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Shoshana Zuboff

A Digital Declaration

If the digital future is to be our home, then it is we who must make it so. Against the Surveillance Capitalism of „Big Data“.

15.09.2014, von SHOSHANA ZUBOFF



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Wenn die digitale Zukunft unsere Heimat sein soll, dann sind wir es, die sie dazu machen müssen: Shoshana Zuboff bei ihrer Eröffnungsrede am Sanssouci Media Colloquium letzte Woche

I. HOME

In the cove below our window a pair of loons returns each spring from their distant travels. For many months we are lulled to sleep by their cries of homecoming, renewal, and protection. Green turtles hatch on the beach and go down to the sea where they travel thousands of miles for a decade or two before they retrace the path to that patch of beach and lay their eggs.

This theme of “nostos”, finding home, is at the root of all things human too. We yearn for the place in which life has been known to flourish. Humans can choose the form of home, but it is always where we know and where we are known; where we love and are beloved. Home is voice and sanctuary— part freedom, part solace.

[\(Link to German version\)](#)

When we look to the digital future there is one anxiety from which all others derive: What kind of home will it be? Will we be masters in a community of masters, or some-thing else—guests, fugitives, or perhaps unwitting slaves subdued by interests beyond our influence or understanding? If the digital future is to be our home, then it is we who must make it so.

Mehr zum Thema

- Unsere Zukunft mit „Big Data“: Lasst euch nicht enteignen!
- Digital Economy: The human factor
- Shoshana Zuboff's Response to Martin Schulz: The New Weapons of Mass Detection
- English Version: Be the friction - Our Response to the New Lords of the Ring
- Er schuf Kultur: Erinnerung an Frank Schirrmacher

There are three points about this prospect that I want to explore. First, that we are at the very beginning of this journey. Second, that the future is made in specific ways. If we understand these better, then perhaps we can step into the river more effectively and shape it to good purpose. Third, that you, your colleagues and their colleagues, have a

- Sanssouci Media Colloquium: Durch die Datenwüste pivotal role, a privilege of responsibility in this time of contest.

II. THE BEGINNING

When it comes to „big data“ and the digital future, we are at the very beginning. Despite the rapid pace of connection and the oceans of data it generates, our societies have yet to determine how all this will be used, to what purpose, and who decides. The big tech companies want us to believe that the future will roll out according to their visions and the so-called “objective requirements” of technological development as a driver of economic growth in a free market. Their scenario is straight from the playbook of the neoliberal theorist Frederich Hayek—what he called a self-determining “extended order” that individuals cannot understand but to which they must submit.

I have suggested that the iPod is to the Internet era what the Model T was to the mass production era. But what defines an era is far more than its technology. For example, the mass production era was only partially about machines. First, mass production required employees and consumers. People mattered. Second, the era was shaped by the gradual development of legislative, legal, and social institutions to amplify capitalism’s pro-social dynamics and tame its excesses. This is what Karl Polanyi called the double movement.

Our new era will be ultimately be shaped by the ideas around which we mobilize for new market forms and new institutions. Life in 2050 will depend on developments like these that have not yet occurred, and we will look back to see this time, our time, as the beginning.

III. HOW THE FUTURE IS MADE

How is the future made? The philosopher John Searle answers this question in his re-markable book Making the Social World: The Structure of Human Civilization. I want to share a couple of his ideas—just enough to provide us with a few key tools.

Take a piece of paper money from your wallet and stare at it. It's a piece of paper, nothing more. But we have all agreed that you can exchange it for dinner, or shoes, or a college education. In Searle's language, the paper has inherited a "status function" based on our "collective intentionality" to imbue it and millions of other things with specific meaning and power. "Status functions," and the powers they confer, produce what Searle calls "institutional facts." These are the glue that holds society together. We create that glue.

We create these "facts" through a unique way of speaking and acting that Searle calls the "declaration." Declarations establish institutional facts where there were none. They do two things. They describe the world and they change the world. A declaration accomplishes this by describing the world as if the intended change was already the case. For example, if I say "I apologize," I make it so by saying it is so. Or, "all humans are created equal." That is a declaration because it asserts a reality, describing the world as if the desired change were already true. Just talking about or referring to something— or acting in relation to it — adds to its reality by acknowledging it as something that already exists. Declarations are fueled by will, imagination, and desire. Searle demonstrates how all institutional reality, and therefore all of human civilization, is created by such acts of declaration.

What makes declarations successful? Declarations are successful to the extent that others accept them. Sometimes this happens through straightforward agreement or through the authority of expertise or politics. Sometimes persuasion is used to achieve acceptance. Sometimes agreement is bought with some kind of quid pro quo. When all else fails, there is the use of force or other means to eliminate any alternatives. But know too that in many cases people accept new institutional facts simply because they do not understand their meanings or origins. They simply accept that the declarations represent the natural and necessary order of things.

