



**AALBORG UNIVERSITET**  
STUDENTERRAPPORT

# Without safety, no freedom

– Nick Hækkerup 2019

An analysis of the discourses of freedom within surveillance

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## **ABSTRACT:**

Dette projekt har undersøgt de klassiske frihedsbegreber baseret på John Locke og Thomas Hobbes, og yderligere tre mere moderne koncepter; negativ, positiv og republikansk frihed. Disse koncepter har hjulpet os med at forme vores forståelse af de forskellige frihedsdiskurser og hvordan de bliver til i relation til videoovervågning. I vores analyse af hvordan overvågningsdebatten afslørede forskellige friheds diskurser, viste vi at de politiske partier ikke altid fulgte deres traditionelle ideologiske principper og hvordan de fandt nye alliancer på tværs af det politiske landskab. For at nuancere feltet yderligere har vi også analyseret NGO'en Justitia.

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# 1.0 INTRODUCTION

The surveillance debate has recently been rekindled due to a new legislation proposal presented in the fall of 2019 by Nick Hækkerup, our Minister of Justice. Hækkerup argued that more video surveillance would increase people's freedom. This project will use this legislation and subsequent debate as a foundation to study how discourses of freedom are articulated.

To help us understand the significance of discourses we will employ post-structural theory and various discourse theoretical elements as well. We also elaborate on what constitutes video surveillance today.

To ground our understanding of freedom we will introduce some of the well-known scholars of freedom, namely John Locke and Thomas Hobbes. These authors are still relevant today as their underlying ideas and principles transcends time and space. In our analysis we will focus our attention towards a political debate and a NGO hearing statement based on the aforementioned proposal by Hækkerup and the Ministry of Justice.

Freedom as a concept is a complex subject and in our discussion section we will elaborate some of our more interesting findings and how traditional ideologies not necessarily match surveillance concerns and freedom discourses.

Last but not least we will look ahead and propose other ways in which this subject can be further studied.

Before delving deep into freedom theory and analytical discourse tools we will present what kind of relation that exists between a government and citizens.

# 2.0 THE SOCIAL CONTRACT

In October 2019 the Danish Minister of Justice, Nick Hækkerup, presented a legislative proposal of increased safety (via surveillance) and pronounced that without safety, there can be no freedom. This sparked our interest in the cross field of surveillance and freedom, and how Hækkerup wants to provide more freedom through the tool of increased surveillance.

These thoughts led us to examine the social contract between a state and citizens and the freedom within, which we will elaborate on in the following.

In general, the relationship between citizens and sovereign presents a theoretical understanding of how a sovereign is legitimizing himself in relation to the people. The concept of the social contract, broadly speaking, is an agreement between a sovereign and the people. The concept gained traction during the 17th and 18th century, by prominent thinkers such as Thomas Hobbes, John Locke and Jean-Jacques Rousseau (J. J. Rousseau 1755; J.-J. Rousseau 1762; Hobbes 1651b; Duignan 2020).

The social contract works as a fundamental explanation to why states are formed, as a tool to prevent every man to kill one another and to create and stabilize a society. It is agreed upon electing a ruler who in return provides the citizens with rights and liberties. If no such establishment exists, the social contract theorists envisage that 'the natural condition of mankind' or the State of Nature would rule. In Hobbes words mankind needs a ruler because he is otherwise left to his own devices. Without an authority or sovereign, there is no one to provide order (civil liberties, or promotion of freedom) and every man would have to fend for himself making life in the state of nature "*solitary, poor, nasty brutish and short*" (Hobbes 1651a, 14).

'The natural condition of mankind' is to be tamed through Social Contracts where the subject either implicitly or explicitly has to surrender his total freedom as an individual to the state in exchange for protection and civil rights, for instance the right to vote. The state can then provide more or less freedom depending on the will of the sovereign (Hobbes 1651d)

If no such contract is made, it can have dire consequences according to Hobbes:

*"Through so unlimited a power men may fancy many evil consequences yet the consequences of the want of it, which is perpetual war of every man against his neighbour, are much worse"* (Hobbes 1651c).

Even though man has an unlimited power to rule over himself, man has to lay down the right to everything and hand it to a sovereign to rule over him because the alternative would be endless war between people. Making it desirable for man to subjugate to the sovereign.

Thereby giving the sovereign the power to do:

*"... as he should think fit, for the preservation of them all: so that it was not given, but left to him, and to him onely; and (excepting the limits set him by natural Law) as entire, as in the condition of meer Nature, and of warre of every one against his neighbour."* (Hobbes 1651b, 245)

These potential consequences of not being ruled provide a sovereign with legitimate reason to do what he finds best, which includes using surveillance even though it has the capability to cross the line between a practical tool and an oppressive tool.

In a modern context this could be argued that we as citizens of a country is given rights and in return we are being protected and given freedoms by the state.

We have found that the social contract provides safety for the citizens. Given this knowledge we wish to examine how relations between safety and freedom is influenced by the state-imposed surveillance. This inspired our following problem formulation.

## 2.1 PROBLEM FORMULATION

The above-mentioned relations have led us to the following problem formulation:

**How does the debate surrounding video surveillance reveal discourses of freedom?**

To answer this question, we will present some of the fundamental ideas of freedom and what surveillance constitutes. To properly examine the discourse of freedom we will be inspired by discourse analysis. This will be elaborated further in the following method chapter.



## 3.0 METHODOLOGY

### 3.1 METHODS OF INSPIRATION

Our method of inspiration for the analysis in this project is discourse analysis. We were inspired by this method because we wished to study how freedom is being articulated discussed and understood both explicitly and implicitly in relation to video surveillance (henceforth surveillance).

Discourse analysis is a very broad field, with many different authors and approaches. Rosalind Gill (a British sociologist) estimated the number of different approaches to discourse analysis to be 57 in the year of 2000 (as cited in Bom 2015)

In this project it wouldn't have been possible if we were to cover the entire spectrum of discourse analysis. The tools used for this project is extracted from various discourse approaches elaborated below. We chose these to give us a larger insight into the texts and spoken word used in parliament and in the hearing statement, which can help us analyse the discourse of freedom.

Below we will provide a brief overview of how structuralism (and post-structuralism) relates to the study of discourses in a social constructionist frame.

#### 3.1.1 FROM LANGUAGE TO PAROLE

Discourse analyses are post structural in nature. This is an evolution of structuralism made famous by Ferdinand de Saussure, in which he saw the language as a hard structure, a sort of knotted network where each knot is a word with a very specific meaning (Ferdinand as cited in Jørgensen and Phillips 1999)). The meaning of a word is grounded in the fact that the word is different from any other word. Saussure divided this understanding of our language into two parts: *Langue* and *Parole*. *Langue* was the aforementioned structure and meaning of the words. *Parole* on the other hand was how words were being used by people. However, at the time *Parole* was not really an object for examination in the wake of Saussure. The words meant very specific things and it was not possible for the individual to alter that original meaning at one's pleasure (Jørgensen and Phillips 1999, 18–19).

What followed was the post structural mindset. As the name suggests it is based on Saussure's structuralism, but modified in different ways. One of the most important

characteristics in terms of understanding discourses is that language is mutable and therefore ever changing. Poststructuralists retain the notion of words being structured. But instead of being fixed knots, they are moulded and changed in relation to each other. The structures are never fixed, because the understanding of words can *change* according to how they are used in speech or written work (Jørgensen and Phillips 1999, 20–21). Poststructuralists are therefore more interested in *parole* as it is the actual usage of language in different contexts that form and define *temporary* structures of words.

Our description of reality is based on words, thus it is words that ultimately define reality and what is considered 'true' in any given context. In general, the analysis of discourses follows a social constructionism presumption in which the meaning of the world is dependent on the words used to describe it. Our view of the world could have looked different if people had constructed it differently through their social interaction and use of language (Bom 2015, 28)

### 3.1.2 MICHEL FOUCAULT AND POWER

But how does the use of *parole* end up changing structures in *langue*? To answer this, we can look toward Michel Foucault, whose work set the stage for much of the discursive analytical approaches (Bom 2015, 15). Foucault's authorship can be divided into two time eras with different areas of research with archaeology being the early work and *genealogy* his later writings (Jørgensen and Phillips 1999, 21).

In the archaeological era he sets out to unravel the various structures in different knowledge domains. Even though, people can use whatever words and expressions they want in any circumstances, it is only a set number of statements that make sense to put forward. To put it in context with Saussure's work, Foucault set out to determine which structures of language hold true in various contexts (i.e. knowledge domains). It was during his archaeological era that he defined a discourse as a group of statements that formed part of the same discursive formation (Jørgensen and Phillips 1999, 21) and thus built upon the ideas of Saussure.

Foucault was in favour of monism where only one discourse existed for a particular knowledge regime in each historical epoch. This is not something that is common in today's analytical discourse literature. Instead more focus lies in the game of influence, in which different discourses fight each other to become more solidified (Jørgensen and Phillips 1999, 22).

In Foucault's *genealogical* era he develops a theory about power ('magt') and knowledge and how they are interconnected. Power in relation to a discourse is to be understood as a relation of power where

*"...each discourse contains the power to say something other than what it actually says, and thus to embrace a plurality of meanings: a plethora of the 'signified' in relation to a single 'signifier'. From this point of view, discourse is both plenitude and endless wealth."* (Foucault 2013, 133–34)

In the Foucauldian notion, power is something other than the negative view of the term as something suppressive (from a dictatorship or individual for instance). Foucault does not see power as an inherently negative concept. Instead it is omnipresent as a force in all aspects of society and social relations and it *works* as a tool to control and homogenize people in order to make societies function properly (Bom 2015, 15). In the Foucauldian sense power is immediate for everyday life which

*"Categorizes the individual, marks him by his own individuality, attaches him to his own identity, imposes a law of truth on him which he must recognize and which others have to recognize in him."* (Foucault 1982, 781)

Power becomes positive and helps to produce and shape what is possible and given in a social context as discourses do not belong to individuals (Jørgensen and Phillips 1999, 23). However, at the same time it is also a limiting factor as Jørgensen and Phillips explain:

*"Power is both what creates our social environment, and what makes the outside world look and articulate in certain ways, while excluding other possibilities. Power is thus both productive and limiting"* (Jørgensen and Phillips 1999, 23).

Foucault views power and knowledge as two concepts tightly woven together. Knowledge (or the presentation of knowledge) is a central technology in the workings of power and thereby also a key factor in determining how a society is constituted. What is interesting in this regard is how power works or manifest itself in a social relation. Power should always be viewed as relational in social interactions. Thus power/knowledge is pivotal in constituting the world. (Bom 2015, 14) Foucault's concept of power is somewhat diffused and hard to grasp fully. He did not himself use it completely consistently during his life either (O'Farrell 2018). But what can his concept of power bring to the considerations of discourses? We believe it can help bring to light the social interactions that constitute relations of power. How does a relation of power affect a given discourse and what knowledge does this relation of power produce?

We believe it can help understand the social relations that constitute relations of power. How does power affect a give discourse and what knowledge does this relation of power produce? Foucault viewed subjects power as decentred. He writes: *"The positions of the subject are also defined by the situation that it is possible for him to occupy in relation to the various domains or groups of objects according to a certain grid of explicit or implicit interrogations,..."* (Foucault 2013, 57–58)

According to Foucault subjects are formed by their use of discourses. In our analysis we draw inspiration from Critical Discourse Analysis. In this theory subjects are both formed *by* discourses, but also seen as users of discourses, in which the discourses are used as resources to create new meaning in a more active way (Jørgensen and Phillips 1999, 26–27). Some of the approaches to critical discourse analysis will be

elaborated more thoroughly later in this chapter, namely the concepts associated with Norman Fairclough. While Fairclough drew on Foucault's view on how power is productive, his method was also used to shed light on ideologies, in which one social group is subject to another's way of thinking. One way in which Fairclough's theories can be used is trying to decipher uneven relations of power between social groups, so called *ideological* effects (Jørgensen and Phillips 1999, 75). Foucault on the other hand, never saw ideology as a thing. Ideology often implies a certain distortion of the truth beneath the ideology. But the only 'truth' Foucault adhered to is that truth is made discursively. There does not exist another '*truer*' truth beneath any discourse (and thus beneath any ideology (Jørgensen and Phillips 1999, 27)).

### 3.1.3 OUR UNDERSTANDING OF DISCOURSE

In this section we will briefly define how we understand a discourse in order to provide consistency and a clear underlying basis for our project. In general a discourse is "... *a way of speaking that gives meaning to experiences from a specific perspective*" (Jørgensen and Phillips 1999, 79).

We define discourses (with inspiration from Bom 2015) paraphrased as the established ways in which people make sense of the world. Using the word 'established' it is implied that a struggle of meaning has taken place before a discourse can be established. To establish something calls for the use of power and even when something is considered established, there is always the chance of it to be taken up for reconsideration (Bom 2015, 12).

This is one of the key characteristics of discourses. A given discourse is never completely permanent (Jørgensen and Phillips 1999). This leads back to the focus on *parole* as a research area instead of *langue* which Saussure saw as fixed and structured in a specific and 'correct' way. A discourse is the result of the use of *parole* which may or may not change the overall *langue*.

However, as Jørgensen and Phillips point out the idea that discourses are contingent and thus can change, should not be viewed as if they are never firm. Discourses change in a *collective* process. To use their example, it is not sufficient to declare that you have changed from man to woman in the course of an afternoon. You might have convinced yourself, but your surroundings will probably not accept such a rapid transformation and our collective cultural gender conception will probably not change all at once either, because of a single individual (Jørgensen and Phillips 1999, 164).

The social constructionist can take advantage of this and ask questions that challenge any common conceptions, for instance about how men and women are constituted in specific situations (Jørgensen and Phillips 1999, 164)

### **3.1.4 WHY CONDUCT A DISCOURSE ANALYSIS?**

As mentioned above discourse analysis can be done in a plethora of ways, which have different end goals and research areas. We aim to use some methods from the discourse literature as a tool to best answer our problem formulation and show how discourse analysis can be used in tandem with other concepts.

To recap our problem formulation, we are interested in how the concept of freedom is viewed and perhaps has changed in the recent debates surrounding surveillance and whether surveillance should be increased or not. With inspiration from Jørgensen and Phillips (1999) some of the questions we wish to explore with the help of discourse analysis is as follows:

- Are there discourses of freedom that are more dominant than others and are there any active struggles of power to make sense of ('betydningsudfylde') the concept?
- Are there any active struggles of power between various discourses?

When we read, and listen to people talk, about freedom, they do not explicitly state how they view freedom and what freedom encompasses. Our goal with a discourse analysis is to try and unravel some of the meaning behind the words used to talk about freedom and thereby get a better understanding of how freedom is perceived.

### **3.1.5 HOW WE WILL CONDUCT OUR ANALYSIS**

In this next section we will present the tools we use in our analysis and why we have chosen them.

Our analysis is based on a political debate in Parliament about a proposal concerning surveillance. We have decided to split our analysis into two parts determined by our empirical data. One part is based on a political debate in Parliament about a proposal concerning surveillance. The other is a public hearing statement from the NGO Justitia, who evaluates the mentioned proposal.

### **3.1.6 NORMAN FAIRCLOUGH**

In our analysis we are inspired by some of the concepts presented by Norman Fairclough. He is an author who has a linguistic focus in his approach to discourses

and thus fits very well with written articles, and text pieces. We will mostly use his concepts in the analysis of Justitia's hearing statement. Fairclough employs concepts that are very practical providing a good foundation to build a discourse analysis upon. However, he points out that

*"The elements of orders of discourse are extremely diverse and it is by no means always easy to decide whether one is dealing with genres, styles, discourses, or whatever. Too rigid An analytical framework can lead one to lose sight of the complexities of discourse. "* (Fairclough 2009, 125)

Thus, he does not distinguish between the different elements very consistently and in our analysis we will only use the word 'discourse'. He argues that simplifying the discourse framework makes it easier to discover the complexities. Fairclough tries to introduce two broad dimensions to keep in mind during a discourse analysis which will be elaborated on below.

*The communicative event:* Some use of specific language - in our case a transcription of a political debate and a textual hearing statement.

*Order of discourse:* This can be considered the battlefield, where different discourses try to win ground and make their sense of the world the most prominent.

In our analysis we will choose a fitting order of discourse. It is not possible to choose the 'correct' one, because an order of discourse is an artificial concept. Something the researcher can use as a frame to better organise a specific research field. Another useful tool is to look at discourses (and more specifically 'the communicative event') in three different layers: *Text, discursive practice and social practice*.

Examining discourses in this way, one should not distinguish between the layers as sharply as it seems to invite to. They all intertwine and relate to each other. Ultimately the text is a result of the social and discursive practice (Bom 2015, 17).

*Text* is the linguistic analysis based on the features of the specific text. Examples could be; chosen vocabulary, grammatical structure and coherence between sentences (Jørgensen and Phillips 1999, 82).

*Discursive Practice* includes how the text is produced and consumed. Which already existing discourses are utilized in the making of the text and which does the receiver use in his/her interpretation of the text? It is the discursive practice that defines how

texts form and are formed by social practices. How produced text uses other resources is referred to as either *interdiscursivity* or *intertextuality*. (Jørgensen and Phillips 1999, 82)

*Social Practice* considers whether the discursive practice change or retain the *order of discourse* and which social consequences it has (Jørgensen and Phillips 1999, 82).

Recognising that analysis of discourses are influenced by the point of departure from which the meaning is created. Part of our goal is to uncover any implicit understandings in the text, which might manifest itself as specific choices of words, grammatical constructs and other linguistic means.

### **3.1.7 LACLAU AND MOUFFE**

Ernesto Laclau and Chantal Mouffe provide a plethora of terms and concepts in relation to discourses. However, their overall focus is more on abstract understandings of discourses and not as grounded in empirical data as Fairclough (Jørgensen and Phillips 1999).

Nonetheless, we will utilize some of their concepts, as it helps organize and streamline the various discourses, by identifying specific attributes. The features below is from (Laclau 2014)

*Features* ('momenter') are the various 'signs' that constitute a particular discourse, like knots on a net, in which the net is the discourse.

*Elements* are the signs that are less rigid than *features*. Elements denote different things depending on the context (discourse).

*Floating signifiers* are elements that are fought over and which different discourses try to provide.

*Nodal points* are specific signs in the centre of particular discourses. Other signs make sense in *relation* to nodal points.

*The field of discursivity* made up of all the features that is *not* included in the current discourse and ignored. These features have another *significance attribution* ('betydningstilskrivning') and are always threatening the specific discourse in question.



*Articulation* can be viewed as the social practice which transforms or reproduces elements.

### 3.1.8 POLITICAL DISCOURSE ANALYSIS

In this section we will present some of the tools used by Teun A. van Dijk. Van Dijk does not share the conception of power that Michel Foucault laid out. According to van Dijk, power is always suppressing and abusive (Jørgensen and Phillips 1999, 107; van Dijk 1997).

Van Dijk discourse analysis is engaged with how a political agenda plays out across the spectrum of political views and how it stands out in public, making his terms relevant as a tool for exploring the discourse of freedom at the hearing.

Teun A. van Dijk emphasises that the political discourse has a purpose of not only contributing to discourse analysis but having a focus on the political message as it is delivered and received in a complex network of various actors involving the media, the voters and the politicians.

Van Dijk argues that the semantic in political discourse is often very strict, since political parties often try to operate with single minded messages and present their message as a collective group creating a clear message as *them against us, this tool enables us to get a more nuanced picture of the differences between parties* (van Dijk 1997).

The subject up for analysis is text and video in order to reflect the political opinion on multiple levels as the discourses in parliament are battling for dominance. The political system is a complex web of institutions, values and ideological understandings. Political discourse fits in relation to the proposed legislation of deploying video surveillance as the legislation is still in process and not yet adopted into law. It becomes a political discourse as the Minister of Justice presents it in parliament and debates it with different parties in which their political discourses become apparent (van Dijk 1997).

Van Dijk is utilizing different terms to describe political discourses, The term *topic* is to be understood on a macro level as a semantic of the political message as politicians are trying to establish themselves in the domain of politics. Different actors position themselves in a political discourse through different messages in relation to each other both through text, video and speech. Different discourses are

mapped out based on different factors like ideological standpoints, association to political parties, institutions, actors and similar. Van Dijk argues that discourse is established with influence of different actors like Legal NGOs, civil rights movements (in our case this could be the legal think tank Justitia) and different political parties in parliament. This is expected to reveal different standpoints on examples how freedom is in relation to surveillance and how it is to be perceived in the public space.

*The Lexicon* works as a term to investigate how words are expressed and the context of their meaning as wordings like freedom fighters vs. terrorists depending on the political discourse of people from the regime wanting to present specific groups in a certain light. The political language as words are fitted and politicized for a clear message. Nick Hækkerup's statement of freedom and safety being associated with extended surveillance, or bombs called peacekeepers are examples of how words are loaded with a specific meaning or interpretation (van Dijk 1997, 33).

