence or driven to increasingly antagonistic *yang* outbursts.

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²⁰ <http://factsanddetails.com/china.php?itemid=301&catid=8&subcatid=50> : accessed 24 October 2011.

²¹ Chris Buckley, Reuters, October 14 2010: <http://factsanddetails.com/china.php?itemid=301&catid=8&subcatid=50> : accessed October 24 2011.

²² Philippe-Joseph Salazar, *An African Athens* (Mahwah, NJ/London: LEA/Routledge, 2002): xvii.

El “affaire Cassez” visto de México

Dominique de Courcelles

Parte 1

En 2010, los ciudadanos franceses, de todas las tendencias políticas, se vieron seriamente perturbados por el caso Bettencourt-Woerth, tan rápidamente sofocado por falsas neutralidades. Descubrieron con consternación la magnitud de los conflictos de interés, del tráfico de influencias y de prebendas descaradas: los franceses dudan ahora de la justicia y del derecho. Desde el 14 de enero de 2011 y la Revolución de Jazmín en Túnez, seguida de los trastornos violentos en Egipto, están más que nunca presos de la inquietud y de la perplejidad. La prensa francesa ha informado ampliamente del silencio de algunos ministros, de las palabras desafortunadas de otros, y de manera general los acuerdos ambiguos y venales, así como los magistrales errores cometidos en política exterior. En este contexto de pérdida de los parámetros y de los valores más fundamentales de la ética y de la vida política, económica y social, lo que puede denominarse “l’affaire Cassez” parece ocurrir con toda oportunidad.

Se observa en primer lugar un curioso dispositivo iconográfico, bien trabajado desde la entrevista en vivo de la prisionera en el noticiero de las 20:00 de la televisora francesa TF1, el 3 de febrero de 2010 (ver aquí), lo que tiende a mostrar a la vez la atención que concede la Embajada de Francia a la reclusa y la buena voluntad de las autoridades mexicanas de la Prisión de Tepepan, donde está encarcelada. Este dispositivo es redundado en Francia por la prensa, en particular femenina, especialmente a partir de 2008. Lo que se busca mostrar en efecto, de forma reiterada, es la imagen de un rostro de mujer, detrás de las rejas. ¿Por qué tras las rejas, cuando se sabe que ella recibe a los visitantes y, por lo tanto, a los fotógrafos en la inmensa y decrepita sala de visitas de la cárcel de Tepepan? Consideremos más particularmente la sugestiva imagen fechada el 14 de febrero de 2011 por *Le Monde.fr* (ver aquí) y que se encuentra en toda la prensa francesa y mexicana. Recordando claramente las construcciones de los personajes en la prensa “people” o en la cinematografía, Florence Cassez tiene, tras las rejas, un rostro muy sutil y profesionalmente maquillado, con un ligero rubor en los pómulos, ojeras ligeramente marcadas; sus ojos claros acentuados con rimel negro y sus muy largas pestañas negras dejan apenas imaginar las lágrimas retenidas, dado el carácter liso del conjunto; por otro lado, ella no expresa ninguna emoción; la única barra horizontal que aparece en la imagen no impide descubrir, incluso destaca, el labio inferior, cubierto con un

color rosa brillante, cuyos contornos están delineados con crayón rosa oscuro; las rejas verticales, juiciosamente aprovechadas, no esconden ninguno de sus rasgos. Se sabe que la difusión extrema del retoque en la prensa "people" está ligada a la importancia que el personaje y su imagen revisten para imponer un mensaje preciso. En la línea de análisis de los mecanismos de la narración visual, se puede decir que la imagen suscribe aquí al marcado gusto de los fotógrafos preocupados por vender sentimiento y glamour. Pero esta confusión visual tiene consecuencias obvias en la lectura. La mujer parece frágil y valiente, herida y en la espera. Y se sabe bien el papel de las imágenes y su posicionamiento en la sociedad que las produce. Ahora bien, aquí, es en el contexto de la pérdida de referencias y de los valores de la ética que conciernen el mundo político, en el contexto de abuso cometido por los más fuertes sobre los más débiles, que se descubre en Francia la imagen de Florence Cassez prisionera. Esta imagen magnificada por esta puesta en escena y por su unicidad es una verdadera imagen de la pantalla, fuerte y opaca, que interpela y retiene la vista, en contrapunto de la avalancha de imágenes que experimentamos diariamente y de las que nos olvidamos sin haberlas visto.

Ahora bien, ¿De que se trata? ¿Quién es Florence Cassez? Varios hechos que aparecen en el registro judicial de Florence Cassez por lo general no se mencionan, simplemente porque sus abogados defienden su "inocencia" sobre la base de las irregularidades cometidas durante su proceso, y estas irregularidades son numerosas. En este expediente, el diario mexicano Reforma, equivalente al periódico Le Monde en México, dio los principales elementos desde el 11 de febrero pasado. Helos aquí: el 8 de diciembre de 2005, cuando Vicente Fox era presidente de la República Mexicana, se detiene a Florence Cassez en el Rancho Las Chinitas, en Topilejo, en la Delegación Tlalpan de la Ciudad de México, donde vive desde al menos tres meses antes como pareja de Israel Vallarta, jefe de la banda Los Zodiaco, especialista en secuestros. La policía que la detuvo descubre en el rancho tres personas secuestradas, una mujer y su hijo de diez años de edad, secuestrado durante 50 días y un hombre, secuestrado durante 65 días, cuyos nombres son conocidos e indicados por el periódico Reforma. Estos, por lo tanto, se habrían encontrado, al menos temporalmente, al mismo tiempo que la francesa en el mismo lugar. Este rancho está lejos de ser inmenso, ya que tiene 40m de frente y 120m de profundidad: tiene dos casas, una casa principal y una casa que funciona como "cuarto de servicio" con una sola pieza. De la casa principal al "cuarto de servicio" hay 65m de distancia. El "cuarto de servicio" está a 10 metros de la puerta principal y, para acceder o dejar de la casa principal, se pasa necesariamente por delante. Todo esto permite pensar que le fue difícil a Florence Cassez ignorar la presencia de tres prisioneros ahí donde ella vivía. Trabajando en un hotel, Cassez gana entonces de 6000 a 8000 pesos por mes. Sin embargo, en el

momento de su detención, existe una ficha de depósito en su cuenta en el banco Banamex por un monto de 50.000 pesos.

Parte 2

Desde que fue vez arrestada, Cassez ha venido proclamando su "inocencia". Pero ¿qué significa esta "inocencia"? ¿De qué es inocente? Es probable que Cassez no haya llevado a cabo directamente los secuestros de los rehenes, también es probable, de acuerdo al testimonio rendido por los rehenes, entre ellos un niño de diez años, que ella fue la cómplice de la privación de la libertad de esas personas y, en todo caso, puede ser culpable de no asistencia a personas en peligro (a pesar de que este delito no existe como tal en la legislación mexicana). De acuerdo con estos testimonios, era ella quien llevaba la comida a los rehenes que, sin haber nunca visto su rostro, reconocieron sin embargo su voz, con un acento extranjero. Algunos se han referido a su brutalidad. Más tarde, en los careos, los ex rehenes declararon reconocer su voz, sus manos y su cabello. La palabra "inocencia" viene del latín nocere, dañar. El inocente es aquel que no hace daño; es un adjetivo positivo y no pasivo. Cassez, estando libre de moverse, habría podido sin poner en riesgo su vida, como francesa, denunciar a los secuestradores y poner fin a su "daño" y por lo tanto al suyo, bajo la protección de la Embajada de Francia. Nadie duda que su "inocencia" le habría valido ser considerada como una "heroína".

Es prácticamente imposible en Francia imaginar a que punto la sociedad mexicana puede estar traumatizada y aterrorizada por la práctica, gravemente desarrollada desde hace unos diez años, de los "secuestros". Las víctimas son de todas las clases sociales, desde las más Acaudaladas hasta las más humildes. Los secuestros se llevan a cabo dentro de la más grande violencia; los rehenes son a menudo mutilados, torturados, maltratados, abusados, asesinados, incluso si sus familias hacen todo lo posible para reunirlos montos, con frecuencia exorbitantes, que les exigen. Si las víctimas son liberadas, ya no se atreven a regresar a su casa, por lo general abandonan la ciudad donde vivían, pierden sus empleos, abandonan y son abandonados por su entorno, a la vez igualmente aterrorizado. Rara vez los ex rehenes se atreven a declarar a posteriori lo que sufrieron, por el propio estado de postración y el temor de las represalias; es conocido que sus declaraciones son con frecuencia incoherentes e incluso contradictorios. Los chantajes también son muy comunes e igualmente terribles. A veces, miembros de la propia policía han llegado a participar en los "secuestros", lo que ha contribuido a la pérdida de confianza de los ciudadanos en su policía y su justicia. En algunos barrios de la Ciudad de México, la tensión es particularmente alta, como por ejemplo en a Central de Abasto, el gran

mercado de mayoreo de la ciudad de México, donde los secuestros son particularmente numerosos. Recuerdo haber asistido a las marchas de protesta de las asociaciones de la sociedad civil, habiendo visto y oído a un taxista sollozando por la muerte del joven Alejandro Martí, de catorce años de edad, secuestrado y luego asesinado en condiciones atroces. Es precisamente en este contexto de emoción y de miedo, de desesperanza en la justicia y en la policía que, de manera obviamente inaceptable y contraria a las normas más elementales de la ética audiovisual, Televisa, el gran grupo de televisión nacional, se apropió este hecho de delincuencia, convirtiéndolo en el “affaire Cassez”. De esta forma fue puesta en escena, desde el 9 de diciembre de 2005, es decir al día siguiente de la detención de Cassez en el rancho, con la complicidad o a petición de la policía mexicana, un espectáculo destinado a un teleauditorio, un montaje vídeo, uno de esos reality show a los que Televisa es especialmente aficionada, como los canales de televisión en el mundo de hoy. Porque en este caso se trataba de la detención de una mujer, joven, extranjera y francesa. Es sí que, de entrada, Cassez fue transformada en una imagen telegénica. ¿El canal de televisión quería tener la primicia? ¿La policía quería probar su eficacia? Los cinco argumentos de la defensa y de la apelación de los abogados de Cassez se basan en estos hechos para reclamar su absolución total y su repatriación a Francia. Pero, ¿cómo y por qué privilegiar la forma, el montaje vídeo, y no el fondo para decidir entre la inocencia y la culpabilidad? Es cierto que después del descubrimiento del montaje vídeo el proceso ha dado lugar a algunos montajes, igualmente escandalosos, y la práctica mexicana de mantener en secreto los archivos de Justicia no facilita la comprensión ni el discernimiento. La enormidad de la pena, 96 años después 60 años de prisión, decretados en contra de Cassez, se inscribe en esta lógica dramática.

Contra el terrible flagelo del secuestro, la sociedad civil ha tenido que organizarse. En los últimos años, varias organizaciones no gubernamentales han surgido para ayudar a las víctimas de secuestros y contribuir a la protección de los ciudadanos, tales como Alto al Secuestro, la Asociación Nacional de Consejos de Participación Cívica, México SOS, Causa en Común. Éstas constituyen bien el reflejo de la sociedad civil mexicana que, en su gran mayoría y a pesar de la falta de transparencia del sistema judicial mexicano, no cuestiona las responsabilidades de Cassez. Por lo tanto estoy sorprendida de leer en los periódicos franceses que el caso Cassez divide a la opinión mexicana.¹ Estoy todavía más sorprendida al enterarme en la misma revista de “las posiciones muy radicales en la Iglesia Católica Mexicana”; es notable que sólo el cardenal arzobispo de México, Norberto Ribera, puede expresar, él mismo o su portavoz, una opinión que implique a la Iglesia católica mexicana: evidentemente él no se ha pronunciado a favor de Cassez,

¹ *L'Express* (14.02.2011).

lo que habría provocado un considerable escándalo. En este caso, el sacerdote citado Pedro Arellano, no es de ninguna manera "representante de la Iglesia mexicana". La Comisión Pastoral Penitenciaria, también citada, sólo ha evocado los vicios de forme que han marcado el caso Cassez, lo que no tiene nada que ver con una declaración de "inocencia".

