

What is most unfortunate about this development is that the data body not only claims to have ontological privilege, but actually has it. What your data body says about you is more real than what you say about yourself. The data body is the body by which you are judged in society, and the body which dictates your status in the world. What we are witnessing at this point in time is the triumph of representation over being.

—Critical Art Ensemble

Zombie cookies - LSO's

Online Behavioral Advertising

Microtargeting - Dynamic, flexible and customized audience

Microtargeting to Retargeting

Ultimate form is to be able to send coupons to mobile device when at shopping market based on shopping history

Online Behavioral Advertising becomes overvalued and drives data brokers to then develop computational systems to manage speculative futures of data and data sets themselves

We are thus in the midst of what is exuberantly called a “Data Renaissance,” in which new marketing worlds await exploration and raw material—raw data—awaits extrapolation, circulation, and speculation. Data has been figured as a “gold mine” and as “the new oil of the Internet and the new currency of the digital world,” the engine driving our latest speculative bubble.⁸ (Around the time of the worldwide financial crash, venture capital began pouring into online tracking.⁹) Data speculation means amassing data so as to produce patterns, as opposed to having an idea for which one needs to collect supporting data. Raw data is the material for informational patterns still to come,

Data Speculation

Data Stabilization - CAE

Data does not spoil because it is speculatively calculated vs statistically

Critical Art Ensemble suggested that we might begin to thwart the then-emergent data systems by contaminating them with corrupt or counterfeit data.¹¹ However, data can no longer lose “privilege once it is found to be invalid or unreliable,” as they suggest, not only because its truth is operational—if it works it is good—but also because its future value cannot now be calculated. That is, it awaits the query that would produce its value. Data cannot “spoil” because it is now speculatively, rather than statistically, calculated.¹²

difference. Dataveillance in the present moment is not simply descriptive (monitoring) but also predictive (conjecture) and prescriptive (enactment). To invoke Gilles Deleuze on the emerging structures of continuous control and assessment, “the key thing is that we're at the beginning of something new.”¹⁵

The question then becomes: what are the materially distinct features of the new unified and dynamic dataveillance regime? Large-scale data-aggregating corporations such as Acxiom and ChoicePoint and increasingly sophisticated tracking technologies such as Flash cookies and beacons indicate a shift in scale, while the emergence of data exchanges indicate a shift in the evaluation and “appreciation” of data itself.¹⁶ The linking of databases, corporate actors, and institutions—as

moment Americans on the whole seem not to mind being mined.²¹ It might then at first glance seem to be possible to speak, as does Mark Poster, of our “interpellation” by databases. True interpellation—in his terms “a complicated configuration of unconsciousness, indirection, automation, and absentmindedness”—requires a coercive system, a “superpanopticon,” capable of rendering us as both subjects of and subjects to that particular assemblage that David Mitchell, in a fictional context, calls a corpocracy.²² For Kevin Robins and Frank Webster, this is the essence of “cybernetic capitalism,” by which they mean the whole of the socioeconomic control system that is in part dependent on the capacity of state and corporate entities to collect and aggregate personal data to the extent that each individual can be easily monitored, managed, and hence controlled.²³ As my epigraphs indicate, Robins and Webster are far from alone in their concern with our dynamic incorporation within a totalizing technological system of data management.²⁴ Greg Elmer also explicates the techniques by which

the basis of reasoning or calculation.” In the specific context of a sociotechnological milieu organized according to the operational principles of “cybernetic capitalism,” however, our acts of participation or self-communication themselves become data, the entirety of our everyday life practices subject to, and constituted by, perpetual calculation. What was speculative at the time of Don DeLillo's *White Noise* (1985)—“you are the sum total of your data”—has in the intervening years become actualized, and neither the legal nor the political infrastructure has kept pace with the technology.²⁷

and identity cards.³⁰ The “flecks” concept emerges in some respect from Gilles Deleuze's outline of the emergence of the “dividual” in the context of the control society; if the individuated self was both product and figure of modernity, “dividuals” are rather fragmented and dispersed data bodies. They are, as Tiziana Terranova explains, “what

requires that a claim be made for the truth of that data. Our data bodies then are repeatedly enacted as a consequence of search procedures. Data is in this respect performative: the composition of flecks and bits of data into a profile of a terror suspect, the re-grounding of abstract data in the targeting of an actual life, will have the effect of producing that life, that body, as a terror suspect.

