

VIDEO SURVEILLANCE IN PORTUGAL

Political Rhetoric at the Center of a Technological Project

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Abstract: This article gives a detailed account of the political processes and stages involved in the implementation of video surveillance devices in two major Portuguese cities, Oporto and Lisbon. It seeks to draw two main conclusions regarding the introduction of these systems in public areas and the developments that they have undergone over the period under analysis. The first is that installing these devices reflects a political response designed to provide a hasty solution to a social phenomenon—fear—that is largely subjective. The second is that the generalized perception as to the uncertainty of the effectiveness of these systems explains the lack of consistency and coordination in their implementation. The article concludes by discussing fear and insecurity in the context of concerns for a more efficient justice system.

Keywords: citizens, fear, political discourse, Portugal, privacy, security forces, video surveillance

This article will show that political discourse and policy making present subjective fluctuations and interpretations that defy both a common understanding of and conventional definitions for concepts such as privacy, safety, and security, while raising questions regarding the role of the state and the involvement of citizens in these matters. Closely following the political processes and stages of implementation of video surveillance devices in public areas in Portuguese territory—a phenomenon that is still recent in this country—the research enables us to witness an ongoing development and provides data that allow for a comparison with other countries that have longer experiences with similar surveillance systems.

This case thus brings together the ideal conditions for a well-grounded and hopefully useful comparative study, providing an opportunity to examine, for example, how small security constellations are formed within modern cities. The next pages describe the various dimensions involved in the process of video



surveillance implementation in Portugal beginning in 2005. The analysis follows an ethnographic approach that will strive to remain systematic and objective. My argument relies on a major multi-sited research¹ that was conducted consistently between 2007 and 2010 and that includes material collected from interviews with officers from the various state security forces, members of the Portuguese Parliament, the Ministry of Internal Affairs, and the Portuguese Data Protection Authority. In addition, I also gained access to a large amount of data that included rulings and legislation, as well as reports and decisions made between 2005 and 2010.

Identifying the multiplicity of agents and understanding the motivations involved in the operation of surveillance, identification, and monitoring systems in Portugal are necessary to help us make sense of processes that have increasingly infiltrated the lining of our social fabric (Frois 2011, forthcoming). The focus of this article places it within the rapidly growing theoretical and empirical field of so-called surveillance studies (Lyon 2007), which are defined by scientific multidisciplinary and cross-context research. At the same time, the nature of this piece connects it with studies of political anthropology, particularly those conducted in ‘developing’ and ‘underdeveloped’ countries. Works such as those of James Ferguson (1994) on Lesotho, Tania Li (2007) on Indonesia, and Jonathan Spencer (2007) on India and Sri Lanka are especially relevant for interpreting the ethnographic data and the phenomena under analysis, since they describe contexts that are similar in terms of the political discourse and policy making inherent in the dynamics of ‘improvement’, ‘development’, and ‘modernization’ (see also Scott 1998).

At the European level, the most comprehensive multidisciplinary study on the presence of video surveillance systems, both in public and semi-public spaces, was conducted between 2001 and 2004 in seven European countries—Austria, Denmark, Germany, Hungary, Norway, Spain, and the United Kingdom—by the Urbaneye project (Hempel and Töpfer 2004). Its results reveal significant differences between countries in terms of the presence of video surveillance devices in open areas. Specifically, there is a wide gap between the United Kingdom, which presents the highest numbers and most widespread presence of such systems in most large cities, and the rest of the countries, where this phenomenon does not present identical characteristics in major urban areas (McCahill and Norris 2003; Norris, McCahill, and Wood 2004; Wood and Webster 2009). The study also emphasizes the contrast between cities in the United Kingdom, France, Hungary, Italy, and Monaco, where video surveillance systems comprise networks of over 40 cameras, and the model adopted in countries such as Austria, Norway, and Spain, where this type of device is limited to strategic locations, namely, major railway stations. The common feature shared by all of these countries is the political argument for the use of video surveillance as a means to fight criminal activity.

As we will see, video surveillance implementation at a national scale in Portugal is an essentially political phenomenon, and, as such, it is extremely complex and controversial. As this article will make abundantly clear, we are dealing with issues that, far from forming a consensus or mobilizing shared interests,

reveal the conflicting relationship that has developed among the different parties involved in various types of power struggle. It is precisely this conflicting nature that renders the Portuguese case relevant for a reflection on the specific subject of video surveillance in public areas.

Note on the Methodology

As this was the first major research ever conducted on the theme in Portugal, during fieldwork I was confronted with my own preconceptions regarding the subject and even the interlocutors whom I would be dealing with. I found this to be an important deontological and methodological aspect to bear in mind. I started out under the misconception that it would be difficult to gain access to political agents involved in these matters, expecting either to be dismissed with the argument that they were too busy or to be given the same rhetorical discourse usually imparted to the media. Similarly, I was certain that my request to study processes involving video surveillance at the Data Protection Authority would be denied and, lastly, that security forces would shut me out of their corporative cocoons. Somewhat paradoxically, I presumed that this was going to be an ‘easy’ subject and fieldwork, that is, that I would find few ambiguities and clearly defined roles: Portuguese authorities would certainly be enthusiastic supporters of video surveillance in public areas, given their notorious craving to be considered modern and their desire to keep up with other European countries in the field of technological development and competitiveness (Frois 2008).