Parte 3

Si el famoso abogado Ignacio Morales Lechuga, por otra parte, considera que el derecho penal no fue respetado y que los secuestradores siguen en libertad, esto no quiere decir que Cassez no sea cómplice o culpable de "no asistencia a persona en peligro". Desde hace meses, es de conocimiento público, que la Embajada de Francia en México se esfuerza por obtener su repatriación, reclamado desde marzo de 2009 por el Presidente Sarkozy, durante su visita a México; la insistencia del presidente francés no dejó de suscitar recelos no sólo de parte de los mexicanos sino también de muchos franceses que trabajan en el país. En junio de 2009, el presidente Calderón dijo que Cassez cumplirá su condena en México. En espera de una decisión sobre el recurso de revisión, prevista para febrero de 2011, la imagen glamorosa de Cassez apareció regularmente en la prensa "people" u otra, siendo cada vez con más glamour y llamando la atención, a medida que la imagen de México se satanizaba en los medios de comunicación debido a los gravísimos problemas del narcotráfico y de la creciente inseguridad, ampliamente difundidos por la prensa francesa e internacional. Es sorprendente observar que las imágenes difundidas de Cassez, tanto en los medios de comunicación franceses, lo cual es comprensible, como en los medios de comunicación mexicanos, lo que es menos comprensible, son siempre las mismas y comparten siempre la misma construcción de imagen de mujer valiente, frágil y herida, como si hubiera un monopolio sobre esta imagen: pero ¿por quién exactamente? ¿Por fotógrafos que trabajarían para la embajada de Francia autorizados a visitar a la presa? ¿Cuál es el papel exacto del embajador? ¿Qué motivación podría provenir de las más altas instancias del Estado francés? Estas son sólo algunas preguntas, entre otras, que se plantean una buena cantidad de franceses presentes en México e, igualmente de mexicanos. Por tanto, es comprensible que las asociaciones de la sociedad civil mexicana antes mencionadas hayan estado y estén especialmente vigilantes en relación a la francesa. Éstas se indignan de que "Florence Cassez Crespin trata de pasar por una víctima para ser extraditada a su país de origen en lugar de cumplir la condena que se ganó en nuestro país... Las verdaderas víctimas son las que sufrieron del secuestro..."² y se

² *Reforma* (10.02.2011).

preocupan por lo que ellas llaman una "presión diplomática". El 10 de febrero de 2011, la Embajada no dudó en acusar a esas ONG's de presionar al poder judicial mexicano.

Se puede uno evidentemente interrogar sobre el fondo verdadero de esta acusación, en la medida en que las organizaciones no gubernamentales, como organizaciones de la sociedad civil y una expresión de "soft law", deben ser enteramente libres de emitir una declaración conjunta dirigida a las instancias de su país, que éstas lo tomen en cuenta o no. Como administradora de la sección francesa de la ONG Transparencia Internacional, especializada en la lucha contra la corrupción, sé muy bien todo el valor y la dificultad de estas declaraciones, pero esta acción en defensa de las víctimas es intrínseca a la democracia. Fue entonces que, ese mismo 10 de febrero, la justicia mexicana desestimó el recurso de revisión de la francesa. Es el final de un procedimiento judicial en México.

Como lo mencionamos anteriormente, a principios de 2011, la opinión pública francesa está particularmente conmovida por lo que ésta percibe como una pérdida de puntos de referencia y de los valores de la ética, especialmente en política exterior, en algunos círculos políticos y económicos. Altos dignatarios del Estado se encuentran nominativamente en tela de juicio. El rescate de la imagen glamorosa, frágil y herida de la condenada, retransmitida en los medios franceses — y de bella dama "sans merci", es decir sin lástima, en los medios mexicanos —, brinda entonces a aquellos o aquellas que son los más criticados, con motivo de los recientes eventos de Túnez o de Egipto, una oportunidad de "lavado de imagen" o de recuperar su brillante carrera. Así, el "affaire Cassez", que normalmente habría podido resolverse pacífica y serenamente mediante un acuerdo jurídico entre Francia y México y, probablemente, desembocar en que Florence Cassez cumpliera su condena en Francia, sólo vino a deteriorar las relaciones entre los dos países.

Vale la pena recordar una vieja historia que marcó durablemente a los mexicanos y que los franceses pueden haber olvidado; en cualquier caso esto no aparece en los libros franceses de historia, y es probablemente mejor así porque sería poco edificante para los escolares franceses. He aquí de que se trata. En 1837, en el contexto del fin de la guerra de independencia con España y del comienzo del control sobre los territorios del norte por los estados Unidos de América, México es presa del caos. Los sucesivos gobiernos no son capaces de indemnizar a los habitantes, ciudadanos mexicanos o extranjeros residentes en el país, que son víctimas de la destrucción y de los saqueos; pero desde 1827, éstos tuvieron cuidado de señalar que con motivo de los trastornos no podrían pagar indemnizaciones, pero que a cambio no exigirían ninguna contribución forzosa de los extranjeros, en particular franceses, y que los dejarían libremente comerciar. Fue entonces cuando un pastelero francés, instalado en Tacubaya, pretendió

que le fueron robados de 60,000.00 pesos en pasteles, iequivalentes a 300 000 francos de oro de esa época! e hizo un llamado al gobierno de Luis Felipe, entonces rey de los franceses y en grandes dificultades políticas en Francia, para ayudarlo a conseguir este monto de los mexicanos. Resulta que en la misma época, un pirata francés fue capturado y fusilado en Tampico. Francia asume de inmediato la causa de sus ciudadanos y exige al gobierno mexicano reclama 600 mil pesos en daños y perjuicios, ini más ni menos! Desde febrero de 1838, una flota francesa se acercó a Veracruz y se avocó a bloquear todos los puertos mexicanos desde Yucatán hasta el Río Grande. Es la "Guerra de los pasteles": los franceses tomaron el fuerte mexicano de San Juan de Ulúa, y entran en veracruz el 4 de diciembre de 1838. Antonio López de Santa Anna combate heroicamente contra los franceses y, finalmente, el 9 de marzo de 1839, una poderosa flota británica termina el bloqueo de Veracruz y fuerza a los franceses a retirarse. Así, los mexicanos están convencidos de que la precipitación y el dejarse llevar por la pasión en la defensa de causas cuestionables ya ha existido en la diplomacia francesa, por razones que no son necesariamente las que supuestamente se invocan.

Parte 4

El caso Cassez que debería haberse mantenido en el contexto de "hecho de orden jurídico", en palabras del gran escritor Carlos Fuentes en Reforma, fue llevado a la escena diplomática. No deja sin embargo el registro del espectáculo, de la puesta en escena y de la la construcción deconstrucción de la imagen, en un momento en que sobre la basta escena cultural francesa se anuncia y comienza el Año de México con todo un programa de exposiciones, de proyecciones de películas, de conferencias. La Ministra de Relaciones Exteriores, que fue especialmente cuestionada durante la revolución de Túnez, se expresó ampliamente con desprecio. Evoca una "decisión lamentable" de la justicia mexicana, no duda en negarle a México la calidad de "Estado de derecho", asegura que el gobierno francés "acompañará" las "acciones" de Cassez. ¡Qué suerte para los abogados de Cassez y su familia! Cuando la ministra declaró, amenazante, que las relaciones bilaterales franco-mexicanas se verían afectadas, no se puede dejar de pensar aquí en la "Guerra de los pasteles", que ya mencioné antes! Finalmente ella promete que no asistirá a ningún evento del Año de México. Es interesante notar que la Secretaria General del Partido Socialista se ubica inmediatamente en la misma lógica que la ministra UMP, su partido opositor.

No hay que olvidar que tres instancias judiciales de México se pronunciaron sucesivamente sobre el caso de Cassez y las tres ratificaron la sentencia, negándose a mezclar la forma y el fondo. La última sentencia, del 10 de febrero de 2011, como hemos dicho, fue pronunciada por el Séptimo

Tribunal colegiado Penal del Distrito Federal: los argumentos de vicios de forma interpuestos por la defensa fueron declarados sin efecto sobre el juicio y la convicción de culpabilidad; los vicios de forma, por numerosos que sean, no podrían influir en la determinación de la responsabilidad penal de delito en flagrancia. ¿Por qué, en estas condiciones, los políticos franceses pondrían en duda la independencia de los jueces Carlos Hugo Luna Ramos, Manuel Bárcena Villanueva y Ricardo Ojeda Bohórquez? Al cuestionar su independencia, parecen considerar que la independencia de los jueces no puede ser confirmada más que por una confusión de la forma y del fondo, es decir, por una subordinación a la puesta en escena y lo imaginario. Es la paradoja total, porque también es cierto que los mexicanos no quieren a su justicia, no creen en su justicia, tienen el sentimiento trágico de la corrupción, sin embargo, creen en la democracia de su país, creen que hay contra-poderes en desarrollo, “una democracia desde abajo, al final de cuentas formidable”, como lo afirmó el famoso y lúcido Carlos Monsiváis a Carmen Aristegui en 2009. Y esta democracia es la de las pequeñas comunidades y asociaciones de vecinos o de ciudades, de las asociaciones corporativas, de las ONG’s, etc.³ He aquí que Cassez declara que ella tiene “miedo de una crisis diplomática” en *Le Monde* del 14 de febrero y que ella “quiere” el Año de México se lleve a cabo en Francia, lo que no Entendieron sus padres, que no ven en su hija más que su propia carne y no la imagen que se ha construido de ella y no dudan en exigirle directamente al presidente la suspensión del Año en México. Porque por el glamour de su imagen — y es lo suficientemente fina para haberlo entendido perfectamente — es exactamente eso lo más horrible; una crisis del espectáculo, la escena que se escapa y suscita su desintegración. Porque ella no es más que imagen, o de lo contrario una delincuente común detenida en flagrante delito. Precisamente, el Año de México consiste en representación y espectáculo, palabra e imagen, cultura.

¿Y qué dice la imagen Cassez, según el diario mexicano *La Jornada* del 14 de febrero: “Es necesario que el Año de México en Francia sea utilizado para hablar de mi caso, que se coloquen ahí fotografías de mí, que se discuta mi caso en cada acto... Lo peor sería que me olviden”.

La imagen, siempre la imagen. Mientras que el rector de la UNAM reclama una postura más Firme del gobierno mexicano, he aquí que el presidente francés anuncia el día 14 de febrero, — idía de San Valentín! — que el Año de México estará dedicado a Florence Cassez. Esta decisión no puede ser más que insoportable para los mexicanos.

