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# Surveillant institutional eyes in South Korea: from discipline to a digital grid of control

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*The Information Society* (TIS)

## **Surveillant Institutional Eyes in Korea: From Discipline to a Digital Grid of Control**

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### **Abstract**

This paper investigates the shift from disciplinary societies (the visible and physical violence of power) to control societies (the modulating and normalizing techniques of power) in South Korea. At the institutional level, during the period of repressive and disciplinary society in Korea (1948–1992), the regulatory control systems of the state were mainly performed by two formidable apparatuses: the national ID system and the National Security Law. On the other hand, the deployment of institutional power since 1993 has been based on the logic of free-floating control, dispersion, normalization, and modulation. The present study examines how the techniques of power were gradually transformed from a centralized and hierarchical model into a distributive and dispersed network model, based on flow, speed, and mobility.

**Keywords** Surveillance, ubiquity, mobility, disciplinary societies, control societies, regulatory control, The ID system

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## **SURVEILLANT INSTITUTIONAL EYES IN KOREA: FROM DISCIPLINE TO A DIGITAL GRID OF CONTROL**

### **Introduction**

This paper examines how the techniques of power have shifted in South Korea from the authoritative governments (1948–1962) and the military dictatorships (1963–1992) to the civilian governments (1993–present). While the former regimes made the people sense the physical presence of the observer or controller, the civilian administration has been normalizing the regulatory control by means of more de-centered and modulated techniques of control. Using Foucault’s concept of “disciplinary societies” and Deleuze’s concept of “control societies,” we will see how the techniques of power were gradually transformed from a centralized and hierarchical model into a distributed and ubiquitous network model. Before investigating the metamorphosis in techniques and technologies of power, we will examine some concepts that illuminate how the character of regulatory control has transformed in Korea.

### **Free-Floating Control**

In his “postscript on control societies,” Deleuze ([1990] 1995) contrasts Foucault’s concept of “disciplines” with the concept of “controls.” According to Deleuze, the “disciplinary societies” of the eighteenth and nineteenth centuries should be differentiated from the kind of society we have today. He describes today’s societies as “control societies,” and sees them superseding the disciplinary societies Foucault talked about. Deleuze’s division of societies into these two periods—that of discipline and that of control—reflects digitization of information in modern

society and its application for reproduction of power systems. In other words, he sees control societies as based on digital technology, while disciplinary societies on analog technology. Digital technology facilitates free-floating control and continuous flows of information between databases without spatial-temporal restraints, while analog has the logic of “confinement” and “moldings” that divides up units into physical cells and molds such as factories and prisons, where monitoring is performed from a physical watchtower. Under digital conditions of control, Deleuze observes that masses become floating samples and data. Gandy (1993) notes that personal information is “produced through the monitoring of behavior, and not the behavior alone” (p. 76). Just as workers’ actions in a workplace are managed by the employers, and as consumers in everyday life are identified, classified, and evaluated by private corporations, through the so-called “panoptic sort,” what new technologies enhance is the ability to digitize, collect, sort, and control the activities of citizens in the public space (Gandy, 1993). In this respect, digital technology becomes a new means for modern power to escape from the confinement of barriers, fences, and borders into the free-floating control of flow, speed, and mobility.

### **Invisibility of Power**

In a move similar to Deleuze’s distinction between disciplinary societies and control societies, Bauman (2000) divides capitalist modernity into two phases using the concepts of “solidity” (analog) and “liquidity” (digital). He observes that the pyramid of power has increasingly been built on “access to the means of transportation and the resulting freedom of movement” (p. 10). Bauman notes that the principal strategy in the exercise of power has become exterritorial and unbounded. He regards the “melting of solids” in the current capitalist system as the “revenge of

nomadism over the principle of territoriality and settlement” (p. 13). This rejection of any territorial confinement means that for the use of power, it rarely matters now “where the giver of the command is” (p. 11). Bauman’s metaphor of “liquid” power is useful in conceiving a dispersive, de-centered, and even neutralized power. This wide dispersion of power techniques makes it easier to conceal the goals of control. As Foucault ([1976] 1990), says “power is tolerable only on condition that it mask a substantial part of itself” (p. 86). Accordingly, power seeks to make “all things visible by becoming itself invisible” (Foucault, 1980, p. 71; also see Foucault, [1975] 1995, p. 187). The invisibility of power has been greatly increased by the dispersed and “value-neutral” techniques of high-tech panoptic devices such as radio frequency identification (RFID) chips, electronic bugs, geographic positioning system (GPS), wireless tracking techniques, and other fine-grained data-mining software. These devices have been accompanied by new hegemonic values that persuade people to embrace “digital sublime” and thereby gain consensual acceptance of them throughout society. In effect, the new techniques of power are a cunning prosthesis that extends its scope and a deceptive mask that hides its savagery, so as to reduce the antipathy of individuals to structural control.