What I found challenged these preconceptions. Every single one of my interlocutors was extraordinarily generous and open to discussion. This openness, in fact, turned out to pose an ethical challenge. Discovering (once again, contrary to what I initially supposed) that this topic did not result in consensus of opinion among the parties at play implied that my management of the information, my dialogue with the different entities, and even my approach to and dissemination of the results would demand a greater degree of caution.

In other words, the divergence and lack of cooperation among the different social and political agents who were responsible for the outcome of public video surveillance projects clearly reveal how intricate this type of initiative really is. Moreover, it challenges what at first glance appears to be the hegemonic acceptance (judging by its widespread use in many European cities) of this type of technology as an effective security device and as an aid in the war against crime in these open areas.

Law No. 1/2005 and the National Video Surveillance Program

In Portugal, video surveillance in public spaces was conceived as an ‘extraordinary’ measure, since its use—with regard to the invasion of privacy and its impact on the rights and freedoms that generally characterize modern democratic societies—could be justified only under exceptional circumstances. As Agamben

(2005) explains,² exceptional phenomena call for exceptional measures. The first time that the use of video surveillance cameras in public spaces was contemplated was on the occasion of the 2004 European Football Championship hosted by Portugal. The event provided just such an exceptional circumstance to open the way to legal measures that superseded current legislation and allowed its temporary suspension. The implementation of summary judgments and extraditions would hence become possible in this context. Specifically, for the duration of the competition, police forces were authorized to make an uninterrupted sound and image recording of the stadiums' premises as a means to ensure both the smooth running of the event and the public's safety.

The most significant aspect of this episode—this epiphenomenon—is that, albeit on an exceptional basis, individual rights were effectively suppressed, allegedly as a means to protect a greater good: collective security. Although Euro 2004 ended in July of that year, the law enabling the project for video surveillance installation in public spaces to go ahead was not passed until January 2005. Similarly to what occurred in Greece during the Olympic Games held in Athens in 2004, where millions of euros were invested to turn the city into a kind of fortress, shielded against all sorts of potential threats (Samatas 2004, 2008), the football championship in Portugal served as a trial case to assess the benefits of these devices and their potential use on a wider scale.

Whereas video surveillance previously had been restricted to confined spaces (e.g., commercial areas, gas stations, banks) and was managed by private security companies, Law No. 1/2005 authorized the implementation of this technology in public spaces. It also gave the Public Security Police (*Polícia de Segurança Pública*) and the National Republican Guard (*Guarda Nacional Republicana*) the authority to monitor and register the images collected in these areas. Video surveillance is interpreted, within the spirit of Law No. 1/2005, as an auxiliary mechanism intended to help fight crime and improve police efficiency and performance. The promotion of this measure rests on the premise that the use of this device will have a significant impact by deterring and preventing criminality and also that it will be an extremely reliable instrument for the identification of criminals in post-crime investigations. As the law conceived it, video surveillance in public areas of common use was designed to ensure “(a) Protection of public property, such as public buildings and their premises, including access roads and entry or exit routes; (b) Protection of facilities that serve national security; (c) Protection of people and goods (public and private), ensuring their security and preventing crime in areas that present a reasonable risk for its occurrence.”³

This law also decrees that requests for installing cameras can be made only by the chief officer of the security force responsible for the area in question or by the governor of that same area in collaboration with security forces. The law also stipulates that authorizations, once granted, have a one-year maximum duration and may be suspended, revoked, or eventually renewed at any time “upon confirmation that the reasons invoked for its concession persist.”⁴

Which guidelines should authorizations to use video surveillance cameras comply with in this particular context, that is, in public spaces? Again, according to the legislation, the guidelines must follow a principle of proportionality,

defined by the following conditions: (1) the usage is permissible “whenever this type of equipment proves to be the best-suited to ensure security and public order and to prevent crimes, and always taking into account specific features of the prospective area under surveillance”; (2) “the probability and extent of interference with personal rights” must always be taken into account; (3) the use of concealed cameras is prohibited, and the installation of “video surveillance cameras must always imply the existence of a real threat to security and public order.”⁵

Two years after Law No. 1/2005 was approved, the National Video Surveillance Program (Programa Nacional de Videovigilância) was first made public in 2007 by Rui Pereira, the minister of internal affairs, as part of the Safe Portugal Strategy (*Estratégia Portugal Seguro*). At the time, Pereira stated that, among other measures intended to update public security forces technologically—encompassing the recruitment and training of manpower and the acquisition of more sophisticated firepower—the installation of video surveillance cameras in public areas all over the country was also being considered. However, when we specifically consider the effectiveness of Law No. 1/2005 and its articulation with the National Video Surveillance Program, we realize that the proposal’s goals are to some extent thwarted by the very features that underlie the state apparatus itself. To begin with, whereas, on the one hand, the name given to this government initiative points to the installation of video surveillance cameras throughout the whole national territory, to be granted according to requests made by the different municipalities, on the other hand, the Data Protection Authority does not make the same interpretation or have the same understanding of the law in question. In fact, as will be made explicit, the idea of introducing closed-circuit television (CCTV) systems in urban areas is frequently politically motivated, and the largely subjective arguments on which it is supported—such as the desire to fight feelings of insecurity—may be described as essentially populist. This type of subjective reasoning, however, clearly does not meet the criteria set by the law that, among other things, demand the demonstration of objective risks to security by means of crime rate assessment—data that are, in turn, used as the basis for determining the inadequacy of said initiatives. Examples of this are the 10 requests for public video surveillance that were submitted between 2005 and 2010, out of which only 5 were granted.