¡Qué tristeza! ¡El Año de México en Francia será entonces “dedicado”

³ Carmen Aristegui and Ricardo Trabulsi, *Transición: Conversaciones y retratos de lo que se hizo y se dejó de hacer por la democracia en México* (Barcelona: Grijalbo, 2009): 268.

a una condenada por la justicia mexicana por hechos graves! Pero es la condición para que la imagen glamorosa, pantalla que atrapa la vista, pueda hacer que sus defensores saquen el máximo partido del brillo de sus imágenes, en espera de ser sus salvadores, poniéndola de relieve bajo los proyectores, como un altar erigido para ella pero también para ellos. Ella será el tema de sermones para la más grande edificación de los ciudadanos y futuros electores franceses. Al pie de este altar y sobre la misma escena, los "invitados de honor" serán los artistas y los creadores tan magníficos como Carlos Fuentes, Elena Poniatowska, Jorge Volpi, Rivelino... sin olvidar las maravillosas máscaras mayas de jade, los grabados de José Guadalupe Posada, Tamayo, Frida Kahlo y Diego Rivera... No sabría enumerarlos a todos aquí. Sí, realmente, ¡qué tristeza! Que olvido y que desprecio de todos los fuertes e importantes lazos tejidos entre Francia y México, intelectuales, artísticos, políticos, económicos! como lo ha expresado elocuentemente Elena Poniatowska.

Como era de esperar, el 15 de febrero, el gobierno mexicano decidió suspender todos los proyectos. No habrá Año de México en Francia: "Responde México a Francia: ¡Así no!" se puede leer a ocho columnas en el gran diario Reforma. Si el misma Reforma, el 16 de febrero, hizo hincapié en que los partidos políticos de México, el PRI y el PRD, apoyan la decisión del gobierno, también hace la pregunta "¿A quién beneficia el caso?" Carlos Fuentes es entonces citado: "El presidente Sarkozy trata de levantar su popularidad que está en lo más bajo", luego Le Monde: "El partido del señor Calderón manipula el caso Cassez con fines electorales".

El "affaire Cassez" plantea una vez más el problema de la transparencia en las democracias. Si el montaje vídeo ha socavado la credibilidad de la justicia mexicana, la puesta en escena y el uso de la imagen de Cassez nos conducen a otras distorsiones: ¿por qué transformar una nota roja en Asunto de Estado? ¿Porqué no respetar una decisión de justicia, a pesar de las condiciones tan particulares de esta decisión? ¿Existe todavía una "diplomacia" que no sea solamente una historia de imágenes?

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For whom the whistle blows: Welcome to the infinity frontier

Rada Iveković

Immunity concerns nowadays one additional area and dimension that came into existence recently: the space of Internet. The Internet is also one of the possible warzones invested by the military, a fourth theatre — after land, sea, and air. Logistical operations coordinate not only the transfer of data, but also that of labour, knowledge and of populations across borders while, at the same time, borders are constantly multiplying and shifting. These operations act according to control, planning and order protocols that govern all social relations.¹ They are dealt with through immunity too. Whistle blowing is one of the immunity instruments, exercised by formal or informal associations, institutionalised or not so, by various lobbies of such and such a cause and at times even by individuals. Whistle-blowing institutions or networks, quite independently from their positive or negative impact, do not emerge from representative politics. In this respect, they resemble the various rating agencies and other Moody's that now decide on the credit rating of States and thus the fate of the population. Both appear as politics has vanished replaced by economy emerging as a dispersed agency, while globalisation hasn't produced any political subjects whatsoever on the transnational level. They are recognised or aren't, in the myriad of "alternatives" to subjects, subjectivations, subject-positions, agencies *etc.* ... They don't respond either to a "political society" or to a "civil society"... They are between the "public" and the "common", towards the latter rather but not quite, neither civil society nor political society,² between event and awakening, neither black nor white or both, something of a post-representational politics.

Often in ecology, in matters of corruption and generally in all sorts of denunciations of neoliberal capitalism and of the national state on moral grounds — whistle blowers pretend to wake up moral and political awareness. Whistle blowers' actions have come to be useful in many cases and sometimes irreplaceable, often well informed technically and specialised in issues that a larger public, the consumers, and the 'people' (*peuple*, if there is still any such thing) need not know. An equivalent degree of possible fallacy and manipulation goes without saying.

¹ Brett Neilson and Ned Rossiter, "The logistical city": <http://transitlabour.asia/blogs/Logisticity> : Accessed 19.10.2011.

² Partha Chatterjee, *The politics of the governed: Reflections on popular politics in most of the world* (New York: Columbia University Press, 2004).

The reproduction of control: Notes on Althusser's notion of ideological State apparatuses (ISAs) and the use of Machiavelli

Sergio Alloggio

In the constant need to ward things off, you can become so weak that you are unable to protect yourself any more.

— Nietzsche, *Ecce Homo*¹

Encore – a brief interlude

Autour des nomes, la vengeance rôde. Est-ce à jamais?

— Lyotard, *Le différend*²

In this paper first I will briefly address Louis Althusser's notions of Ideological State Apparatuses (ISAs), ideology and their interplay in the formation of a subjugated subjectivity, and then I focus my attention on his Marxist reading of Niccolò Machiavelli to cast light on ideological control, its alteration and limits. When one approaches ideology on a theoretical ground, that is, ideology as a specific category, every kind of approach, whatever it might be called, poses manifold problems. Raising questions about the very existence and definition of ideology, the self-positioning of the inquirer and to what extent these are already political questions that deal consciously or unconsciously with ideology — these are problematic subjects in themselves. However, the degree by which those *spontaneous* questions are *also* ideological is one of the by-products that this paper tries to provide. In this sense, my choice of both Althusser's analyses on ISAs and Machiavelli reveals here its deeply partisan rationale, as it were, its political and theoretical presuppositions.

Since Marx, the turning point in critical thinking about ideology can be located in Althusser because it is mainly with him that ideology gains a *positive* and nontranscendable content, a *plan d'immanence* against Marx's illusionary *bricolage*. In Althusser, via and thanks to Gramsci, ideology ceases to have only negative features (as in Marx and Horkheimer-Adorno, just to cite

¹ Friedrich Nietzsche, *The Anti-Christ, Ecce Homo, Twilight of the Idols, and other writings* (Cambridge: Cambridge University Press, 2005): 95.

² "In and around names, vengeance is on the prowl. Forever?", Jean-François Lyotard, *Le différend*, (Paris: Minuit, 1983): 90.

the most important grandfathers of *negative* ideology), and it starts to be extensively theorised as both autonomous and as a new field of critique.³ Nonetheless, the notion of ideology remains as difficult as ever: its transformation into positive content has not facilitated greater understanding. Slavoj Žižek, a Lacanian leftist philosopher, explains the epistemological challenge of thinking about ideology in his introduction to *Mapping ideology*.⁴ In sum, Žižek claims that “the actuality of the notion of ideology” resides in the short-circuits between necessity and contingency both in inner life and its externalisations, a kind of short-circuit that must be wrought to “point towards the system’s antagonistic character, and thus ‘estrangle’ us to the self-evidence of its established identity”.⁵ Although I agree with the antagonistic role that a critique of ideology must always undertake, with Žižek we have already positioned ourselves in the Lacanian paradigm, which is currently the dominant mode of engagement with Althusser’s work on ideology. The *fantastic* uses and misuses of such approaches have effectively subsumed the political force of his thinking on ISAs.

So much for this brief overture. Let’s see now how Althusser, *still* the father figure in current discussions on ideology and related questions, discusses both the formation and functioning of ideological apparatuses.⁶

“Always-already”: reproduction and imaginary relations at work

Thus what it asserts to be *alien* to consciousness, it directly declares to be *the inmost nature of consciousness itself*.

— Hegel, *Phenomenology of spirit*⁷

In Althusser, ideology becomes a site of conflicting practices, and not only

³ Fredric Jameson, in his introduction to the English edition of Althusser’s *Lenin and philosophy, and other essays* (New York: Monthly Review Press, 2001): xiv; writes that “Althusser’s theory of ideology... offers us one of the most stimulating ‘solutions’ to the dilemma of the incommensurability of individual and collective yet proposed in recent philosophy”.

⁴ Slavoj Žižek, “The spectre of ideology”, in Slavoj Žižek, ed., *Mapping ideology* (London/New York: Verso, 1994): 1-33 [3-4].

⁵ *Ibid.* 7.

⁶ Judith Butler, in *Excitable speech: A politics of the performative* (New York-London: Routledge, 1997): 154; recognizes that “Although Althusser’s own account of interpellation does not suffice to account for the discursive constitution of the subject, it sets the scene for the misappropriation of interpolating performatives that is central to any project of the subversive territorialisation and resignification of dominant social orders”.

⁷ Georg Wilhelm Friedrich Hegel, *Phenomenology of spirit* (Oxford-New York: Oxford University Press, 1977): 335.

ideas and beliefs,⁸ in a way that he claims to ameliorate and supplement Gramsci's insights on hegemony and civil society.⁹ Althusser's general approach is best epitomised by his long article called *Ideology and ideological State apparatuses (Notes towards an investigation)*. In a slightly different form,¹⁰ this article was part of a manuscript dated 1969 and named *Sur la reproduction*, and soon after, in 1970, Althusser published it in a collection titled *Lénine et la philosophie*.

Placing himself firmly in the Marxist tradition and trying at the same time to improve it, Althusser focuses his attention on the reproductive need of every mode of production: "The ultimate condition of production is therefore the production of the conditions of production".¹¹ Therefore, the means of production must be foremost and must always be replicated and this feature is the essential precondition for a dominant social formation to remain dominant. Althusser is very clear on what he calls the founding "mechanism" of capitalism: "the existence of the necessity of the reproduction of the material conditions of production".¹² What I want to stress here is the adamant bond between capitalism, reproduction and conditions of production; I will move to consideration of their political consequences later in this paper. However, "conditions of production" is only a label that links up labour power and means of production, where the latter is simply an agglomeration of lifeless machines unless labour power uses it. Althusser's tactic, so far very close to Marx's, is an functionalist understanding of the mechanism of reproduction: How does capitalism achieve a silent and perpetual reproduction of its labour power?¹³ It is here that Althusser's contribution reveals its originality: the State and its ideological apparatuses are central cogs of the reproduction mechanism. And, more specifically, in capitalism labour power is *created* outside the production structure, mostly by the education system: both dominated and dominant learn how to be exploited and exploit. Schooling in Althusser is thus a chiasmus that hides in

⁸ Louis Althusser, *For Marx* (London/New York: Verso, 1996): 231-237.

⁹ Althusser blames a lack of theorisation in Gramsci on ideology and apparatuses: "Unfortunately, Gramsci did not systematise his institutions, which remained in the state of acute but fragmentary notes". See Althusser, *Lenin and philosophy*, 95, no. 7.

¹⁰ See Warren Montag, *Louis Althusser* (New York: Palgrave, 2003): 156; to understand the political reasons that led Althusser to make some changes in the original article collected in his *Sur la reproduction*.

¹¹ Althusser, *Lenin and philosophy*, 85.

¹² *Ibid.* 87.

¹³ Michel Pêcheux points out that "[i]n reality, the reproduction, just as much as the transformation, of the relations of reproduction is an *objective process* whose mystery must be penetrated, and not just a state of fact only to be observed". See Pêcheux's brilliant article, which has a kind of quality often lacking in Althusser's studies on ideology, "The mechanism of ideological (mis)recognition", now in Slavoj Žižek, ed., *Mapping ideology*, 141-151 [145].

its centre ideology and subjugation as pumping heart. Skills, know-how and rules, these are what the school apparatus provides on a large scale — a kind of scale that ranges from basic learning for “manual workers” to PhD programs for “the agents of exploitation and repression”.

