CHAPTER 4
THE NEW CULTURE OF SECURITY AND SURVEILLANCE

Introduction

In this chapter, I will analyze the recent shift – or rather, return – in the conceptualization of security, namely from *human security* as a means to the end of human flourishing, to the new notion of *homeland security* under the new conditions of a post-9/11 era. I will limit my investigation to the connection of security and surveillance technologies, the intersection of the political and social applications of these technologies, and the effect of this connection of security and surveillance technologies on the social texture of Northern American and European societies. My reflections stem in part from my work as a member of the European Group on Ethics in Science and New Technologies to the European Commission, which issued a report on 'The Ethics of Security and Surveillance Technologies' in May 2014.[1] This chapter, however, takes a step back from this report in order to reflect on the specific ethical questions we need to ask.

1. Human Security versus "Homeland Security"
1.1 HUMAN SECURITY

At the end of the 20th century, the human security paradigm was developed as a response to the dissatisfaction with a perspective of 'security' addressing mainly the State whose security should be protected, with the means of military organizations. The 1994 *Human Development Report* articulated a basic understanding of the function of society, namely:

> […] to provide basic security for everybody. Deeply related to human development thinking, the new security conception was set from the start to include a fuller picture of human beings than from the limited perspective of violence alone, as present in the traditional security perspective.[2]

The report deliberately chose seven areas to broaden the understanding of security: economic security, food security, health security, environmental security, personal security, political security and community security. These were to be conceptualized together, with the individual person being the main addressee.

---

1   European Group On Ethics In Science And New Technologies, *Ethics of Security and Surveillance Technologies,* European Commission Brussels 2014, https://publications.europa.eu/en/publication-detail/-/publication/6f1b3ce0-2810-4926-b185-54fc3225c969/language-en/format-PDF/source-77404258.

2   International Commission On Intervention And State Sovereignty, *The Responsibility to Protect,* Ottawa 2001, http://www.responsibilitytoprotect.org/index.php/about-rtop/core-rtop-documents.

Vulnerabilities and insecurities identify the counter-forces of security, while human flourishing and capabilities serve as the anthropo-ethical telos of development.

I would follow Martin Owen in his proposal to use a threshold approach to human security, building upon the Human Security Commission of 2003: "Human security is the protection of the vital core of all human lives from critical and pervasive environmental, economic, food, health, personal and political threats."[3] In their report on the human security paradigm from 1994 to 2013, Gasper and Gómez state that "organized crime and gang criminality, and not armed conflicts or terrorism, are the major sources of the overall global violent deaths, and hence threats to personal security"[4]. Acknowledging the plurality and variety of sources of insecurity in different regions and countries, the human security paradigm aims at contextualizing the sources of insecurity and developing differentiated and new models of interventions:

> Human security thinking in general, and work on 'personal security' in particular, can be turned into either just a slightly modified continuation of established security thinking related to conflict and crime, or instead be the way through which a fuller picture of humans is introduced and maintained in security-related policies and practices, rendering them more equitable, more relevant and more effective.[5]

At the time when the human security paradigm was developed in the 1990s, several armed conflicts occurred that called for a revision of the role of the United Nations. Without a doubt, the genocide in Rwanda, the war in former Yugoslavia, and the Kosovo intervention sparked debates regarding how the role of the international community was to be defined. The initiative to the so-called Responsibility

---

3   T. OWEN, *Human Security Thresholds*, in: M. MARTIN/T. OWEN (ed.), *Routledge Handbook of Human Security*, London/New York 2014.

4   D. GASPER/O. A. GÓMEZ, *Evolution of Thinking and Research on Human and Personal Security 1994-2013*, UNDP Human Development Report Office New York 2014, http://hdr.undp.org/en/content/evolution-thinking-and-research-human-and-personal-security-1994-2013. Often ignored are the gender-related personal security threats, especially sexual violence against women. In the WHO Report of 2013, sexual violence is considered a problem of a "epidemic proportions", adding another level to the global picture of security threats, WORLD HEALTH ORGANIZATION, *Global and Regional Estimates of Violence against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence*, World Health Organization Geneva 2013, https://www.who.int/reproductivehealth/publications/violence/9789241564625/en/. Fiona Robinson takes a feminist perspective as a lens, arguing for a care ethics of security. This is a welcome move within the theory of security, but beyond the scope of this chapter. I will return to the feminist perspective in Part II of this volume. F. ROBINSON, *The Ethics of Care: A Feminist Approach to Human Security*, Philadelphia 2011.

5   D. GASPER/O. A. GÓMEZ, *Evolution of Thinking and Research*, 31.

to Protect Doctrine of 2001[6] was perhaps the last attempt to establish an international framework *connecting and combining* the human security paradigm and the national sovereignty and national security paradigm. On this level of international discourse, the human security paradigm is acknowledged as the context of the international community's objectives, when states fail to protect their citizens:

> 1.28 The concept of human security – including concern for human rights, but broader than that in its scope – has also become an increasingly important element in international law and international relations, increasingly providing a conceptual framework for international relations.[7]

The Doctrine aimed at setting up the principles for international, UN-authorized humanitarian interventions in those cases when states do not act in accordance with the stated responsibilities towards its own citizens. The UN General Assembly unanimously accepted the doctrine in 2005, however in a much shortened version and a narrower scope that departs from the broader understanding of human security than initially intended: now, responsibility is defined as protection against genocide, war crimes, ethnic cleansing, and crimes against humanity. What happened that the ambitious and broad interpretation of human security was transformed into the narrower notion of homeland security?