disappearance or disconnectivity, as merely a counterfantasy.³⁹ Critical Art Ensemble's injunction is to the point: "Avoid using any technology that records data facts unless it is essential."⁴⁰ Howard Rheingold and Eric Kluitenberg make a comparable case for "selective connectivity": techniques by which we can "choose to extract ourselves from the electronic control grid from time to time and place to place."⁴¹

longer possible, that disappearance itself has disappeared. Confronted with this argument we might instead imagine a systems overload, “an information blizzard—a whiteout,” because silence can be attained with an increased pitch of white noise.⁴³ “Anonymity systems function best in a crowd” and therefore overflowing the system, feeding it false information, generating more “flecks of identity” than it can handle, might be the closest approximation of disappearance it is possible to achieve.⁴⁴ A creative example of precisely this is Daniel Howe and

But it remains the case that constellations of control are imbricated with constellations of expressive resistance, whether in the form of tactical intervention, asymmetric infowar, or civic engagement. For every system of disciplinary power, as Anthony Giddens puts it, there is a “countervailing” response from those in precarious, subordinate, or marginal positions, which is to say that dataveillance and countervailance must be seen as inextricably connected.⁴⁷ The practices

that might be situated under the rubric of countervailance do not endeavor to realize an abstracted philosophy of resistance and human rights. They are often cognizant of such rights, particularly when a governmental program like Poindexter's TIA is articulated within the field of tactical activity as a critical object. But their actions are more often about action itself in relation to a regime that would limit us to efforts to stay on the right side of the data that defines us. Moreover, the expressive aspects of countervailance as I will outline them here serve as an important counter to the technocratic consumer rights initiatives that frame the debate in terms of property—those “MyData” initiatives that seek only to transfer ownership of data to the individual and to develop personal data banks for everyday functionality and monetization.⁴⁸

CookieCuller. As Panopticlick, the Electronic Frontier Foundation's browser-fingerprinting algorithm, reveals, however, privacy tools such as spoofers and plugins paradoxically make the browser more distinct and thus facilitate device fingerprinting.⁵⁰ Panopticlick further reminds us of the difficulty of demarcating an absolute difference between the means of tracking and the means of circumventing that tracking; another case in point would be browsers in which the facility for private browsing is built into the browser itself.

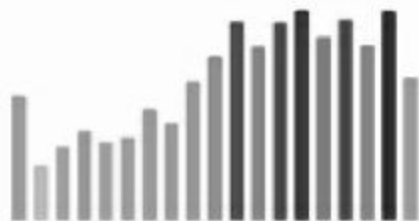
Combating or otherwise responding to a control system dependent on computing power requires the design of a counter-system, a rather modest example of which is Diaspora, an open-source, privacy-aware, distributed do-it-yourself social network that eliminates the hub of a social media conglomerate in favor of a peer-to-peer network in which each individual is a node.⁵³ Without a hub or central server, data encrypted with GNU Privacy Guard is sent directly to one's friends rather than stored and hence mined. True peer-to-peer communication—

consumer, traveler, citizen, and friend. While dataveillance functions as an instrument of biopolitical control, in other words, it also enables civic participation, at least insofar as one regards as significant the effects of private citizens performing both their own background checks with Google and Facebook and their own market research through user ratings and sites such as Yelp. "Folksonomies," user-created systems for establishing value (via tagging, bookmarking, and rating) similarly function as a means of making community. From Amazon to Digg, there

eyebrowse

track, visualize and share your web trails

Eyebrowse is an add-on for **firefox** that records your web browsing activity to your private computer so you can check out how your activity changes over time. Selectively share your activities to find out what's hot and who's reading what.



