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Surveillance consciousness
*Examining subjective understandings of
mobile technology surveillance*

By

Mathew Zaia

A Thesis
Submitted to the Faculty of Graduate Studies
through the Department of Sociology, Anthropology, and Criminology
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts
at the University of Windsor

Windsor, Ontario, Canada

2018

Windsor, Ontario Canada
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**Surveillance consciousness: Examining subjective understandings of
mobile technology surveillance**

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DECLARATION OF ORIGINALITY

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ABSTRACT

This thesis explores subjective understandings of mobile technology surveillance, as it seeks to answer an overarching research question: how is surveillance from mobile technologies understood by those who are surveilled? Using Ewick and Silbey's (1998) socio-legal conception of legal consciousness, this thesis constructs a similar concept within surveillance studies called surveillance consciousness. Surveillance consciousness of drones and Stingrays is explored through comments below the line (see Graham & Wright, 2015) and social media discourse in the post-Snowden era. The findings of this thesis expound on the complexities of subjective understandings of mobile technology surveillance. Such complexities contribute to surveillance studies by addressing whether current theoretical models can be sufficiently used to analyze the current surveillance society. Finally, this thesis shows how two sub-disciplines, surveillance and socio-legal studies, benefit from greater dialogue and cross-fertilization.

DEDICATION

To my loving and inspiring mother – your unconditional love and strength as a single mother have allowed me to be where I am today. Everything I have accomplished is a product of your sacrifices. Without you, none of this would have been possible. Thank you for being my backbone.

To my dearest grandmother – thank you for allowing me to sustain my Christian faith. Your prayers, guidance, and wisdom have pushed me beyond my imagination. I will forever cherish your teachings. You are my angel.

To my brilliant sister – thank you for protecting me as a child. You have inspired and motivated me in ways you would not imagine. I have been blessed with not only a loving sibling, but a best friend in whom I can confide. Thank you for truly believing in me and always propelling me to new heights.

To Robert – thank you for your guidance and encouragement as a father figure in my life. Through all that I have endured, you maintained confidence in my capabilities and always pushed me to do my best and more.

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LIST OF ABBREVIATIONS

9/11 – September 11, 2001
BBC – British Broadcasting Corporation
CBC – Canadian Broadcasting Corporation
CIA – Central Intelligence Agency
CSIS – Canadian Security Intelligence Service
FOI – Freedom of Information
GCHQ – Government Communications Headquarters
IMSI – International Mobile Subscriber Identity
NSA – National Security Agency
ODAC – Operational Data Analysis Centre
RCMP – Royal Canadian Mounted Police
UAV – Unmanned Aerial Vehicle
VPD – Vancouver Police Department

I. INTRODUCTION

In the 21st Century, mobile technologies have grown in prevalence and allowed people worldwide to further immerse themselves into the digital world (Harcourt, 2015; Goggin, 2012). Every day, people use “app-centric media” (see Daubs & Manzerolle, 2016), unmanned aerial vehicles (UAVs, hereinafter drones), laptops and health-monitoring technologies to conveniently accomplish certain tasks or enjoy activities. In using such technologies, people and their activities are often continuously monitored for various purposes such as determining illegal activities or advertising (see Ball, 2017). Surveillance, according to Lyon (2007: 14, as cited in Čas et al., 2017: 1), is “the focused, systematic and routine attention to personal details for purposes of influence, management, protection or direction.” Unlike many traditional, stationary, and temporally-limited surveillance tools (see Weller, 2012), mobile technologies facilitate an easier route to retrieve information that governmental agencies and corporations seek. These technologies have been part of surveillance’s substantial proliferation and have allowed surveillance to affect many facets of everyday life (Bauman et al., 2014) from workplaces (see Lee & Kleiner, 2003; Ball, 2010) to educational settings (see Hope, 2009) and more.

As contemporary mobile surveillance technologies have proliferated they have allowed governments¹, commercial agencies, and ordinary citizens to retrieve information from and about various populations, in many cases across jurisdictional boundaries (see Van Hoboken & Rubinstein, 2014). The methods and reach of this surveillance, however, have significantly extended beyond our imaginations and even Orwell’s dystopia described in his influential book *Nineteen Eighty-Four* (hereinafter, *1984*) about surveillance of the

¹ The data retrieved for this thesis emphasizes state surveillance.

citizenry by the state or Big Brother. Populations being surveilled by the state (cf. Harney, 2013: 542-44 on Italian State surveillance) – through entities like the National Security Agency (NSA) and the Canadian Security Intelligence Service (CSIS) – are also being surveilled by corporations like Google and Apple (Bauman et al., 2014), as “data [has become] a new currency” (Young, 2012: 163). As suggested by Pringle (2017), data is now more valuable of a source for income than even oil (see also Srnicek, 2016).

Starting on June 6, 2013, with the help of journalists former NSA contractor Edward Snowden leaked various NSA and other security agencies’ files consisting of mass surveillance programs (Greenwald, 2014; Deukmedjian, 2014; Verble, 2014; Lyon, 2015a, 2015b; Epstein, 2017). These files contained program information about how the NSA, CSIS and other agencies like the Government Communications Headquarters (GCHQ) were surveilling citizens of many nations using various technologies, as well as what was being done with the acquired data. For instance, Ball (2014) of *The Guardian* reports that the NSA collects millions of text messages across the globe using a program named Dishfire collecting “pretty much everything it can.” An example of a program used by CSIS capable of operating through mobile technologies is the Operational Data Analysis Centre (ODAC) program which

is a powerful program which processes metadata resulting in a product imbued with a degree of insight otherwise impossible to glean from simply looking at granular numbers. [...] [T]he end product is intelligence which reveals specific, intimate details on the life and environment of the persons the CSIS investigates. The program is capable of drawing links between various sources and enormous amounts of data (Re X, 2016 FC 1105: 23).

The Snowden revelations led to increased awareness of the extent to which and how people are being monitored through such programs (Lyon, 2015a). An appreciation of how people

understand, experience, reflect upon, and respond to this surveillance is lacking in surveillance studies and related scholarship, particularly in North America.

This thesis is guided by an overarching research question: how is surveillance (or dataveillance, see van Dijck, 2014) from mobile technologies understood by those who are surveilled? Addressing this question requires comprehending how people understand, experience, reflect upon, and respond to mobile technology surveillance. As a starting point, this thesis adopts Ewick and Silbey's (1998) influential conception of 'legal consciousness' (described below) from socio-legal studies and constructs a companion concept in surveillance studies. Taking a similar approach to Ewick and Silbey's, except focusing on surveillance rather than law, this thesis considers whether and how people are situated *with, before* and *against* (following Ewick and Silbey's heuristic) surveillance to investigate what I call 'surveillance consciousness', or how people understand, experience, reflect upon, and respond to mobile technology surveillance (cf. Gilliom, 2006). As such, this thesis seeks to address the following sub-questions: (1) How and to what extent do Ewick and Silbey's three narratives encapsulate subjective understandings of mobile technology surveillance? (2) Does surveillance consciousness regarding mobile technologies vary according to the type of media through which it is articulated? (3) Does surveillance consciousness regarding mobile technologies vary by type of mobile technology surveillance? And (4) how do people respond to the privacy and/or legal implications of mobile technology surveillance? This thesis provides an account of surveillance consciousness regarding mobile technologies – particularly drones and Stingrays – that lends insight into North American understandings, experiences, reflections upon, and responses to surveillance with the intent to fill in research gaps about “the human

dimensions of surveillance” (Wood, 2005: 474). Studying people’s accounts of mobile technology surveillance better equips us to discern whether concepts, theories and perspectives should be created and/or modified to fit how we understand contemporary surveillance.

This thesis unfolds in five chapters following this one. This chapter contains a set of key technological definitions underpinning this thesis and descriptions that allow the reader to visualize the two types of devices predominantly emphasized hereinafter. The second chapter proceeds to outline previous research in many areas of surveillance studies (see Lyon, 2002) pertinent to the current study. Chapter Three then outlines the theoretical framework serving as the crux of this thesis. Here, the notion of legal consciousness is explicated. Chapter Four then describes the methods and procedures used to collect and analyze the data used for the current study. The fifth chapter discusses the findings of this thesis, particularly the common themes and (in)consistencies with Ewick and Silbey’s narratives of legal consciousness. The sixth and final chapter discusses implications for theoretical models of surveillance, limitations of this thesis, scope of surveillance consciousness, and possibilities for future research. In the following chapters, this thesis aims to contribute to attempts by scholars to further understand surveillance in North America by exploring surveillance consciousness; this is established by examining the subject’s point of view concerning mobile technology surveillance and critically engaging with the common conceptual models of surveillance.

1. Key Technological Definitions

Mobile technologies have been defined as “handheld [information technology] artifacts that encompass hardware (devices) [...] and communication (network services)” (Jarvenpaa & Lang, 2005: 8). For this thesis, surveillance consciousness toward drones and Stingrays was explored. These two types of technological devices have grown significantly in the 21st century and have been used for various purposes discussed below.

According to the Royal Canadian Mounted Police (RCMP), a drone is a “power-driven aircraft that is operated without a flight crew member on board” that contains “associated elements, such as a camera,” signifying what is called the “system” of the drone (RCMP Operational Manual, 25.7. Unmanned Aerial System, s. 1.1.1-2).² Numerous models exist, including the Draganflyer X6 and the Aeryon Scout containing high-end cameras that contain infrared and high-definition features (RCMP Operational Manual, 25.7.). Beyond security and operational uses by law enforcement, drones have also become available for public consumption and are used for commercial purposes (see Lidynia, Philipsen, & Ziefle, 2017). Ultimately, many drones are used for the sole purpose of monitoring individuals or the public. In Canada, drones are regulated under the *Aeronautics Act* (1985, c. A-2) while the Federal Aviation Administration as part of the Department of Transportation ensures regulation in the US.

The second technology referred to in this thesis has been categorized as ‘mobile’ for the purposes of this research. Though by definition mobile technologies denote devices having a mobile or handheld feature like a smartphone, the International Mobile Subscriber

² This definition was extracted from files retrieved from the RCMP through *Freedom of Information* requests.

Identity (IMSI) catcher, now commonly known as the “Stingray,” is stationary (Dingman, 2016). Physically appearing to be a box with a hub with several ports, the Stingray has the capability of imitating a “base station or tower like the ones Rogers and Bell operate” (hence Stingrays also being labeled as cell-site simulators) and indiscriminately gathering data from mobile devices connected to the network in each area (2016). In other words, Stingrays remain in one spot and are used to gather information from different types of technology in a geographic area. For the remainder of this thesis, the term ‘mobile technology surveillance’ will be used to refer to drones and Stingrays that are used to conduct both mass and targeted surveillance.

II. LITERATURE REVIEW

Despite an increasing focus on surveillance due to what many now call the emergence of the surveillance society (Lyon, 2007), literature on surveillance has neglected, to a considerable extent, people's personal understandings and experiences of surveillance practices (hereinafter, subjects). As billions of subjects are constantly surveilled in their daily lives – by cellular devices, video cameras, drones, the NSA and other national security or intelligence agencies, and other governmental bodies and commercial agencies' programs such as 'XKeyScore' (Lyon, 2014; Greenwald, 2013) – surveillance scholarship has tended to be limited to analyzing the extent to which these subjects are surveilled, by what means, and how frameworks can be used to understand such practices (see Bloss, 2002; Magnet, 2011).

1. Conceptual Models of Surveillance

This section will first address two commonly used conceptual models of contemporary surveillance – namely Foucault's panopticon and Haggerty and Ericson's surveillant assemblage – and their pertinence to the study of surveillance consciousness. Then it proceeds to engage with existing research on the understandings and experiences of surveillance. This thesis critically examines these existing models by focusing on subjects' accounts of surveillance and how these are situated in correspondence to the models. This emphasis lends insight into whether current surveillance models and perspectives require modification (Zureik, 2007). It is important to note and reiterate that most research in surveillance studies has neglected subjective understandings of surveillance.

Several scholars have analyzed and worked through Foucault's (1995) analysis of Bentham's 'panopticon' (see, for example, Lyon, 1993; Gill, 1995; Green, 1999; Haggerty

& Ericson, 2000; Koskela, 2003; Simon, 2005; Haggerty, 2006; Bauman & Lyon, 2013). The intention of this circular model prison was to instill a sense of self-awareness in its segregated prisoners to behave and conduct themselves in a certain way as imagined by the prison guards (Foucault, 1995). The idea of disciplining prisoners is accordingly not ensured by torture or other physical corrections, but instead by means of the gaze internalized by the prisoners (1995). This process of discipline, found in Foucault's *Discipline and Punish* that analyzed the panoptic model, can at first glance be a paradigm through which surveillance societies can be understood and analyzed.

The panoptic model assumes that prisoners are docile and perfectly adhere to the expectations of the prison guards (Gallagher, 2010). In other words, the panopticon functions by instilling within its prisoners the above-mentioned gaze, forcing them to behave in a certain way. A study of surveillance consciousness explores various types of consciousness that do not necessarily conform to "panoptic arrangements" (Lippert, 2009: 506). Whereas the panopticon requires conforming and highly disciplined subjects, attending to the variations of surveillance consciousness reveals how subjects demonstrate different thoughts about surveillance that are inconsistent with and unsuitable for those relating to the docile effects of the panopticon.

Haggerty and Ericson (2000) conceptualize a model that would both supersede Foucault's analysis of the panopticon and serve as another framework for surveillance research; this is called the surveillant assemblage (Haggerty & Ericson, 2000). Using Deleuze and Guattari's notion of rhizomatics as a starting point, Haggerty and Ericson describe an assemblage as a "multiplicity of heterogeneous objects, whose unity comes solely from the fact that these items function together, that they 'work' together as a

functional entity” (Patton, 1994: 158, as cited in Haggerty & Ericson, 2000: 608). Their argument to displace the panoptic mechanism and construct a new model suggests “surveillance has become deterritorialized and operates as a heterogeneous network of elements which spreads rhizomatically” (Wood, 2013: 319). It is important to note that rather than strictly concentrate on top-down surveillance (or the state surveilling subjects), the authors’ model addresses many different types of surveillance that are lateral, vertical, and more (see Hier, 2003 for examples), to name a few.

Surveillant assemblages contrast starkly with the panopticon in that they allow for different types of surveillance both temporally and spatially. These assemblages help exhibit the development of ubiquitous surveillance (see Andrejevic, 2012). As noted above, surveillance can be undertaken by several different social agents that are not fixed in one space and/or time. Surveillant assemblages involve these never-ending rhizomes that characterize the complex systems of surveillance (see Haggerty & Ericson, 2000: 614-9).

Though surveillant assemblages are important when conceptualizing contemporary surveillance, they overlook what being surveilled from mobile technologies means for the subject and what types of effects such surveillance may produce. Assemblages surreptitiously require a form of consciousness – one that expects subjects to essentially submit to these assemblages – allowing them to capture “data doubles” (see Haggerty & Ericson, 2000: 606). If subjects resist surveillance even partially, part(s) of their data doubles are then absent from a given set of interconnected assemblages. This is not the case if one comfortably conforms to surveillance practices. As mentioned above, an important feature to maintain the functioning of a surveillant assemblage is the need for its elements to work together. Those who resist surveillance would ultimately disrupt and

decrease these flows of information, in turn, affecting assemblages' capacity to function together. How subjects respond to this interconnected surveillance remains unclear, in turn, blurring the ability to understand the convergence and divergence of these assemblages. Focusing on surveillance consciousness has demonstrated how exactly subjects respond to this surveillance made up of assemblages and whether subjects are, as Haggerty and Ericson imply, seamlessly captured by them.

Subjects are constantly changing in their socialization, group dynamics, and individual behaviours. In essence, being surveilled can be experienced in many ways. Some may be interpellated (cf. Althusser, 2006; see Walby, 2005) as subjects of surveillance by consciously responding or failing to respond to written signs notifying them they are under surveillance (see Hier, 2010). Others may be completely oblivious to the idea of their every move being tracked through Facebook and other mobile technological applications. Some may be cognizant of being surveilled but do not resist because they simply prefer the convenience of mobile applications in exchange. Finally, subjects may make every effort to avoid being surveilled (see Harcourt, 2015); these subjects may be categorized as the resisters of surveillance (see Leistert, 2012). As such, the accounts of subjective understandings of surveillance explored through this thesis will provide a background that illustrates the disparate subjective experiences of surveillance.

What have been commonly invoked in surveillance studies are the panopticon and surveillant assemblage, speaking to how subjects are surveilled, by what means, and for what purposes. Surveillance models tend to be “abstract, totalizing, passive [...] conceptions of surveillance” unable to account for “the messy, contradictory and ambivalent responses of their participants” (Harper et al., 2013: 176). It is thus essential

that the subjective experience of surveillance is studied to supplement or refine these theories of surveillance. However, this thesis suggests that studying the subject of surveillance is not necessarily a bottom-up investigation, but instead one that also considers how surveillance apparatuses affect different understandings and experiences of surveillance.

2. Research on Subjective Experiences of Surveillance

Despite some models and perspectives analyzing how subjects are surveilled, for what purposes, and by what means, there is little literature focusing on the “experiential reality” of subjects of surveillance (Harper et al., 2013: 175) and their responses to surveillance (Bauman et al., 2014: 141). Some studies address opinions and attitudes about whether subjects think Edward Snowden is a traitor or a savior, typically through survey research (e.g. Reid, 2013). Others have taken more of a philosophical approach to exploring the subject of surveillance by using Sartre’s work and a phenomenological framework (e.g. Friesen, Feenberg, & Smith, 2009). The following will outline pertinent research to this thesis that has addressed subjective responses to surveillance.