We will now consider in greater detail specific features that may prove decisive in granting or rejecting the use of video surveillance in areas otherwise presenting similar characteristics. The Oporto Historic District (*Zona Histórica do Porto*, also known as *Ribeira do Porto*) and Lisbon’s downtown area (*Baixa Pombalina*)—both being important touristic sites of historical interest and patrimonial value—are clear examples of this, allowing us to identify the factors that must be pondered in each decision and to establish the relevance attributed to video surveillance in public areas as an effective device for the protection of persons and goods in each case. Given that the areas under consideration are geographically scattered and the objectives claimed for each case diverse, I will use examples that may serve to illustrate the criteria and distinctions used to support the final decisions. We must also keep in mind that the Oporto Historic

District obtained only a partial authorization, while the project for the Lisbon downtown area is, as of this writing, currently in a stage of reappraisal after being twice rejected by the Data Protection Authority.

In the next two sections, besides an ethnographic description that provides an accurate timeline and a thorough depiction of the different interlocutors' involvement and positions—which in my perspective would not be possible by merely analyzing official documents and rulings or even through isolated interviews—some relevant issues for analysis will be discussed. These include the importance of political and media discourses and of public opinion regarding security-related matters; the prevailing economic situation; and, lastly, the delicate matter of legal adequacy regarding the use of video surveillance, especially considering its interference with the basic rights and freedoms of citizens.

Video Surveillance in the Zona da Ribeira do Porto

Let us now consider the first case that Law No. 1/2005 was applied to—the Oporto Historic District. Between the end of 2005 and the beginning of 2006, António Fonseca, the president of the Commercial Association for the Oporto Historic District (Associação de Bares da Zona Histórica do Porto), publicly claimed that, considering the area's status as a UNESCO World Heritage Site and as a touristic point of interest, the City Council should ensure the district's security by installing a CCTV system to improve police performance. Initially, the mayor's office was not wholly enthusiastic about the proposal, characterizing the video surveillance as unnecessary and invasive of personal privacy and also taking into account the substantial financial investment that would be involved. An open and public conflict had nevertheless been started in which the association's side relied on the citizens' feelings of insecurity and the overall perception that governing authorities were apparently doing nothing to improve the situation, abandoning businesses to their own devices and forcing them to hire private security and internal CCTV systems.

As a result of the constant pressure from this association's members, the City Council began drafting an official request to install a video surveillance system for that specific area of the city, to be financed by the Commercial Association itself. This idea was well-received by Oporto's Public Security Police Department and was immediately accepted. The responsible police official in Oporto, who drafted and substantiated the project based on local crime rates, was truly enthusiastic about it. If we are to understand fully the receptiveness shown by both the police force and the City Council, we must consider the underlying regionalist rivalry (particularly toward the capital city Lisbon) that, to a certain extent, motivated this process. In fact, the parties whom I interviewed freely admitted this to me. For a city admittedly obsessed by its eternal second-place national ranking in terms of economic and demographic significance,⁶ the chance to pioneer the implementation of this 'modern' security device makes this element of rivalry worth considering in this particular case.

In rough terms, the City Council's proposal called for a 24/7 video surveillance recording of both sound and image covering the area in question. The request

argued that this particular area “had over the last years been suffering from an increasing state of insecurity [and] that it was a stopping point for drug addicts.”⁷ It also described the area’s urban geography as mainly consisting of “narrow, poorly lit alleys.” Regarding crime rates, it claimed that Oporto city—not only this area but the city as a whole—has “30 percent higher rates than other municipalities.” Criminality was described as mainly consisting of “auto theft, petty theft (purse snatching and pickpocketing), burglary, and damage to cultural patrimony.” Furthermore, part of the reasoning used to justify the implementation of video surveillance in Oporto was the fact that it is “referenced in several national and international touristic guides as a mandatory site to visit.” The proposal described the specific locations for the cameras, as well as the system’s technical characteristics, and also appointed the Public Security Police as the entity responsible for its monitoring. In February 2007, the proposal was sent to the Ministry of Internal Affairs and evaluated. The resulting report stated that this proposal was “not only of significant interest for local security but also undoubtedly urgent.” The whole project was subsequently remitted to the Data Protection Authority for a final decision. Several months later, in December 2007, this institution finally granted what, in view of the initial request, may be characterized as a partial authorization. It agreed to video surveillance involving images but denied the use of sound recording; the ruling also limited the surveillance to the nighttime hours (from 9:00 PM to 7:00 AM). Furthermore, the implementation of video surveillance was subject to a trial period that was legally determined to be a maximum of one year.