This is done through different rhetorical means with language used as ways of presenting a clear message by using *repetitions* Nick Hækkerup says 'Uden tryghed, ingen frihed' multiple times during his speech in parliament. He makes sure the message comes across to the receiver by framing the essence of his agenda with a simple phrase. *Additions* is termed by van Dijk as a way to create a verbose style in which people construct discourses by using irrelevant adjectives to put things in a certain light.

The *additions* further work as a way to make the discourse beneficial for a group and describe other groups or proposals as disadvantageous compared to one's own political agenda (van Dijk 1997, 35). This is either to promote their message or the group they want to reach or alienate the opposition.

Another operator used in the rhetorical part of political discourse is *deletion* as a way to present a specific agenda leaving out important nuances in order to make the message clearer for the receiver and thus convince the receiver to agree with your discourse. The use of *metaphors* are used as a way to substitute the message. This is to emphasize the importance of the message by creating an easily relatable visual image for the receiver. This is to convince the opposition trying to win them over and subscribe to a different agenda. *Substitution* works as an operator capable of expressing a concept within a message in a similar way but through the use of different wordings.

*Expression structures* of sound and graphics often play an indirect role and function as a way to emphasise the meaning by using volume, pitch, innovative speech, colours and so on. Thus, it all becomes factors of interpretation. *Lastly speech acts and interaction* work as a pragmatic way to examine a political discourse as it is often used when making allegations, asking questions, during accusations or apologies. Political discourse furthermore has all the features and strategies of verbal interactions. By identifying and analysing these terms we enable ourselves the possibility of mapping out different strategies and rhetorical features used by political parties to make a discourse as different discourses are trying to win over the public opinion. It enables us to create profiles and analyse the party's agendas in relation to different concepts of freedom (van Dijk 1997).

## 4.0 SURVEILLANCE

In this chapter we will briefly expand upon surveillance in general in order to provide a sufficient context. Afterwards we will go in depth of the technical aspects of video surveillance in particular.

### 4.1 THE CONTEXT OF SURVEILLANCE

Today's society is a complex and vastly interconnected world with various digital devices such as smartphones and computers enabling people to connect to the opposite side of the world in a matter of minutes. This enables widespread communication, exchange of ideas and trading across the world. (United Nations 2020). Companies like Facebook and Twitter provide platforms to connect with different parts of the world. These platforms have been used to spread democratic ideas of freedom across different authoritarian regimes.

An example of this is the Chinese Xinjiang province, home of the ethnic Muslim minority the Uyghur. The Uyghur have strived to gain independence to which the Chinese have responded with oppression and imprisonment of the Uyghur population (Cockerell 2019). The regime deployed various technologies like shutting down the internet and commencing extensive video surveillance to track down opposition leaders with the intent of deterring rebellious activities. The Chinese also implemented 'educational camps' which mostly resembles concentration camps with forced labour and indoctrination of the Chinese ideology (Reuters 2019; Ochab 2020). The Chinese are an extreme case of a surveillance state with upwards of 160.000 cameras controlled by the state, tracking citizen's every move. The use of these technologies and how they affect the relation between the population and the authorities is interesting for this thesis. The reason for this being that the Danish government recently proposed a legislation providing the police with upwards of 300 surveillance cameras (Dansk Erhverv 2020; Nielsen 2019). There's a scepticism whether this is going to only increase public safety or if it's going to affect the freedom of the Danish population in a negative fashion.

In western liberal democracies there are given fundamental rights to the individuals as they are given civil liberties<sup>1</sup> some form of freedom and protection. But how does freedom and different surveillance forms relate to each other? A popular dystopian example of the extreme extent to which surveillance can take place is George Orwell's classic novel 1984, where Big Brother is having an iron grip on the citizens with very strict rules and regulations (Rasmussen 2016; Findlaw's team 2019). A similar dystopian reality exists in the sci-fi movie 'Equilibrium' where the citizens of a fictitious city are forced to take a special kind of drug that suppresses their emotions. In addition, they are not allowed to read, write or listen to music. All these measures are attempts to prevent any future world wars. The citizens might live a peaceful life with no conflicts, but one can argue how much life is worth living when it is restricted to that degree and where freedom is limited to next to nothing. Living in Denmark, one could argue for a relatively high degree of freedom in what we can do and how we can live our lives, at least compared to other countries. Walking down a public street with a beer can in hand is perfectly legitimate and the police will not interfere. Choosing our own religious beliefs is also, something the state will not interfere with. Today this is something that is of course governed by laws approved by legislative powers.

## 4.2 WHY BEING INTERCONNECTED?

In this project we wish mainly to focus on how camera surveillance relates to the concept of freedom. In the fall of 2019, Nick Hækkerup (the Danish Minister of Justice) proclaimed that an increased use of video surveillance will provide more freedom. Intuitively many people will properly question the similarity between surveillance and freedom. Hækkerup's argument was based on how social security ('tryghed') was paramount for freedom, and thus an increase in social security (by increasing surveillance) would in turn increase freedom: *"If we destroy social security in society, we destroy freedom in society. Without social security, no freedom."* (Ritzau 2019)

This statement met a lot of critique, and it is also this statement that functions as our steppingstone for this project. We want to examine how discourses around freedom are being changed in light of the recent discussions about surveillance. How is

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<sup>1</sup> Civil liberties concern basic rights and freedoms that are guaranteed, inferred through the years by legislatures or the courts. Civil liberties include: The right to free speech, privacy, remain silent in a police interrogation, to be free from unreasonable searches of your home, to a fair court trial, marry to vote (Findlaw's team 2019)

freedom being interpreted in today's society and how does that compare with more classical understandings of freedom?

### 4.3 SURVEILLANCE AS A TECHNOLOGICAL FIX

In the past there has been a development in how technological solutions have been an answer to a multitude of problems as the term, *the technological fix* arised. This was part of the culture which occurred in the mid 1960's as a way to repair or solve harmful problems or behaviour in society, such as crimes. *The technological fix* is framed by Weinberg “as the solution to a problem that results from reframing a social problem as a technological” (Scott 2011, 3). This reframing makes it possible to transform the problem into a simpler problem, making it easier to define and identify solutions. Furthermore, the change to a technological problem means that one “... *do not have to deal with the complexity and unpredictability of human behaviour.*” (Scott 2011, 3). The technological fix is making it possible to provide concrete solutions for politicians, as the reframing of social problems into technical solutions makes it possible to buy time to deal with the problem on a deeper level. In other words, it is a way to postpone an issue or to perform symptom treatment instead of targeting the root of the problem.

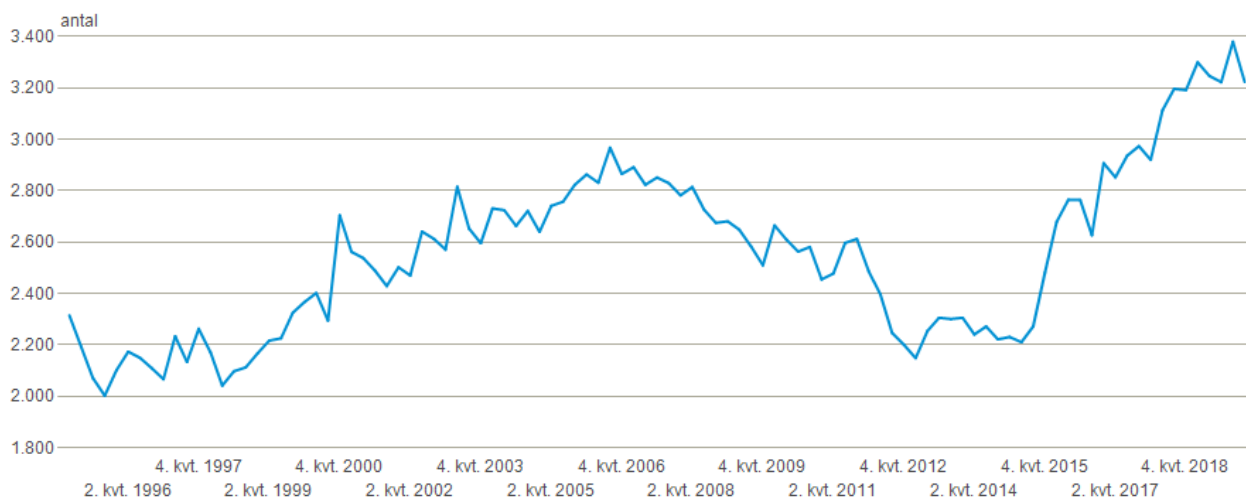
However, this movement from a social problem into the realm of a technological one causes the removal of human behaviour and the criticism of *the technological fix* is expressed by Leo Marx as:

*“To dismiss the possibility of a scientific or technological “fix” is a commonplace of contemporary intellectual discourse. But too often the idea is treated as if it were a single, discrete, isolable, vulgar error—a tiny speck of bad thinking easily removed from the public eye. Unfortunately, the dangerous idea of a technical fix is embedded deeply in what was, and probably is, our culture’s dominant conception of history.”* (Scott 2011, 210)

First of all, it is criticised as flawed because of the blind belief in scientific and technological progress to cover and solve problems by viewing them in an anthropocentric light in relation to nature. The second point of criticism is that technological fixes delay, relocate or create new problems in society, which lead to the third criticism. Sometimes fixes are used to preserve systems, that instead should simply be abandoned in favour of better alternatives (Scott 2011).

Surveillance technologies have in the past years been a way to fix societal issues like criminal behaviour in public spaces. There has been an articulation in the media

of criminal activity on the rise, which is also evident in filed police complaints of violent crimes that have risen to more than 3400 cases per year in Denmark.



Kilde: Danmarks Statistik

*Figure 1 Graph of reported violence against individuals, adjusted for seasonal conditions (Danmarks statistik 2019).*

In order to fight this rise in violence the Minister of Justice Nick Hækkerup presented the proposal of ‘Safety and security in the public domain’<sup>2</sup> (Justitsministeriet and Hækkerup 2019). This proposal had three main areas of focus, where one of those was increased surveillance. One could argue that this initiative is an attempt to fix a societal issue by means of technology, thus a technological fix. This is probably an answer to the rise in crime from around 63.000 in 2009 to around 73.000 in 2019 (Danmarks statistik 2019) as it includes different technical fixes such as drones, automatic number plate recognition and 300 video surveillance cameras in areas of special interest (Dansk Statistik 2020; Justitsministeriet and Hækkerup 2019). Many articles and other literature in the field conclude that video surveillance does not have a significant impact on neither the prevention nor the solving of violent incidents. Instead they mostly seem to have an effect on crimes related to material theft and vandalism of cars (down by 51%) (C. Welsh and P. Farrington 2009). One can therefore question how much relevance increased camera surveillance brings, if the goal of the Ministry of Justice is to decrease the number of violent crimes. On the other hand, if the Ministry of Justice instead aims to decrease non-violent crimes, does it then make sense to use the money on cameras when the crime rate regarding non-violent crimes, even though convicted felons has fallen from 33.000

<sup>2</sup> In Danish: ‘Tryghed og sikkerhed i det offentlige rum’

convictions to 29.032 convictions in 2019 (Dansk Statistik 2020; Valeur and P. York 2018). When reading the proposal from the Ministry of Justice, it certainly seems that the aim of many of the initiatives is directed toward preventing violent acts, such as the bombings of governmental buildings and gang-related violence we have witnessed in the past (Justitsministeriet and Hækkerup 2019).

It is probably safe to assume that most people do not mind that the authorities spend resources to prevent crimes and catch criminals using different surveillance tools to an end. However, the issue arises when this surveillance also affects innocent people walking down the street. People respond differently to video surveillance, some simply do not care, while others might feel an infringement of their freedom as individuals. It is a constant struggle to maintain a healthy balance, by both providing a safe country and as much freedom as possible. In regard to video surveillance, there is also the concern of a slippery slope, i.e. if surveillance is getting increasingly implemented one video camera at a time, to end up as a mass surveillance country. (Mchangama and Justitia 2018)

The proposal of increased surveillance is not without issues though, according to the NGO Justitia<sup>3</sup>. They are concerned with how the proposal is going to affect freedoms of the individual. (Justitsministeriet and Hækkerup 2019; Ritzau 2019; Mchangama 2020b). One of Justitia's fears is that *"surveillance in public constitutes an encroachment on citizens' liberties, in particular citizens' right to privacy which constitute the rights to exercise other civil liberties."* (Mchangama and Justitia 2018, 3). The issue of the 'right to privacy' is grounded in the Danish constitution to which they reference the following paragraph:

*"§ 72 The accommodation is inviolable. Home investigations, seizures and investigations of letters and other papers, as well as violations of the mail, telegraph and telephone secret, where no law provides for a special exception, must be done only after a court order."* (Pedersen et al. 2015, 76)

It raises the question of how our private rights are being squeezed to such an extent that they can no longer be seen as relevant for the individual.

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<sup>3</sup> Justitia is the first independent legal think tank in Denmark. It's main areas of concern include freedom and constitutional rights. (Justitia 2020)



## 4.4 TECHNICAL UNDERSTANDING:

Surveillance technologies are diverse, and include video surveillance, tracking of electronic devices, the tracking of internet traffic, drone technologies etc.

This paper primarily focuses on video surveillance on the basis of one of the initiatives in the aforementioned proposal, which specifies 300 cameras to be set up in appropriate spaces to prevent and investigate crimes. Video surveillance presents itself as a technology with camera sensors installed in places deemed necessary to fulfil a specific purpose. For instance in public areas where criminal acts have been an issue or at an entrance to a building where the video enables “*federal law enforcement ... [to be] collecting time-stamped pictures of everyone entering and exiting the building.*” (Duggins, Fujiyoshi, and Hasegawa 2000). A video camera works by reflecting light through different layers of lens elements in order to direct a light beam and minimizing the aberrations. The projected light is reflected onto either a film plate or a digital sensor capable of reading the light and translating it into a digital code which a computer translates into a picture, this picture in turn needs some form of interpretation in order to be useful as a tool to fight crime (McHugh 2020).

There are different ways of doing video interpretations as either passive or active interpretations. The active solution is looking at a live feed from a video camera where a trusted employee is trying to monitor, spot, and react in real time. This can for instance be used to direct police officers to a specific location or character in order to deal with potential issues. Different studies give the active surveillance an estimated accuracy upwards of around 97%, when 3 operators try to spot two individuals with a false positive of 1,7%. (Bouma et al. 2013). This method contrasts with passive surveillance which eliminates the need for a human to actively monitor a live feed. Instead cameras are recording video onto a hard drive, which subsequently can get analysed if needed. This can be done manually by humans, but a multitude of technologies is now available to make the passive nature of the camera smart by applying different single purpose AI software.

This software is capable of identifying different attributes such as gender, skin colour, age, body structure as well as ethnicity. Some of the most advanced ones are even able to identify certain behaviours and actions, emotions and attributes making the software automatically able to pick out individuals and track their movement across large areas. Others again are capable of identifying specific types of expressions, such as facial expressions or different feelings such as sadness, happiness and anger (Singh, Patil, and Omkar 2018; Vincent 2020). This makes

surveillance tools a very potent accessory to identify and potentially capture people for prosecution.

The debate of whether video surveillance technologies are to be implemented on a large scale is usually divided into two camps. In Denmark, most people are in favour of surveillance, which haven't changed much in the past three decades (Albrechtslund 2016). The main argument presented in a political context in terms of surveillance is how it can be used to create safety and security for the public by identifying criminal behaviour and reacting to this.

Surveillance technology is often presented to fulfil different purposes. One purpose is to use it as a tool to keep people from committing crimes, however as mentioned in the introduction the effect is mostly situational. The statistical effect on overall crime was a decrease in crime around 7% across 22 evaluations (C. Welsh and P. Farrington 2009). The area of crime with the best effect from video surveillance was a decrease of 51% in crime rates related to vandalism of vehicles. In the legislation presented in parliament surveillance is promoted as a way to provide law enforcement with new tools for tracking down people committing high profile crimes: *"We want to ensure that the possibilities of the police to prevent and solve organized crime is up to date. And we want to strengthen society's protection against bombings"* (Justitsministeriet and Hækkerup 2019). The proposal is meant to strengthen the safety of the public space. The evidence for video surveillance points towards a change in the social behaviour of criminals. A decrease in crime between 2 to 17% was shown within the camera's field of view. Despite the decrease in crimes committed in the camera's field of view, a survey showed that the crime rates just outside the camera's field of view might have increased. This was measured by using the amount of phone calls to the police as a proxy for an increase in crime rate. This indicates that the preventive effect of a CCTV might lie in pushing the crimes to somewhere else instead of preventing said crimes. Phone calls to the police, measured from the surrounding areas, showed an increase of more than 17% in a radius of 1000 feet away from the CCTV cameras (Mazerolle, Hurley, and Chamlin 2002).

Another example of how a technological fix is used to resolve social issues is the Social Credit system launched in 2014 in The People's Republic of China. It is a system where every individual is registered and given a base score of around 1000 points which can be improved upon or reduced based on your behaviour and

obedience to the communist party. This is accomplished through the vast system of surveillance cameras across the country tracking the individual and revoking points for jaywalking, bad driving, being a political opponent or similar. If the score drops below a certain threshold, the government might categorize one as not qualified to take up loans or if you have a loan it might raise the interest rate. Other implications could be prohibition from travelling by train, and generally large restrictions on the ability to travel internally in China and who you are allowed to interact with (Kharpal 2019; Kobie 2019; Campbell and Chengdu 2019).

One could argue that one of the fundamental issues in video surveillance is that of personal privacy; and the individual's *right to be left alone*. This presents ethical issues of when the individual feels like their *“personal borders have been violated and/or that their information has been inappropriately gathered or treated”* (Marx 1998, 178).

One of the ways in which this technological fix of video surveillance is applied is through the use of machine learning algorithms spotting behavioural patterns and thereby making it possible to determine the score. However, this technology can potentially present an issue of discrimination against people based on gender, race or class. An example of an algorithm based on skin type on the Fitzpatrick Skin<sup>4</sup> scale misclassify darker skinned females with upwards of 34.7%, while only 0.8% white males are being misclassified. In other words, the lighter the skin colour the better the identification.

*As “Many AI systems, e.g. face recognition tools, rely on machine learning algorithms that are trained with labeled data.<sup>[5]</sup> It has recently been shown that algorithms trained with biased data have resulted in algorithmic discrimination”* (Buolamwini and Gebru 2018, 1)

Furthermore, there is a difference between the different companies making facial recognition. Microsoft for instance has a 10.7% error rate compared to 21.3% (Face++) and 20.3% (IBM) of females being misidentified (Buolamwini and Gebru 2018).

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<sup>4</sup> The Fitzpatrick Skin scale is based on a classification of skin types according to how each skin type reacts to UV-exposure (Sachdeva 2009)

<sup>5</sup> Data labelling, in the context of machine learning, is the process of detecting and tagging data samples. The process can be manual but is usually performed or assisted by software. (Rouse 2020)

## 4.0 SELECTION OF MATERIAL

Our strategy for selecting material for the analysis was inspired by Bent Flyvbjerg's 'Five Misunderstandings About Case-Study Research' emphasising what he calls 'Information oriented selection'. As cases, our empirical data was selected based on the research topic and the potential insights. We selected what was called 'critical cases' making it possible to deduct "*If this is (not) valid for this case, then it applies to all (no) cases.*" (Flyvbjerg 2001, 34).

This is based under the assumption that these "*cases are most likely to either clearly confirm or irrefutably falsify propositions and hypotheses*" (Flyvbjerg 2006, 232).

This makes Flyvbjergs method of selecting material prominent for the way material was selected as we intend to gain in-depth knowledge of freedom within the political arena of surveillance in Denmark.

The material we selected for the project was based on parliamentary first hearing for the bills labelled L-102 and L-103. These two bills are part of a larger legislation proposal that was presented in October of 2019 mentioned as 'Safety and security in the public domain'<sup>#</sup>.

- L-102 is a bill of a proposed change of the law of video-surveillance. in short it aims to allow both private actors and authorities to more easily set up video surveillance overlooking public places. In addition, both private and public authorities will have less restriction regarding how far away they are allowed to record footage. The legislation wants to extend the range from around 10-15 meters to upwards of 200 meters in front of shops, entrances and public buildings, but with respect to private property. Lastly the Ministry of Justice can solely decide if other private actors should be allowed to set up video surveillance (i.e. actors who are not included in the regulation already)(Hækkerup and Retsudvalget 2019a).
- L-103 is a bill of a change in the the Administration of Justice Act. This change will include a new warrant for the police which allow them to take over others' video surveillance in real time in extraordinary circumstances (Hækkerup and Retsudvalget 2019b).

## 5.0 THE PHILOSOPHY OF FREEDOM

Talking about freedom can mean different things to different people and it is hard to evaluate your own freedom without thinking in relative terms. In a Danish context we might think we enjoy a high degree of freedom compared to e.g. China, and people in China could argue that they in turn enjoy a high degree of freedom compared to e.g. North Korea.

But it also depends on the type of freedom. Chinese citizens might be free to walk around the streets and satisfy their physical needs. On the other hand, freedom of speech is another matter as numerous cases have shown that people speaking out against the Communist Party is strictly limited by the regime. Different ethnic groups also risk being locked up and thereby limited both in their physical freedom and their freedom of speech (Karner 2014; Tarpgaard 2019; Ritzau 2019; Døssing Spangtoft 2020).