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visualize your web activities

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- see what websites you view the most

<http://www.cnn.com/> Mayor: kanger: 175 friends share this site

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share web trails with friends

- easily keep up with the news articles your friends are reading
- share without having to post a status update every time
- let your friends see your favorite websites in your eyebrowse profile

Figure 7.1

and systemic logics. Exploiting vulnerabilities makes those vulnerabilities known. Evercookie is perfectly illustrative. The virtuosic work of an elite hacker, evercookie is as it sounds, a tracking device that cannot be destroyed. Designed as a “litmus test,” with the tag line “never forget,” evercookie provides incontrovertible proof of our relative inability to control the storage of cookies on our computers, particularly in the scripting environment of HTML 5.⁵⁷ A more ordinary example is the Firefox extension Firesheep, which allows users to capture the unencrypted login cookies of others on the shared Wi-Fi network, thereby substantiating the need for HTTPS. The hope is that participatory and educative tracking tools such as these produce a more-

informed public and blur the lines between a data class that does not understand at a basic level how cookies function and a class of power users savvy enough to exploit the resources at their disposal in the interests of constituting their own data bodies. What becomes apparent

having joined the elite data class. Nonetheless, an embodied experience of dataveillance tools and techniques alerts the public to its role as a stakeholder for, Alberto Melucci notes, “as mere consumers of information, people are excluded from the discussion on the logic that organizes this flow of information; they are there to only receive it and have no access to the power that shapes reality through the controlled ebb and flow of information.”⁵⁸ A tool such as Eyebrowse certainly

within networked systems. The paradigmatic instance of an art practice that inhabits a particular perspectival frame would be that of the Yes Men, whose counterfeit performances in the name of entities such as the WTO, Halliburton, and Dow Chemical continue to be mistaken for the real. In work such as this, critique is situated in the act of mimesis, which is not a refusal of “corpocracy” but a reflection in a double sense: mirroring and replication, on the one hand, and critical contemplation on the other. A reiterative aesthetic serves to engage a public with a



WORLD

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BHOPAL LEGACY

20 years since industrial accident

HEADLINES

UNITY IN HIS RULING PARTY AMID DEEP SPLITS OVER THE

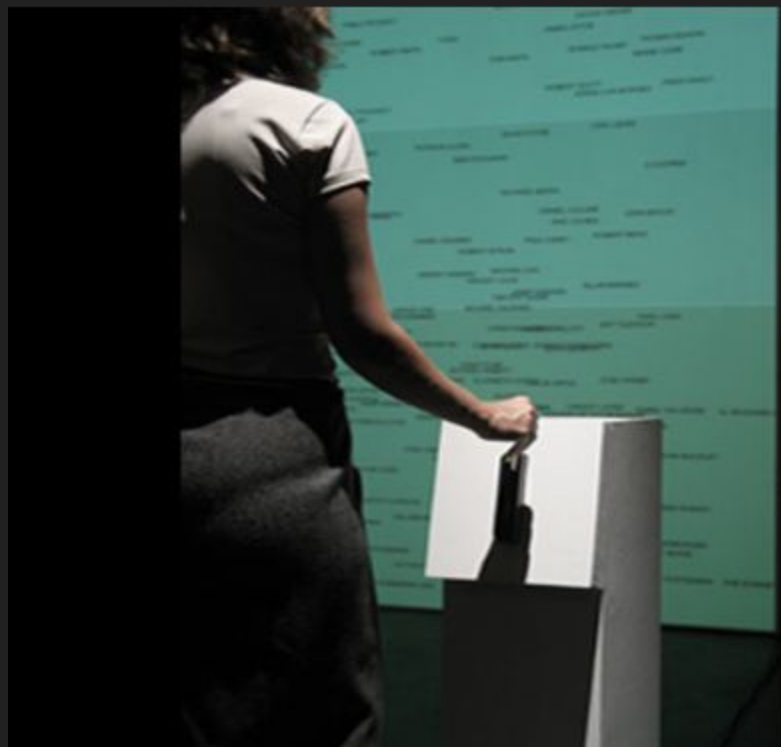
and tactical countervailance. Preemptive Media's object is to exploit consumer electronics for a larger purpose, to foster not only technological literacy, but also critical consciousness and a kind of low-tech amateurism. In one representative series of performances, called *SWIPE* (2002–2005), the collective installed a functioning bar in

galleries and exhibition spaces and opened it up for enjoyment and play.⁶⁰ Patrons ordering drinks had their drivers licenses scanned and were given individual receipts detailing the data culled both from the 2D barcode and online search. Computer stations in the bars displayed a web-based toolkit with a data calculator to allow participants to determine the market value of their individual data; they also displayed the decoding application used in the installations and a thorough guide to the process of requesting one's data files from the large data warehouses: ChoicePoint, Acxiom, LocatePLUS, and Experian. The