It emerges that Althusser wants to explain the reproduction of labour power and, since this mechanism happens in the social context, he is forced to address the most important social institution, that is, the State. It is not by chance that the State in Marx has been discussed only in a *negative* form; within Marxism it has clearly been difficult to theorize otherwise. In Althusser, however, we find a full critique of what he considers to be Marx’s poorly sketched version of the State as repressive institution. Using the Marxist dual *topique* (infrastructure-superstructure), Althusser declares that in his analysis he will use the point of view of reproduction. But before any discussion of how he introduces ISAs, what they are and how they operate, it will be useful to follow his *diaeresis* of the superstructure, from the genus State to specific ISAs, a kind of *diaeresis* that operates from the point of view of reproduction: the State and *how* it lasts, *how* “the mechanisms of the State” reproduce themselves. The State is first split by Althusser into State power (the site of political struggle) and State apparatus. Since the reproduction of conditions of production is what matters here, the State apparatus “may survive political events which effect the possession of State power”.¹⁴ The State apparatus is made of repressive State apparatuses (RSAs) and ideological State apparatuses (ISAs). RSAs are those apparatuses that function primarily by both violence and repression, and only loosely by ideology. In Althusser’s own terms RSAs are “the Government, the Administrative, the Army, the Police, the Courts, the Prisons, etc.”; ISAs, on the other, include:

the religious ISA, the educational ISA, the family ISA, the legal ISA, the political ISA (the political system, including the different Parties), the trade union ISA, the communication ISA (press, radio and television, etc.), the cultural ISA (Literature, the Arts, sports, etc.).¹⁵

ISAs are consequently run and fuelled by ideology and only vaguely by violence and repression. But, what is ideology? My position, following Althusser, is that ideology is the controlled site where the reproduction of the means of production *and* imaginary relations meet — and that site is subjectivity, that site is *us*. When I use the phrase “controlled site” I condense the task RSAs undertake to secure the reproduction of reproduction. As Althusser explains:

¹⁴ Althusser, *Lenin and philosophy*, 94.

¹⁵ *Ibid.* 96.

The role of the repressive State apparatus, insofar as it is a repressive apparatus, consists essentially in securing by force (physical or otherwise) the political conditions of the reproduction of relations of production, which are in the last resort *relations of exploitation*. Not only does the State apparatus contribute generously to its own reproduction (the capitalist State contains political dynasties, military dynasties, etc.), but also and above all, the State apparatus secures by repression (from the most brutal force, via mere administrative commands and interdictions, to open and tacit censorship) the political conditions for the action of the ideological State apparatuses.¹⁶

The existence of RSAs serves to secure the safe reproduction of ISAs within the capitalist mode of production. Violence and repression come on stage mostly to fill a lack of ideological fluid in the mechanism of reproduction. It is as if, in Althusser's rhetorical economy, the more ideology supplies the reproduction with its *spontaneous* reliability the less violence and repression need to be invoked to regulate the reproductive mechanism. Althusser's example of schooling as the leading ISA in modern societies, the best and most *natural* maker of control, reveals here the interplay between RSAs, ISAs and reproduction. Modern capitalism secured its reproduction when it won its ideological struggle against feudal aristocracy, when it succeeded in replacing the Church with the School ISA and, finally, when it achieved the "ideological hegemony indispensable to the reproduction of capitalist relations of production".¹⁷ The "educational ideological apparatus" is the real "dominant ideological State apparatus", not the political ISA, and the reason, once again, resides in the point of view of reproduction. Had the bourgeoisie only taken control over the political ISA, it would have only meant a temporary victory and it would not have secured the reproduction of the capitalist mode of production. But the separation between RSAs and ISAs, is only an apparent one since they mutually constitute one another. The educational ISA happily receives raw material to be informed generation by generation: on the one hand with basic skills in the case of workers, and on the other hand with know-how and intellectual knowledge in the case of "technicians... agents of exploitation... repression... and professional ideologists".¹⁸ The educational ISA teaches the ruling ideology that replicates in itself while it functions and, most important, it does so in a completely hidden way:

The mechanisms which produce this vital result for the capitalist

¹⁶ Althusser, *Lenin and philosophy*, 101.

¹⁷ *Ibid.* 103.

¹⁸ *Ibid.* 105.

regime are naturally covered up and concealed by a universally reigning ideology of the School, universally reigning because it is one of the essential forms of the ruling bourgeois ideology: an ideology which represents the School as a neutral environment purged of ideology, where teachers respectful of the 'conscience' and 'freedom' of the children who are entrusted to them (in complete confidence) by their 'parents' (who are free, too, *i.e.* the owners of their children) open up for them the path to the freedom, morality and responsibility of adults by their own example, by knowledge, literature and their 'liberating' virtues.¹⁹

There is in Althusser an oscillation between definitions of ideology and its different facets.²⁰ The "ruling ideology", that is the ideology of the ruling class, is what unifies ISAs and their specific ideological dynamics. But there are also "regional" ideologies which have particular histories and this dispersion leads Althusser to propose "a theory of ideology in general".

There are also several remarks in Althusser's article about ideology "in general" and the fact that this general ideology "has no history". The reason why general ideology lacks history resides in its specificity, in its permanent functioning in class societies: Althusser characterises this permanent lack of history as "eternal", relating this feature to the same permanent lack of history that Freud ascribed to the unconscious. The function of general ideology is to provide human beings an "imaginary relation" between themselves and the conditions of production of their society. The relationship is subtle as much as it is essential: ideology is not a relationship between subjects and the real conditions of production/exploitation, on the contrary, ideology is the link between subjects and how they *eternally* imagine those real conditions of production. Something must be added here as a brief digression: if there is a hole in Althusser's rhetorical economy it is in the passage from the theoretical form of general ideology to its material and regional content, which is a leap of faith. Althusser asks the reader to suspend her critical approach when it comes to justifying the "affirmative form" of the "material existence of 'ideas or other 'representation' "²¹ as regional ideologies. In addition to that, there is a lack of theorisation about the different material forms ideologies take (Althusser simply cites Aristotle's *pollachôs legesthai* regarding matter modalities).

But what matters here are Althusser's reflections on specific ISAs and their material grip on subjects, the ways in which ISAs and imaginary relations

¹⁹ *Ibid.* 105-106.

²⁰ The best distinction between ideology in general, dominant ideology and ISAs can be found in Pêcheux, "The mechanism of ideological (mis)recognition", 146.

²¹ Althusser, *Lenin and philosophy*, 112.

structure subjectivity. Here, in the nexus ISAs/subjectivity we have another *diaeresis* (from apparatus to belief) in Althusser. A supposedly free subject, who acts according to his own free will and beliefs, follows his inner *ideas* that will produce *actions* themselves included into a series of *practices* whose context is a *ritual* always happening in the reign of a specific ideological apparatus: “ideology talks of actions”.²² What drives subjects, right from the beginning to the end, is (the materiality of) the specific ISA in which they are *living*:

It therefore appears that the subject acts insofar as he acted by the following system (set out in order of its real determination): ideology existing in a material ideological apparatus, prescribing material practices governed by a material ritual, which practices exist in the material actions of a subject acting in all consciousness according to his belief.²³

The main thesis, although counterintuitive, is clear: ideology produces subjects and the more produced subjects perceive themselves as free agents the better ideology is disguised. Althusser talks of a “double constitution”, the primary law of the nexus ideology-subjectivity: “the category of the subject is only constitutive of all ideology insofar as all ideology has the function (which defines it) of ‘constituting’ concrete individuals as subjects”. We are reaching the crucial point in Althusser’s theory of ideology: subjectivity as *effect* of ideology. The natural *évidence* of being a subject is an ideological effect that, once it is worked out, leads to “ideological recognition”, itself being one of the two “functions of ideology as such”, that is the couple recognition-misrecognition (*reconnaissance-méconnaissance*). What is at work here, in the most elementary structure of subjectivity, what makes an individual being a subject, is the reproduction of ideology in its material facade called “concrete subject”. And this mechanism is activated “always-already” (*toujours-déjà*) by “interpellation” or “hailing” — it does not matter whether the interpellation comes from social or private contexts. Individuals obtain their subjectivity (their most *obvious* extra-ideological nature) from ideology via interpellation. Judith Butler, one of the few thinkers to have analyzed this counterintuitive dynamic outside of the Lacanian paradigm, explains that: “the act of recognition becomes an act of constitution: the address animates the subject into existence”.²⁴ Subjectivity becomes an *effect* of an already reproductive

²² *Ibid.* 114.

²³ *Ibid.* 115.

²⁴ Butler, *Excitable speech*, 25. Butler’s main thesis is that the body, that is a bodily performativity, is the only way to reconfigure Althusser’s theory of ideology beyond the constraints of inherited foreclosures and authoritarian interpellations. The body in Butler’s text plays this role but it can do this only through a living performance of an

force (ideology as ISAs) that is constantly replicated to produce the *evidence* of being a (free) subject. More clearly, ISAs secure their social reproduction producing “always-already” subjugated subjects: subjectivity is *reproduction*² (the first time, a *real* reproduction since it comes from the reproduction of the conditions of production through RSA plus ISAs, the second is *imaginary* as it is the reproduction that comes from ISAs through individuals). My thesis is that the *always* of the conditions of exploitation and the *already* of subjugated subjectivity mark the rhetorical rhythm of Althusser’s theoretical strategy. The controlled site to which I referred earlier, where ideology and subjectivity meet, the controlled site that is us, is marked by the reproduction that *always already* produces replicated effects that are *always already* caught in ideological apparatuses. The hypothesis that I want to elucidate in the concluding section is that it is in his reflections on Machiavelli that Althusser gives us insight on how to break into the seeming impenetrability of ISAs and to change them.

Political practices against ISAs

Ideology is very much more, here, than the ideas and beliefs of particular classes or groups. It is in effect, *with only limited exceptions*, the condition of all conscious life.
— Raymond Williams²⁵

I would like to end this paper with the challenge that I perceive within Althusser’s philosophy to the golden cage that ISAs represent. In *For Marx* Althusser clearly declares that in “non-theoretical ideologies” it is possible to produce “ruptures and breaks”, and these are “*political* (effects of political practice, of great revolutionary events) and not ‘epistemological’ ”.²⁶ It is precisely here that I connect Althusser’s *Marxist reading (lecture)* of Machiavelli’s “theory of the New Prince” with the possibility of producing a

actual speech — in fact her analysis fails to address the reproduction of a nonsubjugated writing (*Ibid.* 151), a kind of practice and difficulty that simply disappears in the concluding pages of the book. Therefore, it is not by chance that throughout her text the Althusserian *toujours-déjà* is replaced by a recurring “always and only”. It must also be pointed out that in *Excitable speech*, Butler’s use of Derrida in the most strategic junctions of her reasoning is restricted to only two of Derrida’s influential articles, “Structure, sign and play in the discourse of the human sciences” and “Signature, event, context”. There is no mention in her book of *Of grammatology*, Derrida’s most materialistic approach on *écriture*.

²⁵ Raymond Williams, “Crisis in English studies”, in *The Raymond Williams reader* (Oxford-Malden: Blackwell, 2001): 262; my emphasis.