1.2 "Homeland Security"

While the "Responsibility to Protect" 2001 report was still in the making, the terrorist attack on the World Trade Center changed the perception of US security – or insecurity – dramatically. In the years following the 9/11 attack, the US Congress passed multiple legal provisions that enabled the national (federal) authorities to openly and/or secretly collect information from its citizens as well as of any individual or group that the quickly re-organized intelligence services considered to be a threat to US national security. Departing from the broad definition of security the UN still applied within Western societies, the threat to personal security began to reshape the overall perception of insecurity.

The Bush Administration reframed the security threat along the lines of the war on terrorism, as a de-localized, de-contextualized global conflict, rendering new ways of warfare necessary and legitimate. Unfortunately, this reframing by the USA quickly replaced the UN human security agenda. In the USA, information technologies are key in the strategy to protect US citizens in their security, and surveillance technologies serve as one of the most important means to achieve this goal. The US strategy was more or less copied by other Western countries, however with different emphases depending on the national legislation,

---

6 International Commission on Intervention and State Sovereignty, 2001.

7 Ibid.

economic ability, and perceived insecurity.[8] In fact, the intersection of commercial and political surveillance resulted in the cultural transformation multiple countries have since undergone. One of the most important shifts in the post 9/11 security policy is its preemptive or pre-crime nature. Preemptive strikes were first applied in the military sector; however, terrorism was so broadly defined that it required – and continues to require – the surveillance of any social activity, without much transparency of the procedures of permission. Most importantly, terrorist acts are by now defined according to intention rather than action. For example:

> According to the Patriot Act, computer hacking, carried out from distant computers, is a terrorist act: the enemy is someone with the intention of attacking critical infrastructures – information, communications, financial services, energy resources, transport, and distribution – irrespective of their geographical or physical location.[9]

This de-location of the 'enemy' who could attack any part of a given national infrastructure from everywhere is echoed in the de-territorialization of the 'homeland':[10] as security becomes a diffuse concept applicable to all sectors of society, and to all individuals; likewise the "Homeland is no longer definable in terms of territory to defend but a system of values to protect".[11]

While US legislation and policy shifted to the new surveillance technology-based 'Homeland Security' strategy, it is by no means only a 'US' approach any longer: In 2006, NATO, already heading the military forces in Afghanistan, adopted the concept of the "Transatlantic Homeland". Its security practices include not only military intervention, from targeted strikes via drones or other measures to more traditional wars like the one in Afghanistan or Iraq, but also the adoption of emergency laws, spy programs and secret surveillance programs in several countries, with the USA, however, being at the center of the transformation. The result of the commodification and privatization of security technologies, going hand in hand with the political authorities' agenda dedicated to 'secur-

---

8   One could argue, of course, that the connection between security and surveillance is not to be seen primarily from the perspective of the war on terrorism. However, in this paper, I want to highlight exactly this connection, while a more thorough analysis would attend more closely to the parallel development of commercial data mining for economic reasons, likewise requiring the surveillance of civil activities.

9   J. Gygax, *Strategic Culture and Security. American Antiterrorist Policy and The Use of Soft Power after 9/11,* in: B. Germond/J. Hanhimaeki/G.-H. Soutou (ed.), *The Routledge Handbook of Transatlantic Security,* London/New York 2010, 231–249, 236.

10 For a history of the term "homeland" since post- 9/11 US history, cf. M. Kramer/Ch. Hellman, *"Homeland Security". The Trillion-Dollar Concept that no one Can Define,* in: TomDispatch.com Feb. 28, 2013, 2013, http://www.tomdispatch.com/post/175655/.

11 J. Gygax, *Strategic Culture and Security,* 237.

ing the homeland', is the blurring of several lines previously separated and therefore open to supervision, now becoming less and less transparent and difficult to oversee. First, the military contracts are made more and more with private military and security companies,[12] which not only act in the shadow of public oversight but, second, also have a high motivation to sell their technologies. Third, the military and police authority tightly collaborate, blurring the lines between these two political authorities. Fourth, commercial data mining and state surveillance programs are no longer separable, as the case of Verizon and the Snowden documents have shown.[13] Fifth, private or civil surveillance technologies and state surveillance programs intersect and interact in public spaces. A thorough analysis of securitization requires interdisciplinary expertise and collaboration not only regarding the technologies involved but also regarding the social, cultural, and economic contexts in particular communities, states, and transnational interactions, as well as the legal and ethical implications.