Best (2010) explores experiences of surveillance by users of “digital screen technologies” (including computers and mobile phones) and employs a Deleuzian conception of the control society to compare with the users’ experiences. Best’s findings indicate how subjects believe their data to be undesirable for any surveillance apparatuses, suggesting that their data lacks value. In other words, subjects understand surveillance as something that does not specifically target whole populations, but rather only those deemed suspicious (2010). Such an account does not locate those who are deeply concerned about surveillance practices and/or their implications. Best’s research demonstrates that there

appears to be, among subjects, much trust in governmental surveillance operations in the pre-Snowden era. Many of those from whom experiences are captured are not necessarily aware of surveillance techniques or what they entail. This is uncovered in the current study by allowing further understanding and awareness of surveillance operations, which is suggested to be an important feature to help capture understandings of surveillance.

Vermeersch and De Pauw (2017) conduct a framing experiment regarding the effects of how information about surveillance can alter subjects' perceptions of the phenomenon. They seek to locate whether the type of information to which subjects are exposed affects their acceptance or lack thereof regarding surveillance technologies. Here, they point to subjects' opinions regarding what they sometimes believe to be overly complicated technologies. Such an opinion is due to subjects' acceptance of certain technologies, but also their feelings of being disturbed about possible implications of their data being collected. Further, the authors refer to some literature that debates whether acceptance of technologies is affected by the type of information given to those voicing their opinions. The findings of Vermeersch and De Pauw's work suggest that subjects are not completely a product of the information to which they are exposed: "Individuals' opinions are more than a mere reflection of the information offered to them at a given moment and as such less variable and superficial than some [...] may fear" (Vermeersch & De Pauw, 2017: 66). This conclusion is consistent with this thesis' focus on subjects voicing their understanding of surveillance despite some information to which they are exposed (see section on Data Sources and Methodology).

Some research has also focused on aspects of the 'affective' impacts of surveillance by exploring dominant discourses such as privacy and security as they relate to surveillance

(see Ellis, Tucker, & Harper, 2013). These, however, are not necessarily the only prevalent discourses vis-à-vis surveillance. Surveillance technologies and practices can be perceived through matters of, for example, convenience (see Harcourt, 2015) or trust (see Hampson & Jardine, 2016). In addition, discourses such as security and privacy may be vague to many. If definitions of these concepts are even partially agreed upon by the public, then perhaps relying on such concepts may be beneficial; however, such terms are often contested (see Moore, 2008) as displayed in later chapters of this thesis. This thesis observes surveillance as a de-centralized set of practices with different underlying logics and accounts for such phenomena when exploring everyday experiences of surveillance. Ellis et al. (2013: 729) importantly acknowledge subjects' insufficient level of lucidity concerning "processes and functions" of surveillance.

Harper, Tucker, and Ellis (2013) examine subjects' 'knowledge and awareness' concerning surveillance practices, principally those being exhausted by governmental entities surveilling the public. They suggest that subjects' knowledge and awareness of surveillance are key to capturing their experiences of surveillance. Additionally, Harper et al. express the limits of strictly focusing on a top-down understanding of surveillance and aim to present a bottom-up approach. The actual experiences of subjects simply account for the 'bottom-up', but researchers ought to simultaneously recognize that different apparatuses of surveillance and security are able, to some degree, to govern subjective mentalities (2013). Using quantitative studies preceding their research the authors also emphasize the "contradictory nature" of discourse dealing with surveillance (2013: 181). However, discourse of subjects is also shown to overlap in many cases. The overlap of discourses is further elaborated in the methodology and findings sections of this thesis

containing passages of subjective responses to surveillance, many of which have elements of the different yet interrelated narratives of surveillance consciousness.

Green and Zurawski (2015) call for a holistic approach to researching subjective experiences of surveillance in everyday life. Particularly, the authors propose that many surveillance practices experienced by subjects are deemed 'mundane'. This thesis suggests that such practices are crucial concerning the dynamic relations between subjects and others, or subjects and social institutions. Though surveillance may be mundane for those who have normalized surveillance (see Lippert & Scalia, 2015), others may be much more alert to certain practices and perceive surveillance with more significance in their lives. Notwithstanding what Green and Zurawski term 'unobservable' (see 2015: 40) when researching the subject of surveillance, investigating surveillance consciousness in this thesis uncovers and attempts to account for such information.

Another study researches subjective experiences of surveillance by delving into the increased surveillance to which police officers are subjected (Brown, 2016). Brown examines police 'use of force' behaviour and whether being subject to surveillance, or sousveillance (see Mann, Nolan, & Wellman, 2003), modifies officers' use of force. A major claim is that subjects of surveillance are disciplined to the extent that they are aware of surveillance. He notes as an example Foucault's panopticon which, as shown above, is restricted to disciplinary surveillance practices. This surveillance is operative and effective when the subject is docile, but how does this affect those who completely discount surveillance efforts and persistently behave and act as if they are not being monitored? In this study, the author mentions the officers being subject to surveillance from both civilians

and a civilian oversight agency, both of which can induce a crucial sense of self-awareness (2016).

It is important to reiterate that much research on surveillance and subjectivity was completed during the pre-Snowden era (i.e. before June 9, 2013). Prior to the leaks Snowden delivered to the public, many surveillance practices that operated behind closed doors were seen by the public as conspiracies (see Reid, 2015). As such, further research on subjects of surveillance following the Snowden revelations may locate understandings of those who are much more aware and knowledgeable of surveillance given that the leaks provided further information on all types of surveillance affecting each and every person. In other words, post-Snowden subjects may be better able to articulate their understandings of surveillance.

In brief, research on the subject's understandings and experiences of surveillance has uncovered an effect on docile subjects along with findings that subjects inherently understand surveillance practices to be mundane. Surveillance discourse from subjects has been shown to be contradictory, and the effects of surveillance have typically and ultimately been suggested to be disciplinary. This thesis provides accounts of subjects' understanding of surveillance that, like legal consciousness, overlap and offer complex patterns regarding how subjects understand and experience surveillance. Surveillance consciousness thus demonstrates what subjects do and say about surveillance. This allows for a modification and development of existing and future models and perspectives of surveillance given its focus on the binary of top-down and bottom-up approaches concurrently.

Ewick and Silbey's (1998) legal narratives that comprise the notion of consciousness are used in this thesis to explore different types of surveillance consciousness displayed through subjects' understandings. This is accomplished by not necessarily emphasizing settings of surveillance such as the above-mentioned panopticon but instead exploring subjects' surveillance consciousness relating to dynamic mobile technologies.

III. THEORETICAL FRAMEWORK

To reiterate, this thesis adopts Ewick and Silbey's (1998) conception of legal consciousness – a concept abstracted into three narratives that situate subjects' experiences of law in everyday life – and applies it to surveillance given its overwhelming importance and growth in our lives (Lyon, 2007), similar to law in everyday life (Ewick & Silbey, 1998). Interviewing hundreds of subjects in New Jersey, Ewick and Silbey seek to locate the “place of law in American culture” (1998: xii). Upon analyzing their data, the authors propose an account of legal consciousness that is comprised of a tripartite set of narratives or schemas. Such schemas demonstrate how subjects understand the law, experience it, and are affected by it in their lives. They serve as “generalizable procedures applied in the enactment/reproduction of social life” (1998: 40).

For Ewick and Silbey, legal consciousness refers to how subjects experience the law and “what [they] do as well as say about the law” (Silbey, 2008: 1) and is explored to determine how law “sustains its institutional power” (Silbey, 2005: 323). Rather than commonly refer to a state of mind concerning law – hence the concept of consciousness – legal consciousness is exhibited through discourse about law in everyday life (Ewick & Silbey, 1998). Most notably, legal consciousness is case-specific in that it does not remain static (1998). It may often contain contradictions in one's actual legal consciousness but could also overlap (see Lippert, 2006). This thesis also investigates surveillance consciousness as manifested through discourse about surveillance. Rather than focus on types of surveillance conducted by certain social agents, this thesis explores surveillance consciousness across different mobile technologies used by governments, corporations, and more.

The concept of consciousness in this thesis also follows Ewick and Silbey's (1998: 39), that is, as a part of a reciprocal process in which the meanings given by subjects "to their world become patterned, stabilized, and objectified. These meanings [...] become part of the material and discursive systems that limit and constrain future meaning making." As suggested by Ball (2009) and Di Domenico and Ball (2010), understanding the subject's point of view of surveillance is significant for comprehending the relationship between those who surveil (e.g. governmental agencies) and those who are surveilled.

Thus, this thesis explores subjects' viewpoints on mobile technologies concerning surveillance. It adopts Ewick and Silbey's (1998) heuristic and their conceptualization of legal consciousness that draws on subjects' accounts of their experiences of law in everyday life. Respondents are said to engage *with*, conform *before*, or resist *against* the law (1998), all of which are defined as follows. It is important to note, however, that Ewick and Silbey's heuristic is only used as a starting point for this thesis. A study of subjective experiences of surveillance also reveals some themes that initially appear to be beyond the scope of legal consciousness narratives, but are ultimately encapsulated by these above-mentioned schemas.

The first schema of engaging *with* the law "is consistent with the notion that '[l]aw is concrete, partial, flawed, and changing.' It is 'an arena of competitive tactical maneuvering where the pursuit of self-interest is expected' [...] Law is a game, open to all, but played best by legal professionals upon whom there is considerable reliance" (Lippert, 2006: 73). Engaging *with* the law further involves a game "in which pre-existing rules can be deployed and new rules invented to serve the widest range of interests and values" (Ewick & Silbey, 1998: 48). Simply put, laws are seen to be broken by other laws, rules by

other rules (1998; cf. Ericson, 2007). Subjects engaging *with* the law are said to be more concerned about those who are powerful enough to change and implement laws than the procedures of the law itself. Translating to surveillance consciousness, subjects engaging *with* surveillance may view surveillance as a game where they are able to, for instance, falsely portray themselves online to those who are surveilling them for their own personal interests such as gaining access to a convenient or entertaining website or application.

The second schema, conforming *before* the law, is summarized by Lippert (2006: 73) as one where “law is imagined as majestic, authoritative, and external. Law operates ‘by known rules in carefully delimited spheres’ [...] Here law stands outside and above social life.” In addition, law is expressed as a “[hierarchical] system of known rules and procedures” that “transcends by its history and processes the persons and conflicts of the moment” (Ewick & Silbey, 1998: 47). Those who conform *before* the law describe law as an entity that is sacred and, upon coming in contact with everyday mundane life, heightens the importance of the latter (1998). Here, legal procedure and legal construction are accepted by subjects despite their possible indifference toward the results of these procedures and constructions (1998). To be *before* surveillance may involve subjects conforming to surveillance given its affiliation with governmental procedures. For instance, those who suggest that drone surveillance is necessary for the protection of national security may be situated *before* surveillance. Such subjects may succumb to a perceived necessity of mobile technology surveillance for the protection of the state.

Finally, being up *against* the law involves “a particular understanding of self and other, of being up against something or someone” (Ewick & Silbey, 2003: 1336). Here,

tellers of resistance stories emplot³ law as a powerful force, describe themselves as a protagonist up against this force, and present some action that [avoids] or [overcomes], if only temporarily, this situation of relative powerlessness. The act of resistance is described in the conventional narrative form of opposition, transformation, and moral victory (2003: 1345).

Types of resistance could include “[f]oot-dragging, omissions, ploys, small deceits, humor, and making scenes” (Ewick & Silbey, 1998: 48). These forms of resistance against the law can also be temporary, as some may only resist for a moment rather than constantly. In many cases, resisting against the law can also be ways to “exact revenge” against legal institutions, codes or actors (Ewick & Silbey, 1998: 48). However, “in resisting, people seek diverse goals” (1998: 48). In short, this schema demonstrates that law can, at any point, “be opposed, if just a little” (1998: 49). Similarly, subjects may be situated *against* surveillance practices and those who conduct surveillance. They may respond to systems of surveillance that they deem oppressive to them and resist their tactics of monitoring. For example, an act as simple as placing a cover over a smartphone camera to protect themselves from being seen by mobile applications can be resistant.

³ “Emplotment” is defined by Ewick and Silbey (2003: 1342) as “an account of how things happened.”

IV. DATA SOURCES AND METHODOLOGY

The question being asked by this thesis is about how surveillance through mobile technologies – particularly drones and Stingrays – is understood by those who are surveilled. The sub-questions of this thesis are: (1) How and to what extent do Ewick and Silbey’s three narratives encapsulate subjective understandings of mobile technology surveillance? (2) Does surveillance consciousness regarding mobile technologies vary according to the type of media through which it is articulated? (3) Does surveillance consciousness regarding mobile technologies vary by type of mobile technology surveillance? And (4) how do people respond to the privacy and/or legal implications of mobile technology surveillance?

1. Data Sources

Data collection entailed a systematically drawn, non-probability sample (see Tansey, 2007) from social media discussions from the platforms ‘Twitter’ and ‘Reddit’ along with comments on online news articles (both of which centre on the topic of *mobile technology surveillance*) from two major news sources that commonly publish articles on surveillance: *The Guardian* (US section) and the *Canadian Broadcasting Corporation* (CBC). All data examined and/or collected was situated in the post-Snowden era (i.e. following June 9, 2013).

The rationale for examining both Twitter and Reddit as social media platforms as well as comments within the above-mentioned newspapers is as follows. It is important to note that according to Debatin (2008: 64) “[t]he Web’s participatory features are revitalizing public discourse and providing a new venue for public opinion.” First, the comments on online news articles (see Luscombe, Walby, & Lippert, 2017), or comments

below the line (see Graham & Wright, 2015), in newspapers – *The Guardian* and *CBC* – were used as data sources due to convenience, popularity, and legitimacy. Conlin and Roberts (2016: 366) suggest that comments “on the news of the day [are] an important function of the social discourse.” These newspapers are popular news sources in the US and Canada (see “2016 Newspaper Web Rankings,” 2016). Furthermore, these newspapers keep open to the public the comments contributed by those able to comment on articles, namely, those who have profiles on and are presumably usual readers of the given newspaper. Therefore, such sources admittedly limit the data retrieved to that which comes from subjects who can (due to having profiles on or subscriptions with the given website) access and post comments on these online news websites.⁴ Notwithstanding this limitation, the ability to post and view these comments has “grown exponentially in recent years” (Canter, 2013: 604) with a caveat noted below.

Instead of exploring the nature of how news articles are delivered to the public and in what ways media platforms portray the surveillance society in which we live, this thesis examined comments in these news articles that have displayed thoughts about mobile technology surveillance. Particularly, these comments contain discourse around the topic of mobile technology surveillance with reflections from social actors as opposed to sampling specific types of persons by their socioeconomic status, class, or other filtering

⁴ As a result, this research likely excluded the following: children unable to create profiles on any of the above social media and online news sources due to age restrictions; those who are incapable of reading and/or writing English, thus presumably being unable to communicate with others through these media platforms; and subjects who make every effort to completely avoid surveillance. That is, those who do not wish to subject their opinions and/or information to surveillance will likely choose not to contribute to these threads.

factors.⁵ These comments are about surveillance through two mobile technologies: drones and Stingrays. Thus, this thesis does not seek to analyze news articles themselves, but instead subjects' responses to such news articles and issues therein.

Considering social media, Twitter is a popular source comprised of millions of users who frequently use key words and hashtags (Pervin et al., 2015). It is a platform that has recently and successfully been used for qualitative research analysis (see Brock, 2012; Weller, 2014; Wu & Shen, 2015; Trilling, 2015; Borgmann et al., 2016). Notably, Twitter was reported to be home to approximately 328 million monthly users in 2017 (Statista, 2017). According to Aslam (2017), most of these users range from ages 18 to 29 (representing 37 percent of users) and 30 to 49 (representing 25 percent of users). Twitter enables the public to search for and observe tweets without being a user of the platform. Its 'advanced search' function gives access to the public to search tweets by words mentioned and those preceded by hashtags; for example, a relevant search on Twitter would be for the words 'drone surveillance'. In addition, Twitter allows the public to filter tweets by geographic region to limit searches to specific countries, a feature that allowed retrieval of tweets from Canada and the US – two of the 'five eyes' of surveillance (see Lyon, 2015a; Gill, 2015). To reiterate, the searches conducted for this thesis were limited during Twitter searches to data from the post-Snowden era.

The second social media platform used to collect comments to capture surveillance consciousness was Reddit. This social media platform offered a unique and integrated medium through which data was collected for a few reasons. The operating process behind

⁵ This limitation and others of this thesis are discussed in the conclusion.

many Reddit pages involves users posting an online news article ranging by topic and news source (e.g. *The Globe and Mail*, *The New York Times*, etc.). Many Reddit pages chosen for the acquisition of data for this thesis included both large- and small-scale news sources. This provides two unique functions for the current study. First, these articles are posted on Reddit with a link allowing visits to the primary source webpage. As a result, Reddit users may or may not read the given news article to further acquaint themselves with the topic. Second, Reddit users are then able to comment (on Reddit and not the primary news source webpage) and debate with other Reddit users about the given article. Indeed, the function of such an online space resembles the operation of comments below the line.