To get a better understanding of the concepts of freedom we make a brief introduction to the classic philosophical principles of freedom. Hobbes and Locke's work is still to be considered relevant even today with books and continued publications based upon their work. Thomas Hobbes elaboration of the social contract and the challenges it imposed relates to the ideals of freedom. These ideals will be presented below, first as the classical concept of freedom by John Locke who also advocated for a form of social contract between a state and its citizens. Afterwards we will touch upon the more modern understandings coined by Philip Pettit and Isaiah Berlin as republican, positive and negative freedom and lastly put it into a context of surveillance.

### 5.1 THE LIFE OF JOHN LOCKE

John Locke can be considered one of the most influential political philosophers. Born and raised in England in 1632, his work would later inspire both the European Enlightenment and the Constitution of the United States (Graham A.J. Rogers 2020). In relation to governmental rule his work *Two Treatises of Government* was his major political philosophical work. It is this influential work most of this chapter will revolve around.

Many of Locke's views expressed in the *Two Treatises of Government* was influenced by Locke's acquaintance Anthony Ashley Cooper, who later became Earl of

Shaftesbury and referenced simply as Shaftesbury. Shaftesbury became the leader of an opposition party against the king at the time, Charles II, and campaigned against Charles II in favour of an exclusion bill that would exclude Charles II brother James (a Roman Catholic) from ascending the throne (as he was the next in line) (Kelly 2007, 5). Charles II chose to dissolve the parliament in order to avoid the bill. Shaftesbury planned a rebellion against the king and was later arrested but released due to lack of indictment and afterwards fled to the Netherlands where he died in 1683. Locke eventually followed suit and also fled to the Netherlands after the failure of an assassination attempt against the king and his brother.

After what was called the Glorious Revolution, William III became the new protestant king of England in 1688 (Kelly 2007, 6–7).

Two Treatises of Government (also called Second Treatise of Government) was published in 1689, the same year another influential work by Locke called *An Essay Concerning Human Understanding* was published. Both of these works however, was written many years prior to their publication. *An Essay Concerning Human Understanding* was most likely written in the early 1670'ies while the *Two Treatises of Government* was written at least before 1683 where Locke fled to the Netherlands (Graham A.J. Rogers 2020).

Today most Locke scholars agree that the publication of *Two Treatises of Government* in 1689 (one year after the Glorious Revolution) was actually a critique of the revolution. After William III had ascended the throne, many defenders of William began to deny the revolution that had taken place. By denying such a revolution, William III did not need to acknowledge the sovereign power of the people responsible for such a revolt against the former king. In this way William III could rule without the conditional consent of the people. It is in light of those circumstances that Locke chose to publish his work in 1689. However, because of the strong opinions regarding the right to resistance in *Two Treatises of Government* he never acknowledged authorship of the work in his lifetime. It was only in his last will, that he finally claimed authorship (Ian Shapiro 2003).

John Locke was throughout his entire life a religious man in support of a protestant King. In the first part of his life he was also conservative in believing in an absolute monarchy. However, it was this viewpoint that began to change after he met Shaftesbury. It seems that the ideas of Locke began to take form, not because of an intrinsic revelation, but because of external stimuli, in the form of a close friendship

with Shaftesbury which let him close to the chaos surrounding the opposition to the Catholic king. Most scholars believe that the subsequent denial of the common people's revolutionary accomplishment toward the former king led to the publication of *Two Treatises* (Locke 2003).

## 5.2 THE SECOND TREATISE OF GOVERNMENT

This section of the chapter will focus on John Locke's major work: '*Two Treatises of Government*' and his arguments and ideas within the *Second Treatise* in particular.

John Locke *First Treatise* was a counter argument to Robert Filmer's book *Patriarcha* arguing for the legitimacy of monarchs based on a biblical reference. As such it was naturally difficult for the religious Locke to ignore it, as it undermined many of his views. However, it is more important in relation to the discussion of *Private Property*, which will not be the main focus of this report and thus we will not go into further details concerning the *First Treatise* here (Kelly 2007, 7–9).

This chapter is a presentation and description of Locke's ideas, so it will mostly follow Paul Kelly's (2007) guidebook to the *Second Treatise of Government* to make Locke's thoughts as clear as possible. However, as with most literature about philosophy Kelly's guidebook is an interpretation of Locke's work. In the following we will elaborate on some of Locke's ideas of freedom.

### 5.2.1 The building blocks of political power

Locke explains the origin of political power by turning to the concept of 'state of nature' made famous previously by Hobbes where he used it to defend the need for an absolute sovereign by stating how brutal and unforgiving being in a 'state of nature' could be (Kelly 2007, 26).

§3 chapter 1 of the *Second Treatise* summarizes Locke's thoughts on what he believes to be political power. He writes:

*"Political power, then, I take to be a right of making laws with penalties of death, and consequently all less penalties, for the regulating and preserving of property, and of employing the force of the community, in the execution of such laws, and in the defence of the commonwealth from foreign injury ; and all this only for the public good."* (Locke 2003).

By pointing to the concept of 'state of nature' Locke tries to advocate for the fact that political sovereignty and authority is something man creates, and not something



inherent in nature. In Locke's understanding of the state of nature, he also argues for the state of freedom and state of equality. Being in a state of nature, Locke argues that all men are equal and are only subject to the laws of nature that exist naturally. Unless being directly designated as having more power over others by God himself (as mentioned earlier Locke was a religious man throughout his entire life).

Locke mentions equality in a way that seems quite normative and suggests that all men should recognize each other as equals. He is basing his ideas of equality on a text by English theologian Richard Hooker in 1594, which focus on mutual respect and reciprocity among men. It is also from this concept that the ideas of laws, punishment and moral rules make sense (Kelly 2007). However, one thing that Locke does not mention directly is which group of people equality refers to. At this point in time slavery was widely accepted in England, so it begs the question whether Locke meant that slaves was just as equal as other classes in society. Building upon Jeremy Waldron's<sup>6</sup> thoughts, Paul Kelly argues that the boundaries of whom equality refers to, is based on the capacity to think rationally or abstractly. According to Paul Kelly, abstract reasoning is what makes people able to recognize the order created by God and preserve their moral obligations to each other. Another dimension to Locke's view on the state of nature is the state of perfect freedom which is:

*"...a state of perfect freedom to order their actions and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature ; without asking leave, or depending upon the will of any other man."*  
(Locke 2003, 101).

Locke distinguishes freedom as two different viewpoints, namely 'state of liberty' and 'state of license'. The concepts of positive and negative freedom (which will be explained in more detail later) helps to illuminate Locke's distinction between state of liberty and state of license. To which Hobbes comments freedom as an unrestricted right to do whatever necessary to preserve oneself and another person and thus is a defence of the idea of negative freedom where freedom is only achieved by not being restricted by other actors. Being free in such an unrestricted way is what Locke would call being in a state of license.

True freedom (state of liberty) is a much more normative concept in the eyes of Locke. It is based on our rights as human beings according to the state of nature. Having restrictions on what we can do based on our rights, does not limit our

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<sup>6</sup> From Jeremy Waldron's book: God, Locke and Equality, ch. 3, (2002).



freedom or liberty. To Locke, freedom and morale is closely connected: *“In Locke’s sense, liberty is a fundamentally normative concept that can only be explained in relation to a moral rule or law”* (Kelly 2007, 35). That also means that if one acts against the law of nature (e.g. when killing another person who did nothing wrong) he is not acting freely, even when no human made laws restricted him from doing so.

The ‘law of nature’ Locke advocates is different from the ‘law of nature’ as seen by Hobbes. Hobbes sees the Law of Nature as a sort of consequence of what people want to do. Locke on the other hand see it more as a legitimate law of what people ought to do, that all must follow and oblige to:

*“The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty, or possessions(...)”* (Locke 2003, 102).

Such a ‘law of nature’ comes before any law that is man-made and therefore also applies to every human, including rulers. Locke also sees this ‘law of nature’ as a ‘law of reason’, which follows in line with his notions of equality which also had reason as a cornerstone. According to Locke’s thoughts on Laws of Nature, we must all strive to preserve ourselves and one another to preserve mankind itself. This again leads back to Locke’s religious beliefs of a God that has ownership of all mankind and we therefore ought to take care of ourselves in order to not destroy God’s property. As everyone is morally equal, everyone also has executive power of the Law of Nature and can sanction and punish offenders of this law (Kelly 2007, 36).

### **5.2.2 WHAT RIGHTS DOES THE LAW OF NATURE PROVIDE?**

As written previously the preservation of ‘life, health, liberty and possessions’ are at the centre of the ‘law of nature’. From this a right to life itself can be inferred (Kelly 2007, 44). The concept of liberty is also part of the ‘natural rights’. Liberty can be seen as occurring when one does not have any duty or obligation to do any other thing. The same thought process is what lays the ground for Locke’s thoughts on private property, where people have the right to acquire property that is not owned by another.

Following this is the concept of power, in which individuals hold authoritative claims over something, for instance private property. By having power, a person limits the liberties and rights of others. Power can also manifest itself as a result of either

consensual or non-consensual rights, for instance an agreement between two parties or the innate relation of powers between children and parents. These could also be termed as 'special rights'. Despite the notion of equality expressed by Locke among all humans, these special rights are not something every human being exercise. They are a result of a specific condition being achieved or a relationship that develops (Kelly 2007, 44).

All of these different rights come before anything else. They are pre-political and come prior to any moral or cultural conventions and that is what makes them natural. However, those rights are forfeited when an offender of the 'law of nature' becomes an outlaw by acting against the law. Everyone has a right and in fact duty to 'restrain' offenders, even those who are not directly affected by the offense. This restraint is practiced through punishment where the punishment should be serious enough to make the act an 'ill bargain'(Kelly 2007, 42).

People in the state of nature also have the right of reparation, i.e. taking back what rightfully belongs to them or similar in value. This individual right prevents third parties from profiting from others' injuries and adversities. Locke acknowledges the problems this can create in terms of conflict between people based on personal vendettas that can spiral out of control (Kelly 2007, 42–43).

In a modern-day context, one could argue that this is the case with retraction of data in regard to GDPR. If a company holds some of my information, I have a right to take back what belongs to me. In this light GDPR is an example of how laws can bring us closer to our 'state of nature'.

To conclude, all these different rights which follow from the 'law of nature' place limits on the authority of political, legal and social constitutions. It is also worth mentioning that Locke does not provide an exhaustive list of all rights belonging to humans, but it is clear that whatever right we can come up with must be derived from the 'law of nature'.

The point of the 'state of nature' is not to argue for an anarchistic society, but rather to make sure that political and social constitutions follow the 'law of nature' and respect natural rights (Kelly 2007, 52). But what happens when a government or sovereign does not act within the 'law of nature'?

As mentioned in the account of Locke's life, he published his Two Treatises of Government after the Glorious Revolution and throughout his life his friendship with Shaftesbury brought him close to the sense of oppression against the catholic kings.

Not surprisingly perhaps is his writings regarding rebellion and resistance toward rulers, in which he generally believes people have a right to rebel and resist unjust or illegitimate governments. We will not go further into this here, as the discussions about resistance and rebellions and what they each constitute is a complex one (Kelly 2007, 128).

As hinted to earlier the writings of Locke are under continuous scrutiny and it is well beyond the scope of this project to encompass all the different ideas and thoughts of Locke and even more, so the various interpretations based on those.

### **5.3 THREE MODERN CONCEPTIONS OF FREEDOM**

In general, concepts of freedom is a continually contested field of debate and therefore it is difficult (or impossible) to write completely unambiguous texts about it. However, there are still some general characteristics of each concept that we can use to make a crude account of them and apply them to this project. This chapter should therefore *not* be viewed as an extensive collection of all the various degrees of freedom in detail, but instead as a tool to base our political analysis on.

The three concepts are negative, positive and republican freedom. In the literature we have read, these three are often the ones being discussed and provide a useful frame to think about freedom. The different concepts are to be depicted and understood as three different notions of freedom, but still related and inspired by each other.

#### **5.3.1 POSITIVE FREEDOM**

As negative freedom is about the absence of something, positive freedom requires the presence of something. This 'something' could be self-mastery or self-control for instance (Carter 2016). Doing a specific thing just because there is no obstacle that prevents you from doing it, is not having positive freedom. Doing something or being someone must be a result of an authentic decision based on the specific values of the agent doing it.

The term positive freedom was coined by Isaiah Berlin. He explains it as such:

*“The ‘positive’ sense of the word ‘liberty’ derives from the wish on the part of the individual to be his own master. I wish my life and decisions to depend on myself, not on external forces of whatever kind. I wish to be the instrument of my own, not of other men’s, acts of will (...) I wish, above all, to be conscious of myself as a thinking, willing, active being, bearing responsibility for my choices and able to explain them by reference to my own ideas and purposes.*

*I feel free to the degree that I believe this to be true, and enslaved to the degree that I am made to realise that it is not.” (Berlin 2002, 178)*

He saw people as having a lower and higher self, in which the higher would be the rational identity that chose courses of action which were better in the long run. In contrast the lower self is the more irrational self-defined by “(...)irrational impulse, uncontrolled desires, my ‘lower’ nature, the pursuit of immediate pleasures.” (Berlin 2002, 179) The danger of this way of thinking was the idea that a larger entity (tribe, church, state etc.) could view the people as part of a social whole, in which it knew the best courses of actions better than the individuals. In this view the society is an organism and the brain is the state, which makes rational decisions for everybody (Carter 2016).

In a similar way, a democratic society could be considered positively free because the people are ‘in control’ and decide who will speak for them in parliament. But in this scenario the sovereign is only fulfilling the majority's wishes and leaving the minority behind, which therefore cannot possibly be free. This creates the paradox of positive liberty, because it can lead to authoritarianism in the name of freedom. We can again think of the previous example of the movie ‘Equilibrium’ in which the state makes the ‘rational’ decision of ridding its citizens of feelings to avoid conflict and promote peace.

John Christman an author of various articles of positive freedom, describes in a recent work two conditions that should be met if one is to hope to have freedom in the positive sense.

One must have the *capacity* to act on something. These capacities can be summarised as those that allow one to live a self-accepting life you can call your own (Christman 1991; Carter 2016). Of course, this is very dependent on the specific person in question, so to make an account of positive freedom that can be applied across different value-propositions Christman introduces the concept of *Authenticity*. Being authentic in this regard, is about not being “*brainwashed, ideologically manipulated, or constrained by self-alienating life conditions*” (Christman 1991, 180). The person being positively free should be reflective self-accepting, such that after a specific action, he/she can reflect on whether it was in line with his/her given values. Collectively, a person with these two conditions can be said to have an *effective agency* (Christman 1991).

A common critique of positive freedom can be mounted when the concept is based on desires, i.e. you are free when you can realize your desires. Viewed in such a way, one can simply desire less in order to become 'more free' Christman avoids this implication, because he is basing positive freedom in relation to the identity of a person (Christman 2015, 184).

Christman's arguments for positive freedom, avoids Berlin's paradox of positive freedom, in which the state decides what is best for you and makes the true rational decision, because 'the state knows better'. As mentioned above, in an extreme case, this can lead to authoritarian regimes which can hardly be thought of as free, hence the paradox.

But as Carter points out, Christman's conception of positive freedom might still leave some room for state-imposed positive freedom (Carter 2019). The obligatory primary school we have in Denmark, could perhaps still be considered an example of positive freedom, because it can widen your worldview and how you see yourself, which in turn makes you able to make better decisions based on your 'improved' self-awareness .

A similar description of positive freedom is from H.S. Sætra, who describe it as: *"Positive liberty involves more than being free to act, it also requires that my actions are the result of my own autonomous reflective activity."* (Sætra 2019, 3).

To have a high degree of positive freedom, is to be able to make the right decisions for yourself and for who you are as a person.

The important characteristic to measure the amount of positive freedom according to John Christman is: *"... the person and her capacity to formulate her desire, values and goals"* (Christman 1991). The concept of positive freedom can be translated into a social structural construct framing groups or individuals' ability to fulfil their desires. Video surveillance within the frame of positive freedom does not limit the possibilities of physical freedom to move wherever but it limits mental ability to do so as every move is monitored.

The surveillance technology has a risk of becoming totalitarian and oppressive if its effort to free the majority makes it oppressive for the minority. In short terms the act of fulfilling the desire of the majority is justified by creating opportunities for all citizens and inviting everyone to participate in society, but minorities with specific desires might not get their desires fulfilled (Meckl 2016; Burch 2004). This is creating an inherent danger to the minority by creating a suppression of the majority

for the protection of the minority. An example of this could be the temporary law banning gatherings of more than 10 people, thus limiting the constitutional right to make public gatherings. (Magnus Heunicke 2020) This was done with the intent of preventing a collapse of the healthcare system and saving as many elderly lives as possible from the SARS-CoV-2<sup>7</sup> but at the same time it limits the possibility of expressing discontent with the current government.

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<sup>7</sup>SARS-CoV-2 (severe acute respiratory syndrome) or Covid-19 a pandemic closing down most of the world from December 2019 and currently ongoing. ('WHO Timeline' 2019, 19)

### 5.3.2 NEGATIVE FREEDOM:

The concept of negative freedom is arguably the most easy to comprehend as it can be summarised in a simple way as: *"You are free if no one is stopping you from doing whatever you might want to do."* (Carter 2019) It is opposite to positive freedom described by Christman as an idea based on the freedom for the individual of having freedom without the restraint imposed externally by others. This is expressed through Hobbes as *"A free man is he that in those things which by his strength and wit he is able to do is not hindered to do what he hath the will to do"* (Hobbes 1651b, 199) Giving individuals freedom to act in spheres affected by no one but the individual himself. In terms of negative freedom, the implementation of video surveillance are clear limitations of the individual in regard to what they can do without being monitored. Berlin describes negative freedom as:

*"two types of slave: one is a person who hates her chains and longs for the things slavery prevents and is consequently miserable; the other is, like epictetus properly adjusted to her confinement and has expunged any of those desires that her situation has made impossible for her."* (Christman 1991, 352)

The individual is free as *"one is free to the extent that one is externally unprevented from doing things, they say, one can be free to do what one does not desire to do"* (Carter 2019). Negative freedom favours the individual's right to be free and limits the sovereign ability to impose any restrictions on the individual, thus negative freedom makes it possible for every individual to fulfil all of his desires (Carter 2019). The negative freedom cuts the ties to desires as there is no need for them as every individual is free to do whatever he wants except for violating the laws of nature as the individual is not permitted to kill or do harm.

### 5.3.3 THE REPUBLICAN NOTION OF FREEDOM

As we have illustrated above the concept of freedom can come in different shapes and forms. In this section we will outline the most prominent features of what is called 'republican freedom'.

In a way, republican freedom can be seen as a different version of negative freedom. Whereas negative freedom is concerned with how much interference an individual experience, republican freedom is more concerned with the amount of domination an individual suffers under. Those in favour of such an understanding are typically labeled as civic republicans and freedom as a concept is also called political liberty in the literature. So, we will use the terms interchangeably in this text.

Civic republicans see the concept of negative freedom as having several issues:

A slave for instance could be viewed as relatively free in the negative sense if he had a *good* master who did very little in the way of interfering with him. However, being a slave, many people would argue that he in fact did not enjoy any freedom, as he was under the authority of someone else. He might enjoy a higher degree of wellbeing, but a higher degree of freedom could be considered more questionable. Another popular example where the negative conception of freedom is imperfect, is a scenario of a colony which is under control by an imperial foreign power. Suppose the colonialists leave the colony unregulated, i.e. they still control the area but do not impose any rules or restrictions. In the pure view of negative freedom, one could argue that the people living in the colony had a high degree of freedom because the colonialists did not interfere with their daily lives, but they were nonetheless still subject to the control and authority of an imperial power. If the colony happened to make a successful rebellion against the imperial forces, and subsequently created their own form of government they might incorporate new laws and regulations. The now former colony would actually enjoy *less* freedom than before in the negative sense, because there would be more rules for the inhabitants to follow (Frank Lovett 2018).

Instead of non-interference being the determinant factor of liberty, the non-domination is what the republican notion of liberty is most concerned with. Political liberty as non-domination is about structural independence, such that no one has "the capacity to interfere in their affairs on an arbitrary basis" (as cited in Frank Lovett 2018) as Pettit explains. The term of domination can be seen as the arbitrary power someone or something has over another person, even when it is not utilized fully (as in the example of the well-meaning slave owner). The mere fact that whoever is in control has the possibility to enforce his will and rules whenever he sees fit (i.e. in an arbitrary fashion) denies his subjects of freedom, even if he does not utilize this authority (Frank Lovett 2018). This raises the question of the distinction of when surveillance technologies become a force of domination to the freedom of the individual. Video surveillance does not interfere with individuals in terms of movement for instance, but it might be viewed as dominating because it is not always clear when a video recording will be used as a tool. This makes a video recording somewhat an uncontrollable power. However, it is important to distinguish between how surveillance footage is used. If there are strict rules, laws and regulation that applies to the use of video surveillance, then it is not dominating in



the republican sense and thereby not prohibitive of freedom. On the other hand, video surveillance employed in strict regimes for instance, might not have the same rules applied to the use of surveillance and therefore be more dominating.