The redefinition of security as the protection against the enemy by "preemption, deterrence and retaliation" – though certainly not uncontested, especially within the European Union where several countries insisted on "regulations, legal and judicial means, and cooperation between civil and police authorities"[14] – dramatically altered the human security narrative that the UN established beginning in the 1990s. Furthermore, it also goes beyond the traditional national security doctrine, because it de-limits the now *unilaterally* defined and first and foremost 'securitized' "responsibility to protect". It transfers the responsibility to the military, the secret services, and the police who *together* become the main actors of security, using and in part exploiting the information gathered by civil and/or commercial entities. This shift does not only threaten the human rights

---

12 J. PATTISON, *The Morality of Private War: The Challenge of Private Military and Security Companies*, Oxford 2014.

13 S. LANDAU, *Surveillance or Security? The Risks Posed by New Wiretapping Technologies*, Cambridge/MA 2011.

14 Assessing the post- 9/11 NATO security strategy in relation to Russia, Vincent Pouliot states, "Issues that were central during the 1990s, such as peacekeeping in the Balkans, gave way to a new security agenda centered on terrorism and forceful democratization. This reorientation did not go entirely smoothly, however, as conflicting interpretations of the terrorist attacks emerged on each side of the Atlantic. Many continental European countries did not agree with the militarized response to the terrorist threat put forward by Washington: instead of preemption, deterrence and retribution, they preferred a softer approach based on regulations, legal and judicial means, and cooperation between the police and civil authorities. Despite this disagreement, however, in relative terms European and American security cultures remained closer to each other than to those of any other parts of the world." V. POULIOT, *International Security in Practice. The Politics of NATO-Russia Diplomacy*, Cambridge/MA 2010, 210.

based strategy of human security; it also threatens the social contract that is based upon transparency, legitimization of state intrusion into private lives, and the whole range of political human rights – most importantly, freedom rights and rights to privacy. Before turning to the cultural and social effects of this shift, I will shortly exemplify some of the surveillance technologies that are used in connection with security issues.

2. *The New Culture of Security and Surveillance*

2.1 Surveillance technologies and security

Surveillance technologies are developed in the area of telecommunication. ICT-based data are generated in almost all everyday life practices, from communication to shopping to internet surfing; they also involve, however, areas traditionally thought to be highly sensitive with respect to privacy, such as health-related issues, religious expression, or political activism. Since surveillance technologies are developed as much in and for civil spheres such as agriculture, ecological monitoring, and public health-related monitoring or emergency aid as they are for the prevention and prosecution of crimes and in the military, they have become ubiquitous.

One of the newer developments where one can observe the blending of contexts concerns biometrics and other body monitoring systems, and so-called ambient intelligence technologies: embedded software, computing, smart objects, and the 'internet of things' all point into the direction of object-subject interactions through the human body. In the near future, for example, the traditional CCTV video camera surveillance of public spaces will be replaced by dynamic video analytics, replacing 'real person analysis' with computer-based analysis of "suspicious behavior"[15]. By using these technologies or by being subjected to identification measures, we constantly produce data that may or may not be collected, sorted through, and stored. The registration, identification and authentication of devices result in the availability of data on movement, behavior, location etc., potentially communicated to and stored in central databases. Private companies as well as state authorities make increasing and extensive use of these data, either to predict commercial behavior or behavior that may be relevant for security issues. Not only are devices and software shared between the private sector and political bodies, it is also the case that many employees of the private sector transfer to the political and vice versa over the time of their career.

Cameras, radio frequency identification (RFID), or wireless sensors already now collect bodily functions such as facial expressions or eye movement, for ex-

---

15 K. Proctor, *The Great Surveillance Boom,* in: Fortune April, 26, 2013, http://fortune.com/2013/04/26/the-great-surveillance-boom/.

ample, at airports or during big public events; biometrical data concerning age, gender, ethnicity, or body weight, combined with specific bodily functions such as pulse or body temperature may be traced in specific environments, e. g. particular working places. Beyond political surveillance, body-monitoring sensors may, for example, be used to ensure safe living conditions for the elderly, potentially applied as body implants. It is no longer privacy only that is affected but also bodily integrity, and this technological development certainly radicalizes what Foucault called 'biopower': it is not just controlled from a governmental authority but takes on multiple form. It is embodied by everyone, and all the information cannot be controlled any longer by oversight institutions. Even for the supervision of the surveillance technologies, we have become dependent on specific software programs and experts who may or may not release the information they have to the public, or to the democratically elected political authorities.

In its opinion, the EGE summarizes the characteristics of the new surveillance technologies under the headings of *miniaturization, ubiquity, automation, integration and convergence of technologies.* Concluding the descriptive survey of the different kinds of surveillance technologies, the EGE states:

> Deployment of security and surveillance technologies, irrespective of their origins, was once considered the prerogative of the State or its agencies. This is no longer the case with commercial entities and individuals utilizing technologies which allow them to survey their customers and neighbors and draw inferences about future behavior from past actions. Much of this technology is transformative and offers concrete benefits to individuals and larger society. Reaping these benefits are however dependent upon the proven effectiveness of the technology and its proportionate use.[16]

Oversight, however, has become more and more difficult. The EGE – examining the security and surveillance technologies of the EU alone – saw many legal loopholes, mostly stemming from fragmented regulatory instruments. The core ethical principles of privacy and freedom, responsibility, and justice serve as guiding principles that underpin the EGE's recommendations on security and surveillance. In addition to these basic principles, the procedural principles of transparency, effectiveness, and proportionality are intended to secure the trust between individuals, companies and states. Given the intersection between commercial and political interests, the so-called 'push/pull' dynamic requires comparative analyzes *between* technologies (as well as between new technologies and other means of protecting the security of citizens), and it requires the critical analysis of the market interests of security companies.