### **Modulation and Assemblage of Differences**

If power has difficulties in integrating the liquid, free-floating, and dispersed practices of surveillance into its library of “databases,” power’s regulatory mechanisms are likely to be incomplete (Poster, 1990). Thus modulation of power on a large scale is impossible without interconnected networks. Raely (2004) notes that interconnected networks make up “modulating networks of command” (p. 125). Although Raely’s research focused on the current shift of the global capitalist system, in other words, on “societies of ‘imperial’ control” (e.g., Galloway,

2001), the concept of “modulating networks of command” is quite useful for analyzing the new techniques of control. Raely explains the modulating system of power as “a loose assemblage of relations characterized by [...] flexibility, functionality, mobility, programmability, and automation” (p. 132). The technology permitting such an assemblage is the electronic network, which “abstracts human bodies from their territorial settings and separates them into a series of discrete flows” (Haggerty & Ericson, 2000, p. 605). The loose but integrated communication network is the “instrumental facilitator” of power (Raely, 2004, p. 135). Raely concludes that the new mechanism of power “need” not necessarily operate through domination, subjection, and imposition, because it now operates through insinuation, which is a modal switch of power and consists of hosts accepting rather than rejecting or being forced to accept” (p. 135). When the spatial conduit of electronic communications becomes the material infrastructure of contemporary power, modulation and assemblage become the technical standards of common protocols or codes that link up the free-floating data of individuals, groups, and classes.

### **The Solid and Disciplinary Power**

In South Korea up through at least the early 1990s, both physical violence, such as torture and imprisonment (typical in a pre-capitalist society), and discipline (representative democratic society) were used conjointly as the techniques of power. The grid of military-authoritarian practices that threatened citizens’ public rights was pervasive: the national ID system identifying each Korean, the use of paramilitary violence to break unions, the use of closed-circuit TV’s for policing, and the widespread practice of government eavesdropping, and politically-motivated investigations of activist citizens, among other methods. During the 1970s and 1980s, the regime in power employed a wide variety of means to compel most citizens to become docile subjects:

imposing a curfew, forcibly shearing the hair of “hippies,” torturing political activists, searching citizens’ possessions on the street, silencing the voice of leftists in the public arena, and so forth.

At the institutional level, during the period of repressive and disciplinary society in Korea (1948–1992), the regulatory control systems of the state were mainly performed by two formidable apparatuses: the national ID system and the National Security Law. In the name of ferreting out spies or sympathizers aligned with the communist North Korea and of protecting South Korea from the dangers of communist infiltration and influence, the National Security Law (NSL) was enacted in December 1948 under Syngman Rhee, the first president of the republic (1948–1960). Over the next half century, military dictators used the NSL’s elastic definition of “anti-state groups” to suppress political opponents. The NSL, which is still in force and was last revised in 1996, still defines “anti-state groups” in such a way as to allow arbitrary interpretation of the term. Article 2 states that “anti-state groups refer to domestic or foreign organizations or groups whose intentions are to conduct or assist infiltration of the Government or to cause national disturbances” (Revised in 31 May 1991). The NSL prescribes up to seven years in prison for those who praise, encourage, disseminate the materials of or cooperate with anti-state groups (Article 7), and five years’ imprisonment for failure to report “anti-state” activities (Article 10). Using this law, any dictator who desires to punish political opponents can legally imprison or even execute them, relying on the law’s ambiguous language. Although Korea’s Constitution declares that “all citizens enjoy freedom of speech and the press, and of assembly and association” (Adopted on 17 July 1948: Chapter 1, Article 21), the NSL has empowered the government to effectively override the Constitution.