IV. "BIG DATA" IS BIG BUSINESS

Let's see if we can use these ideas to understand some things about „big data.” The analysis of massive data sets began as a way to reduce uncertainty by discovering the probabilities of future patterns in the behavior of people and systems. Now the focus has quietly shifted to the commercial monetization of knowledge about current behavior as well as influencing and shaping emerging behavior for future revenue streams. The opportunity is to analyze, predict, and shape, while profiting from each point in the value chain.

There are many sources from which these new flows are generated: sensors, surveillance cameras, phones, satellites, street view, corporate and government databases (from banks, credit card, credit rating, and telecom companies) are just a few.

The most significant component is what some call “data exhaust.” This is user-generated data harvested from the haphazard ephemera of everyday life, especially the tiniest details of our online engagements—captured, datafied (translated into machine-readable code), abstracted, aggregated, packaged, sold, and analyzed. This includes everything from Facebook likes and Google searches to tweets, emails, texts, photos, songs, and videos, location and movement, purchases, every click, misspelled word, every page view, and more.

The largest and most successful „big data“ company is Google, because it is the most visited website and therefore has the largest data exhaust. AdWords, Google's algorithmic method for targeting online advertising, gets its edge from access to the most data exhaust. Google gives away products like “search” in order to increase the amount of data exhaust it has available to harvest for its customers— its advertisers and other data buyers. To quote a popular 2013 book on „big data“, “every action a user performs is considered a signal to be analyzed and fed back into the system.” Facebook, Linked In, Yahoo, Twitter, and thousands of companies and apps do something similar. On the strength of these capabilities, Google's ad revenues were \$21 billion in 2008 and climbed to over \$50 billion in 2013. By February 2014, Google's \$400 billion dollar market value had edged out Exxon

for the #2 spot in market capitalization.

V. "BIG DATA" IS BIG CONTRABAND

What can an understanding of declarations reveal about "big data?" I begin by suggesting that „big data“ is a big euphemism. As Orwell once observed, euphemisms are used in politics, war, and business “to make lies sound truthful and murder respectable”. Euphemisms like “enhanced interrogation methods” or “ethnic cleansing” distract us from the ugly truth behind the words.

The ugly truth here is that much of „big data“ is plucked from our lives without our knowledge or informed consent. It is the fruit of a rich array of surveillance practices designed to be invisible and undetectable as we make our way across the virtual and real worlds. The pace of these developments is accelerating: drones, Google Glass, wearable technologies, the Internet of Everything (which is perhaps the biggest euphemism of all).

These surveillance practices represent profound harms—material, psychological, social, and political— that we are only beginning to understand and codify, largely because of the secret nature of these operations and how long it’s taken for us to understand them. As the recent outcry over the British National Health Service’s plan to sell patient data to insurance companies underscored, one person’s „big data“ is another person’s stolen goods. The neutral technocratic euphemism, „big data“, can more accurately be labeled “big contraband” or “big pirate booty.” My interest here is less in the details of these surveillance operations than in how they have been allowed to stand and what can be done about it.

VI. THE INTERNET COMPANIES DECLARE THE FUTURE

The answer to how these practices have been allowed to stand is straightforward: Declaration. We never said they could take these things from us. They simply declared them to be theirs for the taking—by taking them. All sorts of institutional facts were established with the

words and deeds of this declaration.

Users were constituted as an unpaid workforce, whether slaves or volunteers is something for reasonable people to debate. Our output was asserted as “exhaust” — waste without value—that it might be expropriated without resistance. A wasteland is easily claimed and colonized. Who would protest the transformation of rubbish into value? Because the new data assets were produced through surveillance, they constitute a new asset class that I call “surveillance assets.” Surveillance assets, as we’ve seen, attract significant capital and investment that I suggest we call “surveillance capital.” The declaration thus established a radically disembedded and extractive variant of information capitalism that can I label “surveillance capitalism.”

This new market form entails wholly new moral and social complexities along with new risks. For example, if the declarations that established surveillance capitalism are challenged, we might discover that „big data“ are larded with illicit surveillance assets whose ownership is subject to legal contest and liability. In an alternative social and legal regime, surveillance assets could become toxic assets strewn through the world’s data flows in much the same way that bad mortgage debt was baked into financial instruments that abruptly lost value when their status function was challenged by new facts.

What’s key to understand here is that this logic of “accumulation by surveillance” is a wholly new breed. In the past, populations were the source of employees and consumers. Under surveillance capitalism, populations are not to be employed and served. Instead, they are to be harvested for behavioral data.