---

16 European Group on Ethics in Science and New Technologies, *Ethics of Security and Surveillance Technologies*, 33.

2.2 "Surveillance Society"

Technological developments are often driven by the reorientation of the security paradigm; their increased applications were intensified, however, by the exploitation of the very same technologies by companies to predict the commercial behavior of customers. In the following, I will extend my perspective to the *cultural* analysis. It may not be exaggerated to state that both the American and European societies have transformed their own vision of liberal society based on democracy, separation of powers, rule of law, and free, peaceful, and tolerant social cooperation, to the vision of an ever-more homogenized society that must protect itself against the 'other' threatening 'our' way of life, potentially making use of 'exceptional means', namely means that do not comply with the rules of democratic states or even given legislation. When surveillance technologies are combined with a particular 'homeland security' paradigm, specific 'others' need to be identified, both within the societies as well as outside of it.

Security, in this vision, creates or co-creates a particular collective identity, a value system and a virtual "land", the "homeland" to which only those belong who share its unquestioned – and unquestionable – values.[17]

Surveillance technologies are only one group within the broad field of security technologies required to defend the security depicted above, namely as securitization rather than the implementation of human security as envisioned by the UN. At first sight, the technologies seem to resemble traditional civil systems, like locks or alarm systems to secure one's property, especially the things we use while moving in the public sphere: cars, bikes, cell phones, laptops, credit cards, etc. They also seem to resemble newer security systems aimed at protecting our transactions, social communication and cooperation in cyberspace – all of those already a response to the 20th century social transformations of our daily lives. Since some of the same security technologies, however, are also used as part of police and military equipment, the lines between the civil and the state security systems are constantly blurred. Resistance is all the more difficult as the new technologies are readily embraced by consumers who are eager to profit from the new ICT developments. Surveillance technologies, as they have emerged over the last decades, however, play a decisive role in the transformation of our culture that goes beyond the daily care for security we have all internalized, albeit most probably without understanding how much of our private data is collected and stored.

---

17 The yearning for homogeneity that is exploited by populist parties who promote the return to a past (that has never been) coincides with the homogeneity that is being established by the surveillance technologies.

In their report on the "Surveillance Society" from 2006, Kirstie Ball and David Wood define this transformation in these words:

> The surveillance society is a society which is organized and structured using surveillance-based techniques. To be under surveillance means having information about one's movements and activities recorded by technologies, on behalf of the organizations and governments that structure our society. This information is then sorted, sifted and categorized, and used as a basis for decisions which affect our life chances. Such decisions concern our entitlement and access to benefits, work, products and services and criminal justice; our health and well-being and our movement through public and private spaces.[18]

According to this definition, information may be collected and used by private and commercial organizations as well as by governments; we may consent or not, we may know or not know who uses what information for what purpose with what authority – and yet, information is collected with *purpose, routinely, systematically, and focused*, "sorted, sifted and categorized, and used as a basis for decisions which affect our life chances,"[19] mostly without citizens' or public deliberation or participation.

Surveillance of *all*, however, creates a tension within the framework of security: it does not discriminate between those who may threaten the security and those who just live with the fact that they are surveilled. Going through the airport security, for example, multiple personal data are collected and screened. We have become used to body scans, even though we do not exactly know how they work, what information is gathered, what safety risks are involved, or even what the employees of the TSA (The US Transportation Security Administration) see or do while we are scanned.[20] Yet, most people trust that they belong to the group who is either eligible or privileged – in the USA, this means becoming global entry customers, for example – or at least not targeted in a negative way: 'we' are the 'good', we are 'we', and 'we' do not belong to the group of the 'others' – the others who threaten 'us' in our security and identity, in our way of life, or who even threaten our very life in a situation of increased dependency and vulnerability, as a flight certainly is. Hence, most people will not only comply with the rules of indiscriminate surveillance, they will also explicitly or implicitly comply with dis-

---

18 K. BALL/D. M. WOOD, *Report on the Surveillance Society for the Information Commissioner, by the Surveillance Studies Network: Summary Report, September 2006,* 2. https://ico.org.uk/media/about-the-ico/.../surveillance-society-summary-06.pdf., and D. M. WOOD/K. BALL/D. LYON/C. NORRIS/ CH. RAAB, *A Report on the Surveillance Society,* 2006, https://ico.org.uk/media/about-the-ico/documents/1042388/surveillance-society-public-discussion-document-06.pdf.