²⁶ Althusser, *For Marx*, 13.

collective rupture into ISAs. I shall restrict my reading to Althusser's manuscript published in English as *Machiavelli and us*.²⁷

Although I cannot analyze Althusser's book in detail here, I hope that a brief sketch of his views on Machiavelli will illustrate my point. In Althusser Machiavelli becomes the theorist of political *beginnings* as *ruptures*. Althusser's reading of Machiavelli's reflections on renaissance Italy as a fractured land in need of a national state form, as well as the conditions for the emergence of a figure capable of unifying Italian monarchist states ("the New Prince"), points to "aleatory conditions" as the fundamental features that make Machiavelli's thinking "gripping, but elusive, and thus strange".²⁸ One of the features of Machiavelli's *dispositif* is the necessity of a contingent *encounter* between "the New Prince" and the rest of his political adventure (*virtù* plus fortune). Another is the kind of political practice that has to be thought *from the present* and then acted out in the future. The last feature of Machiavelli's *dispositif* is a theory that is "condemned to thinking the possible at the boundary of the impossible".²⁹ All these three general features concur to make Machiavelli, in Althusser's eyes, "the first theorist of the conjuncture".³⁰

What I term here the *Machiavelli conjuncture* is a revolutionary political practice that can break the panoptical dimension of ISAs. In order to do so, the revolutionary group, "the New Prince", must achieve the following material goals: a) the new political formation must not be related to an already established party; b) it must raise an independent militia, an operation that, while it takes place, will produce the seeds for a set of counterISAs;³¹ c) the new political formation must act following what Althusser terms the "people point of view" to restrain dominant groups and their relative ISAs;³² d) the final taking of control and manipulation of ISAs, including the use of "fraud", will both consolidate and enlarge the "political base".³³ This materialist practice, begun in the *theoretical absence* of the current ideological configuration, is also "located in the social space in which it intervenes"³⁴ and ends in a deconstruction of ISAs — Althusser is fully aware that even in a classless society there will always be ISAs.

If there is no way to escape ideology from a subjective point of view,³⁵

²⁷ Louis Althusser, *Machiavelli and us* (London-New York: Verso, 1999).

²⁸ *Ibid.* 6.

²⁹ *Ibid.* 56.

³⁰ *Ibid.* 18.

³¹ *Ibid.* 83-89.

³² *Ibid.* 59-60.

³³ *Ibid.* 90-102.

³⁴ *Ibid.* 127.

³⁵ The individualistic dead-locks in which Lacanian thinkers are stuck when they try to read Althusser only through specific Lacanian notions inevitably block these thinkers

there is still a way to break through ISAs and then produce a better configuration of them. This path is only practicable via a collective, political rupture and *Machiavelli and us*, if it is read as a political program against ISAs and the theses of Eurocommunism, shows how that is possible. In this sense, *Machiavelli and Us* is Althusser's *Communist Manifesto*.³⁶

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to consider ISAs as ideological sites for political struggle, that is collective practices. See Mladen Dolar, "Beyond interpellation", *Qui Parle* 6, 2 (1993): 75-96; Rastko Močnik, "Ideology and fantasy", in E. A. Kaplan and M. Spinker, eds., *The Althusserian legacy* (New York: Verso, 1993): 139-156; Grahame Lock, "Subject, interpellation, and ideology", in A. Callari and D. F. Ruccio, eds., *Postmodern materialism and the future of Marxist theory: Essay in the Althusserian tradition* (Hanover: Wesleyan University Press, 1996): 69-90; and Robert Pfaller "Negation and its reliabilities: An empty subject for ideology?", in Slavoj Žižek, ed., *Cogito and the unconscious* (Durham: Duke University Press, 1998): 225-246.

³⁶ Althusser, *Machiavelli and us*, 127-130.

Whistle blowers as immunity agencies are interested, we might say, in the political unconscious and in its deadly effects and appeal to morals. A big portion of them, or some sectors, are voluntarily anonymous or secret by precaution, in a world where international law has a doubtful future since the till recently largest player (USA) doesn't recognise any higher office than its own will (still carrying out extra judiciary killings around the world [2011] after extraordinary renditions *etc.*). Many of the whistle blowers promote some such security that doesn't serve either the state or the international system of states or big corporations. They may promote some kind of citizen's 'security' or interest, and it is often the case that such 'citizens' do not correspond to the traditional description of a citizen loyal to or subordinate to a state. Some transnational whistle-blowers also promote (but do not "represent") interests of transnational citizens, of migrants. They may operate over the Internet or other social media, but need not be concerned by only cyber-activity. In any case, the latter is now inextricably connected to all the rest. They are feared by states and business alike (showing that the two are not to be disentangled), and can become the targets of security as much as they can contribute to it.³ Some can even engage in action, in sabotage, in anarchistic and borderline operations, in banking and finance, since 'whistle blowing' is not innocent and not completely distinguishable from other activities and associations... The *performative mode* appears clearly in it. Wikileaks' doing is an example of that, although the information it publishes is not necessarily original. But the *fact of publishing* it was politically performative. We have seen how Julian Assange was tracked down as the greatest of terrorists, however ambiguous and really inscrutable to the public eye his personality and his doing. He is perceived by the public as some kind of Robin Hood, outlaw for a good cause. The question of the politics (the 'cause'), of the subject ('who?' — except that the latter concept is indeed put into question by whistle blowing — an ever evading, evasive 'subject'), as well as of the ethics of whistle-blowing will be posed. But generally speaking, no concept opens the question of its own origin, or the question about the axiom that launches it... So whistle-blowing introduces a blurred inter- or overlapping no-where 'space', difficult to locate and identify, between state and (civil) society, a secret space between politics and social issues, between subject and object. It is one that would not be recognised as political by a more traditional appreciation of politics, because the latter proceeds from an originally monotheistic and hierarchical configuration where official single truths erase or dissimulate all other and alternative lines of knowledge, of law, of value.

³ "The threat of cyber-attack is driving States and corporations to devote ever-greater resources to meet the challenge. The accompanying debate about the scale of the risk has profound implications for the future of the internet", says Ben Schiller, "Cybersecurity: Politics, interests, choices": <http://www.opendemocracy.net/ben-schiller/cybersecurity-politics-interests-choices> : Accessed 19.11.2011.

Whistle blowing disturbs one-dimensional immunity, the suicidal immunity directed paradoxically in principle toward preserving oneself from others. That immunity is eventually suicidal in a universe of interdependence, because it is in the first place murderous and it pretends to eliminate all risk. A different and shared immunity encompassing the other, however, needs to accept and share some risk. There is a risk-cost dynamic.

Immunity is usually taken as protection of a closed organism or group against the external other, although the other is not necessarily, and in a way never, totally external. A prospective philosophy for the future, based on an *ecological* and *emancipatory imperative*, needs to be cautious (*prudent*) but it also needs to expand the principle of immunity in order to comprise others. Being cautious means being wary and responsible regarding life preservation, regarding the solidarity of all forms of life (*karma*), regarding knowledge as one of the production forces. It will allow avoiding a “waste of (alternative) knowledge”⁴ and accessing such emancipatory and “decolonial” knowledge that it shared by multifarious worlds within globalisation (within a world society) and within intersecting networks. In such knowledge the other(s) in space and time are not forgotten, although they may not be intimately present. In such a world, immunity is not directed against the other, since the other is part of us,⁵ but is reciprocal and interrelated in a space and time of interdependence. In this scenario, humanity is not the option, but is comprised as a possible perspective among many others in a universe of multiple alternative knowledges, forms of life, juridical regimes and labour relations. Integrating the other(s) also means integrating ‘abstract’ others into a real experience that surpasses abstraction through engagement and solidarity with unknown contemporaries, with future generations and with other places. It means decentering the world from oneself individually, but also from one’s particular culture or community. Asian philosophies are well acquainted with the ideal of not putting oneself in the centre, not developing the office of a subject, restraining egoism. This is set in a world where life-and-death are seen as one. If we put aside abstract (and hierarchical and hegemonic) universalism, says Sloterdijk, we can only draw on a “universal immunology” for this.⁶ Such universal immunology reaches beyond the individual and the collective, encompassing them. It concerns smaller and

⁴ Boaventura de Sousa Santos, *A crítica da razão indolente. Contra o desperdício da experiência* (São Paulo: Cortez, 2000).

⁵ Roberto Esposito, “Communauté, immunité, démocratie”, *Transeuropéennes* #17, *La fragilité démocratique* (1999): 35-45; Jean-Luc Nancy, *Communitas. Origine et destin de la communauté*, précédé de *Conloquium* (Paris: PUF, 2000); *Immunitas. Protezione e negazione della vita* (Turin: Einaudi, 2002); *Bíos. Biopolítica e filosofia* (Turin: Einaudi, 2004).

⁶ Peter Sloterdijk, “Co-immunité globale. Penser le commun qui protège”, *Multitudes* 45 (2011): 42-63.

bigger units. It means reciprocal, interrelated or “universal” immunity that allows different communities, life forms, labour formations or social configurations to coexist in interdependence, in systems of *shared immunity* that include more than one and that therefore are not solely exclusion mechanisms. It will certainly apply to different individuals or ensembles differently and unequally in different regions of a given ‘territory’, depending on the density of tension between emancipatory and regulating tendencies. Immunity, and especially reciprocal immunity, is thus not only a closure instrument, but also one of opening, sharing and mutual protection. Any kind of social organisation, from the smallest to the largest, is therefore primarily a relation, a process, a becoming (*devenir*) in reciprocity-and-relation and an individuation, including for individuals.⁷ It is not something given and already there. The individuation of individuals includes sharing and reciprocity (as that which is common; the common in the making), which is its condition for emancipation and for breaking beyond mere regulation. The “poetics of relation” acknowledges relation as primary and preceding any “identity”.⁸ In exactly the same way, the transnational precedes and creates the “national”,⁹ and translation precedes language,¹⁰ rendering possible (but also overcoming) “identity” *etc.*, and rendering its overcoming possible.¹¹

New surveillance and secret intelligence techniques (as well as their leaking in public) belong to the new surroundings of weakened state sovereignties and their surrender to the decentred domination of autonomised *transnational and globalised economic interests* that have no aim in developing social good, welfare or gross national happiness. The predominance of economy over state political and social aims is now accompanied by the autonomisation of financial capital that is not based on material production, but on speculation over fictive values, and which doesn’t respond to representation. Technologies of surveillance and corresponding

⁷ Gilles Deleuze and Félix Guattari, *Mille plateaux* (Paris: Minuit, 1972).

⁸ Edouard Glissant, *Poetics of relation (Poétique de la relation)*, Betsy Wing, trans. (University of Michigan Press, 1997).

⁹ Naoki Sakai, “Translation and bordering”, paper at the conference “Borders, displacement and creation”, Porto University, August/September 2011.

¹⁰ R. Iveković, “Langue coloniale, langue globale, langue locale”, *Rue Descartes* 58 (2007): 26-36; “Traduire les frontières. Langue maternelle et langue nationale”, *Asylon(s) — La revue des deux asiles* 4 (2008), dossier “Institutionnalisation de la xénophobie en France”, sous la direction de l’*Observ.i.x*, <http://terra.rezo.net/article749.html>; “Translating borders/Traduire les frontières. Borders in the mind/partage de la raison”, dossier “Sans papier”: http://www.einaudi.cornell.edu/french_studies/publications/index.asp?pubid=4017; “The watershed of Modernity: translation and the epistemological revolution”, *Inter-Asia Cultural Studies* 11, 1 (2010): 45-63.