VII. HOW TO CONSTRUCT A FUTURE THAT WE CAN CALL HOME

Why is it that the declaration of surveillance capitalism has met so little resistance? Searle’s reasoning is a good guide. Agreement? Yes, there were and are plenty of people who think surveillance capitalism is a

reasonable business model. (We'll have to leave why they think so to another discussion.) Authority? Yes. The tech leaders have been imbued with the authority of expertise and idolized as entrepreneurs. Persuasion? Absolutely. All the neoliberal buzzwords of entrepreneurialism, creative destruction, disruption, etc. persuaded many that these developments were right and necessary. A quid pro quo? Yes, powerfully so. The new free services of search and connection were exactly what we needed and have become essential to social participation. When Facebook went down last month, a lot of Americans called 911 (emergency services).

Was there any use of force or other means to foreclose alternatives? No military force was needed. Instead, as the new logic became the dominant business model for online companies and start-ups, it spawned millions of related institutionalized facts— ancillary and intermediary business services, professional specializations, new language, IPOs, tons of cash, network effects, unprecedented concentrations of information power. All these limit our sense that there can be any alternative. And finally, how about a lack of understanding? This is the most salient reason of all. Most people did not and could not appreciate the extent to which the new "facts" depended upon surveillance. This colossal asymmetry of understanding helps explain why Edward Snowden was necessary. Somebody had to be Ed Snowden

What kind of resistance has been offered and why has it failed to stop the spread of surveillance capitalism? Here I depart from Searle in order to introduce two distinct varieties of declaration that I think can help us understand more about how the future unfolds. I suggest that the kind of resistance that has been offered so far takes the form of what I call the "counter-declaration." A counter-declaration is defensive. It addresses the institutional facts asserted by the declaration. The process of countering seeks to impose constraints or achieve compromise, but it does not annihilate the contested fact. In addressing those facts, it invariably increases their power. Negotiation inevitably legitimates the other. This is why many governments refuse to negotiate

with terrorists. As Searle noted, even talking about something or referring to it increases its reality by treating it as a thing that is already real. It's a classic quick-sand situation in that the more you fight it, the more it sucks you in.

What are examples of counter-declarations? Google and other Internet companies have been the targets of many privacy-related lawsuits. Some of these efforts have imposed real constraints, such as prohibiting Google Street View cars to extract personal data from computers inside homes, or the class action that resulted in Facebook's suspension of its invasive "Beacon" program. Legal actions like these can limit certain practices for a time, but they do not topple the institutionalized facts of surveillance capitalism in the target or other companies. Encryption is another counter-declaration. When we encrypt, we acknowledge the reality of the thing we are trying to evade. Rather than undoing that reality, encryption ignites an arms race with the very thing it disputes. Privacy tools like "opt out" or "do not track" are another example. When I click on "do not track," what I am really saying is "do not track me." My choice does not stop the company from tracking everyone else.

I want to be clear that I am not critical of counter-declarations. They are necessary and vital. We need more of them. But the point I do want to make is that counter-declarations alone will not stop this train. They run a race that they can never win. They may lead to a balance of power, but they will not in and of themselves construct an alternative to surveillance capitalism.

What will enable us to move forward in a new way? As I see it, we will have to move on to a new kind of declaration that I am calling a "synthetic declaration." By this I mean a declaration that synthesizes the opposing facts of declaration and counter-declaration. It arises from— and draws to it —new and deeper wellsprings of collective intentionality. It asserts an original vision. If the counter-declaration is check, the synthetic declaration is checkmate.

Does information capitalism have to be based on surveillance. No. But

surveillance capitalism has emerged as a leading version of information capitalism. We need new synthetic declarations to define and support other variants of information capitalism that participate in the social order, value people, and reflect democratic principles. New synthetic declarations can provide the framework for a new kind of double movement appropriate to our time.

Are there examples? There are glimmers. The past year brought us Ed Snowden, who asserted a new reality at great personal sacrifice by claiming this to be a world in which the information he provided should be shared information. Wikileaks has also operated in this spirit. The EU Court's decision on the right to be forgotten points in the direction of a synthetic declaration by establishing new facts for the online world. (In my view, it also faltered, perhaps inadvertently, by also establishing new facts that grant Google inappropriate new powers.

Mathias Doepfner's open letter to Google chairperson Eric Schmidt, published in FAZ last spring, called for a synthetic declaration in the form of a unique European narrative of the digital, one that is not subjugated to the institutional facts asserted by the Internet giants.

Indeed, I think it can be said that the German people are now drawing on their unique historical experience to produce their own synthetic declaration that insists on a different kind of digital future. Note that The Economist just published an article titled "Googlephobia in Germany." The aim of such language is to suggest that it's neurotic and therefore irrational to oppose Google's practices. It's a classic counter-declaration that reveals the powerful effect of Germany's new thinking. The real fear is that Germany might produce a synthetic declaration that opens a space for alternative forms of information capitalism to flourish.