19 K. BALL/D. M. WOOD, *Report on the Surveillance Society,* 2.

20 E. HARRINGTON, *Dear America, I Saw you Naked,* in: Politico Jan 30, 2014, 2014, http://www.politico.com/magazine/story/2014/01/tsa-screener-confession-102912_Page3.html#.VKham6ZzrjI.

crimination, on the basis of the social construction of the 'other' – all based upon real or constructed threats that we ourselves cannot judge, let alone compare or assess in comparison to other threats to our security.

After 9/11, the priority of personal security over human security was quietly assumed but rarely openly discussed, because the measures of surveillance were not transparent and accessible. The ethical ramifications were only scarcely publicly debated – or debatable, because any public reasoning took place in the wake of the images – and experiences – of terror attacks. Security measures, it seems, were almost entirely constructed and perceived as 'our' response to the threat of global terrorism. For this cultural transformation, it is not necessary that *we* – the citizens of nation states or the European Union, for example – have a fixed understanding of the 'we' and the 'others'; rather, a certain collective identity is formed *by design*: the technologies and practices of surveillance, each of which are possibly sensible, taken together create new norms of the good or bad citizen. In other words: in the name of security, new ways of social sorting were built into the security and surveillance technologies:

> Governmental logic has changed. While older, twentieth century understandings of citizenship stressed the inclusion of all eligible persons in systems of health, welfare and legal protection, newer citizenship practices, including ID systems, seem to stress exclusion of undesirable elements. Those with access to resources are highly mobile […] But for others, who are working (or worse, unemployed) migrants, refugees or asylum seekers, not to mention those with distinctive 'Muslim' or 'Arab' names, these systems tend to militate against movement both within and between countries.[21]

The indiscriminate surveillance, for example, in the closed circuit television (CCTV) cameras used in public spaces, monitoring all movements, and the social sorting embedded in the use of the data gathered, creates a tension between security and personal insecurity: the individuals who are recognized as belonging to the 'we' may feel secure when they are monitored – in the UK, for example, almost 5 million CCTV cameras are used, equating to one camera for every 14 people – but citizens are constantly at risk of losing exactly this social status, especially when the criteria for the 'othering' are not made transparent. It is this fear of becoming the other, and as such becoming the 'target' of 'negative' surveillance, that feeds into the normalization of one's behavior. Control starts with the control of oneself, a phenomenon that Foucault has described as biopower or disciplining of one's behavior.[22] It has become part of the individual and collective identity:

---

21 K. Ball/D. M. Wood, *Report on the Surveillance Society*, 13.

22 M. Foucault, *Security, Territory, Population: Lectures at the Collège de France, 1977-78,* Basingstoke, New York 2007; M. Foucault, *The History of Sexuality,* Vol. 1, *An Introduction,* New York 1978; M. Foucault, *The History of Sexuality,* Vol. 2, *The Use of Pleasure,* New York 1985; M. Foucault, *The History of Sexuality,* Vol. 3, *The Care of the Self,* New York 1988.

I may be considered as a suspicious person in the eye of others (or an anonymous system created by designers of algorithms, according to the tasks given to them) – and I may consider others with prejudiced concepts that have been shaped and are constantly shaped by the images of the other as "alien" through cultural, social, and political mediations.[23] In a culture of security and surveillance, the trust that is necessary for any social cooperation and interaction easily erodes between individuals, within communities, between citizens and the state, and even between the international actors. However, the intersection of the social and commercial security with the political paradigm of homeland security takes the culture of security to another level. I agree with David Garland who has coined the term *culture of control* regarding the criminal system in the USA: This culture *materializes* in part *as a culture of security and surveillance*, based upon the 'othering' of particular individuals and groups. It is this 'othering' that renders the 'homeland' security paradigm a threat to democracy.

3. Reorientation of the Security Paradigm: Security Ethics

This development must be a concern for any ethics. Since Thomas Hobbes' *Leviathan*, security has been regarded as the decisive motivating force for individuals to consent to the social contract, giving up some freedoms (especially the freedom to defend oneself against another, in order to preserve one's life) and gaining the security that renders a social life of peace and cooperation with others possible. Hobbes' view – the trade-off between liberty and security in the social contract – however, marks only the beginning of modern political philosophy. Hobbes' version of the trade-off between security and liberty is not based on a moral theory of freedom and well-being as it is articulated in modern theories of human rights. It reflects a highly hierarchical social and political order that precedes the later vision of granting everyone equal rights, beginning with political rights, and further developed over the last two centuries as civil rights, and then as social, cultural and economic rights.