Rather than using one of either social media platforms *or* comments below the line, data was collected from both types of sources. Regarding comments below the line, online newspapers provided a homogenous set of data coming from subscribers to a newspaper. Such users are presumably usually referring to the same online newspaper to access their daily news. In contrast, both social media platforms undoubtedly offered a more heterogeneous group who do not necessarily observe the news through only one online newspaper. For example, according to Barthel, Stocking, Holcomb, and Mitchell (2016) 70 percent of Reddit users follow daily news through Reddit. This distinction was crucial to addressing one of this thesis' research questions regarding surveillance consciousness varying across data sources.

It is worth noting the difficulty that arose while selecting these sources for the current study, particularly concerning online newspapers. In previous years, most online newspapers provided a 'comment below the line' section for each published article. This privilege was quite recently removed from many different online newspapers due to online

harassment, bullying, etc., occurring within digital debates regarding various topics. Some noteworthy examples of sources removing their comment sections include the *Toronto Star*, the *British Broadcasting Corporation* (BBC), and the *Washington Post* (see Lat, 2016).

As such, seeking appropriate sources for the current study proved difficult due to this recent burgeoning of comment shutdowns. However, the most obviously important feature that was required and maintained involved the online newspaper's tendency to publish articles concerning surveillance and privacy. For example, *The Guardian* was one of the first sources to release Snowden's leaks to the public; this justified an examination of this source – a source that provided comment sections on all its articles. The CBC, however, does not support an identical sense of leniency with comments on every article. Instead, CBC now handpicks the articles under which comment sections are permitted (McGuire, 2014). As a result, some selected articles (selection process outlined below) did not have comment sections and were thus excluded.

2. Data Collection Procedures

Considering which articles and tweets were selected, the approach for this thesis was as follows for each of the four sources. Table 1 and Table 2 (see Appendix A) provide an overview of how these procedures were followed for comments below the line and social media posts, respectively. A list containing every article from *The Guardian* and CBC, as well as posts from Reddit that were selected for this thesis can be found in Appendix B.

First, *The Guardian*'s default search was changed from the UK to the US edition. The search toolbar was used to search for “drone surveillance” and “Stingray surveillance” as well these phrases in opposite order to gather a comprehensive list of articles. These

searches generated lists of online news articles pertaining to the mobile technologies and surveillance. From these articles, every second article was chosen given that all articles from *The Guardian* allow comments below the line. Upon selecting an article, the title of the given article was required to have a mobile technology within it (or the word “surveillance”), and the date of publication was checked to ensure it was in the post-Snowden era. This was followed by a brief examination of the article’s content to acquire any context needed to grasp the meaning of comments. Assessing each article ensured that all, in some broad sense, referred to mobile technology surveillance. Articles that did not relate to the given technology and surveillance were excluded. The article immediately following this excluded article was then selected and assessed in similar fashion. Following this assessment, every second comment – regardless of its content – was collected and added to the complete dataset. The content of comments was disregarded for the collection process to remove any sampling selection biases (see Berk, 1983). Finally, if a thread containing dialogue was present in response to a selected comment, up to five comments in the thread were collected before proceeding to other comments and/or threads. *Up to 30* comments per article were selected.

The collection of CBC comments followed a similar pattern to *The Guardian* with some minor exceptions. Given that the CBC chooses the articles under which to allow comments, following my search for news articles was a brief assessment to ensure comments were available for a given article. The number of articles that included comments below the line were not as common as *The Guardian*’s; this may also have been due to the post-Snowden timeline requirement for the current study. As such, all articles containing comments below the line were selected and included. The number of comments

with and without threads remained consistent with the procedure used for *The Guardian's* data collection.

The data collection procedure used for Reddit, unlike Twitter, was also like the procedure for comments below the line. Identical search phrases of “drone surveillance” and “Stingray surveillance” were entered to search for relevant posts, and every second post was selected provided it contained the name of the given mobile technology (or the word “surveillance”) within its title. Upon completing an assessment of each selected post, every second comment (*up to 20* comments) was selected from each post as well as up to five from any conversational thread.

Finally, the procedure used for Twitter was slightly different from the initial search options. The advanced search option was used to enter the search phrases. These phrases were used as “keywords” to search for as opposed to hashtags given that keyword searches also included such terms being used within hashtags. To avoid having to endlessly scroll through years of tweets, many of which may be irrelevant, several searches were conducted in half-year increments to ensure that tweets from each year had an equal chance of being chosen. Though there were a limited number of tweets available as discussed below, this procedure allowed the collection of all tweets relating to mobile technology surveillance. This preceded the selection of every fifth tweet. However, some searches produced users tweeting *only* a link to an article about mobile technology surveillance. If a tweet contained such a link and was identical to another selected tweet, the second tweet was treated as null and the immediately following tweet was selected. This can also be expressed in a ‘retweet’, a type of tweet also omitted for this study. In some cases, tweets were offered by “verified” accounts which was clear by “the blue verified badge [that] lets people know

that an account of public interest is authentic” (“About verified accounts,” 2017). Lastly, *up to* five tweets in a single thread were selected prior to proceeding to other tweets and/or threads.

3. Data Analysis

The data above was examined through a discourse analysis of manifest content (see van den Hoonard, 2012). “Discourse,” according to Philips and Hardy (2002: 3), “in general terms, refers to actual practices of talking and writing.” Wood and Kroger (2000: 4, as cited in van den Hoonard, 2012: 139) argue regarding discourse that “language is not only a tool that describes reality but also a ‘social practice, a way of doing things’”. That is, “discourse constitutes [...] social life” (2012: 139) and is limited in definition. According to Parker (1997: 292, as cited in Harper et al., 2013: 178), “an account of discourse should be able to identify the ways in which processes of ideology and power find their way into the little stories of everyday life.” Thus, in conducting a discourse analysis a researcher’s job is to explore how it is that discourse is shaped by these mentalities but also how such discourse “create[s] the social world,” “how language [shapes] experiences” (van den Hoonard, 2012: 140), and how “social reality is made real through discourses” (Philips & Hardy, 2002: 3) of surveillance. As Harper et al. (2013: 185) explain, upon using discourse analysis to explore experiences of surveillance, researchers can “‘map’ possible forms of subjectivity within discourses and this may be one way of defining the effects of living in and through systems of widespread surveillance.”

V. FINDINGS

A total of 896 comments and tweets (hereinafter, comments/excerpts) were selected from the four sources and inputted into NVivo – a qualitative and mixed-methods analysis software program. This software allowed me to organize the large amount of data into folders and to code it under different themes, or “nodes,” created for the current study. In addition, NVivo allowed me to use complex tools of analysis such as comparison and hierarchical visuals, some of which are displayed as figures in this thesis. As such, the comments collected were coded exactly 1,219 times to one or more of many nodes and sub-nodes (several of which are detailed in the following chapter). Many comments were coded with more than one node.

After separating online newspaper comments and social media comments into two separate NVivo files, the data exhibited some variation of surveillance consciousness from one medium to another. Figure A displays a breakdown of the overarching forms of surveillance consciousness in the online newspaper data, and Figure B offers a similar illustration for social media posts (see Appendix B). Correspondingly, Figure C and Figure D exhibit a breakdown of these schemas pertaining to each mobile technology (see Appendix B). As mentioned above, there were several themes found, but the aforementioned Figures display three surveillance consciousness schemas and an “other” section, analyzed as what was seemingly beyond the scope of legal consciousness schemas. However, this “other” section is later shown to actually benefit the three schemas. Most importantly, there was overlap on several occasions between two or more of these themes. There was very little difference found across the two types of media concerning these major categories of surveillance consciousness as shown in the Figures.

This section outlines key findings from the analysis of the hundreds of comments. I coded the data into several nodes to gather insights about surveillance consciousness. Each excerpt was coded as being *with*, *before*, and/or *against* surveillance as well as the “other” section; this latter section was used to explore whether the excerpts contained a schema beyond surveillance consciousness’ original schemas. In other words, if an excerpt was determined to ultimately benefit at least one of the three original schemas but contained one aspect that seemingly did not fit, then the excerpt was categorized as “other” *and* as an original schema. I then located consistent themes that were prevalent in the excerpts in addition to the above-mentioned schemas; these themes also benefit the surveillance consciousness schemas.

The first section of this chapter expounds on these noteworthy themes that correspond with the original surveillance consciousness narratives. Section 2 of this chapter further explores the presence of Ewick and Silbey’s (1998) schemas as part of surveillance consciousness by showing how the three are present in the latter’s constituents. Section 3 emphasizes the “other” section noted above by identifying two themes that, at first glance, partially deviated from the three original schemas. The first theme relates to subjects’ understanding of the surveillance society with adherence to Agamben’s (2005) *State of Exception*. The second theme involves the temporal aspect of surveillance consciousness, where subjects are seen as visionaries. Upon further analysis of this “other” section, its two components were discerned to seamlessly benefit surveillance consciousness schemas of being *with*, *before*, and *against* surveillance.

1. Prevalent Themes

1.1 'Got Nothing to Hide'

Of the most common arguments made by those who simply do not regard surveillance practices as intrusive and disturbing, the “nothing to hide” response (see Solove, 2007, 2011) is at the forefront. This argument was made by subjects through all types of media, and although it could be placed categorically under the theme of ‘privacy issues’, it is understood for *some* as the opposite of an *issue*. Instead, subjects use this trivial argument asserting that “there is no threat to privacy” (Solove, 2007: 746). These subjects maintain that their actions have always been law-abiding and just, deeming their actions permissible (2007). The data is consistent with Solove’s (2007: 747) argument that “the argument reflects the sentiments of a wide percentage of the population.”

The following excerpts show the “nothing to hide” argument present in various contexts of discourse surrounding mobile technology surveillance:⁶

RCMP can tap into my cellphone all they want.... they'll be paying a federal officer \$100k/year to be bored to tears...! (CS6)

A method to intercept cell calls without a warrant means that everyone's communications are being surveilled without legal authority. End of story. Mind over matter. If you don't mind, it doesn't matter. Just roll over and go back to sleep. If you've got nothing to hide, why would you care? (CS1)

Who cares? If the police use this to catch the criminal, I couldn't care less if they also read every "LOL" I text. I have nothing to hide. Only criminals do. (CS2)

I haven't done anything wrong so I'm not worried about the police listening in. Good work Vancouver Police! (CS2)

What's the big issue with monitoring cell phones? If you're not doing anything illegal, you have nothing to worry about. (CS5)

⁶ The comments referenced in this thesis were corrected *only* for spelling and punctuation errors as well as homophones (e.g. their vs. there) to assist the reader.

I give the RCMP full permission to listen or see any or all of my phone calls and texts. [...] I still believe that if you've done nothing wrong, you can't be charged for something. [...] They're not interested in my wife texting me to bring home pizza. (CS3)

Similarly, social media users express comparable positions when using the “nothing to hide argument”:

Dance like no one is watching and don't sweat it. (RD5)

I have nothing to hide and reject the idea of #police state #Stingray #secret surveillance. (TS)

[...] but at the same time my cellphone conversations are literally just talking to my family about everyday stuff. I'm only one individual in this and personally have nothing to hide. If EPS [Edmonton Police Service] wants to listen in on my conversation with my mom about how hard it is to find a good sports bra, then go ahead. (RS7)

The final excerpt above suggests an understanding that surveillance does not warrant the subject's daily activities and communications useful to the grand surveillance system; instead, surveillance practices seamlessly gloss over the subject's data with the intention to only catch those who are willingly concealing something. In other words, if subjects have nothing to hide then what are described as their mundane lives are certainly not of interest to any surveillance programs. As such, a suggestion offered by many is that subjects need not worry if they do not engage in deviant behaviour. Solove (2007: 753) eloquently summarizes the argument:

The NSA surveillance, data mining, or other government information-gathering programs will result in the disclosure of particular pieces of information to a few government officials, or perhaps only to government computers. This very limited disclosure of the particular information involved is not likely to be threatening to the privacy of law-abiding citizens. Only those who are engaged in illegal activities have a reason to hide this information.

Despite the prevalence of this argument, many other subjects oppose what they deem to be a trivial argument at best. The opposition suggests that proponents of the argument are missing the crucial point or the big picture. The allegedly overused argument is questioned and countered in several ways:

Ah the good old “we can already find things about you so what could a little more hurt” argument...Except the difference is that this is government surveillance with the express purpose of keeping track of you, you have absolutely no idea what are the capabilities of the drones... (RD1)

When I read comments “you have nothing to fear or it is becoming a police state” I could cry out loud we do have something to fear [...] and are already living in a police state now! (GD1)

[...] The reason this is a big deal is in a free society the police don’t get to make up the laws or how they are enforced. [...] The point [is] that the police and security service in our country shouldn’t be acting outside of the law. [...] These are safeguards, because every now and then a PM or a leader comes along and says he has an “enemies list.” [...] It’s our safeguards that keep us from being [...] taken away in the night not because you did something illegal, but [also] held beliefs or opinions that a more authoritarian leader thinks are threatening to his power. (CS3)

Everyone sort of says that until the stuff they had to hide gets exposed. Planned adultery, actual adultery, lying on the resume, financial issues, bigotry and racism and chauvinism and misogyny, drug abuse and heavy drinking, their criminal record (including crimes for which they were never convicted, like juvie vandalism), speeding, habitually lying [...] ...the list goes on and on. I laugh when I hear people say that they have nothing to hide. Of course they do – everyone does. They just don’t think they’ll get nailed for anything. (CS5)

Opponents of the argument admit that every person *does* have something to hide. Without receiving a response from others, one subject responds to a “nothing to hide” commenter by demanding that the commenter submit their information to the subject. What is pointed out by the subject denotes information that is likely digital by nature.

Why don’t I post an e-mail here. You can send me all your text messages, transcripts of phone calls, your e-mail accounts and passwords. Banking information, account #'s and passcodes. You’ll be fine with that right? Didn’t think so. (CS5)

Here, the subject removes the notion of police, government, or any commercial enterprise and pompously brings him/herself to the position of controlling another's data. From this comment, one can infer that subjects cannot bring themselves to openly disclose their information to a stranger (in this case one single person); they would not easily permit the disclosure of such information to an entire police force, governmental body or commercial enterprise.

The comments above containing the 'nothing to hide' argument can, in some ways, overlap with the three narratives of legal consciousness. For example, the final comment above (CS5) contains a subtle hint of the subject being *against* surveillance. This is shown by the subject's condescending "didn't think so" following the subject's suggestion to others. Furthermore, subjects believing in the 'nothing to hide' argument can be perceived as those who would willingly give up their data, simply standing *before* surveillance. For example, the belief that oneself does not matter to the grand scheme of things could be inferred as subjects feeling the overwhelming grandeur of the surveillance society, leaving subjects with a sense of powerlessness. However, a comment like the second-to-last one (CS5) above portrays an opponent's side of the argument, where the fact that subjects *do* have something to hide shows them to be up *against* the surveillance society.

1.2 Military and Police Use of Mobile Technology Surveillance

Of all the data for the current study, the most commonly used word within the excerpts was "police." It was associated with over 200 texts. Subjects either praised or blamed the police and/or military for the surveillance to which they are subjected. Stingrays have commonly and primarily been affiliated with law enforcement's use of the device to collect what is known as metadata (see Newell & Tennis, 2013; Schneier, 2014 for

definitions of metadata). Likewise, drones are shown to be associated with federal and municipal police services as well as federal agencies such as the Central Intelligence Agency (CIA) and the military for purposes of both surveillance and military drone strikes. As West and Bowman (2016: 650) note, drones “are the signature weapon of modern warfare.” This is expressed by one subject supporting military drone use, suggesting that

[t]his is an excellent tool to be used for monitoring our coastlines and the far north. Drones will save lives and costs carrying out these missions. If push comes to shove drones with the capability to "shoot back" are absolutely necessary. The modern battlefield demands technology on this level. (CD3)

Here, drones are weapons that can strike the opposition to defend one’s own nation. Such devices are said to be required for the “modern battlefield” that has gone beyond human warfare techniques; these positions display subjects to be situated *before* surveillance, ultimately disregarding the notion of surveillance for the defense of the nation. Another subject similarly calls drones a “no-brainer” and proposes specific types of drones for warfare:

Drones are a no-brainer. And we need to listen to the RCAF [Royal Canadian Air Force] - surveillance and weapons capacity is needed. Reaper drones and the Global Hawk are possible choices. We need to face up to defence needs in the 21st Century. (CD3)

However, other subjects describe the potential of drone usage for warfare. The lack of drones is said to be detrimental to a nation, as one subject responds to a drone surveillance article:

Drones are cheaper and a mandatory component future of warfare so this is a non-starter unless you want to see Canada even further behind than it is militarily. There may be a way to still maintain capability despite likely budget cutbacks to come. (CD3)

Yet others do not view drones as beneficial tools for warfare and the protection of a nation. Instead, a concern with drones is articulated concerning their capacities of

engaging with surveillance or battle strikes. One subject speaks to the inevitability of drones carrying the function of weaponry:

I find it difficult to understand why anyone would ever think that these drones would NOT have munitions... they are only used in places of severe conflict and war. We do have cameras on light poles and helicopters for looking at the traffic on the Don Valley Parkway. This is for military use only not traffic surveillance. (CD3)

Interestingly, one subject offers a hypothetical situation to follow such that military accountability is maintained. That is, the subject insists that such a solution would facilitate the military managing itself appropriately:

If a country wants to make sure that their drone program is held to the highest level of accountability, all they need do is make it so that 60 days after any drone flight, the recording of the flight is automatically uploaded to the internet. For national security, no audio would be uploaded, as they might discuss how they got the information that lead them there, but the video would be tagged with a unique identifier so that government officials could request the full record, including mission details, pilot, CO, and control room audio. Do that, and the military will police itself quite effectively. (CD3)

These above excerpts were all comments below the line of the *same* article about the possibilities of using drones for lethal force beyond or in addition to surveillance. This article was only one of few that also focused on military use of drones and elicited responses about the topic.