#### 5.3.4 ARBITRARY POWER

One of the key principles of republican freedom is the absence of arbitrary power from which non-domination arises. Depending on arbitrary power in order to define non-domination and thus republican freedom, also means a clear definition is required of said concept. Saying the execution of power is unpredictable or random is not quite precise. If we return to the previous mentioned slave example, a slave who has for instance learned by time what triggers his master's use of authority, will of course not be subject to much random power being exerted, as he knows when it happens. Two different views on what constitutes non-arbitrariness in order to have republican liberty has broadly been described (Frank Lovett 2018).

The first view is very much based in law, rules and regulations. In this view, power is embedded in the rules and procedures that governs the specific circumstance. So the power is effectively controlled by the different rules, that are known to whoever is involved, and thus non-arbitrary.

Another view of non-arbitrariness is where the power is either directly or indirectly controlled by those subject to it, which is considered a democratic sense of power (Frank Lovett 2018). Both viewpoints are employed in the literature.

A term to use instead of arbitrariness when talking about power is *uncontrolled*, preferred by Philip Pettit in his later works, which he thought was more precise (Frank Lovett 2018). An important caveat regarding the republican view of freedom, is that arbitrariness or uncontrolled shouldn't be understood as being necessarily unjust or illegitimate. The concept of uncontrolled power should thus not be read as a normative viewpoint (Frank Lovett 2018). An argument to briefly touch upon is that video surveillance could be seen as an arbitrary exercise of power in the sense of recognition software. This software is not always precise and thus might target wrong individuals.

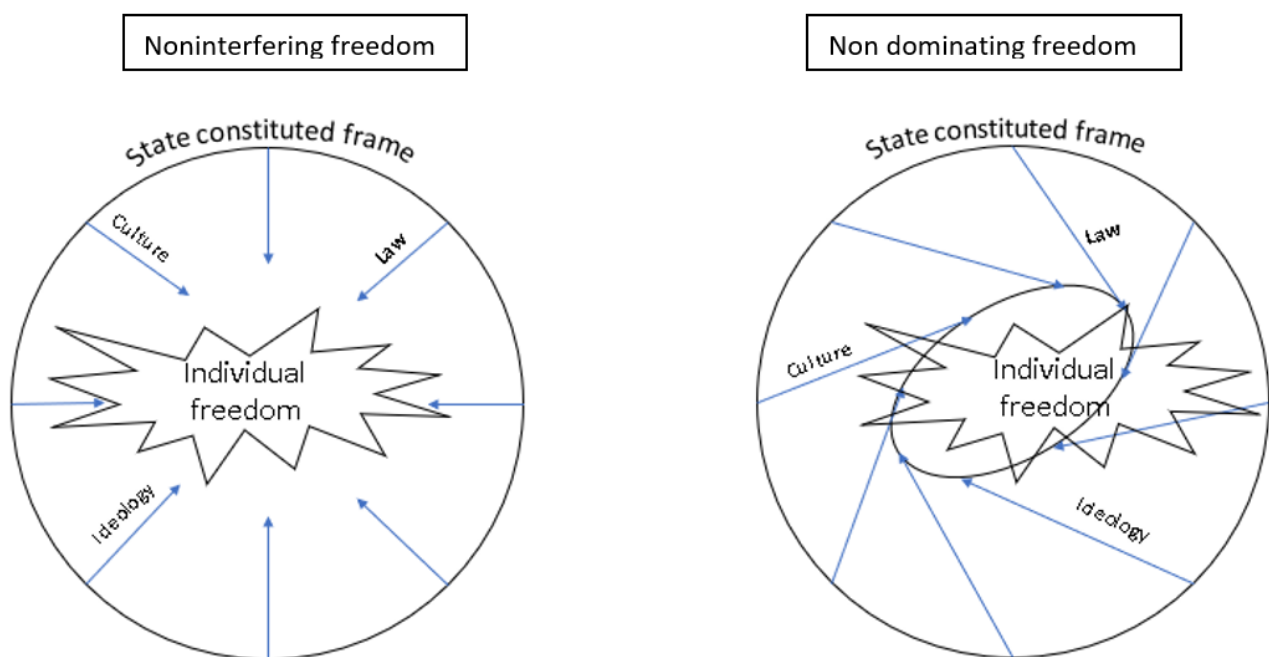
In Pettit's book 'Just Freedom' (2014), he argues for an ideal way in which a society can adopt republican freedom. Freedom as non-domination is based on *social justice, political democracy and globalized sovereignty*. We have outlined some of the demands Pettit put forward in each category (Pettit 2014).

- Social justice: Protection against interference from others in people's basic liberties and insulation from crime.
- Political democracy: Freedom as non-domination from the public power (e.g. the state) can be accomplished by organizing a government in a democratic sense. If the people can get in control, such as in a democracy, then the interference from the state will be an authorized form of interference. Of course, it is not just that simple and Pettit describes in great detail what a democratic state should include and how it should support an equal protection for its citizens.
- Globalized sovereignty: Just as people should not be dominated by other people or their state, they should not be dominated by other states, multinational corporations etc. But states should not have carte blanche to do whatever they please. Their practice of liberty must be something that other states can accept.

### 5.3.5 CRITIQUE OF REPUBLICAN FREEDOM

Even though the theoretical concept of republican liberty neatly addresses some of the pitfalls of negative liberty as described above, the concept itself has not escaped criticism altogether.

Arguments have been that non-domination rank alongside non-interference. If they truly are different, should civic republicans who advertise republican freedom only be concerned with non-domination? Probably not, as it is quite easy to imagine a scenario where laws, norms and regulations are in abundance, leaving no room for the use of arbitrary power and thus a very high degree of freedom in terms of non-domination. However, such a society would translate to little individual choice of actions, because everything is tightly regulated, and thus interfere with our freedom, which suggests that one cannot simply ignore the conception of non-interference altogether.



*Figure 2 Illustration of freedom as the non-interfering or non-dominating kind*

The two figures represents examples of how negative and republican freedom can be viewed and compared. Negative freedom (on the left) represents an individual being non-interfered by the state, while the right (republican freedom) shows how the individual is subject to laws and regulation meant for protection against domination. However, if those laws and regulations begin to constrain the opportunities of the

individual to a continuing large degree, it is easy to see how freedom becomes limited.

Proponents of republican liberty have discussed the possibility of having both non-interference and non-domination as a part of the equation (Frank Lovett 2018).

Michael J. Thompson from William Paterson University in the USA published an article in 2013 that critiques the popular opinions of Pettit and others regarding their notion of non-domination and how it relates to freedom.

Thompson thinks that Pettit's view of non-domination is far too narrow, simple and more appropriate in relation to 17th -and 18th century societies where slavery was common for instance.

He argues that Pettit sees republican freedom too much as linked to the concept of negative freedom, with an emphasis on interference towards individuals by agents (and not systems). He thinks Pettit's focus on monarchical or feudal domination over individuals is not sufficient as arguments in our modern times. Instead he argues of a concept where domination is rooted in social and political institutions:

*"Relations of domination cannot be theorized apart from the institutional architecture in which they are embedded. Freedom therefore shifts its emphasis from domination alone to the more comprehensive concern of the arrangement of social institutions and their ability to provide for common, public ends"* (Michael J. Thompson 2013, 3)

He believes that thinkers such as Pettit neglects the complexities of modern society by focusing on agents, instead of how these agents are embedded in constitutions and related to each other. He also argues that the 'neo-Roman' republican view (which Pettit is associated with) of freedom as the absence of an agent's arbitrary interference upon another agent is too narrow. I.e. he does not think freedom can be measured by that alone. He favours a view where the autonomy of individuals (and how they choose to live their life) is a result of, and shaped by, society and social structures:

*"In this sense, republican institutions must be organized not simply to immunize individuals from the domination of others, they must be so arranged, so structured and designed as to give individuals certain capacities and social goods necessary for self-government"* (Michael J. Thompson 2013, 19).

Republican freedom is about how systems of society can shape individuals and not only how said systems give room for freedom and autonomy:

*“To have power over others is not simply to have constraint over their wills, it is also the capacity to shape their wills, to legitimate the unequal relations of social life that benefit the few rather than the totality of the community”*  
(Michael J. Thompson 2013, 19)

Thompson sees domination as three distinct spheres, overlapping each other according to the specific situation. Those spheres of domain are: *Coercion*<sup>8</sup> (this is what he believes lies at the heart of Pettit’s understanding of domination), *Extraction* and *Authority*.

They do not necessarily have to be present at the same time. Extraction is as the name suggests, domination where power over another is used to extract benefit from that individual. Authority should be understood as the mutual relationships between two agents where some form of agreement exists that makes the domination legitimate. This could for instance be the relationships between the state and a citizen, where the domination is not immediately explicit, but instead slowly being developed in the subjects consciousness (Michael J. Thompson 2013).

To conclude, Thompson is interested in reconstructing the republican tradition of freedom to encompass how individuals are deeply embedded in the social structures they are a part of, and how they ultimately behave is constituted by this. He does not think the traditional views on domination expressed by Pettit, is broad enough to include the forms of domination existing in modern societies. In his opinion, Pettit puts too much emphasis on interpersonal and agent to agent forms of domination and this is something that is not always relevant in our modern societies.

His argument is therefore twofold: Institutions should both prevent arbitrary interference and enhance the capacity of the individuals to act in a morally autonomous fashion.

Thompson argues that modern day domination stemming from institutions can become “...*ingrained, rationalized, routinized and internalized*”(Michael J. Thompson 2013, 19), thus making the traditional notion of non-interference almost irrelevant (Michael J. Thompson 2013). Domination almost becomes a hidden malice in the structures of society.

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<sup>8</sup> “The use of force to persuade someone to do something that they are unwilling to do” (Oxford dictionary 2020)

### 5.3.5 COMMENTS ON THE CRITIQUE

Thompson is clearly very thorough in his critique of Pettit's ideas of republican freedom. Indeed, it is easy to see why Thompson thinks that Pettit focuses on interpersonal domination relations, but we think it is also important to emphasise that Pettit does not simply mean one person to another.

In the book *Republicanism* by Pettit (the same book Thompson refer to for some of his critique), Pettit clearly states that domination does not need to be one individual to another:

*"(...) I shall often speak as if there are just two individual persons implicated in cases of domination, but that is only for convenience. (...) domination may often be targeted on a group or on a corporate agent: it will constitute domination of individual people but in a collective identity or capacity or aspiration."* (Pettit 1999, 52).

And in one of his newer books, he even includes a whole state as an agent:

*"You do not enjoy freedom of choice, according to this way of thinking, when your ability to choose is dependent on the state of another's will as to how you should choose, be that other and individual agent like me or an agency such as a church or company or state."* (Pettit 2014, 46–47)

This is, in our opinion, not necessarily reminiscent of 17th or 18th century societies as Thompson claims in his paper. Having said that it is also clear that Thompson and Pettit simply see differently on who is capable of dominating. Thompson focuses on how social institutions can be responsible for domination. As an example, he mentions how prostitutes are forced into the work due to economic reasons and thereby become subject to the wills of others (Michael J. Thompson 2013, 292). Thus, he seems to argue for how systems or maybe even networks can become dominating towards individuals, even without those subjects realising it.

If freedom is the product of how individuals are embedded in social structures, who is then to blame if said freedom is diminishing or non-existent? It could quickly become too easy to perhaps just blame the system as a whole instead of agents (collective or individual). Using Pettit's concept of agents, it is at least easier to pinpoint who is responsible for domination and thus lack of freedom.

Reading through Thompson's text he argues how his notion of republican freedom is more relevant, and in line with the complexities of contemporary societies, than Pettit's views.

However, the premise in Pettit's book 'Just freedom' (2014) is exactly how his conception of freedom as non-domination can be used as a measure in our modern and complex world, as a moral compass. Even though he draws inspiration from earlier times, he continuously adapts his notion of republican freedom to our modern society, with various contemporary examples.

His point is that we should all try to make decisions *based* on a collective fundamental goal, i.e. obtaining freedom as non-domination (provided we live in a normative society where people are willing to treat each other equally) (Pettit 2014, 188).

One could argue that freedom as non-domination intuitively sounds as if anarchy is the only viable option for complete freedom. Pettit thoroughly describes how his view of freedom works in tandem with structures of government. Mechanisms within the institutions must provide the citizens equal measure of freedom as non-domination. Even though Pettit focuses on domination in terms of agent (or agency) to agent, he also seems to come quite close to Thompson's perspective when he writes (about domination):

*"While it always has a relational aspect, it may also derive from structural features of the culture, economy, or constitution under which you live."* (Pettit 2014, 198).

This section shows that republican freedom is still an area of contestation and there is not one correct answer to what it constitutes (although it seems the neo-Roman viewpoint Pettit and others favour is the more widespread one). However, Thompson's argument about how domination can become embedded and almost invisible in social structures is certainly also interesting and relevant in our complex world.

There is one last point we would like to briefly sketch as important in this chapter about freedom as non-domination. Freedom is not the only important human good, but according to Pettit it is a gateway good, i.e. it enables other human goods. This could be freedom of speech or opportunities to choose your own education. Securing freedom as non-domination means providing adequate legislation for the protection of personal liberties such as social and judicial security for instance. Thus in terms

of social justice (citizen to citizen) freedom needs to be the only guiding good (Pettit 2014).



## 5.4 THE THREE MAIN CONCEPTS IN RELATION TO SURVEILLANCE

In this section we will briefly sketch the most important characteristics of each freedom notion and how they can be viewed in the light of video surveillance.

### 5.4.1 NEGATIVE FREEDOM

A person will have a high degree of negative freedom when that person is unobstructed, none interfered or unrestrained by others to do what he wants. And vice versa. These constraints are seen as external to the agent in question.

In terms of video surveillance, being interfered very much depends on the person experiencing it and on the specific surveillance in question. In general, though, video surveillance is an external factor and if someone feels obstructed in their actions because of the cameras they experience a lower degree of negative freedom. On the contrary if someone acts in the same way as if no cameras recorded them it is difficult to say that their negative freedom has decreased.

Another more clear-cut example of negative freedom, can be considered if aggressive facial recognition has been implemented. If the facial recognition resulted in the arrest of an alleged criminal as soon as he entered a specific zone, it might be considered a more concrete interference.

### 5.4.2 REPUBLICAN FREEDOM

Republican freedom can be thought of as a continuation of negative liberty, but instead of only requiring non-interference, republican liberty also requires non-domination. Non-domination occurs when no agent (or group of agents) has arbitrary power over the person in question. When an agent has uncontrolled power, he or she has the capacity to use this power of domination on an *arbitrary* basis (even if he/she never intends to). This implies that republican freedom sees *protection* as a cornerstone of freedom, protection from arbitrary power. This protection can for example come in the form of laws and regulations that remove arbitrariness from the equation.

In relation to video surveillance republican freedom can be promoted by making sure that video recordings cannot be used or abused in an arbitrary way. It implies that laws regarding the use of video surveillance should be very clear and precise with

little room for interpretation such that republican freedom can be attained. The keyword in this context is *protection*.

### 5.4.3 POSITIVE FREEDOM

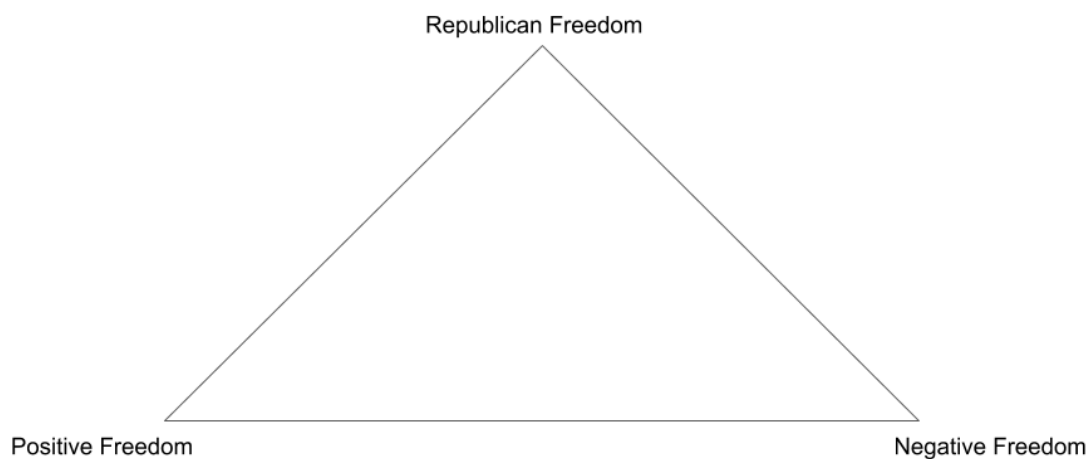
Positive freedom is about a person's capacity to act that reflects their own will or their true self as it were. Even though the concept originated from Isaiah Berlin in 1969 it is still being debated, especially how it relates to politics. To which degree can governments promote positive freedom? Arguments have been made that participating in a democratic society is a kind of exercise of positive freedom, but as mentioned above this is hard to believe seen from the perspective of the minority. Even in a non-democratic society, the government can be seen as taking rational collective decisions and thus provide positive freedom (which can lead to authoritarianism) Christman took it upon himself to formulate a content-neutral way of thinking about positive freedom, in which it is about the ways a person's desires are formulated and not about the content. Thus, a person living under suppressive rule (in home or otherwise) might still be free as long as she is aware of alternative ways of living (and have the capacity to follow them), but chooses her current lifestyle nonetheless (Carter 2016; Christman 2015).

In relation to video surveillance we argue that a person will be less positive free, if that person cannot act in an autonomous fashion *because* of the cameras monitoring him/her. The camera's effect is therefore transformed to an internal barrier for the individual, a barrier that prevents the person from acting in a way that is true to themselves. Another way of viewing it is in an authoritarian way (this is what Berlin feared in terms of positive freedom).

China has an extensive surveillance program, and one can argue that the leaders of China sees their country as a social whole, where they have decided what is best for everyone and takes the rational choice on behalf of the population. This would probably not fit well with Christman's notion of positive freedom, unless the Chinese surveillance somehow can widen and deepen the reflective qualities of the citizens.

We have made a triangular figure displaying all three forms of freedom in a connected way as they all share a somewhat normative understanding of what it is to be free and see it as an ideal. The three notions of freedom is to be understood as three separate ideals of freedom who, despite their differences, still are connected which is illustrated below in figure 2.

The figure represents the Positive freedom's framing of the individual as a citizen to which the state has to provide people with opportunities to fulfil desires (or decide for them). The negative freedom which in short is the freedom to not be interfered with and lastly the Republican freedom removal of arbitrary power to protect people.



*Figure 3 Our triangle of freedom containing republican, positive and negative freedom in which we will place our different actors*

## 6.0 ANALYSIS OF THE POLITICAL DISCOURSE OF FREEDOM

The analysis is centred around the political negotiation regarding two bills related to the safety and security proposal ('Trygheds- og Sikkerhedspakke') presented in the fall of 2019.

The proposal contained a total of four bills. However, two of the bills are not very relevant to freedom and video surveillance, as they instead concern themselves with a focus towards better opportunities to investigate online crimes.<sup>9</sup> The two we have focused on concern the ability for the police to take over video surveillance and a more general bill about video surveillance. We will use this material together with a hearing statement from Justitia to try and identify how various actors perceive freedom and which discourse they use to talk about it. The legislative process in parliament consists of 3 different stages where the elected parties discuss the legislation at hand. These discussions are done in parliament and between the different spokespersons from each party. In this particular case it is Nick Hækkerup from Socialdemokratiet representing the government and the spokespersons from each party. The spokespersons are: Jeppe Bruus (S)<sup>10</sup>, Inger Støjberg (V)<sup>11</sup>, Pernille Bendixen (DF)<sup>12</sup>, Kristian Hegaard (RV)<sup>13</sup>, Karina Lorentzen Dehnhardt (SF)<sup>14</sup>, Alex Vanopslagh (LA)<sup>15</sup>, Rosa Lund (EL)<sup>16</sup>, Naser Khader (KF)<sup>17</sup>, Sikandar Siddique (ALT)<sup>18</sup> and Pernille Vermund (NB)<sup>19</sup>. Their role is to represent their parties' stance on the legislation. Proposed bills go through a multi-step process in the ministry before being presented for the parliament. In this case it involves the ministry of justice, then it is approved by the Council of Ministers released for a public hearing allowing experts and NGO's to share their knowledge and concerns about the subject to help change and modify the text for the legislation. The lawtext is then returned to the parliament for a first treatment. Before the bill can be passed as law, it has to go

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<sup>9</sup> See (Hækkerup and Retsudvalget 2019a) and (Hækkerup and Retsudvalget 2019b) for those bills.