Although I cannot pursue the history of the relation of freedom/liberty and security here,[24] we must note that both ideas of human rights and democracy have transformed, among other things, the Hobbesian understanding of the social contract. Security is not the only motive for individuals to affirm a specific form of political government. If we take, for example, 20th century insights from social psychology and philosophy, the fact that individuals are necessarily constituted as social selves allows for new insights into the concept of freedom as a socially mediated concept. Agents are not only 'autonomous' in the sense of being capable

---

23 Cf. B. WALDENFELS, *Phenomenology of the Alien: Basic Concepts*, Evanston, IL. 2011.

24 Cf. the concise study by C. GEARTY, *Liberty and Security*, Cambridge 2013.

of pursuing their interests while fearing the intervention of others; they are also capable of taking the others' perspectives, needs, and desires as positive motivation for their own actions. "Aiming for a good life with and for others in just institutions", to recall Paul Ricœur's famous definition, [25] may be taken as the motivational centerpiece of an ethics that is radically different from the Hobbesian view on the moral selves. In Ricœur's versions that I embrace, this ethical perspective is, however, complemented by the normative (deontological) perspective that connects one's own rights with one's duties: to respect oneself as well as the other, to care for oneself as well as for the other, and to establish, critique, or reform institutions when they do not reflect the responsibility to protect the basic, civil, and social human rights of all human beings.

Individuals who are constituted in specific social, cultural, and historical contexts, and shaped by their personal relations and communities, may well learn to interact and participate socially with each other, as communitarian theories argue. [26] They may well take up the values and norms of the communities to which they belong, and relate and compare the views of others with their own interests and interpretations of their lived realities. People learn to engage in practices almost always together with others, and as citizens, they learn to co-construct the very architecture of governing that at the same time shapes certain parts of their identity.

Yet, governance that is driven by fear divides the world into friends and foes; it may be legal, but it is disconnected from justice that grants everybody equality before the law. Furthermore and as important on the cultural level, it keeps individuals and collectives from seeing each other as neighbors. Neighbors are neither friends nor foes; they have not chosen to be together, and yet they can – and in fact must – share the world they live in. While there is every reason to be diligent and responsible in view of threats to anybody's security – threats that are and must be empirically analyzed, making at least in part use of surveillance measures – and while there is every reason for ethical theory to deal with the problem of violence and crime, fear of one's neighbor is a bad precept for social cooperation that constitutes shared practices. Instead, social interactions that are possible only on the condition of multiple layers of security measures only disguise the underlying mistrust of others, which creates a constant state of insecurity. Finally, and perhaps most importantly for the task of a critical political ethics, fear used as political ideology keeps people from asking critical questions about the political security paradigm. Over against this paradigm of securitiza-

---

25 P. Ricœur, *Oneself as Another*, Chicago 1992. Cf. chapter 1 in this volume.

26 Cf., for example, A. MacIntyre, *Dependent Rational Animals. Why Human Beings Need the Virtues,* Chicago 1999.

tion, which is a paradigm of fear, transnational and international cooperation is badly needed on a political, social, and economic level. Without it, individual freedom and well-being on the one hand, and social freedom on the other hand cannot thrive. Today, however, billions of people are being held hostage to a security paradigm that does nothing to respond to their basic, human insecurities, captured in the threshold definition of the human security paradigm.

There can be no question that terrorist attacks such as the ones the world witnessed on September 11, 2001 in the USA, and continues to witness both nationally and internationally until today, cannot be tolerated by any society, and certainly not by the international community. Likewise, the world community cannot and must not stand by when groups exploit religions as an ideology for committing crimes, among them crimes against humanity, which would be covered by the "Responsibility to Protect" Doctrine. However, surveillance in its current scope and application is neither effective nor prudent, and it is ethically not warranted when compared with other urgent crises. Instead, the broader *Responsibility to Protect Doctrine* that the UN developed at the turn of the Millennium must serve as an orientation for a political ethics, and it should therefore be retrieved. Christian ethics, too, must embrace and develop it further as a normative framework that is juxtaposed to the current 'homeland security' paradigm.[27] This, however, is only possible if *responsibility* is linked to *accountability* for any political action, including the omission to respond to the human security needs of the poorest and most marginalized people and groups, both in every country and globally.

Moral identity includes moral agency, which is based upon the owed respect and owed care for the other. Over the last years, several approaches have described the relationship of ethical life and normative morality, often coined as the conflict between a Hegelian and a Kantian ethical theory, and sometimes also as the conflict between communitarianism and liberalism. Both labels are, in certain ways, misleading, and some newer approaches undermine the stark juxtaposition while maintaining the siding with the one or the other tradition. In the German discourse, for example, Axel Honneth has argued for a Hegelian concept of

---

27 This does not mean, however, that there are not serious questions one needs to ask about the Doctrine. The biggest issue concerns the procedural power structure of the empirical findings, the decision-making, and the bottleneck of the Security Council. Hence, while I would hold that the broad human rights-related definition of security is correct *and* the turn to responsibility (as obligation to secure the security of any person) is morally justified, in its present form the "R2P" Doctrine obscures the fact that it may easily be used as yet another legitimization for morally unwarranted military interventions (or omissions of interventions). Yet, I would hold that it must indeed serve as a *starting point* for new deliberations on global obligations, while it would be wrong to apply it without further changes of the structures and procedures of implementation.