It was in January 2009 that I first requested to visit the site. As the news media had announced that video surveillance cameras were in the Oporto Historic District, I was surprised when, at the office of the Public Security Police of Oporto, I was told that the cameras were indeed there but were not operating. My visit was nonetheless welcomed, I was assured, and assistance would be freely granted. The superintendent in charge explained to me that the cameras had been at their spots for over a year, but that, due to financial and logistic reasons, it had not yet been possible to operate them. As mentioned earlier, the City Council had supported the request for a video surveillance system politically but not financially, and although the Commercial Association had agreed to finance the system, it turned out that it did not possess the means to fund the wireless or cable connection that was necessary to ensure proper monitoring conditions, namely, regarding image definition and real-time transmission to police stations. Police officers jokingly told me: “Well, at least the cameras were not vandalized. Now that one year [the stipulated trial period] has passed, we can safely report to the Data Protection Authority that it has been a success!” Several months later, in September 2009, when apparently all problems had been resolved, the inauguration of a video surveillance system in Oporto was publicly announced. But one significant detail had been overlooked and was not yet settled—the matter of who was going to pay the electricity bill for the energy needed to run the cameras. Thus, it was not until November 2009 that the system effectively began functioning, with the Oporto Historic District being monitored and recorded by the Public Security Police.

I returned to that city in January 2010 to continue my conversations with the Public Security Police and the mayor's office and to proceed with my planned fieldwork. At this stage, I was somewhat disappointed to learn that I would not be given access to the rooms where CCTV operators monitored the images in real time, given that this would require a special authorization from the Data Protection Authority. In terms of how this security force viewed the efficiency and necessity of this system, opinions were divided. To begin with, statistics showed that the type of crime in this specific area was typically limited to minor offenses (such as pickpocketing and public disorderliness usually connected to alcohol abuse), which did not justify serious police intervention. Moreover, police forces acknowledged that the insignificant number of incidents of public disorder registered in 2008—the year in which the installation of the video surveillance system began—was confirmed by similar data in 2009, except for an extremely important nuance: the flow of people had drastically diminished, especially in the off-season after the summer months. These low numbers were thus apparently in no way connected to the effect of video surveillance, as had been hitherto foreseen.

The desertion of Oporto's Historic District, traditionally known for its active night life, was instead due to the fact that the young and itinerant people who had traditionally occupied this locale had found new places of diversion in other parts of the city. Therefore, the 'increased' feeling of security that had been expected to result from the newly installed video surveillance system was rendered virtually irrelevant. The inactivity captured by the cameras was due mostly to the emergence of new bars and discos in other parts of town, rather than to any contribution made by video surveillance to the area's security. As some Oporto police officers in charge of monitoring the cameras described it: "We see nothing because there is nothing to see." Thus, while some officers claimed that it was a ridiculous waste of time and effort to be watching monitors where nothing happened for hours on end, when they could be performing other more useful activities, others somewhat optimistically concluded that this information was in itself useful: "Knowledge that nothing is happening is still better than no knowledge at all."

The discourse of the intervening parties in this particular case focuses on a pro-active approach and on crime prevention, rather than on forms of reactive intervention (Zedner 2009). In accordance with this perspective, members of security forces claim to favor types of knowledge that allow them to anticipate crime instead of being passive subjects, acting only after such crimes are officially reported. In this case, we clearly recognize that the pressure exerted by businesses played a decisive role in helping the process of public video surveillance to be developed and put in place. Nevertheless, the encouragement to install surveillance cameras was not backed up by any previous diagnosis based on actual crime rates; instead, it resulted from the convergence of interests expressed by political and economic parties. The following case, which deals with video surveillance in the Lisbon downtown area, presents a process with similar characteristics, marked by a focus on concerns with the security and protection of persons (both resident and transitory populations) and patrimonial assets.

Video Surveillance in Baixa Pombalina

In January 2009, I met for the first time with the president of São Nicolau parish, who had submitted the proposal for video surveillance in the Baixa Pombalina, that is, the Lisbon downtown area. This part of the city, which extends over approximately 23.5 hectares, is a major national and international tourist attraction, known for its architectural patrimony dating back to the eighteenth century and characterized by its dense commercial activity. The initiative to request public video surveillance for this area came from the president of the parish himself and was actually included as part of his electoral campaign back in 2005.

Ever since the law permitting public video surveillance was passed, the parish president has made every effort to implement this system. However, in spite of counting on the support of the Ministry of Internal Affairs in his endeavors, he told me that he ignored the existence of the National Video Surveillance Program and its goals. His proposal had not been coordinated with the other entities involved in this process, such as the Data Protection Authority and the Public Security Police; instead, it constituted an isolated and ad hoc action. The president described the arguments that supported his request as follows:

This is one of Lisbon's touristic areas par excellence: over 200,000 people cross it every day. It includes many businesses and an architectural patrimony that must be preserved and protected by a strengthened security system. The cameras will not replace police officers, but they will help to meet the needs we have in this area.

There is a general feeling of insecurity, shop owners complain that business is dwindling because customers are fleeing to other areas where they feel safer. And obviously the police force cannot be everywhere. It doesn't have the means to monitor and act with the efficiency that a video surveillance system can provide.