<sup>10</sup> S: Socialdemokratiet - Social democrats

<sup>11</sup> V: Venstre, Danmarks Liberale Parti - Venstre, Danish liberal party

<sup>12</sup> DF: Dansk Folkeparti - The Danish People's Party

<sup>13</sup> RV: Det Radikale Venstre - the Danish Social-Liberal Party

<sup>14</sup> SF: Socialistisk Folkeparti - the Socialist People's Party

<sup>15</sup> LA: Liberal Alliance - the Liberal Alliance

<sup>16</sup> EL: Enhedslisten - The Red-Green Alliance

<sup>17</sup> KF: Det Konservative Folkeparti - The Conservative Party

<sup>18</sup> ALT Alternativet - The alternative

<sup>19</sup> NB: Nye Borgerlige - new liberal people's party

through both a second and third treatment in the parliament. After passing a final vote in parliament the law is sent off to the queen to sign as she is the official sovereign of the constitutional monarchy of Denmark. Look at Appendix A for more information. (Folketinget 2020) The analysed bill is in its first stage placed into a scenario where spokespersons, from each party, ask the minister questions and try to get some elaboration on these. During this first treatment they also try to convince the other spokespersons to subscribe to their discourse on the bill. So far, only the first treatment has been completed, thus our analysis is based on said treatment.

## **6.1 OUR ANALYTICAL APPROACH**

In the following we are analysing the transcription of the laws presented in parliament. The analysis is something more of a conceptual analysis rather than a classic vocabulary analysis. We found the discursive tools most suitable for this task of gaining this deeper understanding of the concept of freedom related to video surveillance in public space across the political parties we searched to obtain.

### 6.1.1 SOCIALDEMOKRATIET

Nick Hækkerup's central argument is that safety is a prerequisite for freedom. Thus, in order to promote freedom, safety has to be increased:

*"To me and the government, the starting point is that all Danes deserve to be safe. In my opinion it is really a matter of a fundamental goal for the state to be able to deliver safety for the Danes. We have to safeguard safety so the Danes can move around freely. And to my best belief, safety is a condition of freedom. Without safety, there is no freedom." - Nick Hækkerup (Hækkerup and Retsudvalget 2019a)*

Safety is a floating signifier (Jørgensen and Phillips 1999) for Nick Hækkerup's concept of freedom. This means that Nick Hækkerup tries to create a direct correlation between words related to safety and connecting these to his concept of freedom. He does this by describing increased surveillance (i.e. security) as a way of increasing freedom. This makes safety a 'feature' i.e. a word that helps Hækkerup's discourse of freedom take form.

A general argument to be made in relation to the quotations highlighted is the *repetition* of the message that freedom is conditioned by safety and that safety is made possible through the use of video surveillance. This can be a useful method to make his audience remember, and draw attention to his point of view (van Dijk 1997, 35). Hækkerup is presenting a semantic of how freedom is threatened, and ordinary people are unable to walk the streets in a safe and protected manner making people less free due to a perceived lack of safety.

In order to promote that freedom, it is necessary to provide sufficient safety, which he argues can be obtained through the use of video surveillance. We can argue, based on the above quotation, that Hækkerup believes in freedom as a value worth protecting through the use of a state-imposed frame, provided by surveillance, enabling people to move around freely.

Furthermore Nick Hækkerup is justifying his idea of Freedom as:

*"There is also no doubt that when using surveillance to solve crimes the surveillance is legitimate. It serves a legitimate purpose. This is exactly what is one of the main questions regarding surveillance: What is the purpose of this surveillance? There is illegitimate surveillance and there is legitimate surveillance - in my opinion it is completely legitimate surveillance when we, as a society say: We do this to fight crime, we do this to provide the Danes with safety, we do this to secure the trust in the state. We do this to increase the coherence in our society - that crimes are being dealt with." - Nick Hækkerup (Hækkerup and Retsudvalget 2019a)*

Hækkerup recognises the need of having trust in the state to target specific individuals committing crimes, with the intent to restore, what Hækkerup believes to be, a lack of safety to the citizens. To achieve this he wishes to use video surveillance as a mandatory condition for everybody to live under. Making his argument that surveillance constitutes a frame where citizens can get their desires for freedom satisfied without having to be concerned about their safety. He presents the cameras as a way to provide real time safety for people, but at the same time he implicitly acknowledges that video surveillance is used as an investigative tool, *after* a crime has been committed. In this way he sort of contradicts his own point, that surveillance provides *real time* safety to the citizens.

But Nick Hækkerup's speech also express a *deletion* (van Dijk 1997) of the possible flaws in the proposal as it revolves purely around the physical freedom:

*"(...)And when we for example introduce surveillance, which provides an opportunity to move safely, then freedom increases. Because in my opinion, safety is a prerequisite for freedom"* -Nick Hækkerup (Hækkerup and Retsudvalget 2019a)

Thus the proposal enables the individual to move safely around, by enabling the government to catch criminals. The possibility of people not wanting to be surveilled is not considered as his argumentation is centered on the physical aspect of freedom (or lack there of): *"(...)they don't dare to move in the streets in fear of being assaulted, raped or other stuff, so they are not free."* -Nick Hækkerup (Hækkerup and Retsudvalget 2019a)

But which kind of freedom does Hækkerup and his party promote and which kind does they neglect?

A clear indication that Hækkerup adheres to a positive notion of freedom can be seen in the following quote: *"My Conception of freedom is all about having the resources and possibilities to live free."* - Nick Hækkerup (Hækkerup and Retsudvalget 2019a)

As mentioned, positive freedom is about having the capacity to act, and in order to have the capacity you must also have the underlying resources.

In the following quote Hækkerup again quite clearly advocates for a promotion of positive freedom for citizens: *"freedom is about what real opportunities are available."* - Nick Hækkerup (Hækkerup and Retsudvalget 2019a) And:

*“(...) in reality I believe it is only few who would say: The formal term of freedom equals real freedom. Compared to what is formally allowed: Yes, young women are allowed to leave their apartments and be places where they might become crime victims. They are free to do so if they want to. But if they don't dare to do so due to fear of being assaulted or raped, then they are not truly free.” - Nick Hækkerup (Hækkerup and Retsudvalget 2019a)*

Hækkerup does not see real freedom as a thing in itself but, as a thing provided by the state, which takes non-interfering options of the table. Thus, the state provides the opportunity for the individual to act in an autonomous way without concern for their safety. In the quote above he makes an example of women being too afraid to walk where they please. In our theoretical framework this is the same as being deprived of positive freedom, because the interference is internal (in the way of fear). This is what Hækkerup wishes to change, by introducing more surveillance and in turn making people feel safe enough to dare walk where they wish. Based on this we are able to match S's discourse of freedom with the positive variant of freedom.

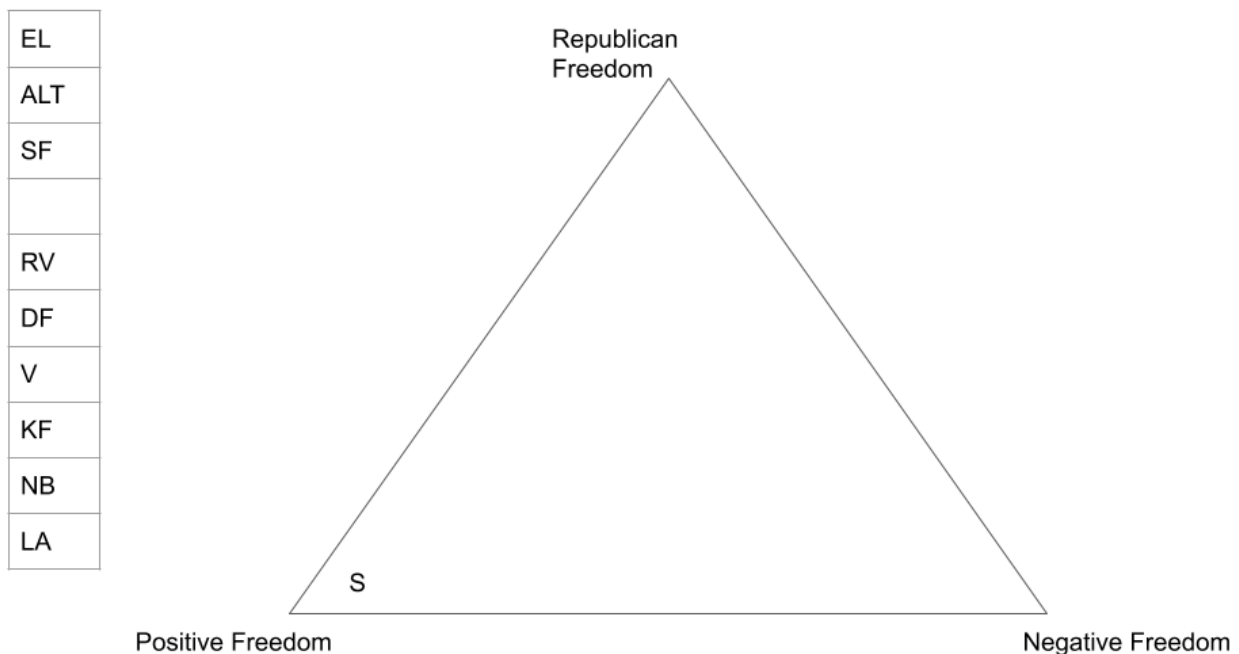


Figure 4 The placement of S in the triangle of freedom



### 6.1.2 DANSK FOLKEPARTI

Pernille Bendixen represents DF and they are generally in favour of opportunities to increase surveillance *“In the Danish People's Party, we think this is a really exciting bill, and we also advocate that more powers are given to expand the scope of surveillance.”* - Pernille Bendixen (Hækkerup and Retsudvalget 2019a)

However, she does question how this is going to affect the innocent citizens and also acknowledges that the bill about increased surveillance is intrusive in nature:

*“There is of course the concern of the innocent moving down the street. What about them? We are of course aware that the intent here is to only allow access for the police and no one else, but you still get all these strange concerns (...) there is a need to do it right when implementing such an intrusive proposal”.* - Pernille Bendixen (Hækkerup and Retsudvalget 2019a)

She does not elaborate her meaning of “strange concerns”, but we interpret it as concerns about data leaks and/or hacking attempts of data collected through surveillance. This is because she mentions it in relation to having access to said data.

She also raises concern about a need for a complaint system for the citizens if they feel wronged on the basis of surveillance.

*“What happens if you feel wronged? Will there be a way to appeal?”* - Pernille Bendixen (Hækkerup and Retsudvalget 2019a)

All these concerns steer her in a direction of republican freedom, which emphasizes protection from the arbitrariness of misuse in data.

Despite having multiple concerns and questions regarding the legislation, Bendixen at the same time promotes their stance on facial recognition, which DF are in favour of:

*“One might ask whether the minister may have considered whether to include facial recognition. This is at least one of the issues we have in the Danish People's Party, because we are in favour of that at least.”* - Pernille Bendixen (Hækkerup and Retsudvalget 2019a)

All things equal, facial recognition is a more intruding form of surveillance, because the software actually scans and identifies faces. By pushing the proposal even further we argue that she counteracts her concerns about the innocent citizens and data leakage and moves DF's discourse of freedom more towards positive freedom, where the government decides what is in the best interest of the population.

We can see facial recognition as an element (Jørgensen and Phillips 1999, 36–39) in the political discourse about surveillance which is more intrusive in nature. Facial recognition is a controversial topic in itself. There are issues of bias, data protection and examples of abuse in China which all complicates the subject. On the other hand facial recognition could potentially save lives in ongoing terrorist attacks due to the fact that a terrorist's location can easily be identified, so they can be stopped more quickly. (Moltke 03/02; Sample 2019)

This shows a form of *deletion* as the potential consequences of facial recognition are not elaborated, but DF is not trying to address any of these negative issues, they are presenting it in a discourse of freedom where they express a will to limit everybody's freedom arguing for the liberating feature of video surveillance.

As stated above, Bendixen is willing to limit the negative freedom by introducing facial recognition, which creates a frame where the citizens have less capacity to do what they wish, even if they are not aware of the surveillance. Making Bendixen's nodal point of concern for the innocent's ability to move around freely shift to an idea of how to provide the best possible investigative tools for law enforcement.

Bendixen's profound wish for facial recognition software, could to some degree limit some individuals' negative freedom. This is because a system without facial recognition isn't able to identify you but only record. The difference lay in the fact that it might be able to identify people as soon as they entered a specific area with the software installed making it inaccessible to some individuals. This could be seen as interference and thus a lesser negative freedom.

We consider DF's notion of freedom to be between republican and positive freedom. They have concerns (although somewhat vague) about the non-criminals walking down the streets and demand answers in regard to a complaint system for the citizens. This speaks for a republican conception, but at the same time they are still in favour of the bill of increased surveillance following a positive freedom approach where more surveillance is the collective rational thing to do. Because of their push towards facial recognition, we argue that they are an even stronger proponent for positive freedom than S.

EL
ALT
SF
RV
V
KF
NB
LA

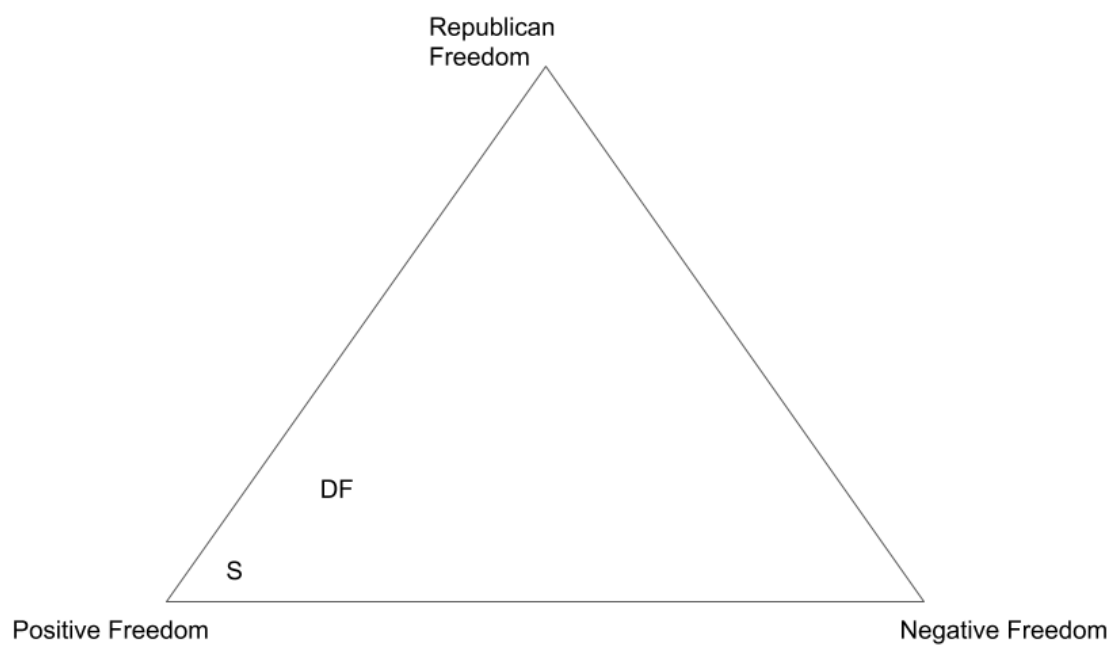


Figure 5 The placement of DF in the triangle of freedom

### 6.1.3 SOCIALISTISK FOLKEPARTI

Karina Lorentzen Dehnhardt, the spokesperson of SF, has several reservations about the two proposed bills. They acknowledge the use of video surveillance as an investigative tool and are thus not directly opposed to increased surveillance. She is against the proposition that the Minister of Justice can hand-pick new ways in which surveillance can be put up. She is basing this opposition in democratic values and want to limit the arbitrary power move of placing the surveillance to one were it is controlled and approved in Parliament, not by the Minister of Justice alone:

*“As I have mentioned earlier, is there not only a consideration of efficiency; there is also a consideration regarding the constitutional rights. And therefore I think that the parliament as a principal should be included.” - Karina Lorentzen Dehnhardt (Hækkerup and Retsudvalget 2019a)*

This resembles republican freedom, because she fears that the Minister of Justice will get some form of arbitrary power and proposes that it should go through the parliament instead.

SF are also against the extension of the range of the video cameras, by arguing for the difficulty of the citizens to know which areas are surveilled and when they are within range of the cameras. As well as knowing when they are moving in between public and private spaces. She is overall concerned with the freedom of the citizens:

*“I also think it is going to be difficult to maintain the citizens right to not be surveillanced.” - Karina Lorentzen Dehnhardt (Hækkerup and Retsudvalget 2019a)*

We argue that in this example she articulates a negative freedom discourse, because the citizens cannot be free from interference and sustain the right to privacy when the range of cameras is increased in public spaces.

In terms of the bill of overtaking surveillance cameras she also has reservations. She is concerned with security as a nodal point with elements of the remote access to video footage that the bill aims to give the police in extraordinary circumstances:

*“I am not an expert on this, I am not very IT savvy, but as I understand their consultation response, it goes on to say that when you collect old-fashioned TV surveillance, it takes place on the inside of the citizen's router and is therefore very safe. But if the police are to take it over, it will typically be via the Internet and there is thus a lower security and thus a risk of leakage and hacking and abuse and everything else. I think we should have an elaboration of what they mean, so that we can become a little wiser regarding how the security really is around this. I think it's important to keep this in mind during these times of IT uncertainty” - Karina Lorentzen Dehnhardt (Hækkerup and Retsudvalget 2019b)*

Karina Lorentzen is mentioning 'the times of IT uncertainty', and having a concern based on previous discourse in regards to the Tele data scandal, which saw how teledata proved to be flawed after it had been used in trials, convicting potentially innocent people. (Saugmann Jensen 2019; Frandsen 2019; Justitsministeriet and Ritzau 2019) Thus she is drawing from a different discourse altogether to make her point more clear. In Fairclough's words this is called interdiscursivity (Jørgensen and Phillips 1999).

Data protection in regard to the overtaking of surveillance can be seen as an element in the discourse of freedom (Jørgensen and Phillips 1999, 36–39). She fears how the safety and privacy is handled when the police will overtake cameras via the internet, because of the possibility of hacking attempts and leaks. This can be considered to be a concern for republican freedom, because if video footage ends up in the wrong hands it can enable the hackers to exercise arbitrary power and harm an individual's freedom or right to be left alone.

In relation to data security they express more of a republican freedom with the intention of controlling and handling potential leaks from the data collected. SF is willing to control the police through law granting the individual rights and security for when their data is reviewed and used.

Karina Lorentzen shows one of SF's nodal points in the discourse of freedom as having an argument surrounding the sufficiency of the protection of the individual's data produced by surveillance.

SF is willing to support the proposal but under conditions that the framing of the proposal takes the individual's freedom into account making a systematic frame for protecting the individual making their freedom more than an ideal and grounded into some form of legislation as a way to protect the individual.

If this is taken into account the proposal would, according to SF, contain a sufficient legal frame protecting the individual's right for freedom. They already acknowledge many of the legislative protection clauses in the bill and are generally positive about the bill to allow police to overtake cameras: "*We are cautiously positive about this opportunity, but of course we also have some questions that we would like to have elaborated.*" - Karina Lorentzen Dehnhardt (Hækkerup and Retsudvalget 2019b)

As mentioned SF has some concerns but they mostly agree in some form or another with the implementation of the bill. But they want to make sure the overtaking of cameras can be handled properly with no risk of hacking or leaking of the footage.

Based on this debate we identified two notions of freedom; republican and negative. Republican in the sense of the concerns over data protection and handling and negative in the sense of how surveillance interferes with the citizens privacy and ability to be out in public without being surveilled. This focus appears to be correlating with their political program, where they argue for the principle of data collection. Or 'data discipline' as Lorentzen terms it('Retspolitik, data og sikkerhed' 2020).