social freedom (over against the Hobbesian negative freedom and the Kantian reflective freedom), in order to capture the modern form of freedom that is based on mutual recognition of self and other in personal relations, in social interactions, and in the political and legal system of the state.[28] Herta Nagl-Docekal has critiqued Honneth's overreliance on social norms and his flawed understanding of moral norms; instead, she proposed to maintain the Kantian understanding of "inner freedom", in order to show that the moral dimension differs from the facticity of socially mediated norms.[29] Christoph Menke stresses the Hegelian connection of autonomy and liberation, which creates an alternative reading to a teleological theory of historical progress, an understanding that is also easier to connect with approaches in debt of liberation theology, which has resulted in a necessary correction of Catholic social ethics.[30]

These three – exemplary – approaches all highlight different, yet indispensable facets of moral agency that can be utilized for a political ethics; if their insights could be spelled out on the different levels of moral agency, social interactions, and political institutions, they may well provide the starting point for a new security ethics. I believe that any security ethics needs to be based, first, on the empirical fact of social cooperation that must be fostered and taught as real possibility, in order to overcome the habitus of fear and the friend-foe scheme that drives it; second, it must stress the legitimacy of a normative *expectation* of mutual recognition, though it can only be actualized in interactions, practices, and policies; and third, it must be grounded in the modern concept of human rights as the framework that orients policies, social, cultural, and economic relations, and reassures every individual of their human dignity. Security ethics must guarantee political freedom rights, but it must also acknowledge that freedom and well-being are, in fact, aspirations, resulting in struggles for liberation and justice. Security ethics must emphasize that moral freedom entails the personal, social, and political responsibility to secure and protect the human rights of all people. Security ethics that is spelled out by way of recognition and responsibility must scrutinize practices of security and surveillance, but it must never lose sight of its goal, namely to create the opportunities for interactions in different social settings and contexts, in order to find new ways of social cooperation.

---

28 A. HONNETH, *Das Recht der Freiheit. Grundriss einer demokratischen Sittlichkeit,* Frankfurt a. M. 2011; A. HONNETH, *Freedom's Right. The Social Foundations of Democratic Life,* New York 2014.

29 H. NAGL-DOCEKAL, *Innere Freiheit: Grenzen der nachmetaphysischen Moralkonzeptionen,* Berlin 2014. I do not entirely agree with her critique of Honneth's approach but find her emphasis on Kant's moral autonomy convincing, especially over against a theory that either relies on a consensus theory of truth (Habermas) or on the immanent critique of social norms in the name of an ideal of social freedom that is "not yet" fully realized in history.

30 CH. MENKE, *Autonomie und Befreiung. Studien zu Hegel,* Berlin 2018.

Regarding the curtailing of security and surveillance measures I believe it is the task for a renewed political ethics, *first*, to analyze the connection of security and surveillance technologies as reflective of a particular concept of security, and *second*, to criticize its violations of human rights and human security. *Third*, rather than 'trading off' one's liberties and freedom for the good of security, we need to understand that security necessarily *entails* and *promotes* the freedom of those whose lives are secured. It is for this reason that surveillance technologies *require* transparency and supervision – and all states need to set up procedures to ensure that this is possible. [31] Finally, *Christian* ethics must not only confront the new culture with its own normative principles of the love of neighbor (spelled out as responsibility to care), the dignity of every person, solidarity and the common good, but also with the principle of justice, calling for the reordering of priorities in international policies as a way to secure the dignity and rights of individuals and groups. In part, this is a question of distributive justice: it calls for the justification of how money is spent, for what, in the name of whom, and for what purposes. While societies need to acknowledge that life cannot be secured by any means, and violence and crime will always be part of human history, ethics cannot and must not shy away from speaking out against the nontransparent, unaccounted-for surveillance of citizens when their rights are violated. Ethicists must work with specialists in the information and computer technology units of their universities, but also with economists, legal scholars, social psychologists, and political scientists. The public has a right to know how everyone is surveilled, and with what means and according to which criteria and legal standards. So far, ethics, and Christian ethics in particular, has been far too slow in its responses. Obviously, it requires the cooperation of multiple disciplines working towards the same goal, namely to make the new technologies compatible with the human rights framework. This is a huge challenge, yet it is necessary to embrace it in order to prevent further reification and exploitation of our identities for economic or political reason (or a combination of both). Whether new global rules can be found in the current political climate that is driven more by contempt for human rights than by their defense, is questionable. Yet, the character of the 21st century societies may well depend on the effort to return to the concept of human security – which is, after all, the opposite of the securitization of societies.

---

31 The EGE has made several recommendations for the European Union; likewise, the US President's Review Group on Intelligence and Communication Technologies, in its Report of December 2013, called for radical changes in judicial and congressional oversight. Cf. R. A. CLARKE/ M. J. MORELL/G. R. STONE/C. R. SUNSTEIN/P. SWIRE, *The NSA Report: Liberty and Security in a Changing World*, Princeton 2014.

Bibliography

BALL, KIRSTIE/WOOD, DAVID MURAKAMI, *Report on the Surveillance Society for the Information Commissioner, by the Surveillance Studies Network: Summary report, September 2006,* https://ico.org.uk/media/about-the-ico/.../surveillance-society-summary-06.pdf.