Regarding police, surveillance consciousness towards law enforcement channeled a negative undertone whereby police could not be trusted, that police are performing warrantless surveillance, or that a loss of respect toward police occurred due to these practices. Such thoughts about police ultimately show subjects being situated *against* surveillance. The following are some examples of excerpts regarding police use of mobile technology surveillance:

At least back in the late 70's, the police had to get a court warrant to fly helicopters over suspected marijuana plantings in California's northwest. Now, the police do

whatever illegal function they want until someone tells them it is a no-no and to stop, which is rare. (GD5)

There was a time that I had respect for the police. Sadly, that respect has been lost. Weird that it coincided with the advent of cell phone cameras. [...] This story will fester for a few days, someone will leak information, there will be an investigation and then they will finally admit they have "bent" the law and apologize. (CS1)

The first comment refers to an historical timeline where police were once seen to be operating and abiding by the law. The second commenter expresses lack of respect for police, and the final comment similarly refers to the trust the subject *once* had in law enforcement. Uniquely, one subject referred to and opposed the use of Stingrays by police during protests, suggesting such a practice to be unconstitutional:

These are now routinely used at all protests. [...] Because they don't have warrants that would allow them to use this information against a person in court, police find other ways that they could have "found" the information, usually creating some kind of informant or other fiction. [...] [T]hey can't fess up to it as a source of their information in court, no one can challenge them on it. This is even more unconstitutional [...] than NSA phone and internet collection surveillance. (GS3)

Overall, most times police were mentioned in the discourse, these references were coupled with a feeling that law enforcement would surreptitiously use mobile technology surveillance for deleterious reasons such as targeting specific individuals, regardless of whether they had committed a criminal act. Here, law enforcement is oppressive, thus illustrating subjects' position *against* surveillance. Despite the type of negative comments found in each source, those who supported police and military use of these devices aggressively opposed their adversaries by justifying such use. In many cases, these subjects allege the notion of crime⁷ as justification. One subject specifies that due to the

⁷ This section also contains one subsection of the chapter focusing particularly on crime and surveillance.

proliferation of drones, “*now every yahoo is a potential menace to life, safety and privacy*” (CD2), showing that potential criminals are feared and may have their own access to certain devices. As such, drones and Stingrays in the hands of police are seen to be acceptable for some, as one subject posits, “[*t*]he RCMP has no interest at all in listening to your non-security involved calls. They have better things to do with their time. Using this technology is a good thing to keep Canada safe” (CS3).

1.3 Lacking Resistance and Blaming the Citizenry

In a later section about subjects situated *against* surveillance, I discuss how people claim to resist or have previously resisted mobile technology surveillance. The current subsection displays a located theme about subjects referring to others’ techniques of resistance rather than their own. In other words, these subjects await others to resist mobile technology surveillance for utilitarian reasons and insinuate such resistance is required regardless of whether the end goal is achieved. They see resistance as lacking and are thus awaiting someone or *something* to resist surveillance. Through these understandings, it was also discovered that given the lack of resistance by many citizens, many subjects argue that citizens have brought mobile technology surveillance on themselves vis-à-vis submitting to the convenience of mobile technologies (see Harcourt, 2015). Indeed, subjects blame the public for willingly taking their own steps to completely subjugate themselves to mass surveillance.

Awaiting resistance or someone to act against surveillance does not indicate subjects who are necessarily situated *against* surveillance. Those who await resistance or speak to the lack of resistance are not particularly resisting surveillance themselves and are thus categorized differently from their resistant counterparts. One subject posed a question

to others asking what they are going to start doing about mass surveillance: *“I think enough words have been said. The CIA is our enemy. What are we gonna start doing about it?”*

(GD6). Another subject communicates to others what *must* be done to resist this mass surveillance and what others need to realize, as the subject states:

Dear God. When did we arrive at this dystopian future? We’ve got to realize the intentions of governments and states across the world. Their very purpose now [...] is control, monitoring and surveillance of their civilian population for a variety of ends. And we must, for the sake of anything resembling freedom begin to protect ourselves against it, because appealing to civil liberties and rights has become, as we are seeing, utterly meaningless. (GD1)

This excerpt suggests the public fails to protect its own legal and democratic rights and, as a result, places some blame on others while awaiting resistance.

Other excerpts show a transition from the theme of ‘awaiting resistance’ towards blaming the public for willingly allowing this mobile technology surveillance to consistently hover over everyday life. One subject’s sentiment displays this noteworthy transition in a response to an article regarding thousands of legal cases being overturned due to police Stingray use:

What boggles my mind is how many sheep in this country actually believe that the police and all other authoritarian agencies are doing anything by the law to protect us citizens. The whole justice and legal system [expletive] with its citizens, considers us all as state controlled sheep. You all need to wake up and start fighting back against the system and the government. We the people need to have our revolution finally. We need to bring justice to the citizens of this country and kick out the corrupt judicial system. (GS1)

Evidently, this excerpt suggests that others need to awaken to their surroundings before it is too late. Pointing to others, this subject refers to some of the public as “sheep” who cannot help in the defense against the surveillance society. Other subjects speak more explicitly about how the citizenry is at fault:

The American People have handed over the pink slip to their country. This is what happens when freedom isn't valued anymore. (GS4)

Isn't all their portable e-junk technology just super duper wonderful? [...] Ever since it came along it's not just our privacy, but also so many other 'life' aspects have been getting progressively worse because of it. [...] This technology was supposed to make society/mankind even smarter, but for most who've embraced it nothing could be further from that truth [...]. Sadly, there's far too many/sheeple who are now in too far deep to reject it. (CS4)

This is why you don't carry tracking/bugging devices with you everywhere you go. Let people think you're nuts if you don't carry around a cell. Not like it's impossible to carry a little black book to write down phone numbers. Today, you're crazy if you worry about your phone coming pre-bugged. 40 years ago, you'd be crazy to buy a pre-bugged phone. (RS1)

Gone is any doubt that anyone might have had that government surveillance must be carefully and completely controlled to assure constitutionality and legality. Well, maybe not. There are some who really want a police state. (GS1)

What is common among the above excerpts is the belief that the public incorrectly allows themselves to be subject to surveillance either for purposes of convenience or because they are ignorant of mass surveillance and similar complexities. These are sweeping and generalizing excerpts that portray an understanding of societies holistically. However, one subject questions others' worry of Stingrays, for example, given subjects' constant use of social networking and related platforms:

You worry about Stingrays? Wake up people, everything you say or do online is monitored for starters, which includes Facebook, any social media, emails, etc. And apparently these spy agencies can even access your home security cameras, webcams, TVs and any appliances that use cameras or microphones. (CS6)

Once again, this subject proposes that others need to be awakened to acknowledge how they are being surveilled. The subject refers to the common parts of subjects' everyday lives that result in subjects being surveilled (e.g. using social media).

Similarly, one subject refers to devices being captured by Stingrays but points to security issues within the devices and the subject's surprise that others still use devices such as cellular phones:

It just points again to the lack of security surrounding cell phones and the software that runs on them. I am surprised that anyone would use these devices for communications such as to whistleblowers demanding absolute anonymity. Surely everyone must be aware by now that modern technologies can eavesdrop without being safeguarded by good encryption. (CS4)

As one subject blatantly puts it, “[a]ll life is grass. Wake up people, we humans are a cancer of the planet” (GD4). This comment suggests that the public is at fault for the current surveillance society; a similar comment refers to subjects' dependence on technology as a catalyst: “People don't care as long as they can eat and drink, watch reality television and dream of winning the National Lottery” (GD1).

1.4 Surveillance and Terrorism

Since September 11, 2001 (hereinafter, 9/11) the act of terrorism from both external and internal threats to Canada and the US has been a vital risk turned to by governments for the purpose of maintaining national security through surveillance measures, as “[t]he War on Terror [has] resulted in forms of surveillance with little or no judicial oversight” (Walby, Lippert, Warren, & Palmer, 2016: 7). Citizens of Western nations have been commonly reminded that such surveillance practices “keep them safe, especially from terrorism” (Walby et al., 2016: 1). However, as noted by Monahan (2012: 289), “technological surveillance seems to have had very little success in stopping attempted terrorism since 9/11.” A similar postulation is evident in subjects' understandings of mobile technology surveillance and terrorism. One subject illustrates this in reference to Stingrays by suggesting that terrorists have not been located via surveillance:

I'll just go ahead and say it.....Hitler would have LOVED to have had his hands on this!! Land of the FREE my [expletive]!! Irony: Using OUR confiscated money against US..AND...they can't locate "terrorists"?! (GS4)

Further, the notions of terrorism along with national security are seen by some subjects to be used as mere excuses for governmental agencies to engage in mobile technology surveillance. In other words, surveillance is said to be an intrusive technique to socially control the public through mass practices in the name of national security. For example, one subject responds to an article briefly touching on denied freedom of information (FOI) requests about Stingrays and their use by the Vancouver Police Department (VPD):

How the hell can the VPD deny a FOI request asking a general question? ARE YOU USING SPOOF CELL TOWERS? I firmly believe in 'law-and-order' but they answer to the public! And I am sick and tired of the government and police using the 'national security' and 'protecting sources/methods' argument. What about our personal and privacy security? (CS1)

Other subjects similarly see the protection of national security as an excuse, illustrated by the following:

So... they are criminalizing guys with RC toys that happen to have a camera but opening the door for the government to use them any way they want for "public safety"... (RD8)

If they become too cheap and easy they won't simply be used and rescues like Helicopters are today, but could fly routine patrols over neighbourhoods. With battery powered drones that fly back to their base station to recharge themselves and take off again, this could easily happen. The excuse, if one is even needed, will either be that they are needed to fight the failed war on drugs, or terrorism. (RD2)

But subjects also seem to suggest everyday crimes are fought through tactics initially aimed to address acts of terrorism. One subject epitomizes this sentiment: “[L]aw enforcement using ‘terrorism’ to obtain surveillance technology to fight regular crime” (TS). The transition from the implementation of a surveillance technology from one purpose to

another (e.g. terrorism to common crime) has been defined in research as function creep (see Monahan, 2007: 378; Greenleaf, 2007; Ball, 2010: 92), which has been established for many mobile technologies used for surveillance.

Contrarily, many subjects perceive terrorism and national security as legitimate factors justifying governmental agencies and police services to engage in surveillance practices to gather intelligence. Such understandings would ordinarily coincide with subjects being *before* surveillance. One argument relates to the ‘nothing to hide’ argument where the subject posits that

if you're not doing anything wrong or illegal why the fuss? When you're riding the rail and it blows up don't blame the police for not doing their surveillance. Give me a break. You want security but don't want them to do their job with better equipment than the terrorists or criminals. (CS6)

This comment seemingly refers to the inevitability of a tragic event occurring without the implementation of surveillance by law enforcement. Uniquely, one comment almost opposes the ‘nothing to hide’ argument but identically concludes that surveillance is warranted for national security:

Most of us lead mundane cell phone lives. Sexting.... is probably as wild as it gets. But many have things to hide. I would rather have my sexting overheard than the plans of some wackos, terrorists or whatever... not heard... (CS6)

A similar comment – in response to many negative reactions to an article – questions whether people would rather endure surveillance or terrorist attacks:

Another terrorism related arrest this week! What exactly are you proposing? Do you want people to get gunned down at a hockey game or blown up at a Starbucks? (CS3)

In opposition to any possibility of terrorism, another subject posits that Stingrays are useful tools to investigate not only potential terrorists but also those with whom they associate:

On the one hand we have terrorists planning their dirty deeds and drug dealers who are profiting from their sales exploiting the masses for profit. How do you stop them? This is one good tool by the looks of it. Anyone connecting with known numbers of terrorists and or drug dealers gets tagged and investigated. (CS1)

As shown above, the notion of terrorism in combination with surveillance was prevalent in the discourse. Indeed, many subjects were shown to see surveillance and national security as mere excuses used by governments to surveil the population at large. Such opposition to surveillance proposed suggestions like, “*F security, I’ll keep my liberty thanks*” (GS7). In response to the opposition, proponents of surveillance argue that surveillance practices are worth any intangible price given their prevention of terrorist activity. These subjects imply that without surveillance, they would fail to be protected and would thus inevitably be exposed to threats internal and external to their given nation. Here, we find an answer conveyed as a reminder to the excerpt from GS7, as one subject responds, “[*t*]ell that to the widows and orphans from 9/11” (GS7).

1.5 Literature, Film and Snowden

In previous scholarship, surveillance has been shown to be “influenced by popular culture, as the media can shape our attitudes and actions towards surveillance” (Kammerer, 2012: 99). Many subjects throughout all sources for the current study referred to literature, film, and even Snowden’s leaks in the media. We can begin with the countless moments where subjects use Orwell’s *1984* to help describe the current societies in which they live. According to Kammerer (2012: 100), *1984* is “the most famous cultural expression” given that the “[e]vocations of a menacing ‘Big Brother’ have become commonplace in discussions about surveillance and control.” Indeed, Kammerer (2012: 100) was correct in his assertion that “debates about whether or not Orwell was ‘right’ in his predictions” have increased.

The following excerpts refer to Orwell's predictions in his famous book and how they have now come to fruition in the 21st century:

This is no big surprise. You are being watched right now, everything you do is recorded. This is 1984 and big brother is more prevalent than ever. (CS3)

This is clearly "Big Brother" ideology... who must watch all citizens to determine how illegal they are... not if they're innocent... as police in Canada may consider all of us guilty of something. [...] George Orwell wrote the book... Canadian law enforcement is bringing it to reality! (CS6)

Big Brother: Flying to a City near you Soon. (RD2)

[...] Orwell's prediction seems to be coming true .. just a bit later than he thought. (CS5)

1984 is just a little late, but it's up and running now. (GD5)

[...] it has become an Orwellian nightmare from which there is no awakening. The only respite is death. (GD4)

I was going to say that 'you couldn't make it up' but someone already has... George Orwell, I think it was. (GD5)

[...] Anyone that uses cell phones or the internet has to assume Big Brother is watching. There is no privacy when it comes to tech. (CS3)

The commonality among the statements above is clear: Orwell's predictions of mass surveillance are known to many and believed to have been proven correct. One subject speaks about the inevitability of 1984's totalitarian state because of contemporary subjects' resignation to fight for their rights and privacy (recall theme about blaming the citizenry):

I am honestly amazingly surprised by the super high percentage of people here who have zero issues giving up their rights to privacy. Yes, I know most of our conversations are boring and if you've done nothing wrong, then who cares... but we have a right to privacy. If we're so willing to just give up our cellphones, what's next? Our homes, our persons? Even if you've done nothing wrong, or are boring... this isn't right. Has no one read 1984! (CS2)

Beyond the general reference to 1984 and simply using and relating its entirety to contemporary surveillance practices, subjects delve deeper into what Orwell refers to as

‘Thought Police.’ These law enforcement agents are described by Simon (2005) with the ability to “at any given moment [...] [plug] in on any individual wire” to personally surveil any subject subjugated to Big Brother. These agents “[operate] as agents of a centralized totalitarian state which uses surveillance primarily to maintain social order and conformity” (Haggerty & Ericson, 2000: 606), comparable to the effects of Foucault’s panopticon. Similar capabilities are illuminated by subjects of the current study, as they compare Thought Police to contemporary law enforcement and the alleged totalitarian state that exists in North America by suggesting law enforcement is “[o]nly bad when [we have] *thought police instead of normal police*” (RS3). Another subject echoes a similar view about Thought Police:

Surveillance of law-abiding citizens, under the watchful eye of “Thought Police” has the effect of putting a “chill” on freedoms of expression and assembly as guaranteed by Canada’s Charter of Rights. It is not consistent with free and democratic societies, but it is yet another hallmark of Police State repression. (CS1)

However, one subject suggests the mobile technology surveillance under which populations live is so grand and unfathomable that even Orwell himself could not have predicted such a phenomenon:

This is just the soft sell for the hard-stuff that is lurking just around the corner in a laboratory near you. They are developing drones the size of insects which will be able to take out individual militants, dissidents, terrorists or just about anybody else with sniffy armpits that Mr. Obama decides is a threat to national (or possibly nasal) security. You couldn’t make it up - even if you had George Orwell and H.G. Wells writing the script with the help of Hitler, Stalin and Chairman Mao. (GD4)

This subject explains that surveillance subjects are aware of only some types of mobile technology surveillance given the number of devices that have been and are currently being created. Ultimately, these Orwellian references point to surveillance systems that are oppressive yet inevitable without surprise.