In his somehow unofficial proposal to the Ministry of Internal Affairs, and following a report made by foreign specialists, he estimated the need for 32 cameras to monitor the whole perimeter of the parish. He also contemplated the expansion, at a later stage, to other adjacent areas in order to ensure the security of the whole area in question. The Lisbon downtown area consists of a series of parallel avenues (one of which has been converted to a pedestrian street) crossed perpendicularly by a set of narrower streets that are very poorly lit at night.

The parish president's confidence in a successful outcome for his request was based—in theory, not unreasonably—on the fact that this was one of the Portuguese capital's most popular touristic and commercial areas. “No one [Portuguese or foreigner] leaves Lisbon without having taken a walk through the Baixa Pombalina!” he asserted. In his opinion, video surveillance should be considered essential in this area—similarly to other European cities—as an indication of the modernity of the country itself.

After receiving and studying the project, the Public Security Police wrote in their report that “this is socially a highly critical area, with an aged resident

population that is particularly sensitive to issues of security, and where criminal occurrences generate great social alarm and reflect acutely on the citizens' everyday lives." The agency also added that the sharp distinction between the daytime and nighttime populations on the streets greatly contributed towards a feeling of insecurity "despite the constant efforts of the Public Security Police officers."⁸ Following several exchanges between the entities involved—the Ministry of Internal Affairs, the Public Security Police, and the Data Protection Authority—the decision of the Authority was publicly announced in November 2009. The ruling was completely negative, finding that the request "does not clearly demonstrate its conformity to the law," especially considering that the data regarding crime rates were negligible in proportion to the high numbers of people who cross the area daily, having in fact diminished over the previous two years. The argument that video surveillance would help to minimize the feeling of insecurity was equally dismissed, based on the claim that "[feelings of insecurity] do not always correspond to actual insecurity and can generally be felt by people who have not suffered criminal occurrences, which must in any case always be gauged in terms of objective data regarding concrete crime rates."⁹

The president of São Nicolau Parish told me that this was "good news for pickpockets," who would continue to go unpunished. There was a second request for an even larger area and almost double the number of cameras. In January 2011, this proposal was rejected as well with the same argument that the perimeter/number of cameras was disproportionate to the crime rates in that area.

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After considering these two cases, we can start to draw some conclusions as well as some contrasts. Apparently, both urban areas are similar in being popular locations in major Portuguese cities with high numbers of tourist visitors (internal and foreign) and intense commercial activity. Given these similarities, how can we explain that one of the projects was granted (even if limited in terms of coverage, since it would only function during the nighttime and not around the clock as initially requested), while the other was rejected out of hand? A careful analysis of both requests immediately reveals certain elements that set them apart in relation to three major issues: official crime rates, the number of people to be monitored (including resident populations and visitors), and the extent of the area in question.

While the request for the Oporto Historic District involved an area that can be considered both relatively small and clearly demarcated and was supported by crime-related data and documentation illustrating the relevance of the motives, the project for the Baixa Pombalina did not present an equally convincing case, especially regarding its feasibility. Firstly, the official crime rates that were presented for the in the Baixa Pombalina were insignificant in relation to the extremely high numbers of people allegedly frequenting this area. Moreover, the proposal did not convincingly demonstrate that video surveillance would provide an effective solution for the predominant type of crime in that area, described in the request as "pickpocketing, purse snatching, and car burglary."

Another line of argument that had the opposite effect of what was intended—since it was not contemplated in the law—regarded the resident population’s feelings of insecurity, as well as the parish’s intention to renovate this part of town, making it more attractive for new residents. The fact is that any kind of feeling, whether of security or insecurity, is by definition a subjective notion. It may be grounded in facts—crime rate increase, having been the victim of a crime—but it may also result from a phenomenon of contagion spread by people, who in turn may or may not have experienced some kind of crime (Caldeira 2000), or conveyed through the mass media. In addition, urban rehabilitation belongs to the sphere of urban planning and is not considered by law to be a valid argument for authorizing video surveillance in public areas.

Policy Making: Successes, Failures, Contradictions

The National Video Surveillance Program, a project that was intended to cover the entire country with video surveillance devices, formally consists of eight short points, curiously just one of which specifies the usage of surveillance cameras in public areas, ultimately the crucial point at stake here.¹⁰ In fact, not even this program’s scope with regard to its national dimension was consensual, as an analysis of the discourse of the parties in the various geographical areas reveals. We will now take a closer look at some of the parties involved and their arguments.

Data Protection Authority

If we consider how Law No. 1/2005 was conceived and how it is interpreted by the Data Protection Authority—requiring proof of the existence of objective risks to continue surveillance over those areas for which this device is intended—what is essentially being asked for is the presentation of concrete data, in this case, the data contained in the crime rate numbers gathered by the police. However, where criminal conduct and illicit behavior are concerned, the essentially objective or quantitative character of this data is sometimes ill-suited to give a faithful portrait. Frequently, criminal occurrences are not officially reported, either because the victims do not feel that it is worth the time involved in dealing with all the bureaucracy over what they consider to be relatively worthless items, or because that sort of crime is usually hard to prove since, as a detective from the criminal investigation unit of the Lisbon Public Security Police told me, “people are so scared that frequently they cannot even give a basic description of the burglar.”