Many countries have used identity cards in one form or another, but the national ID system in Korea is a total surveillance system identifying each Korean. All citizens are required

to obtain and to carry such an ID card. If the police ask to see the card, one must be able to provide it. Each citizen must obtain a personal identification number given by the state, which must then be used for all kinds of purposes, some of which are described below, over one's lifetime. Also, all citizens over the age of 17 must have all ten fingerprints on file. The Korean governments have defended the bureaucratic efficiency of the system and emphasized that it is the price to be paid for the protection of the citizens from crimes and for identifying victims in accidents. But then, the government's databases accumulate a great deal of private information, collecting over 140 different pieces of profiling information for each individual. This project of regulating the entire citizenry was established under Cheong-Hee Park, the first dictator who came to power via a military coup and who held the presidency from 1963 to 1979. In 1968 he extended the notorious registration system to the whole populace. This ID system is not much different from that of a Big-Brother-type "superstate," which regulates all citizens with a thirteen-digit personal reference number<sup>1</sup> not unlike the bar code system used on commercial goods. A citizen would have severe difficulties without it, because one must submit it any time one buys certain goods, rents a house, drinks a beer in a bar, applies for loan from a bank, applies for employment at business or school, or even when one posts a comment on the Internet. The regulatory control of citizens is an extreme example violating fundamental human rights of privacy, because it is permanent in duration and vast in scope.

By using the regulatory weapons of the national ID system and the NSL, military dictators controlled the citizens for more than forty years. The worst of them, General Doo-hwan Chun, who ruled from 1980 to 1988, was a notorious despot who suppressed people's desire for democratization, and who knew how to maintain power with the help of intelligence agencies. Just before he came to power via the military coup in 1979, Chun took control of both the Korea

Central Intelligence Agency (KCIA)—which was created in 1961 under the presidency of Park and was renamed the National Intelligence Service (NIS) in 1999—and the Defense Security Command (DSC), whose original mission focused on counter-communist activities and fighting military corruption. After the success of Chun’s coup, the KCIA and the DSC were used as domestic surveillance and spying agencies to collect, analyze, and fabricate intelligence data on the citizenry.

The integration of the intelligence agencies, the national ID system, and the NSL enabled the development of an extreme disciplinary society to manage the “abnormal” or “other,” such as striking workers, protesting students, progressive politicians, and, in general, any citizen critical of the government.

### **The Liquid and Normalizing Power**

After a long period of repression under military regimes, Korean citizens were eager to have more political rights such as freedom of speech, expression, and assembly, among others. These changes were facilitated by the government’s drive to shift the Korean economy from traditional labor-intensive industries to cultural or knowledge-based economies. For instance, to promote broadband Internet networks at the national level, in March 1999 the Korean government and the Ministry of Information and Telecommunication launched the “Cyber Korea 21” (CK21) project aimed at creating a “knowledge-based society” in order to improve “national competitiveness” and raise “the quality of life to the level of the more advanced nations” (NCA, 2002, p. 79). CK21 increased policy support for building IT businesses and established policy goals for advanced information and communication economies by setting forth planned guidelines for IT growth. And, in fact, the quality of life was improved by the opportunities open up by broadband

networks. In 2003, CK21 evolved into the “E-Korea Vision 2006” (E-KV06), which has the goal to both promote the “information society” at the national level and to gain “strong ties of international cooperation toward the global information society” (NCA, 2003, p. 10). Recently the government has launched the slogan “U(biquitous)-Korea,” which is intended to encourage the integration of all communication systems and electronic devices; the government hopes thereby to promote the image of South Korea as one of the world’s most developed Internet and wireless nations.

Due to the government’s neo-liberal IT policies, the number of mobile phone and Internet users is rapidly growing in South Korea: as of January 2005, there were more than 36.5 million registered mobile phone users out of a population of 48 million and more than seven out of 10 households have broadband Internet access. According to the Organization for Economic Co-operation and Development’s (OECD, 2005) data, the process of digitalizing all telecommunication networks in Korea was completed in 2003. In fact, most Koreans spend most of their time on electronic networks—playing online games in Internet cafés, decorating their blogs, communicating with each other using mobile devices, connecting with hobby or other interest groups through Internet portal sites, and exchanging audio-visual materials with others. This constant communication through electronic media and the rise of a culture of free expression via these media offered opportunities for controlling the communicative networks of Korean “netizens.”