In addition to Orwell's powerful book, subjects make references to popular culture films and television shows where surveillance technologies are commonly depicted. This is comparable to Lippert and Scalia's (2015) exploration of video surveillance in 35 Hollywood films and the discourses that normalize surveillance within these films. As such, subjects in the current study also analyze contemporary surveillance through films and television shows. For example, one subject uses the television series *Black Mirror* to speak to its ingenious idea of coupling “*drone technology AND [government] surveillance*” (TD). The following excerpts similarly invoke films and television shows like *Person of Interest*, *Star Wars*, *The Dark Knight*, and *The Terminator*:

[...] They have so much storage capacity they can never fill it so there's lots of room for your travel, phone calls, texts, emails and browsing habits. [...] Every move you have made on your computer since the time you owned one is out there [...] Smile, you're on Candid Camera. [...] Put some tape over your cam and pull the plug on your tv. Make like Maxwell Smart and lower the Dome of Silence... if you should become a person of interest you're [expletive] before you leave the house. (GS4)

Yay now Darth Bloomberg can spy on us to make sure we don't go over our allotted serving size for soft drinks. (RD1)

I think you will find the satellites predate Terminator by more than a decade. (GD7)

America is sleep walking towards a corporate and military Skynet. (GD4)

This is basically Nolan's Batman surveillance, except instead of a highly trained billionaire they have an underfunded group of often violent or uninterested law enforcement and instead of crippling city-wide crime you get. (RS1)

The second excerpt above describes those who surveil in connection to the famous *Star Wars* antagonist by using the word “Darth.” The latter two illustrate how subjects' every move is constantly watched. Epitomes of such grand and comprehensive surveillance are both the omniscient surveillance system in *Person of Interest*, and *The Dark Knight*'s all-seeing grid at the hands of Batman. Overall, these excerpts demonstrate by their allusion

to surveillance through ‘Skynet’ and the Terminator series that surveillance is not supported by the commenters above. As such, many commenters would be up *against* surveillance.

“There’s never been a major leak of documents relating to the U.S. drone program. Claim: NSA mass surveillance keeps us safe.” – Edward Snowden (TD)

Finally, Snowden and his leaks of NSA and other agencies’ documents regarding surveillance programs were significantly common in the subjects’ understandings of mobile technology surveillance. For many, Snowden was conceived as a person who opened the eyes of the people to acknowledge and realize the mass surveillance to which they were subject – a giver of freedom to the public.

In addition, subjects pointed to Snowden’s emphasis on what is seen by subjects to be the true intention behind surveillance: *“Edward Snowden says: Surveillance is not about safety, surveillance is about power and control. Law enforcement is also about power and control”* (CS1, emphasis added). Interestingly, one subject who claimed he/she was from the UK weighed in on how Snowden is viewed and spoke to the idea that the current surveillance circumstances are beyond what Orwell foretold:

You guys think you’ve got it bad. Thanks to hero Edward Snowden, we Brits now know that our iPhones are all controlled by our GCHQ [...] who according to ES switch on any iPhone anywhere and listen in to our conversations at home... anywhere in fact. It’s even worse than Orwell predicted [...] [a]nd of course we Brits have no written constitution, so can’t even begin to challenge this domestic spying scandal. This is why Edward Snowden is a hero, he has exposed more British domestic spying crimes than anyone else in history. (GS7)

Lastly, one subject suggested *“[t]his could be another Edward Snowden moment”* (GD7). Such a statement appears to treat the Snowden revelations as a watershed moment as others have mentioned above. From a different perspective, it is worth speculating whether the Snowden revelations brought change to subjects’ understandings of surveillance. In his

review of Lyon's *Surveillance After Snowden* (2015), Specht (2017: 1) notes Lyon's message that "Snowden's words did not constitute a moment of actual change in how surveillance is being undertaken." It is worth exploring whether the transition from pre- to post-Snowden surveillance is associated with subjects' understandings of surveillance post-Snowden.⁸ The current study shows that some subjects see Snowden's 'moment' as an existential transition, whereas others are surprised at those who are unaware of this moment: "*I was at a holiday gathering and was astonished how many people either did not know or were misinformed about the Snowden revelations*" (GD4).

1.6 Crime and Conditionals

For many communities, public surveillance not only has the benefit of deterring crime and aiding in the apprehension of criminals. It can also function to monitor the police, reduce racial profiling, curb police brutality, and ultimately increase perceptions of legitimacy (Capers, 2012: 959).

Another common theme discovered involved crime and its combination with conditionals. First, subjects proposed different points of view concerning surveillance and crime, including the assessment of *who* uses the mobile technologies for surveillance and for *what* purpose. Some saw the positivity in mobile technology surveillance for detecting crime. Such subjects advocate for anybody's use of the device – such as law enforcement agents – to help locate criminal activity:

On the other hand, with the crime rate in Northern Alberta skyrocketing (especially with child pornography and sex labour) and the amount of fentanyl and W18 being imported and sold in Edmonton alone, maybe something like a Stingray isn't a bad tool. (RS7)

⁸ To explore whether this was such a significant moment in subjects' experiences of surveillance, one must compare discourses on surveillance pre- and post-Snowden. Such an examination is out of the scope of the current study given that the pre-Snowden era was not examined but can and should be undertaken in future research.

Police have been using drones for years. I seem to remember a spike in drug busts at a music festival a few years ago which was attributed to drone surveillance - good to know they save them for the heavy crimes and don't just indulge in persecution and intimidation. (GD1)

The general public must understand and appreciate the reality of how difficult it is to nail these miscreants without the use of these tools, and coloring outside the lines. Personally, I am more than happy to assist in any way I can to nail would-be terrorists and other such criminals. (CS1)

They contract with Google and its mapping van! :-) There's a Stingray in every one of those vans and the NSA has powerful super-computers with sophisticated algorithms that identify the crime-related phrases in the resulting terabytes of conversational data! (GS1)

These statements discern subjects to be *before* surveillance while partially showing an indifference to whether mobile technology surveillance is beneficial. The subjects convey an acceptance of surveillance for greater, utilitarian purposes and see the surveillance system as useful. Contrary to more positive expositions towards mobile technology surveillance to alleviate societies of certain crimes, other subjects had more negative feedback to offer regarding such surveillance concerning crime:

Why are they needed? They are not going to stop crime. If it takes the job of patrols, that's not very positive in our economic state. If it doesn't take the job of patrols, it seems expensively redundant. It's unknown if they're even effective as a law enforcement tool. Because it's going to be a public nuisance and the possibility for abuse, the problems outweigh the necessity as a law enforcement tool. (RD1)

It is part of the complete surveillance of every single human being for reasons having nothing to do with terrorism or crime. (GD2)

It's called stalking when you listen in on someone's conversation. It doesn't matter who you work for. If you do this without legal cause you are a criminal. That goes for the good guys as well. Knowing is half the battle. [...] These folks who do this, they don't care about your life or your rights. [...] They're paranoid. Your need to listen in is an illness. The moment texting was invented the Government used it to prevent us from communicating while operating a vehicle. [...] They are paranoid, they are afraid of normal people everywhere, and that technology helped create their fears. (CS5)

The final excerpt above refers to any person who uses such tactics, regardless of their occupation, as one who defies the law. This subject posits that anyone who surveils illegally is a criminal, leaning towards being situated *against* surveillance. Beyond the use of mobile technology surveillance as a pre-emptive tool, other subjects referred to “*criminals using drones [and Stingrays] as counter-surveillance*” (TD) and the fear of criminals getting their hands on certain devices:

Another great reason for not carrying a cell phone. If the police are stealing your data, then the criminals, and other government agencies, are doing it too. (CS1)

In the 80's, Motorola had an ad claiming the biggest consumer of radio surveillance equipment in the US was organized crime. Everyone knew what a scanner was... Organized crime syndicates today probably monitor more than the police do, especially with all the high-tech gadgetry out there and having computers doing all the scanning automatically. Other side of the coin is the fact that organized crime doesn't follow the law but police have to. (CS1)

Second, with many comments about crime and surveillance came conditionals in the logical-philosophical sense of the word. As indicated by Bennett (2004: 96), a conditional simply means a statement following the logic of “if... then.” Accordingly, many subjects express their sentiments through conditional language, suggesting that if certain processes are met – such as legal and/or administrative ones – then these surveillance tools and devices are certainly useful for keeping criminals off the streets. The following excerpts delineate similar conditionals:

Admitting to having it, and considering the RCMP having it, there are obviously critical cases where it's use has been justified. My guess is that it was used in the massing child porn ring bust a couple years back. While I still see and understand the issues with this device, that's one scenario that I can agree with its use. [...] Bottom line, as long as there is a clear structure of having to go through various levels of management, and various levels of risk need to be met, along with warrants with extremely specific scopes of use, and information gleaned that is not within the specific scope of use is discarded immediately, I think I'm fine with it, [...] (RS7, emphasis added)

Who cares it's helping find CRIMINALS more prisons more work for the peoples of the north forget mining in the artic build super maxes prisons for rent to the world we can take all the Guantanamo Bay inmates when it closes all the big stars in American prisons this will be huge for Canadians and the economy and hope for the future! (CS6)

Homeland security had a grant program that police departments could apply for to use this device for terrorist operations/surveillance. The LAPD got one and apparently used it for just about everything and anything. I think they're useful in dire situations (amber alerts, active shooters, actual terrorist issues) but I think for any old thing that it's just not warranted. I would say that every time it's used, an investigation is done into why, kind of like with ASIRT. (RS7)

No problem whatsoever with the Stingray. - if EPS provides all documented evidence and public videos of all officers conduct without FOIP requests. (RS7)

Many of these excerpts befit the three narratives and show surveillance at one point to be acceptable for certain purposes, but at other times oppressive or useful for one's advantage in some way. One conversation between two subjects features two sides to an argument concerning whether mobile technology surveillance is justified. The conversation between the two subjects (S1 and S2) concludes with S1 suggesting that such surveillance by law enforcement is permissible *since* criminals are tracked:

S1: Thanks for the good police work. Keep it up.

S2: Are you against all freedom and civil liberties, or just the ones you don't value?

S1: I'm against the criminals. What is wrong with that?

S2: You're supporting government spying on innocent civilians.

S1: The police are using the device to track and investigate criminal activities not innocent civilians. (CS2)

1.7 Law and Privacy: Ownership-based and Reductionist Interpretations

Finally, one of the most common discursive topics with which subjects were concerned involved some sort of privacy or legal matter. First, subjects see the law as

something that has been ultimately suspended. If not to this extreme, subjects also show their belief of an existing “gap” in, or several violations of, the law. That is, these subjects see statutes and the Constitution in their respective North American nations to have been breached by mobile technology surveillance:

Elsewhere it is reported that purchasers of the Stingray are required to sign a document that prevents them from revealing the purchase. Wouldn't this requirement be a violation of the Canadian Charter of Rights and Freedoms? (CS1)

Is there any privacy left for Canadians after Bill-C51 except for the privacy afforded those who stash their loot offshore? (CS6)

[S]ome sort of lawsuit should be brought to federal court, based on the breach of the US Constitution. [...] This is an institution that was supposed to be the defender of the Constitution. It is now slowly slipping into a reproduction of the worst forms of secret police in tyrannical states. (GD2)

Ugh. Taking one Amendment away from us at a time. (RD2)

One noteworthy dialogue between subjects involved a Supreme Court’s interpretation of the Constitution concerning an issue of surveillance:

S1: [B]ut by this question, are you assuming that the Supreme Court always interprets the Constitution correctly?

S2: ... well in a technical sense, the Supreme Court's interpretation of the Constitution is the 'correct' one, since they have the last word in interpreting it. So when the SCotUS says that separate but equal is acceptable, that's the interpretation they use. My question to you is: Is there a 'correct' way to interpret the Constitution? And if so, what is it?

S1: If you assume there is a 'correct' way to interpret the Constitution, you're going to clash with someone else's 'correct' way of interpreting it. Which is precisely what happens on the bench of the Supreme Court anyway. I don't see any 'correct' way to interpret the Constitution, but I would always say it's better to interpret to better protect life, liberty, and property. Any interpretation that runs against life, liberty, or property would need some serious justification for me to accept it. (RD4)

This important dialogue portrays one subject admitting that there is no “correct” way to interpret the Constitution as shown by several court cases. Ironically, the subject proceeds

to offer what the subject understands as an ideal framework under which an interpretation of the Constitution should operate.

Among other things, subjects also suggest that law's effect on such surveillance is minimal given their belief that they are "*not sure it's going to make much of a difference*" (RS2). Other sentiments involved jokes about the law, also suggesting its limited applicability: "*Passing a law to prevent warrantless spying? Why didn't we think of that 300 years ago?*" (RS2). Here, subjects assumingly see law as ineffective and note its struggles to keep up with technological advances (see Wadhwa, 2014 regarding law keeping up with technology). This categorizes such subjective understandings as being up *against* surveillance, also coinciding with the humor behind the sentiment. As such, some subjects offer their ideas concerning the type of laws and/or regulations needed for mobile technology surveillance. The first excerpt demonstrates a subjective belief that resistance is unnecessary but justified through law:

We need a law that requires a license prior to a drone flight and insurance [...] in case the thing crashes and hurts someone. [...] In certain situations like firefighting or inspecting mountains for data on avalanches, they may be of use. [...] Just like planes you should need permission and prior flight path prior to takeoff. [...] Shooting them down is ridiculous. If you shoot a gun in the air [...] that bullet will come down somewhere and [...] you'll get charged. (CD2)

Another subject echoes this sentiment:

So, have "terrorists" figured out, yet, that they can use drones to fly their "next-generation suicide bombs" a few miles to a desired target area? Yes, unfortunately. Is that a good enough reason to have lots or "regulations" monitoring/regulating this new product? Yes. Unfortunate but necessary. (CD2)

Despite some negative views exhibited towards the law, some subjects come to the Constitution's defense:

Re-read section 1 of the Charter. Right or wrong, things like this have passed the Oakes Test and have been interpreted as a reasonable infringement on your

fundamental rights. I'm not coming out on one side or the other, just answering your question. (RS7)

Others positively react to certain devices and propose that only minor changes are needed:

My husband builds FPV drones in the US. I think the only regulating that should be done is that pilots should have licenses to fly them. Not register each one. Because it's important people know how to fly them safely and without disturbing others. (CD2)

Second, an important theme pertinent to surveillance consciousness involves privacy. Privacy issues were expressed in ways seemingly aligning with Floridi's (2014) characterization of two perspectives on privacy, namely the reductionist and the ownership-based interpretations, which also befit Ewick and Silbey's three schemas.

Floridi (2014: 116) defines the reductionist interpretation as follows:

[T]he value of privacy rests on a variety of undesirable consequences that may be caused by its breach, either personally, such as distress, or socially, such as unfairness. Privacy is a utility, also in the sense of providing an essential condition of possibility of good human interactions, by preserving human dignity or by guaranteeing political checks and balances, for example.

Here, the reductionist approach coincides with not only being up *against* surveillance due to the notion of feeling a sense of unfairness or "making do" with situations as shown below, but also characterizes an engagement *with* surveillance, where privacy is a personal utility expected not to be breached. These interpretations of privacy for the current study tended to be more political as part of the reductionist approach. The comments below illustrate such depictions. They most importantly focus on the consequences of privacy being breached as a political check. These comments do not necessarily refer to the term "privacy" but in some cases substitute it for "(civil) liberty."

What kind of [expletive] response is that? "Get used to it" ... as if they don't even entertain the idea of civil liberties anymore and he can't be bothered to put on a dog and pony show about it. (RD1)

This is called a house and another reason why most walls aren't see-through. Most people don't live in glass houses because of this. Also, a reason for having fencing is to create privacy; this is exactly why they are called "privacy fences." (RD4)

The erosion of our basic civil liberties is too high a price for to pay for the sake of whatever benefits this technology offers by way of enforcement. What alarms me as much as their use of it was their lying about it at the outset. This does not engender much in the way of trust. (CS2)

...and now the IRS employs dubious authorities to also carry out their own prolific privacy violations on Americans. The government simply goes out-of-control when not held to account under the shield of secrecy. (GS2)

The continual drip of information that colours in more-and-more just how much disregard the U. S. Government has when it comes to guarding and honoring the people's privacy. Huge privacy violations permeate throughout multiple government agencies. (GS8)

Conversely, the ownership-based interpretation moves away from the intangible notions of privacy and

argues that informational privacy needs to be respected because of each person's rights to bodily security and property, where 'property of x ' is classically understood as the right to exclusive use of x . A person is said to *own* his or her information (information about him-or herself) [...] and therefore to be entitled to control its whole life cycle, from generation to erasure through usage (Floridi, 2014: 116, emphasis original).

