Book Review: Pandemic Surveillance by David Lyon

*In **Pandemic Surveillance**, David Lyon examines the rise of surveillance technologies during the COVID-19 pandemic and their effects on privacy, human rights and data protection. This is a timely contribution that highlights the global amplification of surveillance in the pandemic age and recognises its likely long-term consequences, writes **Anirudh Mandagere**.*

***Pandemic Surveillance*. David Lyon. Polity. 2022.**

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In his novel, *La Peste* (*The Plague*), Albert Camus depicted the effects of a plague sweeping the city of Oran. Initially, authorities are slow to accept the seriousness of the situation. Gradually, as the death toll rises, more strenuous measures are enacted. Stay-at-home orders are announced, funerals are strictly supervised and Oran is eventually sealed off.

It is little wonder that sales of *La Peste* rocketed during the COVID-19 pandemic. Lockdowns, self-isolation and quarantine became a normal part of everyday life as governments and corporations monitored the spread of the virus. Allied with this was an unprecedented mobilisation of public health data to contain and combat COVID-19. The Israeli government relied on its internal security agency, Shin Bet, to manage its contact tracing app. India mandated that all public and private sector employees install a government-backed Bluetooth app (Aarogya Setu) to maintain social distancing. In Italy, local police were even permitted to use drones to monitor individuals' movements.

In light of this, David Lyon's *Pandemic Surveillance* is a welcome and much-needed analysis of surveillance methods across the world. The focus of his research lies in the residual effects of what he describes as 'COVID-generated tech solutionism'. These are the digital infrastructures that are likely to persist in the post-pandemic world, with deleterious effects on privacy, human rights and data protection. The COVID-19 pandemic has birthed a pandemic of surveillance.
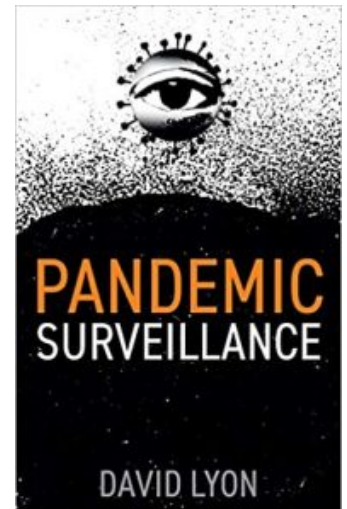
Image Credit: Photo by Miłosz Klinowski on Unsplash

As the examples from India and Israel indicate, contact tracing is the most visible aspect of pandemic surveillance. Lyon's research is undoubtedly rigorous in its analysis of disease-driven surveillance. Yet what makes this work unique is its analysis of domestic surveillance. The majority of people experienced the pandemic primarily through lockdowns and business closures. Working, shopping, learning and seeking entertainment became, especially for the middle classes, purely domestic tasks, as global economies adjusted to 'working from home'. This opened the digital door to monitoring by multiple parties: employers, stores, schools and platform companies.

Lyon's research is painstaking as he assesses the rise of monitoring systems in work and education. Citing studies from the International Labour Organization (ILO), the UK and North America, he shows how for the Global North, employer surveillance intensified during the pandemic. For example, a survey by Wirecutter showed that the proportion of US managers using 'bossware' systems for monitoring remote work increased from 10 per cent to 30 per cent during the pandemic. Clickstream, key-logging and internet analysis enable employers to assess a considerable amount of data. As Lyon notes, this may explain why there has been relatively little negative response to remote working among employers. This is not a purely middle-class phenomenon. Indeed, parallel issues of surveillance exist with respect to the army of workers in the 'gig economy' who supplied homes in both the Global North and South.

The fifth chapter, 'Disadvantage and Triage', highlights the impact of COVID-19 surveillance on disadvantaged communities. There are concerns about the impact of surveillance on those who have been excluded from society: for example, the disproportionate impact of the Aadhar surveillance system in India on informal workers and the commentary of Sachil Singh with respect to race-based data. A particularly striking example is the continued failure of facial recognition software to account for minorities. As Lyon notes, algorithms are constructed in ways that favour certain racial characteristics. These affect how people are presented and how they are treated.

However, there is little in the chapter about precisely how pandemic surveillance has impacted the disadvantaged in society, or 'amplifies social disadvantage', as Lyon puts it. Lyon cites the example of Israel and the effect of pandemic surveillance on Palestinians living in Gaza and the West Bank. However, Israel's contact tracing app was unique precisely because it was managed by Shin Bet. This was exceptional, and indeed Shin Bet's involvement in the app was discontinued after being challenged in the Israeli Supreme Court. The other examples Lyon cites relate to issues about surveillance of minorities, rather than their actual impact. This includes concerns on the part of scholars about the impact of racism on Indigenous people's COVID data and the effect of pandemic misconceptions on minorities.

Yet there is nothing on the disproportionate prosecution of black people over lockdown breaches, nor is there considered analysis of police surveillance of Black Lives Matter protests. The former example illustrates the role of COVID-19 in reproducing and amplifying divisions in society. This is notable, especially given that the relationship between police surveillance and pandemic surveillance is hinted at by Lyon early on in his book. He gives the example of a Minnesota official who appeared to claim that the state was using contact tracing to identify connections between Black Lives Matter protesters. Yet, there is little else in *Pandemic Surveillance* on the impact of the pandemic on the right to protest. This omission is particularly striking given that the advent of the pandemic saw a rise in global activism, ranging from anti-vaccination movements to Black Lives Matter.

Of course, these arguments target the periphery rather than the core of Lyon's thesis. It certainly does not diminish the enormous contribution that *Pandemic Surveillance* offers to the study of surveillance and data protection. *Pandemic Surveillance* seeks to undertake a broad study of the amplification of surveillance globally in the pandemic age, and in that aim it succeeds. In particular, Lyon's work is refreshing in that he recognises that such surveillance is likely to persist in the long term. The proper approach is to ensure that such surveillance acts for the common good.

In his last chapter, 'Doorway to Hope', Lyon notes that presently surveillance reproduces social cleavages which tends to miss the realities of the most vulnerable. A better form of surveillance is required. Admittedly, this form of surveillance is yet to emerge. Yet, an emphasis on privacy rights, framed by concepts of necessity and proportionality, can and should shape data-driven responses. *Pandemic Surveillance* is a challenge to policymakers to harness the magnitude of COVID-19-related surveillance expansion. Technology has the potential to contribute to human flourishing. It is the role of governments to ensure that surveillance and data gathering fulfil this aim.