I am mindful of a long list of demands that were damned as "neurotic" and unreasonable in America a century ago, as the contest over 20th century capitalism accelerated: labor unions, a living wage, business regulation, racial equality, womens' right to vote, a high school

education.... For anyone who thinks Germany's concerns are "phobic," one need only recall the revelations less than a year ago that the NSA was spying on Joaquin Almunia, the EU official who presides over the Google antitrust case. Or the recently published emails that provide fresh glimpses of the collaborative relationship between the NSA and Google. And should we mention that Google's chairperson, Schmidt, also sits on the board of the Economist Group?

Our world sorely needs more —and more comprehensive—synthetic declarations that point us in a wholly new direction. We need new facts that assert the primacy of humanity, the dignity of the person, the bonds of democratic community strengthened by individual empowerment and knowledge, and the well being of our planet. This does not mean that we should construct utopias. Rather, it means that we should draw upon the authentic promise of the digital— the promise that we grasped before Ed Snowden entered history.

In the shadow and gloom of today's institutional facts, it has become fashionable to mourn the passing of the democratic era. I say that democracy is the best our species has created so far, and woe to us if we abandon it now. The real road to serfdom is to be persuaded that the declarations of democracy we have inherited are no longer relevant to a digital future. These have been inscribed in our souls, and if we leave them behind— we abandon the best part of ourselves. If you doubt me, try living without them, as I have done. That is the real wasteland, and we should fear it.

IX. WHAT IS COURAGE?

In drawing these thoughts to a close I turn again to Orwell. In his withering review of James Burnham's 1940's bestseller, *Managerial Revolution*, Orwell takes Burnham to task for his "sensational" contradictions in predicting the outcome of the Second World War. As Orwell writes, "It will be seen that at each point Burnham is predicting a con-tinuation of the thing that is happening. Now, the tendency to do this is not simply a bad habit, like inaccuracy or exaggeration, which

one can correct by taking thought. It is a major mental disease, and its roots lie partly in cowardice and partly in the worship of power, which is not fully separable from cowardice.”

I suggest that it is cowardly to accept the current facts as if they must be the case.

Courage requires seeing beyond these facts— in spite of the collective intentionality that has been summoned by today’s surveillance capitalism and its claim on our future.

In citing this kind of courage, I turn to the man who’s presence imbues today’s colloquium. He is responsible for the great digital debate in Germany that is already making its mark on the historical record. Frank Schirrmacher— publisher of his beloved Feuilleton, the intellectual powerhouse of the Frankfurter Allgemeine Zeitung— lived Orwell’s kind of courage every single moment. Frank refused to concede the future to today’s contingencies of digital power. This was, as he saw it, the debate of debates. He understood that it concealed the oldest political questions camouflaged in the language of our times: master or slave? Home or exile? And he understood that these questions are part of the eternal return, cases that must be tried and retried across all the days of humanity. Frank Schirrmacher believed that the media not only could but must be the vanguard of this struggle. He wanted the media to give voice to new synthetic declarations that refuse to bow to the facts at hand—just as it gave voice to Edward Snowden. He also understood, as Milton Friedman cunningly observed decades before, that new laws invariably follow shifts in public opinion that occur twenty or thirty years earlier. Frank dedicated himself to stirring public awareness that it might shape a new sense of collective intentionality and ultimately serve in the assertion of new institutional facts. He knew that this was essential in order that, decades hence, our courts, our governments, and our capitalisms might return to their ultimate sources of legitimacy in our claims, our well being, and our democratic principles.

During the past year it has been the media, especially here in Europe, that fearlessly engaged the established facts of big contraband and the

digital future. As America falters in its will to assert the synthetic declarations that can move us beyond surveillance capitalism, Europe stands as our best hope in this world- historic challenge. Europe must take the torch and forge a new path to a new home.

Do not let your courage falter. We are only at the beginning, and it's true that be-ginnings are scary. But as Hannah Arendt put it, every beginning, seen from the perspective of the framework that it interrupts, is a miracle. The capacity for performing such miracles is entirely human, she argues, because it is the source of all freedom. "What usually remains intact in the epochs of petrification and foreordained doom is the faculty of freedom itself, the sheer capacity to begin, which animates and inspires all human activities and is the hidden source ..of all great and beautiful things."

May we, together, carry forward Frank Schirrmacher's legacy by sharing in the author-ship of many great and beautiful new facts that reclaim the digital future as humanity's home.

Let this be our declaration.

Shoshana Zuboff is the author of a new book on the digital future forthcoming with Eichborn in 2015. She is the Charles Edward Wilson Professor at the Harvard Business School (retired) and a faculty associate at the Berkman Center for Internet and Society at the Harvard Law School.

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