As a consequence of discrepancies between what numbers and crime rates show, on the one hand, and the inherent subjectivity of the feelings expressed by both victims and people who simply know about these occurrences, on the other, it becomes difficult to make an accurate assessment of the true dimension of the crime phenomenon. In my perspective, the Data Protection Authority plays on this discrepancy to a certain extent, using it as a protective shield against giving positive final rulings on requests for public video surveillance.

We could describe the situation until now as a catch-22. Since the law must, by definition, be equally and uniformly applied, notwithstanding the differences between cases and contexts, it allows no exceptions based on unquantifiable elements, as, for instance, one might classify the feeling of insecurity. Thus, a final analysis based solely on numbers—which, we should not ignore, are paradoxically easy to manipulate and/or interpret subjectively—can at best be understood as a half-truth.

As I was told at the Data Protection Authority, the population's feelings or concerns are considered ambiguous or beyond "the spirit and the letter of the law"; thus, they become totally irrelevant. The law must be equal for all and applied indistinctly. Any attempt to interpret society will be "riddled with inaccuracies, omissions, faulty aggregations, fraud, negligence, political distortion, and so on" (Scott 1998: 80). From another perspective, while it seems clear that the presentation of criminal statistics by the police is mandatory in order to ascertain levels of danger and insecurity in a certain area, we can also see how the Data Protection Authority uses this same material to question the very authority that, in turn, is trying to implement video surveillance in open areas. In other words, as the Oporto case showed, the process usually goes through the following chain of events: (1) the population complains about criminality and insecurity; (2) politicians and the media explore these expressions of concern, creating an image of what seem to be unprecedented levels of danger; (3) when the security forces present their reports and statistics, the Data Protection Authority considers that the numbers do—or do not—have real or valid significance. As members of the Authority will admit, they make a very strict interpretation of the law that sustains a truly conservative opinion with regard to monitoring large public places, especially when it implies national coverage.

One of the best examples can be seen in the process of evaluation that was to result in the Data Protection Authority's recommendation to allow the implementation of video surveillance in Portuguese cities, given that it has been far from simple. After years of unequivocally refusing all requests for video surveillance cameras in open areas, due to the new law this entity was, for the first time, put in a situation where it was not just forced to contemplate this official solicitation but where approval was almost demanded. The Data Protection Authority believes that the legal framework in which Law No. 1/2005 is included still contains juridical gaps and that its interpretation contradicts the principles that supposedly guide the National Video Surveillance Program. Thus, it becomes clear that the enthusiasm with which the Ministry of Internal Affairs welcomed these requests was not met by the Data Protection Authority and, in addition, that the program has not resulted in a coordinated strategy among the different state organisms.

Police Forces

Given that video surveillance in public areas is the exclusive responsibility of state security forces, as opposed to what applies in other semi-public locales, where it may be carried out by private security companies, the National Video

Surveillance Program was somehow publicly announced to aid the “reinforcement of police and security devices” in the war against crime. Despite police officers’ apparent acceptance of the cameras and their cooperation with the project, this process did not originate as a result of their own initiative and would never have done so, according to the majority of the officers with whom I spoke. Similarly to what I have described regarding the Oporto Historic District, in the downtown area of Coimbra,¹¹ where video surveillance has been in operation since December 2009, this technology is looked on as “a double-edge sword,” in the words of its chief of police. He continued as follows:

Firstly ... it represents a burden for me, as far as the personnel I must release for that mission. The number of officers in this police station, as in all police stations, is always scarce. I understand that it might contribute to diminish some feeling of insecurity that people may experience in Coimbra city. Downtown robberies are no more frequent than in other areas; the city is not even targeted by large-scale robberies. But once one occurs, people run to the media, and soon a general feeling of insecurity sets in, even though there is no real insecurity in the sense that there is no relevant criminality in this part of the city.

I don’t know if video surveillance will have any practical effect, given that the number of robberies is not significant, but I concede that it may have some sort of effect on the population, deriving from the knowledge that these devices are being monitored by the police, keeping an eye on everything, so to speak.

Developing this argument further, the same officer explained to me what can be considered as the overall position of the Public Security Police regarding what clearly is a political initiative: “We, the police, are in way being caught in the crossfire. The law obliges us to collaborate; it was not our idea. I didn’t feel the need for any kind of innovative device, let alone this particular one. I would prefer to have more personnel to ensure a more intense surveillance, for the sole reason that the officer’s presence is more dissuasive of crime and comforting to the passerby: they know there is someone there.”