Because the disciplinary mechanisms of the past military regimes conflict with the gradual need for the citizen’s political freedom, the power system since the launch of the civilian government has tended to reconfigure itself using more “positive” and “soft” technology by creating integrated databases. The urban geographical concepts of so-called “fortified” cities

(Davis, 1990) or “carceral” cities (Soja, 1996) reflect the new stage of Korea’s domestic policing of space in terms of the pervasive and omnipresent technology. Table 1 shows a timeline of regulatory control of electronic communications under the civilian governments.

Table.1 Regulatory Control of the Electronic Networks during the Civilian Governments

Dates	Events
<b>(1993–1998)</b>	<b>The Presidency of Young-sam Kim</b>
Nov 1997	– Submitted revision plan of the “Resident Registration Act” (including introduction of the electronic ID card), but it was defeated by the citizens’ opposition
<b>(1999–2003)</b>	<b>The Presidency of Dae-jung Kim</b>
– 1999	– Instead of e-ID card, introduced the plastic resident registration card
Jul 2000	– Proposed to enact the so-called “Framework Act for Establishment of the Public Order in Telecommunications”
Nov 2001	– Introduced the “Rating System of Internet Contents,” led by the Information Communication Ethics Committee
Mar 2003	– Introduced the “National Education Information System” (NEIS) to manage more than 200 records of personal information of 8 million students in a main server computer
Jun 2003	– Installed 340 CCTV (Closed-Circuit TV) systems (360 degree rotation/ 22-times zoom-in) in Kangnam-Ku district in Seoul, sparking social protests
Oct 2003	– Allowed investigators to access short text message of cell phones without a warrant
Nov 2003	– Proposed the “Protection Act from Terrorism,” which aims at improving the investigative power of the National Intelligence Service
<b>(2004–present)</b>	<b>The Presidency of Moo-hyun Noh</b>
Sep 2004	– Proposed an “Act on the Use and Protection of Location Data,” which offers little protection to the citizen from illegal mobile tracking by a third party
Feb 2005	– The Samsung SDI’s mobile tracking scandal: Samsung secretly tracked union workers by using cloned cell phones, but the Prosecutor terminated the investigation because of the extreme difficulty in locating perpetrators
Jun 2005	– Proposed revised edition of the “Protection Act of Telecommunications Secrets,” which allows the prosecutor easily to access personal calling messages
Oct 2005	– New ID cards planned for 2007 to protect against ID forgery
Oct 2005	– Installed CCTV systems (270-times zoom-in/ visibility range of 1km) in a restored green area of Cheonggyecheon, Seoul, and accumulated over 3 million citizens’ image information
Dec 2005	– Proposed revision of the “Act on Promotion of Information and Telecommunication Network Use” to enact the “Enforced Real-Name System,” mainly led by the Ministry of Information and Communication (MIC), for the purpose of forcing users to put their real names and resident ID numbers whenever posting any message on the Internet

Even under the civilian governments, the control mechanisms of disciplinary societies such as the national ID system and the National Security Law have been used as devices to manage the citizens. However, with the new information and telecommunications policies driven by the civilian governments, and especially, by two presidents, Dae-jung Kim and Moo-hyun Noh, the

rigid and visible techniques of power have become more integrated with and veiled by the digital networks, that is, the techniques of control have shifted to more refined and invisible ones. The drive toward regulatory control evidenced in the timeline of events from 1997 to 2005 found in Table 1 can be summarized under three main headings: (1) the institutional desire for digitization and updating of the traditional disciplinary devices such as the national ID system and the CCTV (Closed-Circuit TV) system; (2) the continuous legitimatization of the control of the electronic space by means of legal devices; and (3) the “invention of the positive technologies of power” (Foucault, [1999] 2003, p. 48) for the purpose of free-floating control in both wired and wireless space.