¹¹ Bruno Latour, “Il n’y a pas de monde commun: il faut le composer”, *Multitudes* 45 (2011): 39-41.

intelligence are found on all sides of the divide: they are developed by transnational financial interests (as economic surveillance and intelligence serving transnational corporations), they are carried out by states in order to serve national interests and protectionism, and they may also be practiced by individual initiative, all of it in a rhetoric of depoliticised moral discourse 'in the name of the people', but outside any representational context. Intelligence and surveillance, as much as finance speculation, or as age-old espionage, has never been voted in any classical electoral system, but is all the more imbibed with a 'citizen' and 'public good' rhetoric, secretly speaking for the 'people' rather than by it. Bankers have never been elected and yet they now govern our lives more than politicians. An essential part of this mechanism is the desemanticisation and twisting of the meaning of words, creating consensual moralising 'newspeak' beyond politics. Politics, in the sense of a tension and battle between different political projects and interests is nowhere to be found any more. But representative politics has been deserted or given up at the other side of the spectrum too: on the side of the people (as well as the 'people'), *i.e.* on the side of those who used to be known as 'subject' and 'agency'. These have evaporated into politically unrecognisable forces and have partly reduplicated themselves into the immaterial spheres of Internet, of wishful thinking and also of new forms of knowledge. In cognitive capitalism as a changing paradigm, they operate from within and are not easily identifiable (yet). Representational politics, as the basis for democracy, is now completely compromised from opposite sides. But however compromised it is, the fact of uncontrolled surveillance, of spying, the threat of Internet public leaks, intelligence's usurpation of citizens' networks as well as of the related lack of respect for any democratic international politics and for international law on the side of the now agonising hegemonic power (the USA; but smaller players follow suit) — make one be nostalgic for representational political practices however moribund they are.

The end of the Cold War announced the end of representational politics, a feature of a globalisation without any political project and with no distinction between left and right. Military and medical control, monitoring through welfare tools and classification, electronic technologies spying on private individual lives from the 'inside' gather data on a more and more passive 'population'. Politics has abdicated to economy; the 'public sphere' is saturated with 'information' to the point of being strangled, of being completely non-selective and of lacking criteria (Wikileaks included), while attention is being diverted by the creation of data-gathering scandals or scandalous public figures (financial, economic, sexual, political, moral — abusive of power in any case) and camera footage of their lives. 'Moral power' is enhanced and comes to the fore through accepted public rhetoric and a calibrated vocabulary, often fuelling on the divide of 'good' and 'evil', usually corresponding to 'us' and 'them'. Identity politics, which is no politics at all, is

thus ushered in (again).

State politics (individual states and the 'international community') responds to the building of the afore-said reciprocal immunity by constantly restructuring immunity as exclusive of others with a view to perpetuating itself/oneself. Riots in French suburbia in 2005 or in England in August 2011 — are designed as apolitical and as 'mere crime', the deadly attack in Oslo by a lone bomber in July 2011 is depoliticised and explained as an exception. All along, the state and the 'international' system, will function as the context producing, breeding, reproducing and fighting 'terrorism' or whatever the enemy of the day is, formerly by politics, regimes and periods of terror, and more recently by *generalised terror on a bigger and international scale in the form of inconclusive and pre-emptive wars and enforcing democracy through military means*, in the name of national, state and global security.¹² The latter will also take individual security as a pretext. The scandal, by which US intelligence agencies had acknowledged that the war against Iraq boosted and dispersed a myriad of small and disconnected terrorist groups, in fact allotted them — and thus 'connected' them to — the label of Al Qaeda, only confirming the matter.¹³ This had become a double-edged question in which the two sides — '(Islamist) terrorism' and the '(Western) war on terror' mutually constructed each other as opponents. National and state security is clearly not concerned with the security of the individuals, of the people and of collectivities, but mainly of states and of the ruling class.¹⁴ This makes it very difficult to amend the general social context of such events.

If we are to understand complex global processes in the making, their actors should never be described as pre-existing their engagement. In *naming* terrorists, the latter are predefined as being prior to their taking part in those processes. Terrorists do not pre-exist terrorism. Terrorism's

¹² Papers at the conference "Societies, States, "terror" and "terrorism" — A historical and philosophical perspective", Paris 2-4 Nov. 2006; Ranabir Samaddar, "Philosophies and actions in the time of terror"; Alain Brossat, "Demandez le programme! Quelques réflexions sur le "extraordinary rendition program"; R. Iveković and Ranabir Samaddar (sous la dir. de), "Terreurs et terrorismes", in *Rue Descartes* 62 (2008); Samir Kumar Das and Rada Iveković (dir. par), *Terror, terrorism, States and societies. A historical and philosophical perspective* (Delhi-Calcutta: CRG-Women Unlimited, 2009).

¹³ Mark Mazzetti, "War in Iraq is nurturing terrorists, study finds"; Brian Knowlton, "Tough talk over Bush's handling of threats", in the *International Herald Tribune* (25-9-2006): 1; and other articles.

¹⁴ R. Iveković, "Terror/ism as the political or as heterogeneity", *Accedit* (18.12.2007): <http://www.accredit.com/auteur.php?id=82>; *Democracy, conflict and human security: Pursuing peace in the twenty-first century*, Judith Large and Timothy D. Sisk, eds. (Stockholm: International IDEA Institute for Democracy and Electoral Assistance, 2006); also Judith Large, "Democracy and terrorism: The impact of the anti": <http://www.idea.int/conflict/upload/Democracy%20and%20Terrorism.pdf>. : accessed 19.11.2011.

globalisation is not necessarily or not only achieved through networks and connections among insurgent groups themselves, or among those who commit such acts, but also to a great extent through the international networks of intelligence, state cooperation from law to security, surveillance, through counterinsurgency and anti-terrorism, all seeking immunity for 'their' lot. There are national, international and now also global 'security realms', interlinked.

Characteristically since 9/11, 2001, 'terror/ism' and security as a topic have globally dominated international political discourse, until this last period when financial speculations took it on themselves to further make politics non-existent:

We will direct every resource at our command — every means of diplomacy, every tool of intelligence, every instrument of law enforcement, every financial influence, and every necessary weapon of war — to the disruption and to the defeat of the *global terror* network... And, finally, please continue praying for the victims of *terror* and their families, for those in uniform, and for our great country. Prayer has comforted us in sorrow, and will help strengthen us for the journey ahead... We will come together to give law enforcement the additional tools it needs to track down *terror* here at home. (Applause). We will come together to strengthen our intelligence capabilities to know the plans of *terrorists* before they act, and find them before they strike. (Applause). ...*Some speak of an age of terror*. I know there are struggles ahead, and dangers to face. *But this country will define our times, not be defined by them. As long as the United States of America is determined and strong, this will not be an age of terror; this will be an age of liberty, here and across the world.*¹⁵ (Applause).¹⁶

Thus, "terror" is not, with Bush, something pertaining to the higher office of the state or some such instance.

'Terrorism', called "terror" in Bush's twist of language, is nevertheless created and maintained by the state in a process of declared reciprocation. The latter is, however, damageable in the long run, in the sense of corrosion of solidarity and confidence, as well as for politics, legislation and state-construction. The states play the game of the terrorists when they curb liberties and human rights, whereby a general erosion of social stability and a

¹⁵ My emphases.

¹⁶ George W. Bush, "Address to a joint session of Congress and the American People", United States Capitol, Washington, D.C., *The White House Release*, <http://www.whitehouse.gov/news/releases/2001/09/20010920-8.html> : Accessed 19.11.2011.

global deficit in peace develop worldwide. Terrorists look for provocation, whereby they redirect the military, intelligence and security efforts of states — towards the states' own populations. They disrupt whatever immunity-pact had been worked out.

The state frames the society including what is euphemistically called civil society. The distinction between the two is highly constructed and instrumental in the course of imposing and preserving order.

Partha Chatterjee¹⁷ and Kuan-Hsing Chen¹⁸ explore these questions with regard to India and greater China: while Chatterjee introduces the concept of “political society” and displaces political activities by the people from the bottom into “political society” from the long deactivated “civil society” of colonial origin,¹⁹ Chen confirms the limitation of “civil society” and resorts to the alternative concept of “min-jian”. Both imply that the concept of the “political” is normative (as well as being of western and colonial origin), and because of that, of no use. It belongs to the sphere of make-believe, of official truth and of corrupt one-dimensional language, together with such other terms as ‘democracy’ *etc.* Such rhetoric, sustained mainly by states within the ideal framework of ‘sovereignty’, covers a reality and real life by the pretence of an ideal, as if the ideal ‘were true’.

Through these boundaries and borderlines moving to and fro, cutting across national susceptibilities, state-building, constitution through various types of institutionalisation including through mobile forms of socialisation and work, through the more recent economic boom and bust, through the technological superiority characteristic of present day Asia and the new dimensions opened by the Internet, new media and social networks, the “political society” of Partha Chatterjee²⁰ seems to be fast overridden. Not only is it not anymore any particular alternative to the “civil society” or to the all-pervasive and ever adaptable alternative (Chinese) “min-jian” (Kuan-Hsing Chen)²¹ or the more traditional but also very modern “guanXi” (Aihwa Ong)²²:

¹⁷ Chatterjee, *The politics of the governed*, 2004.

¹⁸ Kuan-Hsing Chen, “Civil society and min-jian: On political society and popular democracy”, *Cultural Studies* 17, 6 (2003): 876–896, [883]; *Asia as method. Toward deimperialisation* (Durham: Duke University Press, 2010).

¹⁹ For Asia, the distinction between political society and civil society can be seen differently and can be practically reversed, starting from Partha Chatterjee’s analyses of colonial and contemporary India. For Chatterjee, civil society had been most innovative during the colonial period in the occupied “non west”, driven by modernity. Since independence, political creativity has been more present with “political society”, opposing the vindication of democracy to the conquests of modernity, and consequently multiplying the latter in numerous and alternative modernities.

²⁰ Chatterjee, *The politics of the governed*, 2004.

²¹ Chen, *op. cit.*

²² Aihwa Ong, *Flexible citizenship: The cultural logics of transnationality* (Durham: Duke University Press, 1999); *Neoliberalism as exception. Mutations in citizenship and*

“political society” is indeed itself not particularly political anymore at all, as it is drowned into the governance of governmentality somehow without being caught into the networks of old (*guanXi*) or new (Internet; migrant labour), and it is also nowhere near the epistemological revolution which is being prepared worldwide in order to overcome the coloniality of power, including the power of knowledge.

New immunity frontiers, drawn by unknown and un-transparent agents such as whistle-blowers or rating agencies, do not represent anyone, but claim a ‘universal’ moral standing, neutral and depoliticised, and claim to promote the interests of individuals (in the plural) in the name of some ‘well-known and agreed-upon’ common good or project. The latter is unquestionable and usually amounts to market ideology. It is not clear that there is any such transnational political and socially *conscious* common project in globalisation, and by known agencies. It seems that it is since the end of the Cold War and the end of its ideological opposition that politics, as a tension confronting projects, has disappeared. It is not any more in the hands of the states, whose sovereignty is eroded and subordinate to transnational and corporate economic interests. Is it in the hands of the ‘people’ (if such a category is still pertinent) as the reverse to the state of affairs and as resistance? If so, the spectrum is large: on one end — the more likely to be politicised — are the migrants and migrant labour. On the other, the ‘indignant’ across many countries and now continents, not asking any more for a maximum or an excess as revolutionaries once did, but demanding a minimum within the system maintained. Among these are the new homeless and despoiled victims of banking, as real-estate fraud and financial bubbles lead by speculative financial interests. Like the migrants, the indignant too do not appear *yet* as political. But this may change, as our concept of the political opens more to reciprocal immunity. Migrants are beyond the abyssal lines or on the border, as *borderers* uncomfortably inhabiting the lines of division. They are those who nowadays ‘threaten with contagion’, while the indignant are within, and suffer from local ailments.

As hyper-immunisation progresses, the indignant, the migrants and migrant labour too have to deal with and choose from a Universalist and a particularist approach. Those may be better off who take care of both aspects.