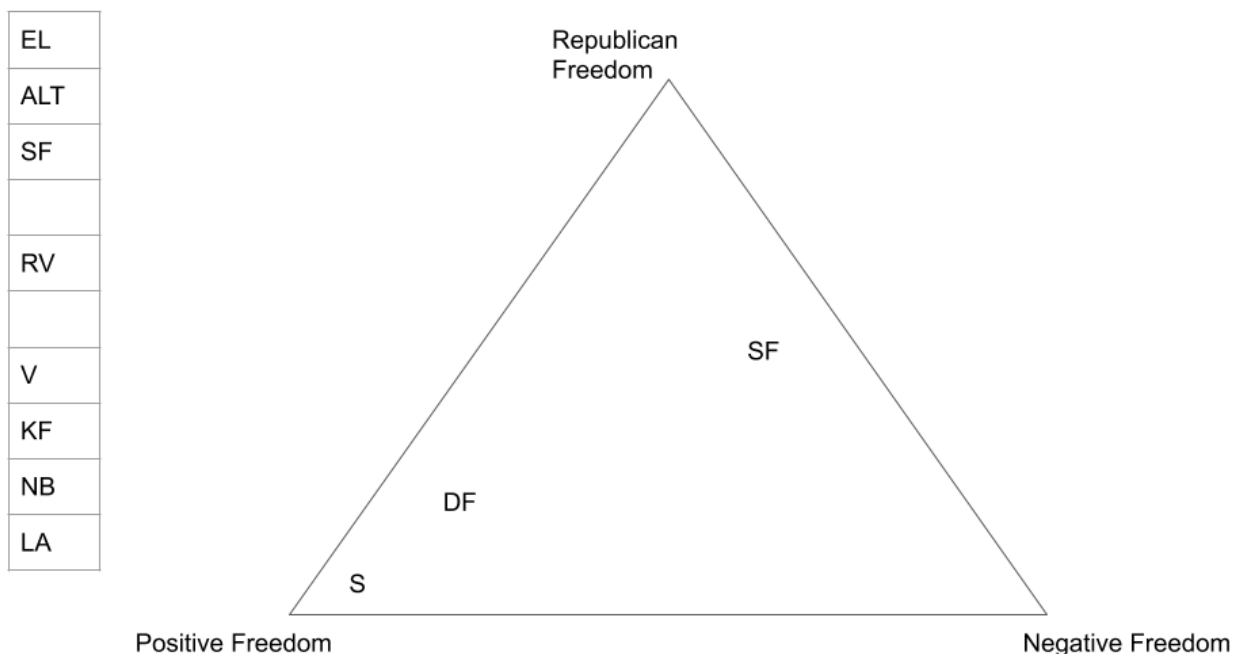


Figure 6 The placement of SF in the triangle of freedom

#### 6.1.4 ENHEDSLISTEN

EL makes it quite clear from the beginning that they do not condone more surveillance: *"We do simply disagree that having maximal surveillance results in maximal freedom - or safety for that matter."* - Rosa Lund (Hækkerup and Retsudvalget 2019a)

This exposes a different floating signifier towards surveillance in which they do not think surveillance equals more freedom as Hækkerup does. Instead they argue that equality and a short distance between state and individual are elements (in Laclau and Mouffe's terminology) in their freedom discourse:

*"(...) Our conception of freedom in Enhedslisten is not in a liberal sense. I think that equality most certainly is a prerequisite for freedom. And that is why I also believe that what creates security is that we have a strong welfare society, as people ain't that far from one another. I do not think it is surveillance that creates this safety."* - Rosa Lund (Hækkerup and Retsudvalget 2019a)

Rosa Lund makes it clear that while Nick Hækkerup believes safety is a prerequisite for freedom EL instead sees equality in society as a more important condition for freedom than safety. According to E, equality between state and citizens is important to preserve as this relation risks being distorted with the implementation of a video surveillance system granting the state control of people's whereabouts.

It is in this case, worth mentioning John Locke. He saw people as being born equally and having a moral code towards each other, bound by the law of nature.

E sees equality as a basic element of freedom which emphasizes the notion of being innocent until proven guilty. This is why they question the rationale behind increasing surveillance: *"(...) But isn't it a fundamental premise in the state of justice, that you are innocent until proven guilty? Meaning when you haven't done anything then you should not be surveilled all the time. "* - Rosa Lund (Hækkerup and Retsudvalget 2019a) We argue that this can be seen in the light of negative freedom, because they do not want cameras to interfere with the lives of innocent citizens.

EL argues against too much surveillance by *substitutionally* (van Dijk 1997, 35) referencing extensive surveillance by the Stasi police in DDR and the authorities in China and how it did not promote freedom: *"This was not the case in the DDR, where Stasi monitored its citizens; it does not apply in China. There are a lot of places where there is a lot of surveillance, but not much freedom or security."* - Rosa Lund (Hækkerup and Retsudvalget 2019a)

She acknowledges that the Danish society cannot be directly compared to those two examples, but uses it as an *addition* (in van Dijks words) to emphasize that more surveillance does not equal more freedom. EL also wants a 'sunset-clause'<sup>20</sup> to be included in the proposal.

In regard to the bill of overtaking surveillance E. acknowledges the need for such a law, but requests more transparency in relation to when such measures can be taken by the police.

*"But when that is said, there can be situations where it is of utmost importance that the police as quickly as possible get access to the video recordings from private businesses, housing associations, and others."* - Rosa Lund (Hækkerup and Retsudvalget 2019b) and:

*"It [the legislation] has to be defined clearly for how long the police takeover of the video surveillance can last. Hearing responses indicates that there should be public access to information about when and where police have taken over video surveillance."* - Rosa Lund (Hækkerup and Retsudvalget 2019b)

This fits very well with their intent of avoiding distortion in the power relation between state and citizens. They do not impose against the bill per se, but want to have more clear boundaries as when it can be used:

*"In Enhedslisten we think that the legislation lacks some clearly defined limits. On the opposite we won't reject that there can be certain situations where the police needs to have access to private surveillance"* - Rosa Lund (Hækkerup and Retsudvalget 2019b)

EL reflects their socialistic origins as their discourse contains the *element* of safety as a very vague concept which isn't being established any further making equality a *floating signifier* fighting to fill out the gap of what constitutes safety. In that way they put equality as a precursor for freedom and ensuring that state and citizens "(...)are not that far from each other". -Rosa Lund (Hækkerup and Retsudvalget 2019b)

Protecting the individual by protecting societal freedom rather than individual freedom granting the individual a freedom from surveillance and thus making society as a whole more equal through arguing against the surveillance. In this debate we see no indication that EL views the current situation as prominent enough to put the safety of society above individual freedom in a communitarian sense.

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<sup>20</sup> a provision of a law that it will automatically be terminated after a fixed period unless it is extended by law



EL's arguments also indicate that they subscribe to some form of republican freedom. This is due to the fact that they are vigilant on the potential misuses of surveillance. In the republican tradition this can be viewed as someone having arbitrary power over citizens, limiting their republican freedom: *“increased surveillance entails a registration of the law-abiding citizen’s conduct making potential abusive acts possible”* - Rosa Lund (Hækkerup and Retsudvalget 2019a).

We have placed EL between negative and republican freedom, because they do not want innocent people monitored and also fear of how video footage can be misused. However, EL are hard to place on our figure as they do in terms of surveillance are changing fairly dramatically toward the republican side of the spectrum, but they only because of their peers' history and value based politics of protecting the individual right.

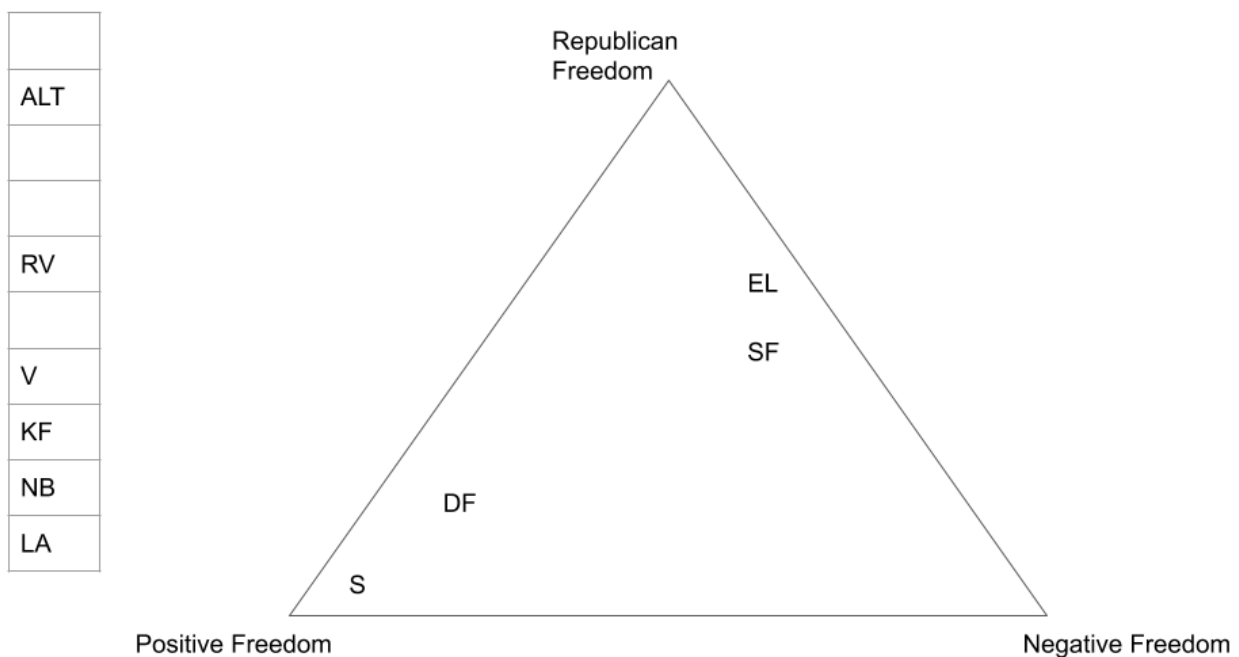


Figure 7 The placement of EL in the triangle of freedom

### 6.1.5 DET KONSERVATIVE FOLKEPARTI

Naser Khader represents KF and sees surveillance as a necessary evil in today's society. His rhetoric is implicitly fighting for freedom as a value under attack. Naser Khader is presenting and speaking of freedom in an idealising term as.

*"(...) In an ideal situation, in an ideal society, it is preferable that there is no monitoring. But we are not in an ideal situation. We have an enemy within we have some internal enemies amongst us; we have gangs fighting each other. And that is why it is extremely important that the police have the optimal tools to track these 'enemies' and criminals, so they can be prosecuted."* - Naser Khader (Hækkerup and Retsudvalget 2019a)

Khader makes the use of criminals and enemies function as a nodal point in his discourse of surveillance. Khader does not mention the concern of freedom but emphasizes that monitoring should not be used in an ideal situation.

They use the word 'enemies' to emphasize the gravity of the situation that our society is currently in. To respond to this, they feel it is absolutely necessary to give the police the resources they need:

*"Within Det Konservative Folkeparti we wish to give the police the best possible prerequisites to find the criminals, those who wish to harm society. "* - Naser Khader (Hækkerup and Retsudvalget 2019a) In this debate they do not indicate that they have any limits to the extent of surveillance, but rather that 'the more the merrier' if it can help to stop criminals. Thus, security is paramount and must be considered before freedom. The importance of the freedom of the individuals are thus downgraded (in relation to surveillance) for the society to be able to fight the enemies within.

One can say that Det Konservative have a very pragmatic stance of what freedom is for them, they want to combat anything harming the societal order, by providing the resources the police to do what they need as *"Det Konservative Folkeparti wants to give the police the best conditions to find the criminals, ie those who will hurt our society. We Det Konservative trust our police."* - Naser Khader (Hækkerup and Retsudvalget 2019a)

Their argumentation fits into a context of positive freedom in the sense that the state knows what is best for your safety and wellbeing, and that is to increase surveillance to be better at apprehending criminals. When we look at the conservatives party program, one of their goals is: *"(...) to give responsibility back to the citizens so that everyone has more opportunities to organize their lives as they wish"* (Det Konservative Folkeparti 2020)

This specific goal falls more in line with a negative conception of freedom, one without too much interference from others. But as we have shown, this does not seem to be the case when discussing video surveillance as they have an emphasis on security first and foremost rather than concerns of freedom.

Naser Khader is using a language talking about the criminals associating them with enemies of the state creating a polarisation on multiple levels. He is creating a target group for the surveillance. This creates a rhetoric way of speaking about the criminals which could imply that KF is willing to sacrifice the freedom of “non-combatants”.

The use of the word ‘enemies’ indicates the severity of the current societal situation according to KF. The word is often used in times of war, but here it is used to denote the security concerns they have, for instance in regard to gangs: *“We have gangs fight wars on eachother. And therefore it is enormously important for the police to have optimal tools to catch enemies and criminals within.”* -Naser Khader

(Hækkerup and Retsudvalget 2019a)

In general KF is much in favour of Nick Hækkerups proposal, because they find increased surveillance a necessary evil, thereby placing them in the positive liberty viewpoint.

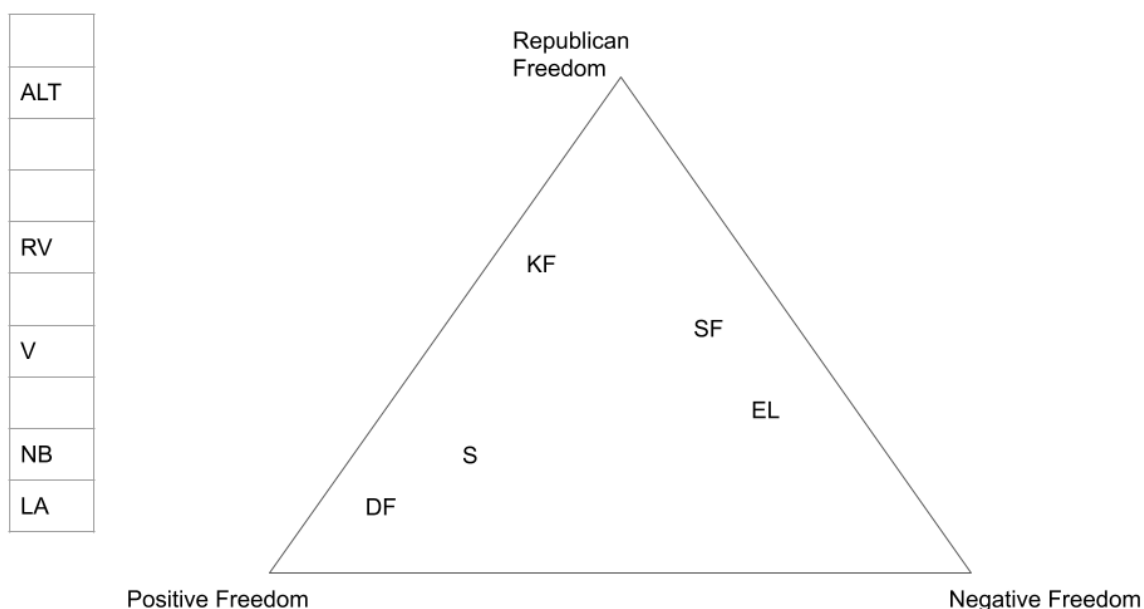


Figure 8 The placement of KF in the triangle of freedom

### 6.1.6 NYE BORGERLIGE

NB describes themselves as having a *“classic conservative value policy with a liberal economic policy and an unequivocal opposition to conventions and supranational agreements that restrict Danish people's rule”* (Nye Borgerlige 2019). They are well known for being extremely critical about immigrants, which the emphasis on ‘Danish people’s rule’ also can be argued to bear witness to.

In regard to the power of the state they say: *“We need a free people with a state protecting us and our values. A state that is strong enough to fend for the weak but too weak to break the strong.”* (Nye Borgerlige 2019).

Pernille Vermund, representing NB, articulates a concern for the freedoms of the Danish citizens, however, she still thinks the end justifies the means, i.e. that the surveillance is proportional to the situation.

*“It is however our experience that the burdens on the citizen’s freedom imposed by the current proposal is proportional with the goal which is to provide the police with vastly better possibilities of solving the many serious crimes happening. But the proposal and further initiatives in the legislative package can’t stand alone.”* -Pernille Vermund (Hækkerup and Retsudvalget 2019a)

Pernille Vermund presents foreign criminals as a nodal point in their freedom discourse and indirectly blames them for the decrease in overall freedom from interference:

*“According to figures from the Ministry of Justice’s Office of research in December 2018, four out of five gang members have immigrant backgrounds - four out of five. It's crazy that we've let it get this far. And there is no doubt that we will deploy even tougher methods, and that the Danes will experience even greater interference with their freedom if we do not seize the root of the problem and solve it from the bottom..”* -Pernille Vermund (Hækkerup and Retsudvalget 2019a)

She presents a future scenario of further limiting the liberties of citizens if the problems are not solved from the bottom. Pernille Vermund tries to steer the discourse of freedom towards the immigrant policy and consequences of those policies:

*“Decades of failed immigration policy has betrayed our society. Criminal groups and gangs of immigrants have created a lack of security in the cities. It is unacceptable.”* -Pernille Vermund (Hækkerup and Retsudvalget 2019a) To which she states that *“it*

*becomes clear that the proposal is not suitable if we wish to preserve the freedom and safety in our society.*” - Pernille Vermund (Hækkerup and Retsudvalget 2019a)

Making her willing to take measures going beyond the proposed solution as

She wants to make the discussion more about the consequences for first offenders and does not seem to reference the specifics in the bill other than they think it is proportionate.

NB's main stance on surveillance mimics KF, because they see it as appropriate and proportionate to introduce more surveillance. But while De Konservative emphasizes their intent of helping the police with all the resources they need, NB is presenting a discourse that is more about foreign policy than surveillance specifics or freedom.

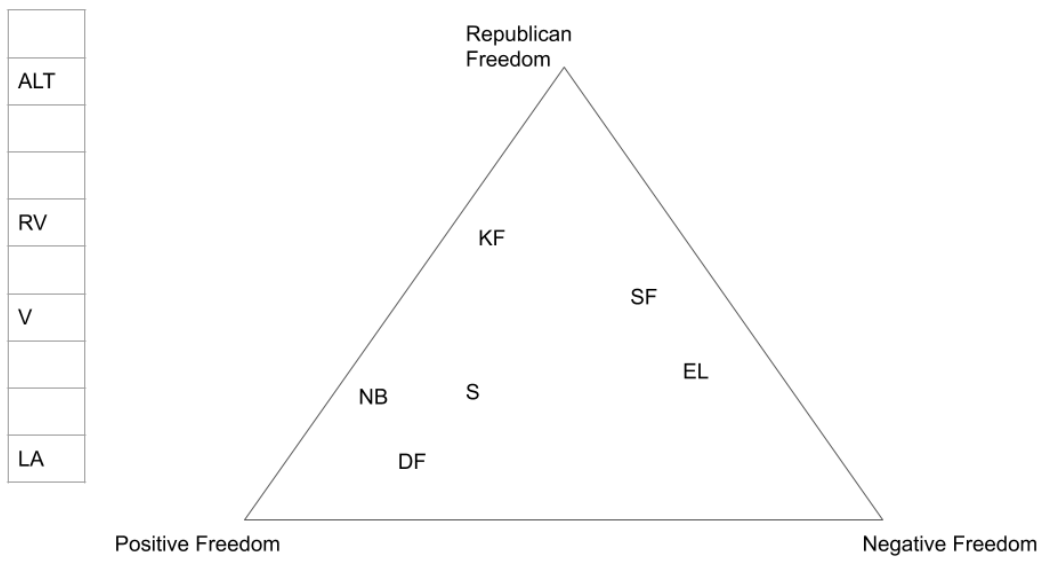
This is also something Nick Hækkerup notices in responding to her proposal and closes it down:

*“Without doing violence to democracy, I think I have to say that this issue lies at the edge of what is the subject for this proposal. Nevertheless it is the Government's view that criminal foreigners convicted in Denmark should be expelled to the greatest extent possible.”* -Nick Hækkerup (Hækkerup and Retsudvalget 2019a)

He refers to S's general stance but indicates that NB's recommendation is outside the scope of the bill in question. NB's element (in Laclau and Mouffes terminology) of foreign politics in their freedom discourse is not something Hækkerup shares but can be seen as a good example of a discourse struggle between the two parties.

This debate indicates that NB thinks that limiting individual freedom in order to catch criminals (and expel foreign criminals) is a worthy compromise and benefits society. This can be seen as an addition in the terminology used by van Dijk, providing a disadvantage to foreigners.

We therefore place them in the positive freedom category, as the state will in turn make people more free *if* enough resources are used to catch criminals with surveillance tools. Vermunds argumentation resembles Hækkerup, but she focuses more on gangs and foreign criminals, whereas Hækkerup focuses on safety in general. showing their diverse discourses fighting for dominance of what constitutes freedom.



*Figure 9 The placement of NB in the triangle of freedom*

### 6.1.7 ALTERNATIVET

Sikandar Siddique, the spokesperson for ALT, presents a clear discourse of freedom by being firmly against further surveillance and emphasizes their general disagreement by the use of *an addition* (van Dijk 1997); mass surveillance instead of simply surveillance:

*“The reason is, that the government yet again intends to expand the use of mass surveillance of the public space and ordinary citizens, despite the fact that this type of surveillance continues to be undermining for each citizen’s constitutional right to freedom and privacy”* - Sikandar Siddique (Hækkerup and Retsudvalget 2019a)

Siddique’s use of the word undermining also highlights their disagreement with the proposal. So does the addition of mentioning the constitutional rights for freedom and privacy, drawing his discourse towards fundamental rights being violated by this proposal.

Siddique also makes it clear that ALT does not share the positive freedom discourse of Hækkerup, by mentioning that more surveillance does not equal more freedom:

*“(...) we in Alternativet are firm opponents of more surveillance and illegal logging for that matter, more surveillance doesn’t mean more freedom, and it is not the society we want - not at all. The argument for the extended surveillance does not hold up.”* - Sikandar Siddique (Hækkerup and Retsudvalget 2019a)

To help their case against surveillance they point out the lack of evidence that supports the notion of how surveillance leads to less criminality: *“It is alleged that more surveillance leads to less severe crime, but there is just no research evidence for it.”* - Sikandar Siddique (Hækkerup and Retsudvalget 2019a)

They stick to their ideological roots (which is based on RV) as viewing freedom in a liberal way, i.e. with one of the basic nodal points of less power to the state and more individual freedom.