The ownership-based interpretation moves strictly toward subjects' understandings engaging *with* surveillance given the emphasis on one's *own* x , whatever that may be, ultimately protecting one's own interest. The final comment below also partially exemplifies being up *against* surveillance. As such, the following excerpts show how privacy is seen as one's *own* x where subjects are seen to defend the idea that whatever x is, is particularly *theirs* and nobody else's x :

[T]he towns and cities are installing new types of transmission receivers onto existing power sources already in place. Everywhere one drives in our locale, the power companies are present, installing new "hardware" [...] for placement of what many have identified as surveillance devices. As a beach resort, and surrounding high volume tourist resorts [...] of university students [...] the policing

of the coastal towns is very tight and secure. But, at the cost of citizens' personal privacy. I think the price is too much [...] (GS4, emphasis added)

Read my lips: "Privacy is dead." The advent of the Canadian Security Establishment and the NSA, etc. etc. etc. has eliminated privacy. Get over it folks. Your life is an open book. (CS5, emphasis added)

*I'm not the least concerned about videos *of* them I'm more worried about videos *from* them. What I do on my property is absolutely nobody's business but my own.* (CD2, emphasis added)

The powers that be who write regulations on these things should place Privacy as the top rule. If I see a drone hovering within my property limits within five seconds it will receive a blast a double-barreled blast from my 12 gauge shotgun; the owner, if he can find the pieces, will never be able to put it back together. (CD2, emphasis added)

As we can see, these two interpretations of privacy as put forth by Floridi display a very similar perception of privacy that subjects have exhibited throughout this examination of surveillance consciousness. However, this is not to insinuate there were not any positive, more accepting interpretations of privacy where subjects' understandings were ultimately situated *before* surveillance as shown below with one subject referring to a "formally-ordered, rational" (Ewick & Silbey, 1998: 47) system. This subject suggests that surveillance conducted by different agencies is not necessarily illegal as some may mistakenly understand the situation:

This report assumes all of this was done illegally...where is the proof?'Currently, there is no public information about how agencies like the RCMP, CSIS and police forces use these devices.' ...then why assume. Any court case whereby illegal info was obtained will be thrown out ... not sure this privacy issue is as big as it is being painted. Sure makes people talk and read articles...that maybe the only good outcome here... (CS5)

2. Situated *With, Before, and Against* Surveillance

To reiterate, one of the sub-questions that this thesis sought to answer was: "How and to what extent do Ewick and Silbey's three narratives encapsulate subjective understandings

of mobile technology surveillance?” Surveillance consciousness was discovered to be mostly understood through Ewick and Silbey’s narratives. The following explicates how subjects are seen stationed further and directly within the three realms of surveillance consciousness consistent with Ewick and Silbey’s narratives. This is demonstrated through various excerpts that delineate surveillance consciousness being captured directly through these schemas.

To repeat, being *with* surveillance involves subjects using surveillance to achieve their own personal ends – despite any barriers – or identifying such a desire in others. In other words, subjects *with* surveillance illuminate different agencies and law enforcement’s use of surveillance to fulfill their own official, organizational interests and gain certain advantages. These interests are pursued by “[displaying] less concern about the legitimacy ... [or other] procedures than about their effectiveness for achieving desires” (Ewick & Silbey, 1998: 48). The following comments given by subjects illustrate such agency uses of surveillance:

Cellphones are not very trustworthy. So "evidence" about and around cellphones is not very reliable. And the Five Eyes agencies working around these issues are difficult if not impossible to know. That said, any "evidence" we see could change in an NSA minute. Or is that a New York minute? (CS4, emphasis added)

The police are going about this all wrong, as usual. If they want this information, they should do it the legal way. [...] Spend some money and get developers to invent an addictive game or other mobile app that becomes a craze, and offer it for free. Then, when people download the app, make sure the small print states that, if you accept the terms of the agreement, you are allowing the police to monitor your phones and use the information gathered against you if you are in any way suspected of committing a crime. [...] Everyone will accept the terms [...] and the police can then do what they want because you've given them your permission. (CS5)

Sounds like a lot of police departments are willing to make a deal with the devil to get their hands on the shiny new toy. The potential for misuse here is huge. What if one of the detectives was uneasy about a girlfriend or wife? Just drive by her house

and fire it up. Now they'll try the Nuremberg defense of "just following orders" to attempt to avoid perjury charges. (GS1)

Yeah but now they have a provision for "emergency situations" that get to be defined by whoever is in charge that day. (RS2)

It is important to note the consistency between the excerpts above and Ewick and Silbey's (1998: 131) *with* the law description as subjects understanding "legality as available to others as well [...], both official and lay participants." Here, subjects acknowledge the power of officials and its ability to "substantially increase the likelihood of skewing the outcome and fixing the game" (1998: 145). The first excerpt above refers to the subject's understanding of NSA surveillance operations as those that implicate surveillance being used for benefitting the NSA, as they alter or erase evidence when subjects seek it for their own personal advantage. The quotation immediately following actually proposes certain ways the police can properly surveil the public despite the deceptive undertone such a task would carry; this provides a way for police to use mobile technology surveillance for their own interests. Like the first, the third excerpt makes reference to the NSA and other agencies but implies that the ambivalence of populations has been taken advantage of to pursue further surveillance. The fourth comment shows the subject pointing to the possibility of questionable practices by users of mobile technology surveillance such as "detectives" using such surveillance to spy on their partners; their actions are said to be justified by the users themselves as they seek their own personal ends.

Other comments that show subjects to be *with* surveillance also involve subjects using mobile technology surveillance for personal gain. These subjects either seek their personal ends or also put forward the idea of the devices being made available to the public

for others to meet their own ends. The following examples are illustrative of such uses of surveillance:

I want one. (GS5)

I'd wanna replace my \$19 mock surveillance drone with an actual drone. Instead of flying coach, own the airline. (TS)

Get me one of these toys and I'll give you guys a hand lol. (GS7)

Not so far, but I should send a drone there for surveillance just to make sure. (TS)

I need to buy a Stingray for my girlfriend. (RS1)

These Stingrays should be available at your local store. (CS2)

One subject expresses the proposition that mobile technology surveillance's use can vary depending on the persons using it and how they end up using it for their own intended purposes:

As far as I can see, this technology is greatly depended on who uses it and for what purposes. I have problems with unauthorized drones around airports, harbours, industrial sites... The kid that uses it to spy on neighbors, well that's a privacy matter and could be a police call. (CD1)

Here, the subject acknowledges the ability of others to use the technology for their own personal interests.

The second narrative, being *before* surveillance, shows many understand surveillance “in its own awesome grandeur [...] defined by its impartiality” (Ewick & Silbey, 1998: 46). The sphere of surveillance is one that is external to individuals and goes far beyond any one individual's existence, unaffected by time. As such, subjects here have more of a positive yet defenseless understanding about surveillance – one that presumes the intention of surveillance or those who surveil to be propitious. In combination with

these subjects, others can also be *before* surveillance even if they simply speak of surveillance's magnificence alone.

The following examples display how subjects perceive surveillance to be an acceptable and brilliant phenomenon; some of these excerpts discern surveillance to be permissible for the safety of their nation:

Drones are great for surveillance, cheap to run, can stay in the air for a day. (CD3)

This is an excellent tool to be used for monitoring our coastlines and the far north. Drones will save lives and costs carrying out these missions. If push comes to shove drones with the capability to "shoot back" are absolutely necessary. The modern battlefield demands technology on this level. (CD3)

[...] Using this technology is a good thing to keep Canada safe. (CS3)

Please continue to use them. Listen to everything. [...] This is about [...] ensuring the safety (and freedom) we as Canadians enjoy. The playing field is not a level one so please let's allow those charged with protecting us the tools to do so. And let's stop getting in their way. [...] Law enforcement does indeed abide by rules too. [...] If we did, we wouldn't be making this an issue or conversation. Allow them to see and hear behind the curtain... And we increase the probability of being able to delay/stop evil plots. Ask them to slow down and be transparent will eventually result in tragedy. #openyoureyes. (CS6)

I had the luck to talk to a two-star air force general, he stated that in Iraq, [...] combined intelligence agencies have used the drone system to create a persistent map of Iraq, so if an IED [improvised explosive device] goes off they can rewind said map and find out where the insurgence came from. If this were implemented in the USA the government would be able to track any citizen at any time. [...] [T]his system is passive and would monitor everyone, and would be relatively inexpensive to maintain. (RD8)

[...] My reaction would be that it sounds like a good thing. I don't understand why you ask the question. Do you think it would be a bad thing? (GS6)

These comments above illustrate subjects' perceived notions that surveillance is in fact a constructive tactic used to assist populations rather than harm them. In other words, the lives of others could be saved via the important surveillance carried out by governmental agencies as shown clearly in the second, third and fourth excerpts. Others also stress the

cost of maintaining such devices to be relatively cheap and attainable, thus providing justification for using mobile technology surveillance.

Even further, many subjects referred to surveillance as a phenomenon so grand that subjects themselves are utterly defenseless towards the system. Not only do they see this authoritative ‘entity’ as one to which they are exposed, but also one that transcends their individual selves and is external to one’s finite being and existence:⁹

This means exactly nothing. You will feel better about what's allowed while what's really going on will still keep happening. Welcome to the surveillance state. (RS2)

When it really comes down to it, there is nothing that can keep you truly anonymous while communicating online. If you become valued highly by the authorities, they have millions of times more resources at their disposal to find you than you have to stay hidden from them. (RS6)

To think that Canada doesn't have an obligation to have a meaningful contribution to security in the western world is to completely ignore our historical contribution and to have contempt for the men and women who have for over 200 years fought and paid the ultimate price for our freedom. (CD3)

Good luck with that, they are everywhere from construction firms to film sets. You can buy them for less than \$1000 with full 1080 video included, have fun rounding all those up. (RD8)

The first comment understands surveillance as something that is immovable and powerful beyond measure. The second echoes this sentiment by referencing the tools “at their disposal” that are far beyond what subjects could imagine. This is like the defenseless portrayal of subjects to mobile technology surveillance in the fourth comment. Comment number three describes the temporal transcendence of mobile technology surveillance as an obligation to honour those who have fought for freedom of their nation’s people.

⁹ The notion of transcendence is further elaborated later in this chapter.

Lastly, it is worth noting surveillance consciousness' similarity to legal consciousness vis-à-vis the notion that those who are *before* the law do not worry about legal procedure and merely accept it regardless of the consequences. Equivalently, this idea permeates through subjects' surveillance consciousness:

Who cares its helping find CRIMINALS more prisons more work for the peoples of the north, forget mining in the artic build super maxes prisons for rent to the world we can take all the Guantanamo Bay inmates when it closes all the big stars in American prisons this will be huge for Canadians and the economy and hope for the future! (CS6)

Here's the deal. You can't demand adherence to the Constitution just some of the time. Americans apparently do not want the freedom guaranteed by the constitution if that also means reliance on personal responsibility vice the supposed security provided by the Leviathan. (GS4)

You live with cynicism. I live with optimism. Maybe the prosecutors sign those agreements because how someone was caught is irrelevant to proving in court that they are guilty. (GS8)

[D]id it say in there that it was without a warrant? Did I miss that? So what if they had the ability to listen to people who weren't involved in the warrant. There is no proof that they did so. It's no different than if you share an apartment with someone and the police obtain a warrant to search their room... they have the ability to search your room while they are in there...but that doesn't mean they did. In fact it's unlikely that they did so without a warrant because they really don't care about you and don't want to jeopardize their case. (CS6)

The final excerpt above is an evident example of warrants essentially being unlimited passes that governmental agencies and law enforcement could use for their intended purposes. In short, such subjects who stand *before* surveillance and disregard legal procedure would permit any use of anti-terrorism legislation or policy that would ensure the protection of populations, regardless of whether such decrees were put into place legally.

The third and final narrative taken from Ewick and Silbey's (1998) explication of legal consciousness involves subjects up *against* surveillance. Here, surveillance is an

oppressive entity that can and should be resisted, regardless of whether subjects are successful in doing so (Lettre, 2008). The mere expression of an idea of *how* to resist surveillance could be subjects standing up *against* surveillance. Initially, many subjects were identified to be questioning whether or when mobile technology surveillance was going to be resisted by individuals:

Hm, wonder if there's technology out there yet for drone sensors and something to kaibosh their function. As it is now, if one finds a drone hovering over their private property, etc., what to do? Throw rocks at it? (CD2)

When will the people of the USA stand up and revolt?? It's been time... (GS7)

Surely there's a device to detect the device being used to detect the IMSI device? (CS4)

These subjects direct our attention to their underlying assumption that such surveillance has not yet been resisted effectively, thus leaving the surveillance system in control and power. However, other subjects have, instead of questioning who or what will resist surveillance, recommended different ways through which surveillance can be combatted even slightly:

This is why people need to use iMessage over SMS, encrypt emails, and use App calling like FaceTime for privacy. (CS1)

Protect yourself and get encryption software on your phones! This technology can easily be abused by agenda based, corrupt cops that bribe their judge with a bag of pure cocaine. In other words everyone has a price. (CS3)

If you don't want an eye in the sky to spy on you using the bathroom, start closing the window shade. (GD4)

If this concerns you, get an encrypted messaging app. Signal is my choice. (RS7)

If you guys are wondering how to detect if you're connected to a fake tower just download AIMSICD on android (needs root). (RS7)

One subject refers to a defense attorney who suggests how to “*challenge Stingray cell surveillance*” (TS), and the subject attaches a picture to the post referring to the attorney’s guide for other attorneys to use when standing *against* the Stingray in court. Another subject offers a thorough and technological explanation and guideline for others to resist. Here, we find a subject describing the networking complexities of Stingrays and their upgrade called “hailstorms”:

*[T]his is why I use things like WhatsApp now to figure out encrypted voice. Okay so looking into this apparently Stingray devices only function on 2G/GSM. So everyone's "[drug dealer]" could just enter *##4636#*##* into their android, then set to LTE/WCDMA as the preferred network type. [...] There is a stingray upgrade called "hailstorm" which connects via the 4G bands but the cost would pretty much guarantee EPS not hiring anyone for a long time. It would be difficult to hide. If that's the case, then something like a silent-pocket phone protector would be a viable option + encryption on everything. (RS7)*

Further resistance is shown not necessarily by those who may have resisted by their own accord, but also subjects who applaud and justify those who do resist or have thought of ways to accomplish such resistance. For example, some subjects expressed their satisfaction with others’ attempts to resist:

Since many American citizens are so precious towards their rights under the constitution, most notably the right to bear arms in a rearguard against government encroachment, I would for once like to applaud their steadfast refusal to give up their glocks in the face of all logical arguments, and thoroughly encourage them to point them at the heavens and bring this blatant violation of privacy to a swift and explosive conclusion... (GD4)

People keep using drones for creepy surveillance—and one guy finally had his drone shot down. (TD)

And you wonder why people use telegram and other encrypted chat programs. (RS1)

Finally, subjects also tended to refer to their own experiences of being surveilled and/or resisting surveillance. Some referred to a hypothetical situation they could witness

and the steps they would take to oppose and resist mobile technology surveillance in different ways. The following excerpts offer some examples of *both* experiences:

Imagine fitting your drone with a camera or infra-red vision and being able to snoop on your neighbours or on the US neighbours. Imagine arming them with little bombs and dropping them on your neighbour's pet or backyard - image all the fun that will cause. If I see one near my house - it gets shot down. (CD1)

Clearly, drones should be illegal --- if one flew above my house, I would figure out a way to take it out. (CD2)

My cell phone will be turned off before I come within two kilometers of Vancouver from now on. (CS1)

So, the way to combat this is to learn to bore the living crap out of everyone with whom you speak on the cell. Example: "Hello?" "Yes, hello, Dana, it's me, Bill." "Yes, I know who it is, I'm married to you." "Well, I'm calling to ask how your day is and if you want me to pick up anything at the store and also, how is your mum?" [...] Click. Remember, you fight this Stingray stuff with pure banality. Happy boring! (GS7)

Years ago I discovered a tap on my home phone. [...] Every night we put four hours of mindless chatter on some recording. Finally my boss had to let me know he knew what we had been talking about the night before. I found out later the insurance industry was aiding a federal investigation into loopholes in maritime law. [...] Since then I have been careful what I say on the phone, no information about ATM codes or bank accounts is discussed. And I suggest that those of you who are reading this do the same. (GS8)

As we can see, some commenters refer to opposing surveillance “with pure banality,” and others briefly resist surveillance by being “careful” about what they say when communicating with others via telephone or other modes of communication. As a supplement to such experiences, some did not necessarily refer to how they resisted surveillance but rather provide their view of the surveillance system as oppressive:

Right after I started a group called "Stop Harper" on Facebook in 2012, with nothing illegal about it, my MacBook and iPhone were hacked the next day. Apple still has no idea how it happened and for 3 years later, I continued getting hacked that left no trail behind. And gee, I wonder who was responsible for that? (CS3)

So much for the constitution and the rule of law. Our government now spies on us and keeps secrets against its citizens. [...] It is now not only our right but our duty to dismantle this rogue regime, according to the Declaration of Independence. [...] I now consider this country void and illegal and a fascist state of authoritarians that have over thrown the True America. America has lost her moral righteousness and any resemblance to what my ancestors built. We have been overthrown by the corporate elite and their law enforcement cronies. (GS1)

3. The State of Exception and Temporality of Surveillance Consciousness

The following commonly referenced themes were discerned to be the most prevalent among the “other” category to which excerpts were categorized if they did not seemingly fall into the scope of being *with*, *before*, or *against* surveillance. However, excerpts could have been coded as one or more of these schemas in addition to the “other” category. This section outlines two such discourses: first, subjects’ agreement with the notion underlying Agamben’s (2005) *State of Exception*, overlapping with *before* and *against* surveillance; and second, the temporal aspect of surveillance consciousness where subjects are visionaries, overlapping with *before*. It is important to note that upon further analysis of these two common themes highlighted below, their consistency with Ewick and Silbey’s three narratives became more prevalent and ultimately abolished their initially said deviation from the three original schemas.