The whistle blows in the wind. It may come this way, or any way. While it takes the whole horizon and all our attention, mimetically followed by the media, it is not clear who blows it or for whom, which means that no

sovereignty (Durham: Duke University Press, 2006); *Underground empires. The cultural politics of modern Chinese transnationalism*, Aihwa Ong and Donald M. Nonini, eds. (New York and London: Routledge, 1997); *Global assemblages. Technology, politics, and ethics as anthropological problems*, Aihwa Ong and Stephen J. Collier, eds. (Malden MA/Oxford UK/Carlton Australia: Blackwell, 2005).

~ Rada Iveković ~

political orientations are available. Or no 'value' if you prefer (but I don't), no criteria. And this has to do with the configuration of our knowledge and perception, not only with social and political issues. We probably need to deeply reconstruct our geography of reason and knowledge, drawing also on other continents and parts of the planet as well as on alternative knowledges within a now transformed world.

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The fateful click: Soft surveillance in today's control society

Reingard Nethersole

What could be more persuasive in our everyday digital high-tech world than the imperatives “google!” and (in Facebook-speak) “friend!”? Who would suspect these two hortatory commands that on the one hand urge us to look for information online, and on the other to join the 800 million active users of the social networking site Facebook¹, of opening the arena of ever more encompassing global surveillance? How can it be that an innocuous mouse click makes me part of the act of observing while simultaneously allowing for the condition of being observed? After all, neither my personal Internet search for knowledge nor the reassurance with which “Facebook helps you connect and share with the people in your life”, as the site asserts, seem to have anything to do with the proverbial, more sinister Orwellian Big Brother “hard” surveillance with CCTV cameras, nowadays surreptitiously installed in shops and on buildings along city streets and public squares.

Yet from the same “hypertechnology”² derives what I call “soft surveillance”, that is data in digitised form collected from increasingly mobile computerised devices in homes and cars for the benefit of free-market commerce, in contrast to “hard surveillance” that in the name of the state electronically assembles and sifts data ostensibly for the purpose of protecting communities and keeping the population secure. That is to say the invention of the microchip in the sixties and subsequent innovations by the information industry made possible machinic data collection on an unprecedented scale in respect of both “hard” surveillance, encompassed in Bentham’s Panopticon, and “soft” surveillance incorporated in the architecture of, for instance, Google’s and Facebook’s digital platforms. When even the briefest connection to the Internet leaves a footprint on gigantic servers, at stake are not so much the ethics of surveillance evoked in judicial

¹ All references to Facebook can be checked with the relevant Wikipedia entry that provides a comprehensive overview of the workings of this particular social networking site, and subject of a much celebrated 2010 Hollywood movie.

² This is the term with which the French philosopher of technology, Bernard Stiegler, signals the current evolution of *technics* from the time of the inception of hand-held tools to machinic production and reproduction in the industrial age (technology) and finally to digitisation (“hypertechnology”) in our time: *Technics and time 1. The fault of Epimetheus*, Richard Beardsworth and George Collins, trans. (Stanford: Stanford University Press, 1998).

considerations concerning rights to privacy; the focus rather needs to fall on the fundamental shift in the production and storage of data and with it not only changing mnemotechnologies of data retention but its control.

Inconspicuous, small additions to the lexicon and word usage, arising from networked interaction like “to google”, “facebooking”, “tweeting” and “to friend”, indicate current changes in the social milieu. Originally a proprietary name for the well known search engine, the venerable OED (*Oxford English Dictionary*) included and thus consecrated the usage of “google” as a verb in 1999. According to the *Seattle Times* (4 July, 2005)³, the use of Facebook had already become so ubiquitous that the generic verb “facebooking” was coined to describe the process of browsing others’ profiles online or updating one’s own. Similarly, “to tweet” or “to send a tweet”, meaning to communicate with the briefest of message testify to the omnipresence of a wireless universe. Not to mention the newly coined “to friend” (a compound of the noun “friend” and the verb “befriend”) and its opposite corollary “I unfriend you”, that circulate prominently in the discourse of the users of a fast increasing and expanding Social Media network such as, among others, Facebook, My Space, Twitter, YouTube, and the professional site LinkedIn.

It is these digital platforms together with internet usage in general that configure the contact zones in which, largely unbeknown to their users, the postmodern “societies of control” operate hard on the heels of the Bentham-Foucault (modern) Panopticon that set the template for “disciplinary societies”. According to Deleuze:

...the *societies of control*, are in the process of replacing disciplinary societies. ‘Control’ is the name Burroughs proposes as a term for the new monster, one that Foucault recognizes as our immediate future.⁴

Whereas the relatively closed system of the modern (nation-) state kept its citizen-subjects compliant with its rules and regulations by instilling in them “discipline” largely on the model of “hard” surveillance, epitomised in the spatial arrangements of its public institutions like prisons, schools, barracks, hospitals, and such like, the postmodern state in its commingling of digital technologies, economic interest and population welfare is increasingly capable of utilising “soft” surveillance, or in Deleuze’s terms “ultrapid forms of free-floating control”⁵. Such “control” in purportedly open, democratic societies, is welcomed by neo-liberal “flat world” enthusiast, *New York Times* journalist, Thomas Friedman, who oblivious to its consequences readily embraces it because thanks to digitisation:

³ See: <http://community.seattletimes.nwsources.com/archive/?date=20050704&slug=btfacebook04> : accessed 11 Nov. 2011.

⁴ Gilles Deleuze, “Postscript on the societies of control”, in *October* 59 (1992): 3-7 [3].

⁵ *Ibid.*

...everything can be shaped, manipulated, and transmitted over computers, the Internet, satellites, or fiber-optic cable.⁶

Friedman hails as innovative and decisive for the twenty-first century the fact that “social and business interactions” are increasingly becoming “virtual”, “mobile” and “personal”. “Virtual” refers to the transmission of digitized content that can be done with:

...total ease, so that you never have to think about it – thanks to all the underlying digital pipes, protocols, and standards that have now been installed. ‘Mobile’ means that thanks to wireless technology, all this can be done from anywhere, with anyone, through any device, and can be taken anywhere. And ‘personal’, means that it can be done by you, just for you, on your own device.⁷

enabling much touted 24/7 global connectivity.

What could be more enticing for me than to have easy access to information from remote locations, to share my message with the world, enhance learning and to shape, manipulate and transmit my own “Profile” and “Timeline”, as Facebook would have it? Have I not in this “flat”, Brave New World left far behind the scenes staged in the fictional realm by George Orwell in his 1949 dystopian novel *Nineteen Eighty Four*, and in the realm of *Real-politics* by, among others, the infamous KGB and *Stasi* (the former East German state security system)? Although coercion by the state has been replaced by invitation to join in the circulation of goods and services in a Free Market society, “soft” surveillance is operative every time I complete a survey, take part in a poll, and login. Especially when I log into my “virtual”, “mobile” and “personal” devices like a laptop, cell phone, iPad, or GPS my data — however infinitesimal — is collected, collated, connected, and my path through life dutifully tracked, logged and archived, to an extent that remains by-and-large veiled to me, the *citizen-subject*. To be sure, as *subject-consumer* I might find my demand met and my desire instantly gratified by a novel product or improved service, uniquely tailored to my apparent wants; polling and tracking my current opinion and feelings about a political candidate might affect debates in parliament, but where, how, and by whom my data is utilised and controlled remains utterly opaque.

The trick in surveillance and observation, the secret of the Panopticon is, as Jeremy Bentham pointed out, to hide the surveillance from the

⁶ Thomas Friedman, *The world is flat* (New York: Picador; Farrar, Strauss and Giroux, 2007): 187.

⁷ *Ibid.*

prisoners or, in Foucault's "disciplinary societies" to internalise certain techniques of subjectivation in conjunction with "governmentality",⁸ that is the power of the state, characterised by growing bureaucratisation in the modern period. And it is the vast amount of personal information that companies like Google and Facebook collect to run their businesses that is increasingly becoming too valuable for police and governments to ignore. Despite such companies trying to keep their users' information secret, their business models depend on exploiting the trace I leave with a mouse-click and its attendant information to sell targeted advertising. Due to my consent to use the Internet company's software I consent to the transfer of every snippet of data, every online profile I built, including the unlimited "processing" of said data by nobody in particular. That is to say because I can have their service at no cost, Facebook, Google and Microsoft can, in return, surreptitiously extract from me and all their other "visitors" information for the purpose of attracting influential advertising leaders. And when governments demand they hand it over, they have little choice but to comply. Not only are Internet companies such as Google, Twitter and Facebook increasingly co-opted for surveillance work as the information they gather proves irresistible to law enforcement agencies — it is plenty and comes with a very low cost quotient — but spying on social media users by more oppressive governments for the purpose of detecting dissident thought is common from China to North Africa. And right now, even the US Congress is debating a law that would give the courts power to censor the world's Internet by forcing service providers and search engines to block any website on suspicion of violating copyright or trademark legislation, or even failing to sufficiently police their users' activities.

Thus the three defining elements of surveillance: *distance* (between observer and observed), *concealment* (the surveilled does not know her surveillant and is not given a platform to respond), and witting or unwitting *compliance* with the surveillance operations, are the same in both "hard" and "soft" surveillance. However, the latter rather exacerbates the situation in two ways. At first, "soft" surveillance exponentially extends *distance* via technologies of Cloud Computing that provide computation, data access and

⁸ Michel Foucault, "Security, territory, population", in *Lectures at the College de France 1977-1978*, Michel Senellart, ed., Graham Burchell, trans. (Basingstoke and New York: Palgrave Macmillan, 2007): 108-109, 115-16; this term appears in Foucault's later work and marks the entry of the question of the State into the field of analysis previously devoted to the study of the disciplines and biopolitics. Three things are to be understood by this neologism: the transfer, alienation, or repression of individual wills; the state apparatus (*appareil d'Etat*) set up in the eighteenth century; and finally a "general technique of the government of men" that was "the other side of the juridical and political structures of representation and the condition of the functioning and effectiveness of these apparatuses" (*ibid.* 386).

storage services, no longer requiring end-user knowledge of the physical location and configuration of the system which delivers their service. Secondly, in so far as digitised automation of surveillance and threat detection operate with the same software, “soft” surveillance ultimately utilises the same *concealed* technical control of algorithms to create specific ambient awareness in all societal milieus.

Sociologists call “ambient awareness” a specific filtering of a large number of minute pieces of informal and mundane snippets of information which as substantial part of the everyday environment our minds are processing even though we do not notice it. Yet, despite us not being consciously aware about what is going on around us we make significant judgments on the basis of this stream of small pieces of information. Corporations, state agencies, the media, social networks, in short every purveyor of web-based collaboration tools and social project management “shapes, manipulates and transmits”, in Friedman’s term above, context specific ambient awareness with which to combat increasing information overload. Businesses because of the broad set of information provided by ambient awareness to their teams of workers embrace it because it helps to make work visible to assure cooperation and efficiency. Recourse to Facebook, Twitter, and YouTube can create a closer digital/ambient, albeit *concealed*, bond not only between producers and consumers so as to tighten the gap between them in all areas of commerce by way of imaginative, ambient marketing, but the state can intersect with everyone and constantly update the information flows on the population ostensibly to assure its health and protection. Oversight, it will be recalled, became a fundamental tool in the Panopticon, its guard attempted like Big Brother to make visible only to himself every aspect of the inmate’s life; today digitised ambient awareness enhances the tools of oversight making possible an all pervasive “soft” surveillance under diffused powers. Increasingly the question becomes one of who filters information, who holds the power of the algorithm and who controls its access by way of prohibition and regulation, given the (postmodern) filiations between hypertechnology, the supposedly self-regulating Free Market and the state.