One of the cornerstones in our democracy is the right to privacy according to ALT (alternativet 2020a). As such they think it is a matter of principle to which extend the freedoms and privacy of the citizens can be restricted: *“In addition to the dubious effect of increased surveillance, it is of course also an important principle of the right to freedom and privacy.”* - Sikandar Siddique (Hækkerup and Retsudvalget 2019a) In this context they also reference some well-known cases in which they deem freedom

has been decreased, such as the burka ban, the Tibet case and the ghetto legislation.

Compared to some of the other parties they flip the argument of more surveillance on its head, by pointing out how individuals must be protected by encroachment from the state and not only from criminals:

*“Every democratic society is of course obligated to protect its citizens against abuse this includes abuses from the state. Here changing governments seem to be completely blind for the apparent paradox, that the more you protect your citizens the more you move into a growing degree of undermining the freedom and state of justice, the state has obligated to protect.” - Sikandar Siddique (Hækkerup and Retsudvalget 2019a)*

This is a clear example of Berlin's idea of the paradox of positive freedom, which ALT is concerned about. When a state for instance believes they know what's best collectively and makes the most rational decision on behalf of everyone, they risk targeting the one's they are actually trying to protect (Carter 2019).

ALT fears that more surveillance will mean disregarding the fundamental right to privacy and freedom and that the price to combat crimes is simply too high for the individual. On their webpage we can find evidence that state their plan of getting certainty to the debate regarding video surveillance, intelligence and counterterrorism. They wish to bring it before a commission with the intent of having a broad investigation of the area due to a lack of evidence that exists today (alternativet 2020b).

We argue that ALT tries to promote the negative conception of freedom where the state does not interfere with the privacy and freedoms of the Danes. They see it as fundamental rights that should not be neglected on the basis of better tools to catch criminals.



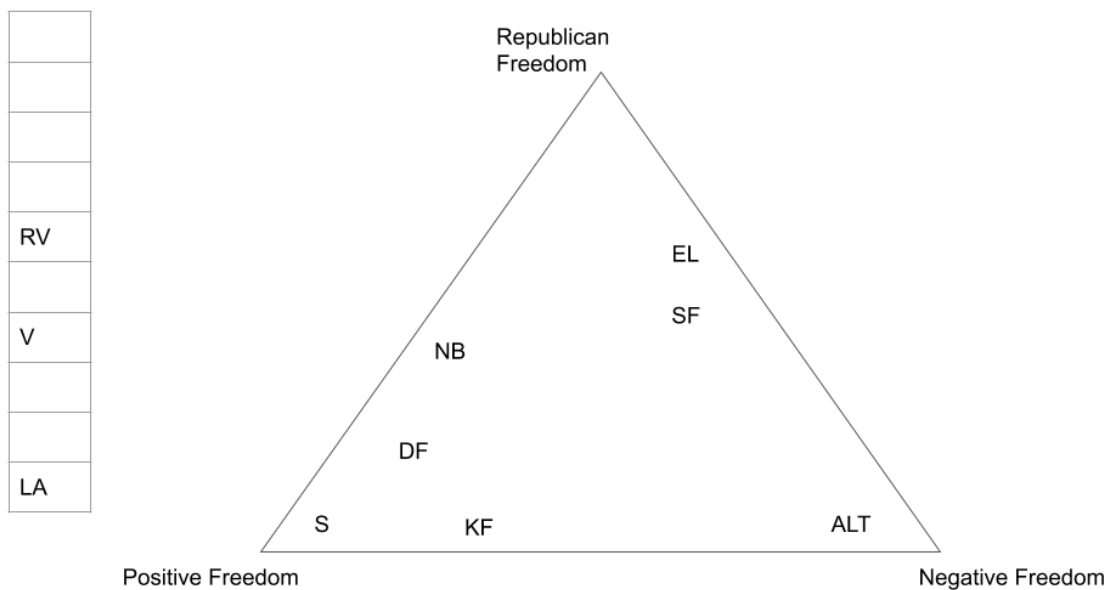


Figure 10 The placement of ALT in the triangle of freedom

### 6.1.8 DET RADIKALE VENSTRE

Similar to ALT, RV represented by Kristian Hegaard is firmly against further surveillance and questions the rationale of Nick Hækkerup; that more surveillance means more freedom:

*“How can it be freedom for the innocent Dane who have never thought of doing anything illegal and never will, that there all of a of sudden will be a significant rise in surveillance where only the privacy of the home is the limit(...)” - Kristian Hegaard (Hækkerup and Retsudvalget 2019a)*

He also makes it clear that for him this debate is a struggle for freedom and whether or not fighting evil is a legitimate reason to decrease freedom *“Today we are in a fight for freedom. Today we discuss whether we will give up our own principals and values in the fight against evil”* - Kristian Hegaard (Hækkerup and Retsudvalget 2019a) Furthermore he is concerned with the potential misuse of surveillance of the innocent

*“So in that way, if you add up the different private’s or public’s recordings and the wrong people gain access to it, they have full access to other people complete whereabouts”* -Kristian Hegaard (Hækkerup and Retsudvalget 2019a)

This indicates a concern for republican freedom, where the importance of non-domination is the central idea. Kristian Hegaard emphasizes multiple times throughout the debate how surveillance targets the innocent citizen which he thinks is a fundamental problem. He argues that more surveillance will make people less safe (contrary to Hækkerups argumentation) by presuming that everyone is a criminal as soon as they leave their home:

*“That is certainly something that brings a sense of insecurity; the fact that we need to roll out massive mass surveillance, the fact that you are surveilled when you go to buy strawberries (...) This builds on the presumption that everyone is a criminal, as soon as they have left their home, and that is seriously something that causes insecurity.”* Kristian Hegaard (Hækkerup and Retsudvalget 2019a)

He also underlines his viewpoint of surveillance by using the phrase ‘mass surveillance’ and not just ‘surveillance’. Based on the debate RV stands firmly on the principle about being innocent until proven guilty and the innocent should not be the target of surveillance from the state.

RV’s freedom is questioning how the ordinary social action of simply walking down the street becomes an affair for the state’s surveillance.

According to the basic principles of law, as mentioned in the UN human rights declaration<sup>21</sup>

People are considered innocent until proven guilty. This is a fundamental right which is adopted into the European human rights legislation and into the Danish law (Justitsministeriet 1998) This is considered one of the underlying pillars of how freedom should be perceived within the EU. Kristian Hegaard points out the disregard for these principles (a *deletion*) and thereby seems to argue for a viewpoint, where the rights of the individual is placed in higher regard than the concern for the collective community.

He is also concerned about the bill which allows police to overtake video surveillance if the crime being committed has the minimum penalty of 6 years in prison or more. He grounds this in the fact that many felonies have the potential of a penalty of 6 plus years, meaning that the legal basis of overtaking surveillance can be used in many situations, which worries him. He wants to have the bill applied to fewer potential felonies:

*“When you disregard chapter 12 and 13 of the Criminal code, then there are more than 40 felonies with a penalty of 6 years or more. This means that there are a vast amount of crimes committed every day which could grant the police the ability to overtake surveillance immediately”* - Kristian Hegaard (Hækkerup and Retsudvalget 2019a)

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<sup>21</sup> Anyone charged with a criminal offense has the right to be considered innocent until his guilt has been proven by law through a public court proceeding under which he has obtained all the guarantees necessary for his defence. (Amnesty 1948)

His view on the matter can in some way be considered fear of neglecting republican freedom. He fears that the overtaking of surveillance becomes too loose and uncontrolled, as it can be used in more than 40 different situations. He thinks this is too broad a frame and more precise criteria should be accompanied with the bill.

*"With so many cases, the government must understand that it gets out of hands and becomes totally transparent when the police can do these immediate takeovers."* -

Kristian Hegaard (Hækkerup and Retsudvalget 2019b)

As mentioned, Kristian Hegaard argues that the frame of when the law applies is too wide. This can be seen as positive freedom, where the state takes the rational choice to protect the individual, but at the same time also neglects the freedom of those individuals and thereby becomes more authoritarian in nature. This positive freedom paradox can be seen in Kristian Hegaards argumentation where he fears for the human cost of freedom when implementing these surveillance technologies.

*"We do not gain freedom by giving up on it. With most possible video surveillance most possible freedom doesn't naturally follow. Cameras on each street corner doesn't make you free, if you let cameras catch you singing false or that you have found a flirt you have not told your associates about. And if most possible surveillance gave most possible freedom then China would be the most free country in the world but I firmly don't think anyone in here would think they are. In other words surveillance does not bring more freedom it brings less."* - Kristian Hegaard (Hækkerup and Retsudvalget 2019a)

RV's *discursive field* of freedom is clearly exposed in the above citation, where they challenge Nick Hækkerups original idea of freedom, by applying the same logic to the country of China and showing how surveillance therefore not can lead to more freedom. Hegaard use the same "Erasmus Montanus"<sup>22</sup> logic that Nick Hækkerup himself was accused of following when he pronounced that more surveillance leads to more freedom. They are challenging the underlying logic of freedom provided and imposed by the state, making it possible for individual freedom to be given by the state through the positive idea frame.

We argue that De Radikale adheres to the notion of both negative and republican freedom. Hegaards speech makes it clear that they find video surveillance interfering (e.g. he refers to the possibility of buying strawberries in peace and quiet) and believes that surveillance presumes that everyone is a criminal. We consider this an

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<sup>22</sup> The story of a man who went to the city to teach reasoning and logic. He takes the logic home with him where he presents the argument "A stone cannot fly. Morlille cannot fly. Ergo is morlille a stone." ('Erasmus Montanus' 2020; Munk-Petersen 2014)

argumentation for non-interference. In regard to the bill about overtaking surveillance cameras, Det Radikale wishes further protection and more transparency, which resembles republican freedom and the idea of protection through non-domination. An interesting thing to notice is that EL also disagrees with Nick Hækkerup about what promotes safety and what does not. As mentioned earlier they see safety as a result of a strong welfare state where the state and its citizens are as equal as possible. Hegaard argues instead that safety comes from the lack of surveillance from the state, a lack of dominance. However, Kristian Hegaard and Rosa Lund agree that freedom cannot be the result of the proposed bill. Freedom must be prioritized as a principle to protect, according to RV.

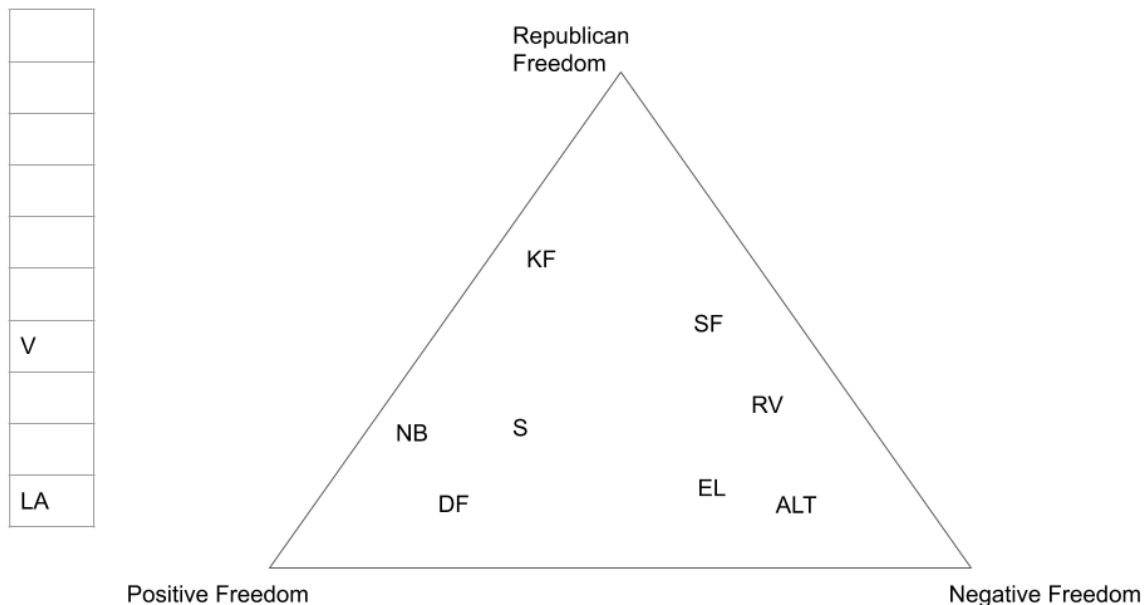


Figure 11 The placement of RV in the triangle of freedom

### 6.1.9 VENSTRE

Overall Venstre is positive of the bill of increased surveillance, but has several doubts about some of the details of it. The party is willing to break with their understanding of freedom above security as a means to keep the society safe. Compared to KF, V articulate their worries about the potential consequences of surveillance to the privacy of citizens:

*“When looking at the proposal, it has to be said that we are pushing forward in relation to private companies and their possibility of doing surveillance but just as much as the public's possibility of doing surveys. The balance between crime solving and the privacy of the individual is of course a balance. We have to figure out a way to balance it.” - Inger Støjberg (Hækkerup and Retsudvalget 2019a)*

They are arguing within the framework of positive freedom, but at the same time acknowledge that increased surveillance must be planned very carefully to avoid a totalitarian surveillance society. In its current form, V believes that a negotiation must be conducted before they can conclude whether or not they should vote for the bill. As the only party, V also mentions how video surveillance (according to them) can not only catch guilty criminals, but also acquit innocent citizens. Regarding the bill about overtaking cameras, V finds that sufficient precautions have been made to ensure constitutional rights for the citizens and therefore completely approves that particular bill:

*“We are of course fully aware that the takeover of video surveillance in a designated company or authority resembles a breach of freedom rights. But with this proposal we still believe that a completely proper balance has been found”. -Inger Støjberg (Hækkerup and Retsudvalget 2019b)*

This can be seen as an acknowledgement that the bill does not limit the republican freedom for the citizens because it is sufficiently controlled by regulations and that the means justifies the goal of combating criminal gangs.

V is willing to limit some of the freedom enjoyed by citizens, in order to give the police better opportunities to stop ongoing terrorist attacks for instance. Inger Støjberg express this lack of protection for individual freedom as:

*“For us in Venstre it is important that we do everything we can within the frame of the state of justice to hinder terrorist attacks and to fight criminal gangs, every citizen needs to be able to walk around safe and secure in the same way as the rest of society.” - Inger Støjberg (Hækkerup and Retsudvalget 2019a)*

In regard to the bill about increased surveillance, V wants to discuss and negotiate several elements of the bill, which are questionable according to them. They are for instance concerned about the supervision of these new initiatives “*And who is going to make sure that the rule of 30 days is kept?* [referring to a storage period for video surveillance limited to 30 days]” -Inger Støjberg (Hækkerup and Retsudvalget 2019a)

This can be viewed as trying to ensure republican freedom, where those with recorded video footage cannot use their power over others. V would normally be considered a liberal party with liberal values protecting the individual’s right for privacy and for the state not to interfere too much. However, in this regard they see video surveillance as a good solution for catching criminals, but at the same time it should not be overdone. ” *On the other hand we at Venstre of course, just like the other parties, don’t want a surveillance society.*” - Inger Støjberg (Hækkerup and Retsudvalget 2019a)

Compared to RV, V does not stand as firm on the principle of constitutional rights and argues that surveillance has its benefits as long as it is proportionate. Based on this analysis we place V between republican and positive freedom, as they concern themselves with non-dominating initiatives, but still to some degree, approve of state-controlled video surveillance.

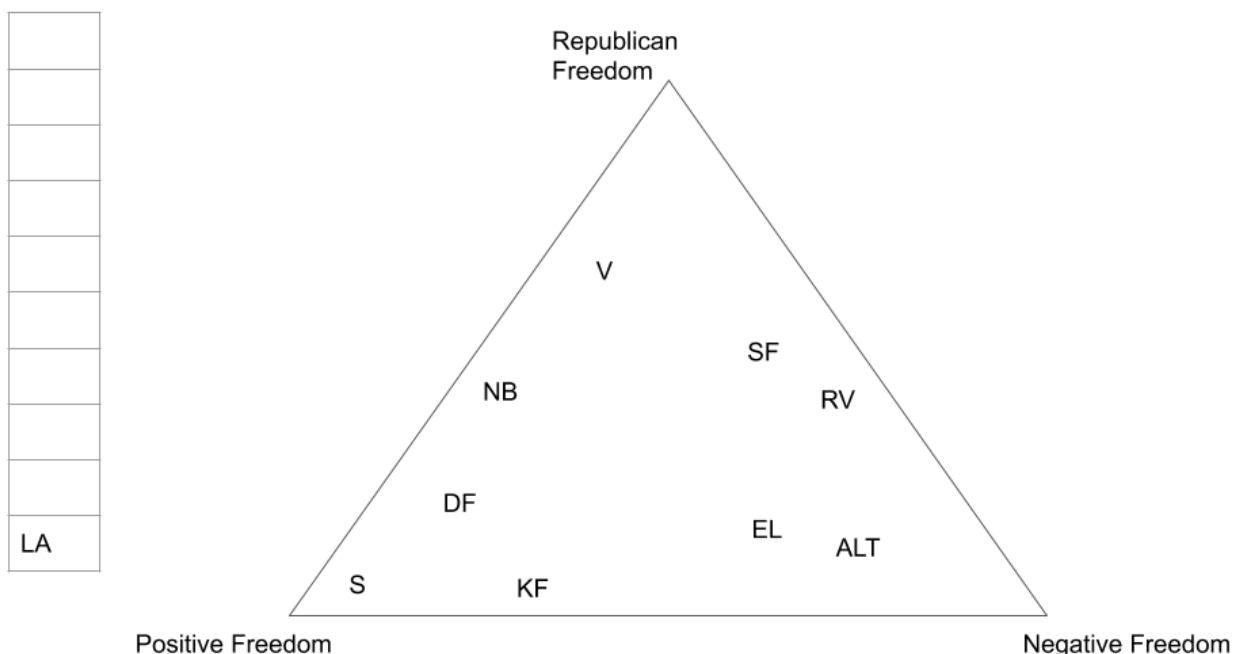


Figure 12 The placement of V in the triangle of freedom

### 6.1.10 LIBERAL ALLIANCE

LA is from the beginning quite sceptical establish themselves on the battlefield of discourses with a scepticism having a very strong belief in a nodal point of a state of justice as they disagree with the further increase of video surveillance, which falls in line with their traditional strong liberal ideology:

*“In Liberal Alliance we stand firm together with the rest of the real opposition i.e. the government’s supporting parties and we have a whole list of concerns regarding the continuous expansion of competences to do more and more surveillance (...)”* - Alex Vanopslagh (Hækkerup and Retsudvalget 2019a)

They are not strictly against surveillance, but do not think the evidence is clear that surveillance has the desired effect and thus is an appropriate tool to expand upon.

*“It is not because we are strictly against giving the police the right tools to solve the crimes which have to be solved, providing these tools are just fine, but if you do this there is a need for documentation. Firstly, there is a need for the tools to have an effect. Secondly there is a need for legal security of citizens to which we have three concrete proposals for the law to be even more edible.”* - Alex Vanopslagh (Hækkerup and Retsudvalget 2019a)

His wording of how this bill (with changes) can become more edible is a clear indication of their stance concerning too much video surveillance.

LA stand firm on their ideological grounds in regard to individual freedom as something you do not tamper with without sufficient documentation for initiatives that can be detrimental for freedom. At the same time, they do recognise the need for the police to have tools in order to combat criminal activities, but they want the tools to have a documented effect and otherwise be withdrawn:

*“For the third there is a need for, maybe not a sunset clause, but at least an evaluation every year, documenting the data empirically and not just histories told by the police, evaluating the effect of video surveillance and the power granted to the police. If the effect is not present, then you should roll back the legislation.”* - Alex Vanopslagh (Hækkerup and Retsudvalget 2019a)

They also want citizens to be able to complain and thereby retain some individual rights *“The first thing would be to ensure that citizens have the right to complain about unjustified surveillance (...).”* - Alex Vanopslagh (Hækkerup and Retsudvalget 2019a)

Furthermore, they want surveillance not to be used in relation to minor felonies or other purposes (for instance benefit fraud). LA was not part of the debate about the bill regarding overtaking cameras, so we do not know their stance on that matter. LA focuses most of their argumentation on how this bill can provide enough protection for the citizens. Therefore, the discourse they use is more in line with republican freedom (which has protection as a central element). Being in line with the other parties who are not in favour of the bill, we also argue that they articulate a sense of negative freedom; the government should only interfere if it truly makes sense in the given circumstances.