In Lisbon, the Public Security Police’s Central Office offered even more criticism. After several meetings with the Ministry of Internal Affairs, during which the officers attempted to explain that a video surveillance system was not essential to them, and after being repeatedly given explicit orders to cooperate, the Central Office received the news of the Data Protection Authority’s refusal on two occasions to introduce video surveillance in downtown Lisbon with some satisfaction, since it seemed to confirm their own skepticism regarding the use of the system in that part of the city. This reluctance is connected not only to the police force’s strict assessment of this system’s efficiency and requirements, but also to the inborn resistance of an organization that feels that its capacity and ability are being questioned. This technological device, while proving to be advantageous mainly in a post-crime situation, also symbolizes the end of what in Portugal has been termed *patrulha de proximidade* (proximity action)—that is, police intervention in the field, with an emphasis on direct contact with the population it protects (Durão 2008). According to every officer whom I spoke with—whether they were for or against video surveillance—*patrulha de*

proximidade is considered the most efficient and productive means to guarantee citizens' security and safety.

Political Forces and Party Strategies

Among the discourses and practices of my informants, a common feature is their shared belief in the paradigm of security, which is viewed as a collective right of all citizens that must be ensured by the state. This view can be summed up thus: the state is responsible for activating the mechanisms that ensure public order and safety, and the achievement of this goal may sometimes require that the parameters of personal freedoms be reconfigured.

If we analyze the discourses of members of the different political forces in light of the dichotomy contained in the above-mentioned principle—that is, collective security versus individual freedom—we can clearly distinguish two major positions. The center-right parties clearly favor video surveillance. The Partido Social Democrata (Social Democratic Party) and the Centro Democrata Cristão (Democratic Social Center) both demand that the government, which they publicly accuse of incompetence, exert more efficient control over and punishment of criminals through measures that include installing video surveillance systems, strengthening police forces by increasing their manpower and updating their equipment, and applying harsher sentences to offenders. Left-wing parties, such as Bloco de Esquerda (Left Bloc) and the Partido Comunista (Portuguese Communist Party), strongly oppose the use of surveillance cameras in open streets, considering that it constitutes an “assault on freedom.” Instead, they contend that policies should act preventively in anticipation of the phenomenon of criminality, focusing on its causes, such as unemployment and poverty.

Although these positions stem from the parties' different ideological traditions, one should be cautious against interpreting them too categorically. Most of the statements I obtained from interviews with politicians were ambiguous, if not ambivalent, especially when the project for video surveillance implementation in public areas was in its initial stage. I found, for instance, that some members of the center-right were suspicious of this device's effectiveness and expressed to me their concern over its implications for the right to privacy and free circulation. According to them, it was essential that the National Video Surveillance Program's progress should be closely supervised. Conversely, there were also left-wing politicians who believed that the insecurity (whether statistical or psychological) felt mainly by urban populations had to be fought and admitted that this implied restructuring police forces and using all technological devices at their disposal.

The position taken by the Data Protection Authority, whose interventions began to be publicly problematic and conflicting, was perceived as undermining a project that apparently was conceived to be swift and applied across the whole country with maximum cooperation from the Ministry of Internal Affairs. Initially, the Data Protection Authority's decisions did not attract much public reaction, but over the years they have resulted in some demonstrations

of dissatisfaction, revealing a symptomatic lack of articulation and consensus among the various entities involved.

Citizens

Thus far, the main parties involved in the process of video surveillance implementation in Portugal and their strategies have been identified as follows: political forces appeal directly to collective concerns, usually focusing on the rhetoric of security; the media exhaustively publicize major or minor events, amplifying their impact and notoriety. Furthermore, at least internationally, academia sounds alarms about the dangers of the widespread use of surveillance devices, neglecting or even sometimes refusing to acknowledge that these political measures are in fact supported and even prompted by citizens' pressure. Any holistic and comprehensive study of this phenomenon must also consider the perception that citizens actually have of this whole process, regardless as to whether it is enforced as a result of political rhetoric, commercial opportunism, or excessive securitarian zeal. Following are the views of some callers that were expressed during a radio show debate that was broadcast on European Data Protection Day in 2010:¹²

In public spaces what matters most is the safety of the passerby, namely, old people and children who may be kidnapped or suffer abuse, and this is the importance of having video surveillance and other crime-fighting devices in public areas. Regarding the righteous people who freely walk through their hometown streets, I am sure they don't have any problem in being watched. As the saying goes: "If you have nothing to hide, you have nothing to fear."

Right now we have to choose between our right to freedom and our right to security in general. We live in a time when all of us are feeling extremely insecure. There are no conditions, not even legislative, for the common citizen to live well and feel well walking in the street at any time of day, let alone at night. I don't know why people don't accept CCTV if frontiers between public and private spheres no longer exist anyway.

Considering statements like these, I believe that while we may be concerned about the present and future impact of surveillance technologies on social, economic, and cultural life, what stands out from the discourse of the people whom I interviewed—and who are not directly implicated in these processes, being in a way its passive subjects—is that their notion of concepts such as privacy and freedom is totally distinct from that defended by, for example, the Data Protection Authority. The rhetoric and populist nature both of the discourse and practices of video surveillance implementation has also meant that, besides the broader and more general issues, there has been a total lack of political debate—and consequently of public debate—concerning these themes. As a result, the perception that people have of the advantages and efficacy of video surveillance is based on a meta-discourse, rather than on a

direct awareness of the effects that such technology can have on one's security (Frois, forthcoming).