The invention of the positive technologies for free-floating control is the most significant of all of these, because it can hide under an ethical patina the real intention of control directed at establishing the new digital rule of cybersociety. For instance, the enforcement of the “real name system” prevents anonymity of expression, which can be considered as a form of pre-censorship. Moreover, the new technique of control embeds the old disciplinary technique of the national ID system within it, because it uses the national ID database to verify real names on the Internet. Introduced under Dae-jung Kim’s government (1999–2003), the “rating system on Internet contents” has been actually used for stifling minority voices on the Internet such as those of the politically radical, gay and lesbian, drop-out student, and feminist communities. In contrast with the “real name system,” the rating system on Internet contents can be considered as a form of post-censorship, which intends to regulate “aberrant” Websites that deviate from the ruling norm of power. Along with these institutional trials of pre- and post- censorship on the Internet, there has been an increased desire for surveillance on a real-time basis in the wireless sphere. For instance, the use of mobile phones for labor control in the Samsung SDI case confirms once

again the abnormal and undemocratic tendencies of the organizational culture of Korean business surveillance, with the government's acquiescence in longstanding practices of the domestic monopolies such as the blacklisting of militant workers. Recently, the government is reviewing the idea of imbedding RFID tracking chips in mobile phones.

Not only the enforced interception of free-floating data on the Net but also the centralized integration of local databases are symptoms of a control society. The introduction of the "National Education Information System" (NEIS) is a typical case of the central government modulating and assembling locally dispersed micro-powers. The government used the plea of "efficiencies" of systematic management to justify bureaucratic control of citizens, specifically, of the eight million students in Korea. The NEIS manages all students' private records in a central government computer. The nationwide database system links the information of over ten thousand school and education agencies in a central server managed by the Ministry of Education. The students' records (academic, health, activity, and family records) which had been previously managed in each school or district have been integrated into the central database of the Ministry, and that database is once again to be integrated and resorted into the national ID number database and other databases of individual and private personal information (which means a new stage of integration and articulation between micro-power in the local and macro-power in the central government). The interconnected links and integrations of data have been designed for extending the tentacles of regulatory control of power into local schools and agencies.

### **The Alternative to Liquidity of Power, Counter-Surveillance**

To bolster bureaucracy's capacity for social control, Korea's civilian governments have tried to shift power from the solid disciplines into the free-floating control of digital databases. With this conjoining of digital technologies and bureaucratic control, the citizens' privacy rights have been vaporized and their losses are more difficult to perceive than in disciplinary societies. Moreover, the confluence of the underdeveloped political system, vulnerable customers who are sorted by business interests, the societal lack of interest in privacy, and the self-monitoring mobile culture among cell phone users have normalized the pervasive use of liquid power.

In order to resist such invisible and concealed power, citizens' privacy rights should be cultivated by reversed tactics of surveillance such as the counter-surveillance or so-called "synopticon" (Mathiesen, 1997) that enables the public not only to monitor power's surveilling eyes but also to resist surveillant networks of power. Whereas, in its original conception, the panopticon is a disciplinary model for supervising prisoners from an all-seeing high-tower, the counter-surveillance or "synopticon" designates a reversal in which the many (the citizens) watch the few (the powerful). In other words, if panopticism is a strategy of power through reconfiguration of place, counter-panopticism is a strategy of resistance through an inversion of the place of power. In control societies, place has been transformed into "flows." The greater the role communications networks play in the production and reinforcement of power, the more the citizens are enabled to re-appropriate the dominant system of liquidity. It is likely that the same conditions that reinforce abilities of power can also empower the citizens. Even under seemingly rigid control, political tension exists between the codification of power and its rearrangement by the intervention of human agents. The digital network as a site of contestation is "simultaneously a description of the material of contemporary [global] power, and the necessary form of counter-insurgencies opposed to this power" (Brown & Szeman, 2005, p. 379).

In Korea, after entering a stable phase of civilian rule, the citizens' political actions have shifted from the street barricades and Molotov cocktails to resistance of society's dominant discourses on electronic forums. This upsurge of digital expression among the Net users who resist authoritative control systems can work to counteract the liquid and fluid techniques in the contemporary control of power. It is in this activism that the hope for the future resides.

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**Notes**

<sup>1</sup> In the Korean ID system, each identifier (e.g., 681207-1xxxxxx) consists of a combination of the date of birth (the first group of six digits; in this case, the date of birth is 7 December 1968), sex (this is the first number of the second seven digits: 1 was assigned to a man and 2 to a woman, but, since 2002, these numbers have been changed into 3 or 4), and a randomly given six-digit number.

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