3.1 Agamben’s State of Exception

[...] [I]ncreasingly surveillance has been normalised, it is ubiquitous, and its gaze extends to all. Surveillance is an embedded, commonplace facet of everyday life in ways that were unimaginable 50 years ago and its technologies are dispersed through our social world. Surveillance technologies that were once the province of experts within elite state institutions, like intelligence bureaux and counter-espionage agencies, have been democratised and are now readily available for purchase by ordinary personal consumers (Zedner, 2008: 58).

As subjects express their sentiments towards mobile technology surveillance as something normalized in social life and away from which subjects cannot turn at this point,

we can refer to Agamben's (2005) explication of the state of exception. In his work, Agamben provides a genealogical account of what he calls the state of exception (otherwise known as a state of emergency). Agamben sets out to theorize the exceptional state and its immovable stature that it has reached (Humphreys, 2006). Rather than follow general accounts of the exceptional state which theorize it as one that is extra-judicial, Agamben argues that "the state of exception is neither internal nor external to the juridical order, and the problem of defining it concerns precisely a threshold, or a zone of indifference, where inside and outside do not exclude each other but rather blur with one another" (2006: 679). For Agamben, the state of exception has become a normal paradigm of government (see Agamben, 2005: 1-31) or "near ubiquitous" (Humphreys, 2006: 677). Here, the exception of the state is conventional and becomes an adamant guideline or imperative to follow (Douglas, 2009).

Indeed, there is much overlap between this theme and being *before* surveillance. Subjects situated *before* surveillance refer to surveillance's almost inevitable normalization in society but struggle with it due to their powerlessness. For the current study, subjects constantly suggest that surveillance has become common for populations in Canada the US. For example, one subject posts a picture while the subject's comment refers to the picture of a drone Lego toy as a way for "*the next generation*" to experience the "[n]ormalization of drone surveillance" (TD). We can also refer back to the picture mentioned by one commenter above about Stingrays being "*the most common surveillance tool*" (TS). Other subjects provide further illustrations of normalization by listing what type of information is monitored and other ways normalization occurs:

[...] *The government has been spying on us ever since the second World War and it has become more and more prevalent, encompassing, and secretive. They have*

access to our computers, our phones, TV's, our banking and travel details, most new cars have GPS trackers built into them from manufacturers, and the list goes on and on in ways you couldn't even imagine. (CS3)

[...] I was born and grew up here in the U.S. I can tell you without a doubt that there are countless things wrong and that there is a sinister plan, if you will. Any government that desires complete surveillance and total control of the people is NOT a democratic government, period. [...] This will not just affect Americans, but everyone around the world. Remember this. Hitler did not just desire to conquer a couple of countries, he wanted the whole enchilada, so to speak. (GS8)

According to a retired cop I talked to over 10 years ago, they were using them for years at that point. (RS4)

This story about the police surveillance overhead is hardly nothing new because it has been going on for years. (GD5)

When I read the title, it upset me to think that there were 2,000 such cases nationwide. Then I read that this was only in Baltimore. Makes me think that there's essentially a grid of these devices that are active in all districts at all times. There is no way that this issue is limited to only Baltimore. It's gotta be way bigger. (RS1)

It's fairly common knowledge amongst those who have been watching that DARPA [Defense Advanced Research Projects Agency] has been working on drone swarms for a decade or so now. (GD7)

The theme in the comments above is that surveillance can be and has become common in different ways, including many subjects simply being knowledgeable about a certain device for years as explicitly shown in fourth and fifth comments. However, such normality lends credence to subjects' understandings being up *against* surveillance. Being up *against* surveillance can invoke a frequently overlooked feature of being resistant, which "is that it often involves making do with what a situation offers" (see Ewick & Silbey, 1998: 185); the excerpts above display such a feature. In addition, some earlier comments about the "nothing to hide" argument also convey the normality of surveillance, but here showing an engagement *with* surveillance for the purpose of simply focusing on and worrying about oneself throughout this ubiquitous surveillance:

We're at the point now where a reasonable expectation of privacy is pretty much a myth. Most of us take care of the details with social networking anyway. Dance like no one is watching and don't sweat it. (RD5, emphasis added)

The other side to this schema's relation to the state of exception is that which infers each member of the population to be "suspicious." It is important to note that Agamben's (2005) state of exception emphasizes the exclusion of particular groups of individuals; however, the current study uses the state of exception as more of a generalizing phenomenon (see Ericson, 2007). For the duration of the state of exception, all individuals are seen by the state as suspect. As a product of what appears as a utilitarian ideology, every person's rights and freedoms are sacrificed to preserve the state's power and protect its people (see Agamben, 2005). In other words, the presumption of innocence becomes an overruled principle whereby it is superseded by the portrayal of the given population to be entirely suspect (2005). In this case, laws are ultimately eliminated and those who were once subject to various laws become subject to one exceptional law. Here, the force of law is paradoxically illuminated in the absence of law (Agamben, 2005; Coleman, 2007). As described by Bhuta (2003: 203), this is a state "where law applies by not applying." Primarily, a state of exception should only occur (temporarily) during a time of emergency wherein a nation's life is threatened (Humphreys, 2006; Douglas, 2009). As it gradually remains in place, it becomes accepted, breaches its temporalities (Agamben, 2005), and it removes itself from the context of war and shifts to an immutable force "during peacetime" (Humphreys, 2006: 679).

This transgression noted above, which allows the state of exception to remain intact beyond its primarily temporary intention, directs subjects to feel as if they are always, endlessly suspects. For the current study, this is commonly shown by subjects who

understand themselves and others as suspects by those who surveil, echoing an Agambian view:

And what if the authorities THINK you are a criminal just because they have monitored you and do not like or agree with some aspect of your life? Your acceptance of this is frankly dangerous because it is the kind of behaviour and lax acceptance of judicial overreaching that condones and enables dictatorial behaviour from the latter, and can even lead to dictatorships. (CS5)

You're not a citizen, you're a suspect. (GS2)

[...] Also suspicion has the quality of considering anyone and all who could be suspected of crime due to some circumstance that would arouse suspicion, however, the suspicion was unfounded. (CS1)

"Attention: Suspect Fred Smith is in the Paint section at Home Hardware". Not only would this not grossly invade the privacy of non-suspects, it would provide better and more specific information, eliminating the need of these Stingray devices outright. (CS3)

Haven't you heard? Copies of the Constitution could turn you into a terrorist suspect. (GS2)

Evidently, these excerpts reveal the inevitability of becoming suspects to those who surveil, regardless of whether one's actions warrant one being targeted. It is important to note that here, subjective understandings were discerned to be up *against* surveillance due to their display of another feature of resistance – one that “entails a consciousness of being less powerful in a relationship of power [...] thus [implying] a particular understanding or positioning of self and other, of being up against something or someone” (Ewick & Silbey, 1998: 183). However, in addition to being up *against* surveillance these subjective understandings can also be being *before* surveillance, where some subjects refer to its impartiality but also “express frustration, even anger, about what they perceive as their own powerlessness” (1998: 47).

3.2 Temporality and Surveillance Consciousness

Oh Christmas drone, Oh Christmas drone, Your surveillance is Never-ending.
(TD)

Finally, subjects also tend to prophesize future surveillance situations to which they and others will be subjected. Particularly, this section focuses on the temporal aspects of surveillance consciousness. In other words, one could suggest that subjects “Orwellianize” themselves and, instead of believing surveillance has met its climax and will remain stagnant, offer a predictive sentiment as to how surveillance will continue to advance. This theme was discerned to be encompassed by the notion of being situated *before* surveillance or “distinctive, yet authoritative and *predictable*” (Ewick & Silbey, 1998: 47, emphasis added). In addition, the law is described here by subjects who “depict legality as timeless and transcendent [...] understand[ing] that law changes and develops” (1998: 95). To begin, some subjects show that the current surveillance society to which they are subjected was clearly inevitable and could have easily been predicted in advance: “*I totally didn’t see this coming. Nope, not at all*” (RD7).

Some excerpts had an apocalyptic undertone to them and referred to the end of times as witnessing and being subjected to mobile technology surveillance. It is important to note that such references are encompassed by subjects being *before* surveillance given the idea of surveillance being temporally transcendent to human existence as noted above. The following comments emphasize this apocalyptic message:

The bad days are going to come more often for all of us, the way things continue to go. (GD7)

Fifty years from now we will be fractured beyond repair. (GS2)

You know the end is coming soon when these blatantly wholesale surveillance techniques are used and no attempt is made to explain or justify it. "Yeah the American people won't do [expletive]". (RS8)

However, contrary to approaching what has been called “the end,” many subjects – like those discussed above in a previous section of this thesis – claim to *foresee* a resistant population to mobile technology surveillance:

Drones for spying, drones for bombing. They say they will be used for good things, but how many times have we seen technology turned against us? I have no doubt that people will begin taking action and start jamming them and shooting these things out of the sky if given the opportunity. Always the prying eyes of industry and government on the people, trying to control. People are fed up with this intrusive behavior. (CD1)

Apparently, the old Mafia goodfellas made it a point never to discuss their business over the telephone, on the assumption that the line could well be tapped. Now that the criminals in Vancouver know the technology is being used by the police, the smart ones will start using code words that can't be used for an indictment. (GS6)

These subjects exhibit their belief in the inevitability of resisters of surveillance, including those who are criminals, ultimately differing from those who expressed apocalyptic understandings. One subject refers to the futuristic idea of mobile technology surveillance to one day become normalized to the extent of the devices being available to the population more broadly: *“I'm assuming their use isn't illegal... just questionable [...] I'm sure there will be some retail version of the device in the near future. Once those in power start getting tracked I'm sure legislation will soon follow” (GS7).*

Furthermore, subjects also spoke of surveillance becoming even greater and more surreptitious, echoing the changes foreseen in the law – but here with surveillance – as shown by Ewick and Silbey’s analysis. Though being *before* surveillance acknowledges the grandeur of surveillance, the power of the surveillance system is shown as something that exists and is solidified. This narrative observes subjects’ understanding of surveillance

to be continually advancing beyond its current state. For example, the idea of drones following each person was communicated by one subject, further echoing changes in technology: *“Wait till the drone is the size of a housefly and there's one following every citizen in the country 24/7”* (RD5). Another subject responded to this possibility and proposed that *“[d]rones can be built to the size of an insect. They could potentially enter your residence without you knowing via an open window or door. You'd hear a helicopter hovering outside your third story apartment, but not a drone that could fit on your finger”* (RD5), presenting a potential of drones to enter residences without subjects' knowledge. It is at this point where subjects are helpless and suggest there is no future threat to surveillance given that *“there is no stopping the program[s]”* (RD3). Indeed, such a sentiment also overlaps with the state of exception reference noted above.

Interestingly, some subjects proceeded to predict even the type of mobile technology surveillance and innovative technology that would be available in the future.

Consider the following examples:

So then we're only 20-40 years from the little floating face scanners from Half Life 2 then? (RD1)

Nope, that's what these things are, just bigger. This thread is full of people throwing away liberty because they imagine it that makes them more secure. Next security innovation will probably be a device that stops reproduction. (RD1)

These excerpts imply that there is something more to the current surveillance situation than the technologies currently being used. Interestingly, the second excerpt can be seen to be up *against* surveillance, as the subject denotes others easily giving away their liberty as well as a technology that could completely control reproduction, leaving populations powerless.

In short, the excerpts above display subjects foreseeing the future of the surveillance society. Here, subjects express through their sentiments with the notion of being both *before* and briefly up *against* surveillance. The former is shown through the idea that the surveillance society is predictable and is temporally transcendent to human existence. Such sentiments echo Ewick and Silbey's narrative where the sphere of law is also said to be predictable. The latter is subtly exhibited through the later comments in the section where the future of the surveillance society appears to be one of complete control and oppression, facilitating the removal of liberty.

VI. CONCLUSION

This thesis addressed one main research question: how is surveillance (or dataveillance) from mobile technologies understood by those who are surveilled? Beyond this, four sub-questions were approached: (1) How and to what extent do Ewick and Silbey's three narratives encapsulate subjective understandings of mobile technology surveillance? (2) Does surveillance consciousness regarding mobile technologies vary according to the type of media through which it is articulated? (3) Does surveillance consciousness regarding mobile technologies vary by type of mobile technology surveillance? And (4) how do people respond to the privacy and/or legal implications of mobile technology surveillance? What we discover upon exploring surveillance consciousness is a complex set of subjective understandings regarding contemporary mobile technology surveillance. This complexity, as shown above, allows us to see gaps in previous conceptual models of surveillance. However, the complexity of surveillance consciousness and its various directions it takes is ultimately encapsulated by Ewick and Silbey's three schemas. As I have shown throughout this study, the common themes constituting surveillance consciousness conform with one, two, or all three narratives, showing the adaptability of a key socio-legal concept to surveillance studies.

I addressed at the outset two conceptual models that have commonly been used to theorize the current surveillance society. To reiterate, the first model was Foucault's panopticon which induces a sense of self-awareness and forces prisoners – subjects in this case – to modify their behaviour accordingly. The second model was Haggerty and Ericson's surveillant assemblage, where a multiplicity of rhizomes is interconnected to form everyone's data double. These never-ending rhizomes characterize the complexity of

the current surveillance society that seamlessly captures subjects' data doubles. After exploring surveillance consciousness of mobile technology surveillance, various discourses were found including, but not limited to, subjects relating surveillance to terrorism or permitting certain types of surveillance provided some conditions are met. In addition, other dominant discourses involved the temporal aspect involved in the understanding of surveillance as well as adherence to the Agambian view of the state of exception. Most notably, the above-mentioned themes, in some way, were associated with or completely encapsulated by the schemas at the crux of this thesis: being situated *with*, *before*, and/or *against* surveillance.

What surveillance consciousness represents is an analytical tool that can be used to engage with the conceptual models of surveillance. Upon exploring surveillance discourses, the panopticon is, as others have noted, limited in its appreciation for the current surveillance society. In other words, subjects for the current study would not commit robotically with complete docility to the panoptic gaze, but instead some subjects would resist or engage with surveillance to use such monitoring to meet their own personal needs or goals. Further, even the anger towards their own powerlessness displays subjects who in many cases are not docile. The panoptic model does not account for such understandings of surveillance.

Such understandings exhibited by subjects would also affect the operation of surveillant assemblages. In many instances, subjects using fully encrypted software, or suggesting to others that the app "Signal" should be used as shown in the comments above, would essentially tear one portion of an assemblage to pieces until the rhizome can continue building itself. In every subject's data double will thus reside a gap – varying in

size – in information gathered. This suggests that many assemblages are weakened by subjects who could conform with surveillance, use it to satisfy their own ends, and/or resist what is said to be its oppression. Inevitably, it is difficult for a data double to be “complete” with the varying types of surveillance consciousness located in this study.

The panopticon and/or surveillant assemblage alone may account for those who surveil and some further social implications, but for one to delve into the experiences of subjects with only one model to try and establish comprehensive insight into subjective understandings of surveillance is difficult. This exploration of surveillance consciousness has provided a basis that can be used for future research around subjective understandings of surveillance. Such research could involve using surveillance consciousness to gain knowledge of subjective understandings in various institutions and spheres of social life; these include, but are not limited to, workplaces, educational settings, and correctional institutions. Further research could also more broadly study surveillance consciousness, using this framework beyond mobile technologies by speaking to subjects in social institutions about their experiences. This could encompass (surveillance) technologies such as police bodycams (see Bud, 2016), biometrics (see Lyon, 2008), police dogs in airports (see Braverman, 2013) and beyond.

Like all research this thesis was not without its limitations. First, the choice of sources for this thesis was limited given that so many online newspapers have removed their comment below the line sections. A more comprehensive study would have used additional online newspapers. Second, using comments for data restricts the scope of the research to online communities and thus avoids those who do not use any type of social networking website or online newspaper. Further research should seek to include these

subjects to achieve a more holistic understanding of a given population. Third, particular subjectivities of commenters could not be accounted for when retrieving the data. That is, nearly all subjects had unique usernames when posting comments, and their profiles could not be accessed to provide a brief overview of their gender, ethnicity, etc. Speaking directly to subjects could overcome this limitation. Future research could also focus more on subjectivities, whether there exists variation among races/ethnicities, genders, and other dimensions, and whether these factors play a role in determining episodes of one's surveillance consciousness. Though there are benefits to observing surveillance consciousness without speaking to subjects, interviewing them would also give researchers the ability to ask questions about how subjects understand and experience surveillance, perhaps facilitating even more nuanced responses that directly pertain to the research questions.

The aim of this thesis was to explore how surveillance from mobile technologies is understood by subjects. Drawing on previous surveillance literature and work on legal narratives, this thesis investigated surveillance consciousness. In studying subjective understandings of surveillance, particularly regarding mobile technologies, this thesis has provided groundwork to better grasp how subjects respond to growing surveillance and what this means for the state, technologies and privacy in society. This exploration of surveillance consciousness has demonstrated too the concerns some subjects have about surveillance in addition to other subjects' satisfaction with the current surveillance society. The dominant discourses regarding the temporal aspect of surveillance consciousness and an adherence to an Agambian view of the state of exception – in addition to the above-mentioned themes – were ultimately encapsulated by Ewick and Silbey's schemas. As

such, this thesis showed a significant consistency between how subjects in Ewick and Silbey's research understand law and how subjects understand and experience mobile technology surveillance. One broader implication of this is to suggest how two sub-disciplines, surveillance and socio-legal studies, benefit from greater dialogue and cross-fertilization.