The elements of fear, politics, and economy match the intervening sides that both mutually support and manipulate each other (Aas 2007). The people's expression of fear puts pressure on politicians, who respond by acting on the premise that it is better "to do anything than to be accused of doing nothing," as some told me. The price that politicians must pay for appeasing voices that can become a nuisance to governance is usually to do battle with their political opponents. But these political feuds can get even more convoluted, as I discovered in at least in two cities where the installation of video surveillance cameras was underway. In both of these cases, conflict between local and central governments was added to the usual party rivalry, resulting in truly ironic situations, such as members of these municipalities voting against projects conceived by their own party at the central level, just to contradict their opponents at the local level.

Economic interests are obviously also at stake and play a decisive role in the whole process—and here I am not referring only to the companies that sell the video surveillance equipment. When shop owners demand that municipalities assume responsibility for ensuring safety and providing security in the areas of their businesses, they are also evading their own obligation to acquire independent security systems, such as alarms, barred windows, or even simply proper illumination.

Conclusion

When we are considering elements that are thought to be strictly subjective, such as feelings of fear and insecurity, we cannot neglect the relevance or truthfulness that they have for those who express them. At the same time, we cannot overlook the fact that this same discourse is enmeshed in political and economic strategies (Eriksen, Bal, and Saleminck 2010). Forced to install video surveillance cameras in open areas, municipalities take the opportunity afforded by this investment to rehabilitate urban spaces, thus increasing the real estate value of areas that are later publicized as profiting from increased security, much like what Teresa Caldeira (2000: 1) describes regarding Brazil's "fortified enclaves"—large, private, maximum-security condominiums. Whether the fear of crime or the feeling of insecurity corresponds to a real or imaginary danger—or more specifically to what the crime rates show—the common citizen wishes (and demands) above all to feel protected. The descriptions and arguments given by most people in the excerpts included above are primarily focused on the potential benefits that can result from these technologies, whether it is more security and safety or greater commercial advantages. Debating issues such as personal data protection, the invasion of citizens' private lives, and the threat of excessive control or the abuse of power—to name some of the Data Protection Authority's concerns—is considered pointless, misleading, and a sign of indifference for the population's welfare.

The discussion should therefore focus on trying to understand whether fear and insecurity derive from media and political hysteria or from a real increase in criminality, giving some thought, for instance, to the fact that in most cases security force officials are not the ones who request this type of technological device and are more concerned with obtaining other necessary equipment or in reclaiming a more efficient justice system. Thus, we can conclude that the introduction of video surveillance systems in public areas advances because it is a political response designed to provide a rapid solution for a subjective phenomenon. We can also surmise that the perception that said results are hypothetical explains the lack of consistency and coordination in the implementation of these systems. Installing surveillance cameras at a national scale in various regions of Portugal is considered an important measure that will help to rehabilitate cities and strengthen police forces. Yet the absence of prior studies to sustain this claim is blatant: the data presented by so-called security barometers show that the common citizen does not particularly demand video surveillance, as populist discourses conveyed in the media might lead us to believe. Rather, the emphasis is on the need for more police, more employment, and less precarious conditions, for instance (Castel 2003). All that people want, I was told, is to feel “more secure,” which is quite a different thing.

It is precisely this paradoxical element that makes the Portuguese context relevant for a reflection on the importation of foreign models of security and their application in different countries. In a country statistically considered one of the safest in Europe (presenting reduced crime rates that overwhelmingly involve petty crime), the push to transform and reconfigure cities to make them ‘safer’ can be currently attributed to a political reaction toward a predominantly subjective phenomenon—fear—rather than to an objective determination of the need for such surveillance devices and means.

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Notes

1. For more on multi-sited research, see Melhuus, Mitchell, and Wulff (2010).
2. For a thorough discussion of Agamben's 'state of exception' in connection to the works of Hannah Arendt and Michel Foucault, see Douglas (2009).
3. See *Diário da República*, Série A, no. 6, 10 January 2005, 205–208.
4. Ibid.
5. Ibid.
6. The population of Oporto comprehends numbers approximately 220, 000 inhabitants, while that of Lisbon is more than double this figure—about the Capital city, Lisbon doubles this figure with a 560, 000 population.
7. The quoted text in this paragraph can be found in *Parecer 60/2007*, the Data Protection Authority's final ruling on this case. See <http://www.cnpd.pt> (accessed 16 July 2011).
8. Ibid.
9. Ibid.
10. Broadly speaking, of the eight points, the first four are intended to grant "legal authority to security forces to use video surveillance devices on public highways," as an aid in the "detection of accidents or infractions in real time." The fifth point mentions the possibility that "security forces may access and use video surveillance at a municipal level"—the only time in this program that an actual reference to public video surveillance is made. The sixth point contemplates the use of video surveillance in taxicabs, while the seventh and eighth points focus, respectively, on the use of video surveillance to help find stolen vehicles and false license plates and on the implementation of automatic license plate recognition. See <http://www.mai.gov.pt> (accessed 10 May 2011).
11. Coimbra is a city of 100,000 inhabitants in central Portugal.
12. Broadcast on 28 January 2010, the Rádio TSF show featured the president of the National Data Protection Authority as its main guest. See <http://www.tsf.pt>.

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