In as far as “governmentality”, the multiple interplay of “sovereignty and disciplines, as well as security”, (“the state”, the “bodies of individuals”, and “populations”)⁹ has been rendered more complex due to the digitisation of all spheres of life, it is becoming more difficult to separate the domains of market and state, and consequently the question of who oversees whom. Particularly in consensual democracies like the United States, utterly focused

⁹ Foucault, *Lectures at the College de France*, 12; and see Foucault’s statement: “...sovereignty is exercised within the borders of a territory, discipline is exercised on the bodies of individuals, and security is exercised over a whole population” (*ibid.* 11).

on *homo economicus* and under the sway of what Deleuze referred to once as “the *cogito* of the Marketplace”,¹⁰ control of information and with it the immense archive built-up in search engines inevitably turns into a battle ground between economic rationality with its attendant self-interested *subject-consumers* on one side and on another the legislative need to uphold the state’s compact between itself and its *citizen-subjects*. (Demonstrated by the tussle between trademark legislation and citizens’ right to free speech mentioned above). For Foucault, the form of governmentality based on an “American neo-liberal conception” that turns first on “the theory of human capital” and secondly on “criminality and delinquency”,¹¹ makes disputes “between individuals and government look like the problems of freedoms” in contrast to France where they “turn on the problem of public service”.¹² However, in both cases biopolitics of demographic distribution together with management and control over life suggest that “the general economy of power in our societies is becoming a domain of security” or is “at any rate dominated by, the technology of security”.¹³ That means ubiquitous surveillance.

However, the state of affairs mapped by Foucault remains hidden under both the ease and speed with which my mouse click transports me into an Online world of unlimited possibilities, a scene of countless activities replete with the rhetorical device of diatyposis, recommending to share [someone else’s] “goals of promoting the value of innovation to our economy while giving people the power to share and make the world more open” (Facebook). More importantly, the Internet replicates and even enhances a social milieu dominated by Skinnerian behaviourism that operates, to use Foucault’s words, through “mechanisms of reinforcement, a given play of stimuli” entailing responses “whose systematic nature can be observed and on the basis of which other variables of behaviour can be introduced”.¹⁴ Put differently, in so far as to govern inevitably means “to conduct someone”¹⁵ to behave in a certain way, the *stimulus-response* mechanism becomes the foremost psychological technique with which to fashion and sustain *homo economicus* as producer and consumer in his need to adept to and adopt today’s society of control. But that society in Deleuze’s perspective is not only one in which the:

code is a password... (as much from the point of view of integration as from that of resistance). Where the numerical language of control

¹⁰ Gilles Deleuze, *Negotiations* (New York: Columbia University Press, 1990): 136.

¹¹ Foucault, *Lectures at the College de France*, 219.

¹² *Ibid.* 218.

¹³ *Ibid.* 10-11.

¹⁴ *Ibid.* 270.

¹⁵ *Ibid.* 121.

is made of codes that mark access to information, or reject it.

It is also the social environment in which “Individuals have become ‘*dividuals*’, and masses, samples, data, markets, or ‘*banks*’ ” and where “the man of control is undulatory, in orbit, in a continuous network”.¹⁶

Deleuze’s assessment fits “Haley”, a social network enthusiast cited in a *New York Times* article¹⁷ who naively expresses one of the chief Orwellian goals of surveillance and control:

It’s like I can distantly read everyone’s mind, ...I love that. I feel like I’m getting to something raw about my friends. It’s like I’ve got this heads-up display for them.

Sure, this does not have to be sinister despite Haley’s act of surveillance by which he, the surveillant gains power over the surveilled, through the gathering of information regarding that person which they would rather keep secret (or, at least, keep control over its distribution). After all, Haley shares his feelings and opinions on Facebook, shares them with friends “joined to another in mutual benevolence and intimacy”, as Ben Johnson once said of friends. Haley might even tweet them to arrange “a social” where they, due to the digital ambient awareness created between them, can skip the introduction and move straight to a discussion of whatever might concern them. The only question is who besides the invisible algorithms of Facebook or Twitter reads Haley’s mind when he reads that of his friend? Is his new smart-phone “app” “geo-tagging” him by analyzing his Tweets, Facebook posts, and Flickr stream so as to generate a map of where he and his friends are, as well as the specific locations they frequent? And who tracks, monitors, controls and permanently retains forever their mounting casual bits of information? Not only corporations and marketing conglomerates are heavily invested in it, but individual employers check Facebook to vet job applicants, and some have rejected applicants based on research via search engines and have even been known to fire their employees over posts they have made.

According to Ari Melber’s insightful article “The new look of surveillance”, younger users of the Internet don’t particularly care about who gathers, records, and archives their Tweets and Profiles. More importantly:

social networking sites are rupturing the traditional conception of privacy and priming a new generation for complacency in a surveillance society.¹⁸

¹⁶ Deleuze, *October* 59, 3-7 [4].

¹⁷ http://www.nytimes.com/2008/09/07/magazine/07awareness_t.html-r=1 .

¹⁸ *The Nation*: http://www.alternet.org/story/72556/facebook%3A_the_new_look_of_

Adapting to “soft” surveillance and adopting its parameters of control like Haley does, I contest, rests upon the twofold paradox of today’s Internet universe:

1. Hypertechnology creates the conditions of possibility for frequent positional exchanges between surveilled and surveillant: the observed becomes the observer and vice versa. In order to be part of a particular site’s culture, social networks induce users to disclose information, and by allowing users into your circle you allow them to track your moves on Facebook together with your interactions with other users, all from your own user page. “You can play with your privacy settings to prevent this, but as you become acculturated to the site, you realize that you have to give information to get information”.¹⁹
2. Social networking sites in particular disseminate information more effectively than other forms of communication including e-mail because it is quicker to simultaneously and instantly message greater numbers of people. And besides conjoining Deleuze’s ‘*dividuals*’ in cyberspace the Internet facilitates communal action. Yet the very efficacy with which we connect to the world with hitherto unheard of speed also seduces us to acquiesce and collude with the market place and its aggressive use of private information. No doubt Google and Facebook users can be citizens, share communication and work collectively to build a different world as evidenced by the socio-political upheavals generally referred to as the “Arab Spring” that are interpreted widely as grassroots democratisation. No doubt the Google banner head that states “the web is what you make of it” is true but it leaves unanswered the question: What is the web making of society? By analyzing the Internet and deciphering its messages on the rhetorical plane of what it seduces its users (clients) to do we might be able to better place online activities within a (Foucaultian) general technology of power that in societies of control either moulds citizen-subjects or mutates them into docile consumers.

Given the globally rampant use of such social networking platforms as Facebook, Twitter, and others, the issue becomes increasingly one of “privacy”. Whereas current German debates²⁰ focus on the constitutional

Surveillance .

¹⁹ *The Nation*: http://www.alternet.org/story/72556/facebook%3A_the_new_look_of_Surveillance .

²⁰ See the influential weekly, *Die Zeit*, <http://www.zeit.de/digital/datenschutz/2011-11/verfassungsgericht-facebook> and TV news: <http://www.tagesschau.de/inland/facebookbundestag100.html> .

right of a citizen to be in control of all the data s/he has generated the United States views privacy as a question of consumer protection whereby a disclosure requirement similar to nutrition labels on packaged food “could simply require social networking sites to display their broadcasting reach prominently when new users post information”.²¹ However, communication protocols of this kind ignore the fact that privacy does not exist in hypertechnological, thoroughly digitised social milieus centred on *homo economicus* and the *subject as consumer*. As Melber states:

privacy does not matter to children who were raised in a wired celebrity culture that promises a niche audience for everyone. Why hide when you can perform?²²

Moreover, societies of control effectively blur the domains that for Habermas²³ constitute the “private sphere”, the realm of commodity exchange and of social labour, and the “Sphere of Public Authority” that dealt with the State, or realm of the police, and the (bourgeois) ruling class. *Öffentlichkeit* (the public sphere) proper as the discursive space in which individuals and groups congregate via the print media to discuss matters of mutual interest and, where possible, to reach a common judgment through the vehicle of public opinion is inhabited increasingly and almost exclusively by a borderless Internet, a terrain that is limited only by the algorithm. Privacy arguments fail to think the border as decisive part of the conceptual pairing *public – private*, a binary that derives from a spatial distinction between places of general, ‘open’ social interaction and the *locus* of intimate commerce associated with print culture in the *oikos*, or domestic sphere, shielded from the Panopticon. Not only are my friends and my most intimate thoughts public once committed to the web, it is also no longer the question of what people I know and control but how many people know about it.

In short, “soft” surveillance in societies of control entails numerical, quantifiable access to information by way of prohibition and regulation not qualitative spacing. At stake before a horizon of increasingly controversial data retention regimes are my right to access and control stored data not just in the “memory” of my mobile “machine”, the laptop or phone but on the server. Moreover, in an age of receding print culture and new mnemotechnologies in respect of the ways in which I inscribe data and am inscribed by that of others which is then multiplied and transmitted

²¹ Ari Melber, *The Nation*: http://www.alternet.org/story/72556/facebook%3A_the_new_look_of_surveillance .

²² *Ibid.*

²³ Jürgen Habermas, *The structural transformation of the public sphere: An inquiry into a category of bourgeois society*, Thomas Burger and Frederick Lawrence, trans. (Cambridge, MA: MIT Press, 1989).

electronically, there needs to be besides an investigation into discourses on speed and quantity, an analysis of discourses on memory as regards modes of retention and forgetting. Memory, after all is one of the five Aristotelian categories of rhetoric; and what is needed is a politics of memory (and forgetting) that is a politics of the archive: who assembles it for whom and who controls it. Assisted by hypertechnology as condition of “soft” surveillance, rhetoric’s persuasive audience appeals tend to avoid *logos* and deliberation, being more often than not reduced to *pathos* so as to produce affect and comply with the apparently benevolent control of our memory by the market. It has to be remembered though, that the seducers are smooth operators not interested in equitable exchange but in “stimulating” a “response” by way of submission.

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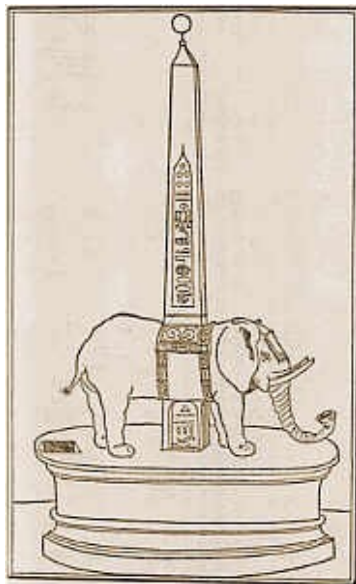
THE ELEPHANT AND THE OBELISK

About the Special Series and Imprint of the African Yearbook of Heticoric

In the fantastical imagination Europe holds of Africa the Elephant and the Obelisk have an enduring presence. During the Renaissance their images lent an African presence to the culture of emblems, not much different in purpose and means from the modern obsession with branding logos supposed to encapsulate a corporation's ethics beyond selling goods. In rhetoric (of which emblems were the visual analogue) the Elephant spoke to the virtue of memory and the prudential value attached to formulating forward-looking arguments heeding past lessons. The Obelisk, not unlike Neptune's trident, emblematised the penetration of wit – a point driven home by its engraved hieroglyphs. Memory and intelligence, prudence and projection, sure footedness and quick sharpness – the Elephant carrying the Obelisk on its back told a telling tale about the distanced virtue European high culture, at the very time of Portuguese descobrimentos, attributed to a continent, Africa, which had always been part of it, in reality or in imagination. Africa has often afforded Western minds an occasion to reflect.



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