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Legislation

Aeronautics Act (R.S.C., 1985, c. A-2)

APPENDIX A: Tables of Procedures

Table 1: Comments Below the Line

<u>Sources</u>	<u>Step #</u>	<u>Collection Method</u>	<u>Extra Notes</u>
The Guardian & CBC	1	Key words used to find list of articles (e.g. stingray surveillance)	Search by “relevance” to keyword(s)
	2	Ensure collection includes articles only post-Snowden	
	3	Select every article (every second for <i>Guardian</i>) to assess (if there are more than 30 comments, then every other comment ; if not, every comment)-> Articles selected must have either the given technology’s name or “surveillance” in the title of the article	
	4	Upon complete assessment, every second comment is collected	
	5	Up to five (5) “thread” comments can be used	
	6	Continue on to other comments past the given “thread	

Table 2: Social Media Forums

<u>Social Media Forum</u>	<u>Step #</u>	<u>Step Description</u>	<u>Advanced Search Words*</u>
Twitter	1	Search key words, not hashtags (e.g. drone surveillance)	“Any of These Words” Including “emojis” Consider nature of what is <u>attached</u> to the tweet (e.g. tweets reacting to an attached news article referring to breach of privacy rights)
	2	Ensure collection includes tweets only post-Snowden	
	3	Select every fifth tweet	
	4	Assess tweet for pertinence to both surveillance & the technology	
	5	Up to 5 “thread” tweets can be used (must click tweet to check for threads)	
Reddit	1	Search key words (e.g. stingray surveillance)	
	2	Ensure collection includes posts only post-Snowden	
	3	Ensure title pertains to surveillance	
	4	Select every second post	
	5	Up to 5 comments in one thread	
	6	Max 20 per post	

*Advanced search words were the same for both Twitter and Reddit

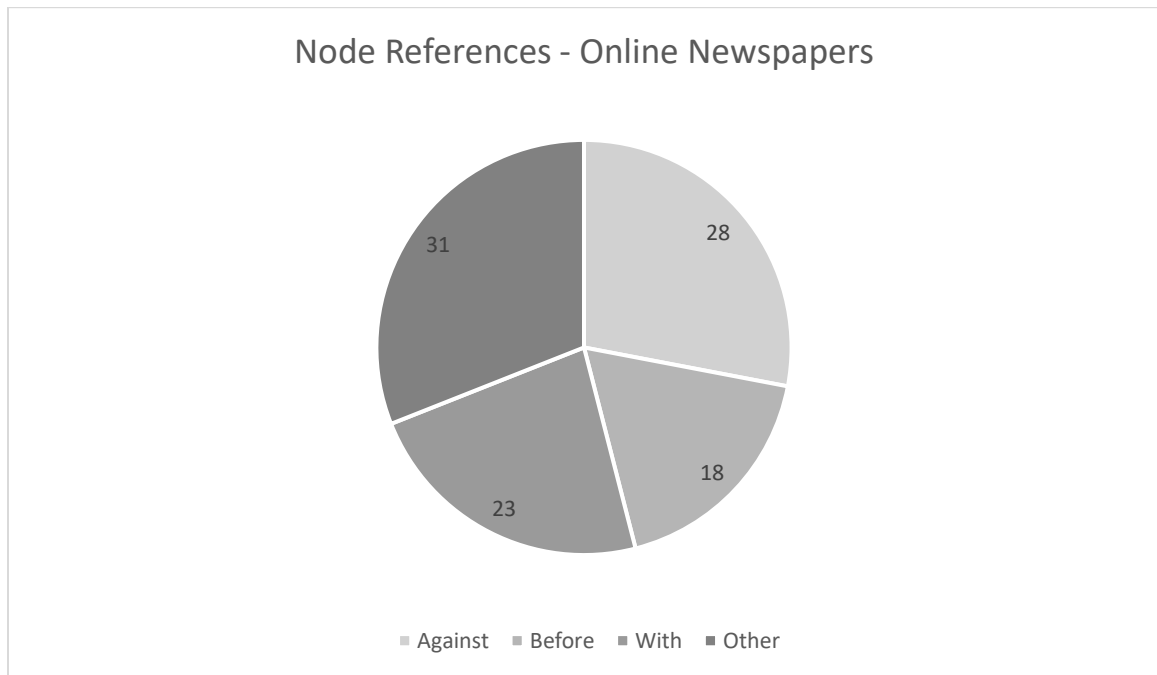
APPENDIX B: Variation in Schemas**FIGURE A**

FIGURE B

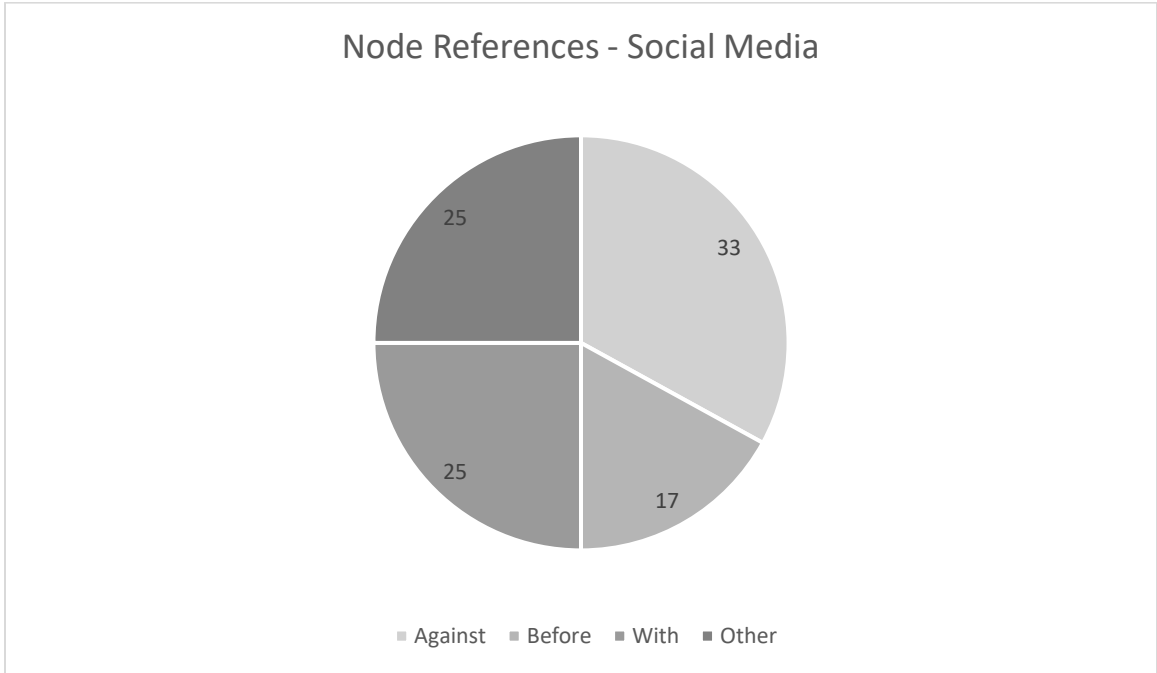


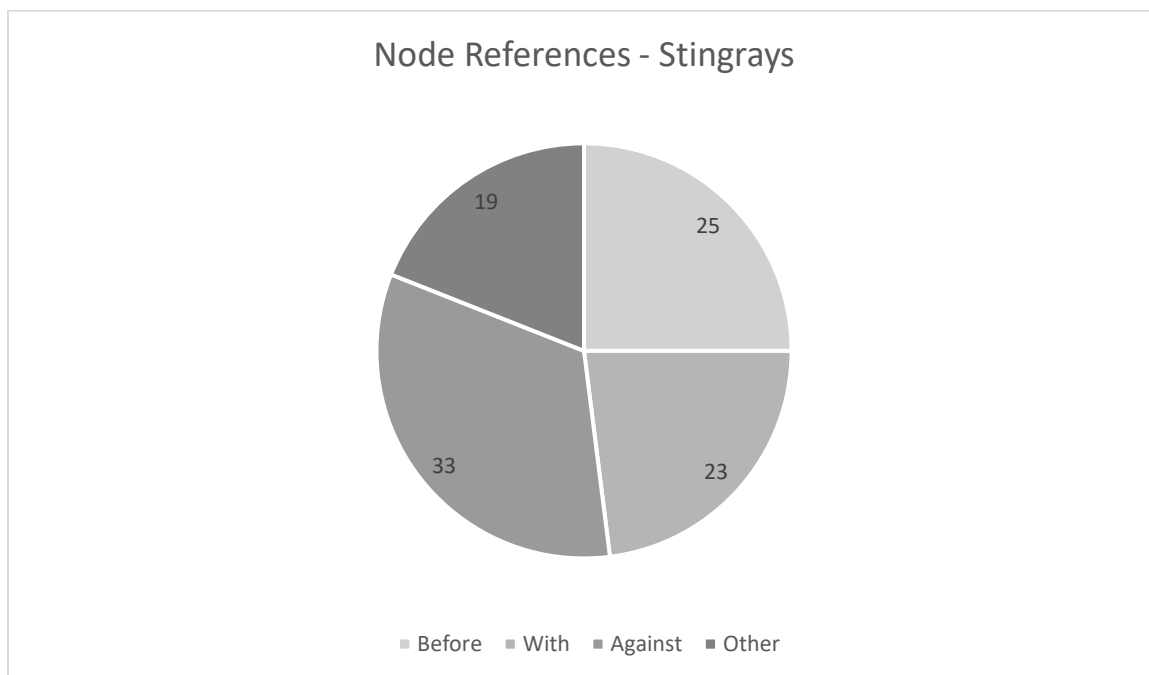
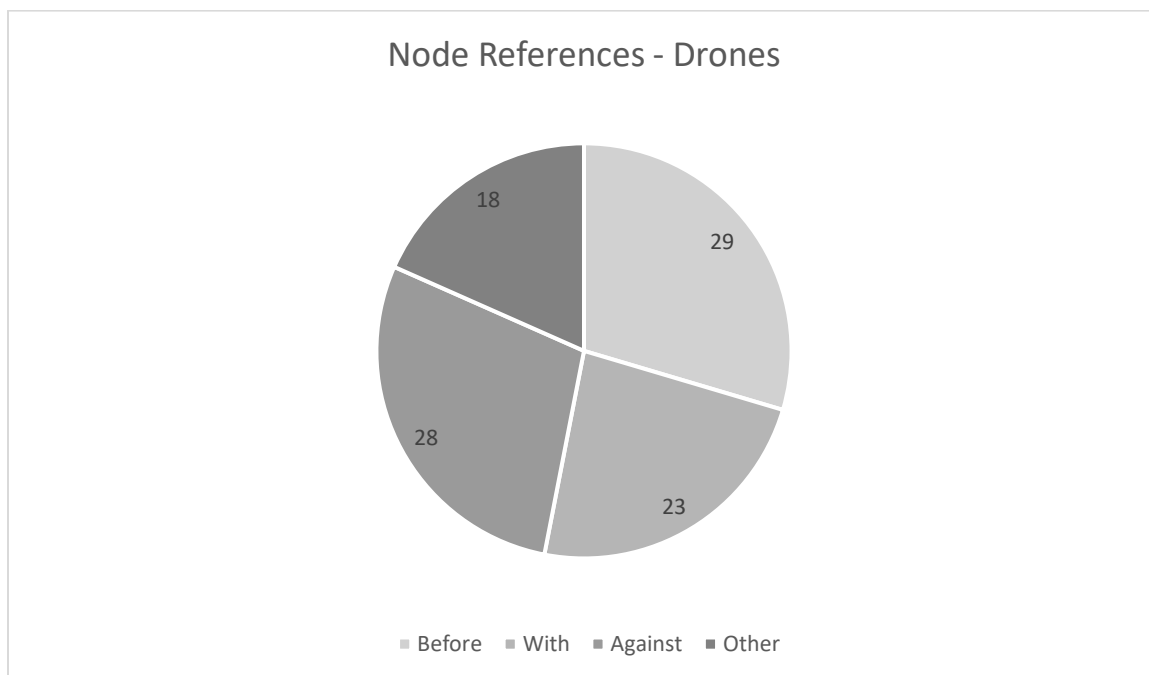
FIGURE C

FIGURE D

APPENDIX C: List of News Articles and Media Posts

CBC DRONES

(CD1) Title: U.S. approval of commercial UAVs outpacing Canadian rules
Author: Matt Kwong

(CD2) Title: Drones get more popular, and the rules are getting stricter
Author: Sheena Goodyear

(CD3) Title: Liberals drone shopping exercise sets stage for debate over lethal force
Author: Murray Brewster

(CD4) Title: Nova Scotians cash in on illegal drone use
Author: David Burke

CBC STINGRAYS

(CS1) Title: StingRay cellphone surveillance systems used by Vancouver police?
Author: N/A

(CS2) Title: Vancouver police admit to using StingRay cellphone surveillance, BCCLA says
Author: Yvette Brend

(CS3) Title: RCMP reveals use of secretive cellphone surveillance technology for the first time
Authors: Dave Seglins, Matthew Braga, Catherine Cullen

(CS4) Title: Someone is spying on cellphones in the nation's capital
Date: April 3, 2017
Authors: Catherine Cullen, Brigitte Bureau

(CS5) Title: Cellphone monitoring device use should be transparent and limited, researchers say
Author: Laura Wright

(CS6) Title: Stingray surveillance device questions prompt federal privacy complaint
Author: N/A

GUARDIAN DRONES

(GD1) Title: FBI admits to using surveillance drones over US soil
Author: Dan Roberts

(GD2) Title: FBI operating fleet of surveillance aircraft flying over US cities

Author: Associated Press in Washington

(GD3) Title: Worried about spying? Maybe you need a personal drone detection system

Author: Samuel Gibbs

(GD4) Title: US states await key drones decision – and the billions that could follow

Author: Ed Pilkington (Oklahoma)

(GD5) Title: Baltimore police confirms aerial surveillance of city residents

Authors: Baynard Woods, Ciara McCarthy

(GD6) Title: Inside Obama’s drone panopticon: a secret machine with no accountability

Author: Spencer Ackerman

(GD7) Title: I worked on the US drone program. The public should know what really goes on

Author: Heather Linebaugh

(GD8) Title: Rise of the drones: from policing the streets to painting your house

Author: Mark Harris

GUARDIAN STINGRAYS

(GS1) Title: 2,000 cases may be overturned because police used secret Stingray surveillance

Author: Nicky Woolf

(GS2) Title: IRS possessed Stingray cellphone surveillance gear, documents reveal

Author: Nicky Woolf, William Green

(GS3) Title: Lawmakers demand details on federal use of Stingray phone surveillance

Author: Nicky Woolf

(GS4) Title: Stingray spying: FBI’s secret deal with police hides phone dragnet from courts

Author: Jessica Glenza, Nicky Woolf

(GS5) Title: No stingray in Silicon Valley: country kills plan to buy surveillance device

Author: Jessica Glenza

(GS6) Title: Vancouver police confirm use of ‘stingray’ surveillance technology

Author: Ashifa Kassam

(GS7) Title: Congressman introduces bill to end warrantless Stingray surveillance

Author: Nicky Woolf

(GS8) Title: US Marshals spent over \$10m on equipment for warrantless Stingray surveillance

Author: Nicky Woolf

REDDIT DRONES

(RD1) Title: NYC Mayor Bloomberg says surveillance drones are inevitable in NYC: 'get used to it'

(RD2) Title: California governor Jerry Brown vetoes bill limiting law enforcement use of drone surveillance

(RD3) Title: Rand Paul proposes bill to prevent warrantless drone surveillance

(RD4) Title: Drone use in U.S. could lead to 'warrantless mass surveillance': ACLU

(RD5) Title: Drone surveillance may be unconstitutional

(RD6) Title: U.N. watchdog urges Obama to curb drone use, surveillance

(RD7) Title: U.S. drone surveillance expanding beyond declared combat zones

(RD8) Title: Texas bans drone surveillance: Legislation pending in 31 other states

REDDIT STINGRAYS

(RS1) Title: 2,000 cases may be overturned because police used secret Stingray surveillance

(RS2) Title: Illinois Senate Committee passes bill to prohibit warrantless stingray spying; Hinder federal surveillance program

(RS3) Title: Vancouver police admit to having used mass-surveillance device StingRay

(RS4) Title: Vancouver police confirm use of 'stingray' surveillance technology

(RS5) Title: 2,000 cases may be overturned because police used secret Stingray surveillance: A motion filed Friday says the State Attorney's office colluded with police to withhold 'discovery' material obtained via Stingrays from defendants

(RS6) Title: The Dragnet: How a man accused of a million dollar fraud uncovered a never before seen, secret surveillance device, Stingray

(RS7) Title: Edmonton police admit to owning stingray surveillance device

(RS8) Title: What is the big secret surrounding Stingray Surveillance? State and local law enforcement agencies across the U.S. are setting up fake cell towers to gather mobile data, but few will admit it

VITA AUCTORIS

Mathew Zaia was born in Windsor, Ontario in 1995. He graduated from St. Joseph's Catholic High School in 2013. In 2016, he obtained his BA[H] in Criminology with a minor in Philosophy, earning the Board of Governors Medal in the Department of Sociology, Anthropology, and Criminology at the University of Windsor. During his MA, he was awarded the Joseph-Armand Bombardier Canada Graduate Scholarship-Master's (CGS-M) from the Social Sciences and Humanities Research Council (SSHRC) and two Ontario Graduate Scholarships (OGS).