warehouses: ChoicePoint, Acxiom, LocatePLUS, and Experian. The purpose was to encourage consumer awareness of Automated Identification Data Capture technologies (AIDC); to give participants the experience of visualizing their own data; and to facilitate a critical conversation about data mining, transparency, and privacy. Swiping suggests purchasing, as if one uses currency to establish or prove currency, reminding us of the extent to which the value, significance, and indeed existence of the individual body are calculated, even proved, by complex systems of accounting—the precise operation of which remains obscure. But *SWIPE* interrupted the one-way flow of information from evidentiary subject to surveillance mechanism, enacting in the process lateral relations among the participants. As the bar setting indicates, *SWIPE* functioned within a social space, its relational aesthetic true to Nicolas Bourriaud's vision of an artistic praxis that struggles against the reifying and commodifying of social relations by creating a space for “alternative forms of sociability.”⁶¹

Osman Khan's installation *Net Worth* (2004) was similarly dependent on the gallery visitor's swipe, in this case of a credit or ATM card, in order to mine the identificatory information necessary to perform a Google search to determine search rank and thus, "net worth"⁶³ Drawing on the familiar practice of egosurfing, the tracing of one's own virtual-physical presence and presumed importance online, this installation articulated a shift from the moment of the televisual record—you don't exist unless the entire world sees your image—to the moment of the database record—you don't exist unless you appear on Google. So, too, *Net Worth* invokes the discourse on reputation and trusted users in its equating of the assessment of net presence with the assessment of the value of the individual. More recently, David Kemp asked 100 people to



value of the individual. More recently, David Kemp asked 100 people to show him the identification, banking, and loyalty cards in their wallet —“anything that connects to a database”⁶⁴—and then for his installation, *Data Collection* (2010), he used each data set to compose an individual “canvas” with photographic representations of the cards on which all of the personal information is visible, with some cards blacked out on request of participant. A small sampling of dataveillance art, these projects are both tactile and rhetorical, dependent on the gift of data in order to open a space for the critical contemplation of that data.



Data Collection - ID #01 (2009) - a series 100 images presented in grid format. Each image 16 x 11.5 inches, archival inkjet print.



Data Collection - ID #10 (2009) - a series 100 images presented in grid format. Each image 16 x 11.5 inches, archival inkjet print.

which they are working. In other words, to suggest that using data-mining techniques to produce art necessarily entails adopting the very logic and optics of the dataveillance society is to rehash the old problem of disinterest. The common assumption is that distance is necessary for critical reflection and that proximity necessarily produces corruption. But the lesson I think we need to learn from tactical media practitioners more broadly is that critique and critical reflection are at their most powerful when they do not adopt a spectatorial position on the (putatively neutral) outside, when they do not merely sketch a surface, but rather penetrate the core of the system itself, intensifying identification so as to produce structural change.⁶⁵ Such a practice—such a mode and positioning—goes well beyond Michel de Certeau's notion of “undermining a system from within”; these are not employees

of exteriority. Instead, the force of the immanent critique envisioned here derives from a near-total inhabitation of the frame, compelling a jarring recognition from the viewer/user and leading to a temporal interval in which she must formulate a response, whether that be rejection or acquiescence. Interventionist art projects such as these work directly against the forces of interpellation with a counterimage of a dataveillance regime that makes that regime perceptible—and if it is perceptible then it becomes possible to work concretely toward political transformation.

becomes expendable. Read representationally, the Keymaker program is an integral component of the matrix: control systems must necessarily have moles who can reveal the means of puncturing the system so as to satisfy the demand for breaking through (or leveling up)—a demand that is at once narratological and psycho-social. These acts have precise actors (“only The One can open the door”), precise spatiotemporal coordinates (“only during the window can that door be opened”), precise organizational logics (“All must be done as one. If one fails, all fail”), and they can be performed exactly once. Once the door is opened or the

both/and. In other words, dataveillance and countervailance coexist not in dialectical struggle but rather are so fundamentally entangled that the line separating the one from the other is unstable. Positioned as we are within the dataveillance regime, we cannot but employ the tactics of immanent critique, which depends not on an overstatement or overarticulation of totalizing control systems nor on a hyperbolized romance of the exploitation of these systems, but rather depends simply on ordinary action itself.