CLARKE, RICHARD A./MORELL, MICHAEL J./STONE, GEOFFREY R./SUNSTEIN, CASS R./SWIRE, PETER, *The NSA Report: Liberty and Security in a Changing World,* Princeton 2014.

EUROPEAN GROUP ON ETHICS IN SCIENCE AND NEW TECHNOLOGIES, *Ethics of Security and Surveillance Technologies,* European Commission Brussels 2014. https://publications.europa.eu/en/publication-detail/-/publication/6f1b3ce0-2810-4926-b185-54fc3225c969/language-en/format-PDF/source-77404258.

FOUCAULT, MICHEL, *The History of Sexuality,* Vol. 1, *An Introduction,* New York 1978.

—, *The History of Sexuality,* Vol. 2, *The Use of Pleasure,* New York 1985.

—, *The History of Sexuality,* Vol. 3, *The Care of the Self,* New York 1988.

—, *Security, Territory, Population: Lectures at the Collège de France, 1977-78,* Basingstoke, New York 2007.

GASPER, DES/GÓMEZ, OSCAR A., *Evolution of Thinking and Research on Human and Personal Security 1994-2013,* UNDP Human Development Report Office New York 2014. http://hdr.undp.org/en/content/evolution-thinking-and-research-human-and-personal-security-1994-2013.

GEARTY, CONOR, *Liberty and Security,* Cambridge 2013.

GYGAX, JEROME, *Strategic Culture and Security. American Antiterrorist Policy and The Use of Soft Power after 9/11,* in: GERMOND, BASIL/HANHIMAEKI, JUSSI/SOUTOU, GEORGES-HENRI (ed.), *The Routledge Handbook of Transatlantic Security,* London/New York 2010, 231–249.

HARRINGTON, EDWARD, *Dear America, I Saw you Naked,* in: Politico, Jan 30, 2014, http://www.politico.com/magazine/story/2014/01/tsa-screener-confession-102912_Page3.html#.VK-ham6ZzrjI.

HONNETH, AXEL, *Das Recht der Freiheit. Grundriss einer demokratischen Sittlichkeit,* Frankfurt a. M. 2011.

—, *Freedom's Right. The Social Foundations of Democratic Life,* New York 2014.

INTERNATIONAL COMMISSION ON INTERVENTION AND STATE SOVEREIGNTY, *The Responsibility to Protect,* Ottawa 2001. http://www.responsibilitytoprotect.org/index.php/about-rtop/core-rtop-documents.

KRAMER, MATTEA/HELLMAN, CHRIS, *"Homeland Security". The Trillion-Dollar Concept that no one Can Define,* in: TomDispatch.com, Feb. 28, 2013. http://www.tomdispatch.com/post/175655/.

LANDAU, SUSAN, *Surveillance or Security? The Risks Posed by New Wiretapping Technologies,* Cambridge/MA 2011.

MACINTYRE, ALASDAIR, *Dependent Rational Animals. Why Human Beings Need the Virtues,* Chicago 1999.

MENKE, CHRISTOPH, *Autonomie und Befreiung. Studien zu Hegel,* Berlin 2018.

NAGL-DOCEKAL, HERTA, *Innere Freiheit: Grenzen der nachmetaphysischen Moralkonzeptionen,* Berlin 2014.

OWEN, TAYLOR, *Human Security Thresholds,* in: MARTIN, MARY/OWEN, TAYLOR (ed.), *Routledge Handbook of Human Security,* London/New York 2014.

PATTISON, JAMES, *The Morality of Private War: The Challenge of Private Military and Security Companies,* Oxford 2014.

POULIOT, VINCENT, *International Security in Practice. The Politics of NATO-Russia Diplomacy,* Cambridge/MA 2010.

PROCTOR, KEITH, *The Great Surveillance Boom*, in: Fortune, April, 26, 2013. http://fortune.com/2013/04/26/the-great-surveillance-boom/.

RICŒUR, PAUL, *Oneself as Another*, Chicago 1992.

ROBINSON, FIONA, *The Ethics of Care: A Feminist Approach to Human Security*, Philadelphia 2011.

WALDENFELS, BERNHARD, *Phenomenology of the Alien: Basic Concepts*, Evanston, IL. 2011.

WOOD, DAVID MURAKAMI/BALL, KIRSTIE/LYON, DAVID/NORRIS, CLIVE/RAAB, CHARLES, *A Report on the Surveillance Society*, 2006. https://ico.org.uk/media/about-the-ico/documents/1042388/surveillance-society-public-discussion-document-06.pdf.

WORLD HEALTH ORGANIZATION, *Global and Regional Estimates of Violence against Women: Prevalence and Health Effects of Intimate Partner Violence and Non-Partner Sexual Violence*, World Health Organization Geneva 2013. https://www.who.int/reproductivehealth/publications/violence/9789241564625/en/.

PART TWO

WOMEN'S DIGNITY AND WOMEN'S RIGHTS: CATHOLIC
SEXUAL ETHICS AND REPRODUCTIVE MEDICINE