They are also the only party to directly mention that the bill should be evaluated in the future, to make sure that the increased surveillance has worked as intended, perhaps to avoid a slippery slope for more surveillance creeping in regularly.” (Hækkerup and Retsudvalget 2019a)

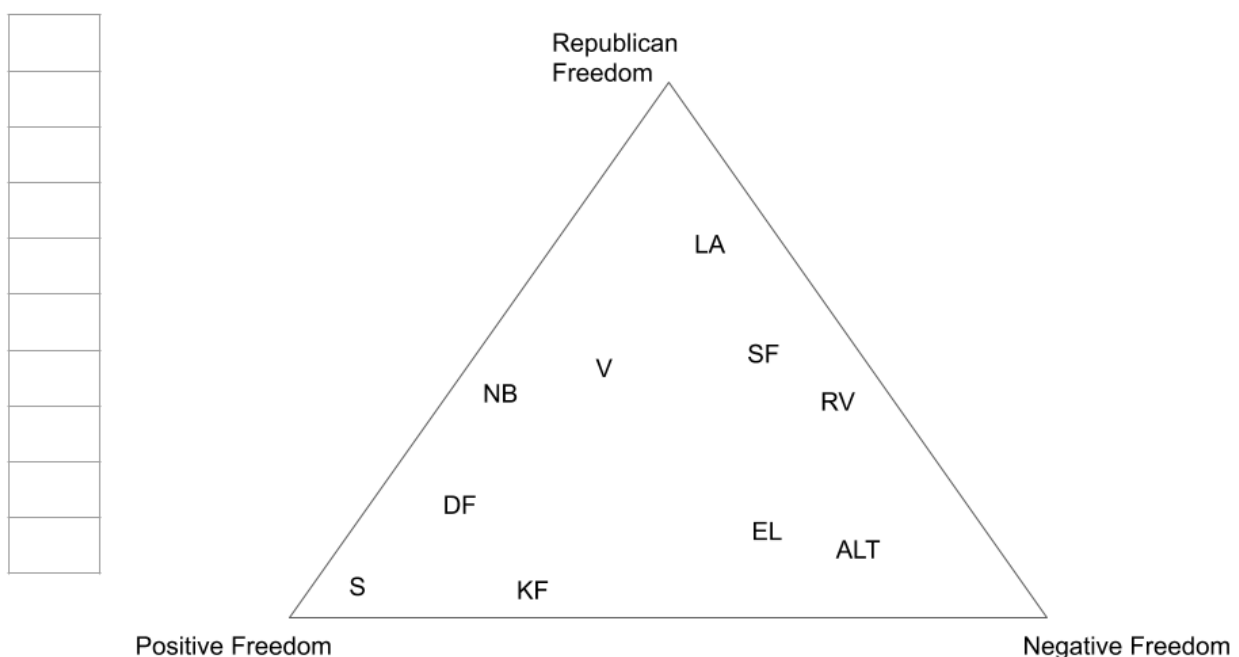


Figure 13 The placement of LA in the triangle of freedom



### 6.1.11 ANALYSIS OF JUSTITIA - HEARING STATEMENT

In our overall analysis we want to bring to light how discourses of freedom are being formed and shaped by different actors in relation to talks about surveillance. Their voice in the fight for discourse is important as they don't have an obligation to voters and consider themselves as an independent think tank making them less biased subscribing to a discourse based in their legal definitions rather than based in ideology.

The analysed material is that of the independent think tank Justitia, who responds to the proposed bill by the Ministry of Justice. They underpin that their answers are not a legal analysis of the compatibility of the bill with certain existing laws, due to a short time span for elaborating concerns.

The hearing statement is concerned with two areas of the proposed changed legislation. These are the same two areas that our political analysis has centred around, and is about the law of video surveillance and the administration of Justice Act (L-102 and L-103).

In our analysis below we will try to extract citations that can expose their underlying discourse of freedom. Using Fairclough's concept of the order of discourse<sup>23</sup> we can say that Justitia's statement belongs to a social domain of legislation.

Discursive practice and text analysis are very much linked together so we have written the two sub analyses in one section:

#### *Discursive practice and text analysis*

Justitia is a think tank concerned with legal rights and freedoms ('frihedsrettigheder'). Their organisation is named after the roman goddess of justice; Justitia. Their overall goal is to promote the fundamental values of legal rights and freedoms<sup>24</sup> and make sure that those values are being considered when new law is proposed and in the public debate in general (Justitia 2020) Consequently the text is produced with a legal vocabulary and always with the perspective of how the bill might affect legal rights and freedoms.

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<sup>23</sup> Order of discourses consists of discourses and genres in Fairclough's later work. To keep our analysis more streamlined we will mostly point to discourses when writing about 'order of discourses' with inspiration from Jørgensen and Phillips work (Jørgensen and Phillips 1999, 80)

<sup>24</sup> Freedoms is the exact translation of the Danish word: frihedsrettigheder

As such it appears that the text is produced with the intent of trying to qualify the debate and produce a reasoned argument in the public debate by focusing on the awareness of people's individual rights. They also provide concrete suggestions of how to introduce the legislation while ensuring sufficient legal protection for the individual.

In general Justitia's text does not indicate that they are against video surveillance per se, rather that it must be proportionate to the purpose it aims to solve, because they believe being recorded intervenes with the freedoms of the citizens:

*"There must be, as described earlier, be raised doubts whether such a significant expansion of the access to TV-surveillance is an effective and suitable tool to gain the wanted goal, and whether it is a proportionate intervention in the citizen's freedoms"* - Jacob Mchangama (Mchangama 2020b)

To prevent needless video surveillance, Justitia argues that video surveillance is not effective in preventing serious crimes, by referencing a study (Piza et al. 2019). In Fairclough's words, Justitia's text is intertextual, as they use other texts as influence in their work and in this case to strengthen their argument:

*"As far as reaching the goal of preventing crime a recent meta study showed, that TV-surveillance does not have a measurable effect on violence and disorder"* - Jacob Mchangama (Mchangama 2020b)

By using a reference like this Justitia promotes a discourse about the ineffectiveness of surveillance and then uses this discourse to question whether surveillance is then the appropriate solution for preventing crime and if it matches up to the intervention in citizen's freedom.

During the statement Justitia draws on a different discourse to strengthen their arguments against too much surveillance and their concerns about possible face recognition technology in the future.

This other discourse is about how the police have not handled tele data and DNA evidence sufficiently in the past.

DF has showcased in the debate that they are interested in facial recognition technologies as well, but without any regards for potential consequences to freedom. In terms of layout Justitia is presenting their answers in a very systematic form with clear individual sections for every point such that the reader can easily follow their argument and see which part of the bill they are commenting on.

They use a consistent and formal language, which is to be expected because of the

legislation basis the text is based off.

In this example they use the word 'must', when they could have used a less deciding word such as 'can'. This implies that they see the bill as troubling and not something that should be approved without more scrutiny.

In the same sentence they see the bill as changing the current surveillance landscape in a substantial way when they use the word 'significant' to describe the expansion of the access to video surveillance.

Despite referencing some recent unfortunate events for the police, Justitia does not promote a discourse that demeans the police. On the contrary it appears that they put great faith in the police and their capabilities. When commenting on whether the police should be allowed to overtake surveillance in extraordinary circumstances by themselves, they write:

*"The provision also provides for the police to make a decision to take over television surveillance if the purpose of the intervention would otherwise be wasted".* - Jacob Mchangama (Mchangama 2020b) And to conclude they write:

*"Based in this Justitia regards the proposal with what must be concerned as proper legal guarantees for the citizen."* - Jacob Mchangama (Mchangama 2020b)

This also sums up their overall goal of ensuring fundamental rights and freedoms for the citizens and preventing a distorted relationship between citizens and the state (Hækkerup and Retsudvalget 2019b)

## **Social practice**

When considering whether Justitia changes an order of discourse with their hearing statement, we argue that they try to alter the discourse of the effectiveness of surveillance.

They produce a discourse of how careful the government must be in implementing additional surveillance in society and how the balance between state and citizens must be kept in check. It is evident when they mention the dangers of a slippery slope regarding surveillance and its use on other types of crime:

*"Likewise, there is a risk that proposals like this can make way for surveillance being implemented on other areas and forms of crime than those currently targeted by the bill"* - Jacob Mchangama (Mchangama 2020b)

They want to avoid having more surveillance than absolutely necessary and aim to prevent a distortion of the relation between state and citizens:

*“Furthermore it is noticed that the increased surveillance in the public space can create suspicion of citizens and thereby creating a risk of distorting the relation between authorities and citizens” - Jacob Mchangama (Mchangama 2020b)*

### **Justitia's view on freedom**

Justitia does not explain what *they* consider to be freedom. However, by considering some of their concerns in the statement and reflecting on what we already have analysed it is possible to make an argument of what type of freedom they adhere to. One of their concerns is the ability of the Ministry of Justice to decide on their own who is allowed to set up surveillance and where. We consider this a very clear example of Justitia leaning towards a republican notion of freedom. In the republican view, freedom is sought through non-domination and non-domination can only exist if there is no arbitrary power capable of exerting such dominance. With this bill Justitia seems worried that the Ministry of Justice will get such arbitrary or uncontrolled power to decide on matters that potentially can intervene with the freedom of the citizens.

This can also be framed as a positive liberty view, because Justitia thinks it is important that the Ministry should not have such power, instead it should be within parliamentary control and as such a democratic decision. A more democratic decision-making process is about giving citizens more control over their own society and thus promoting some form of positive liberty

Another example of Justitia's concern about arbitrary power can be found in the following sentence:

*“A guarantee that surveillance is not used to combatting milder forms of crimes and/or totally different purposes e.g. control of payments of social payments” - Jacob Mchangama (Mchangama 2020b)*

They fear that surveillance as a technology becomes an easy means to expose more mild crimes, than what it was intended for. This again points to freedoms for citizens that take a point of departure as a non-dominating form. Based on this hearing statement Justitia does not share the exact same discursive framing as Hækkerup does. He views freedom as a result of surveillance (and hence safety), whereas

Justitia solely considers how these bills will impact the rights of the citizens and are thus more concerned with protection in general.

To help create an overview of how Justitia understands freedom we will introduce some of Mouffe and Laclau's concepts in relation to the hearing statement. As mentioned previously one of their terms are nodal points. They should be seen as 'empty' words until people start giving them value and meaning by relating them to other words (*elements*). For instance, (human) tissue only makes sense in relation to the human body (Jørgensen and Phillips 1999, 37–38).

If we choose 'freedom' and designate it as a nodal point in the hearing statement from Justitia, we can try to relate some of their conditions for freedom as expressed in their text.

- Privacy in public
  - They see it as freedom-limiting if public spaces are monitored and want to limit this as much as possible.
- Possibility to complain about unwarranted surveillance
- Re-evaluation of the effectiveness of increase surveillance
- No single authority should be able to decide who can monitor and where, uncontrolled.

These points can be considered *equivalence chains*. They together give value to the meaning of freedom seen by the perspective of Justitia. By communicating these values Justitia are trying to produce a specific discourse of freedom.

Justitia argues for the protection of the rights of the citizens, but which rights they specifically mean can be difficult to extract when they write: "*fundamental principles of the state of justice and freedoms.*" - Jacob Mchangama (Mchangama 2020b) However, a clue can be found in the European Convention on Human Rights as "Everyone has the right to freedom and personal safety, and may never be deprived of these rights except [...] by law [...]" (European Union 1950, 2) and the "*The right to privacy and family life*" (European Union 1950, 3) with no government having the right to intrude on it unless it is for national safety, public safety, economic welfare, to prevent violence or crime, healthcare or in case of other citizens freedom being in danger.

Justitia is mostly concerned with providing sufficient protection for the citizens in terms of constitutional rights and we therefore place them close to the notion of republican freedom within our triangle. They wish for the politicians to protect the rights of the citizens and thereby promote republican freedom.

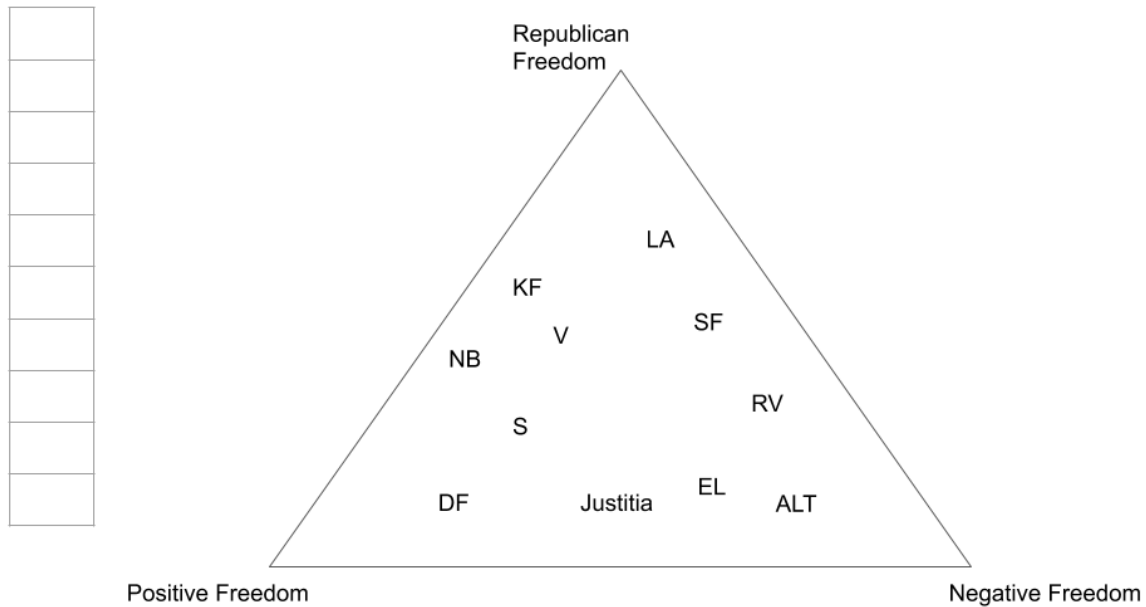
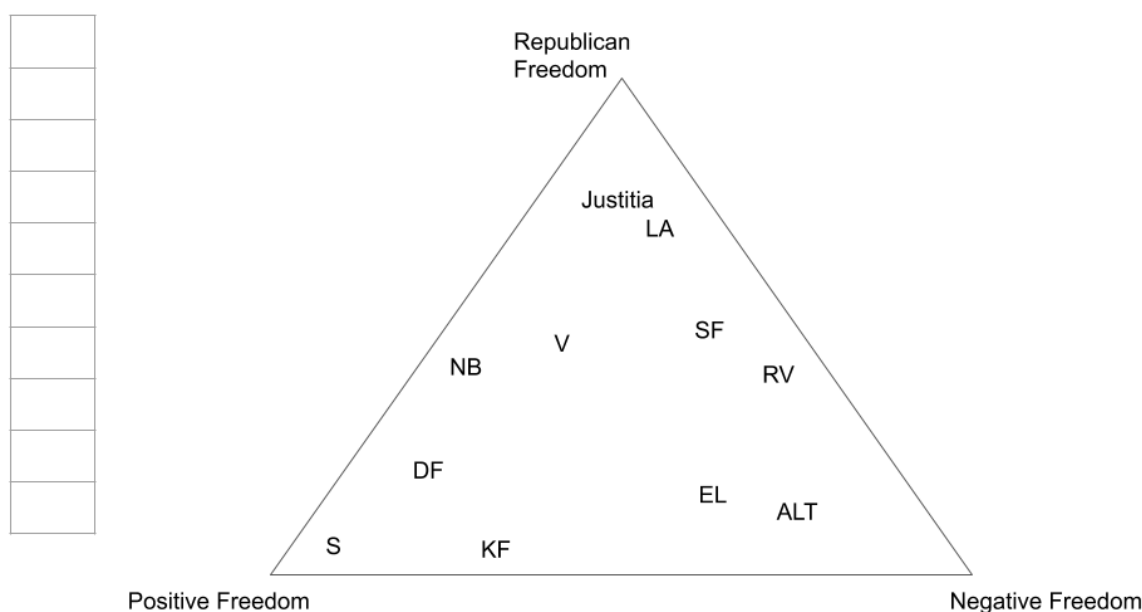


Figure 14 The placement of Justitia in the triangle of freedom

## 6.2 ANALYSIS SUMMARY

Through our analysis it is clear that freedom acts as a fluid concept with discourses battling for the dominance of the conception of freedom. The discourse of freedom in parliament and in the hearing statement constitutes itself across all three notions of freedom in varying degrees. In the figure below we have placed all the actors according to our analysis, to provide an overview of the different underlying discourses of freedom that they express.



*Figure 15 The placement of all political parties incl. Justitia in the triangle of freedom*

Flyvbjerg argues that complex narratives can be difficult to summarize into a comprehensible form. However, this complexity should not be seen as a drawback, but rather as a sign of something interesting. We have seen similar challenges with our analysis as the field of discourses are vast and difficult to navigate and delimit.

In the following discussion we will classify the various clusters in our triangle with inspiration from the article “*Does ideology matter for surveillance concerns?*” (Nam 2017) based on his categorisation of ideologies. This will make our findings more edible, while still being complex and interesting.

## 7.0 DISCUSSION

As mentioned above we will deploy Nam (2017) as a point of reference we will draw on, in some of our discussion points.

Combining prior studies Taewoo Nam (2017) created a matrix of ideological dimensions, which categorize ideologies and their stance towards some fundamental considerations. (Nam 2017) He then used specific online surveys to examine how people from each ideology responded to surveillance concerns. In our context we will not use his final results (which is also based on data surveillance concerns and not video surveillance), but instead draw inspiration from his aforementioned matrix pictured below:

<div style="display: flex; justify-content: space-between;"> <div style="transform: rotate(-45deg); white-space: nowrap;">Maddox &amp; Lilie (1984)</div> <div style="transform: rotate(-45deg); white-space: nowrap;">Swedlow &amp; Wyckoff (2009)</div> <div style="transform: rotate(-45deg); white-space: nowrap;">Janda et al. (2002)</div> </div>			Less support for government intervention in economic affairs	More support for government intervention in economic affairs
			Less support of economic regulation	More support of economic regulation
			Value freedom more than equality (freedom > equality)	Value equality more than freedom (freedom < equality)
			<b>Conservatives</b>	<b>Communitarians</b>
Less support for expansion of personal freedom	More support of social-moral regulation	Value order more than freedom (freedom < order)	<b>Libertarians</b>	<b>Liberals</b>
More support for expansion of personal freedom	Less support of social-moral regulation	Value freedom more than order (freedom > order)		

*Figure 16 The typology of ideological dimensions (Nam 2017).*

This matrix shows how Conservatives, Libertarians, Communitarians and Liberals perceive the different government related initiatives. We will use this matrix as a basis to categorize the political parties and Justitia. Because of our critical case approach in relation to freedom, it is only a narrow part of the matrix which is relevant for our project. We have therefore focused on the dimensions of order/freedom and freedom/equality. If the other dimensions were expressed or referred to in some way during the debate, we have take that into consideration as well when categorising the actors. In regard to the equality/freedom dichotomy, we define it as the relationship between state and citizens and not to be misunderstood as citizen to citizen.

This means in practice that Libertarians and Liberals are similar (in our context) and hard to distinguish, and the same can be said for Conservatives and Communitarians.



To make the figure more clear in combination with our own freedom scale, we have colour-coded the four ideologies:

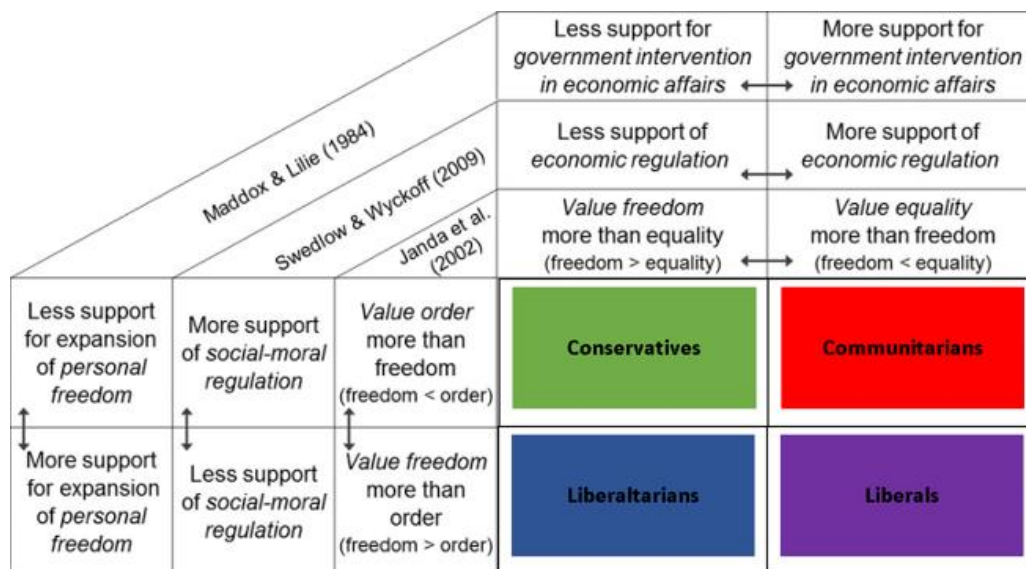
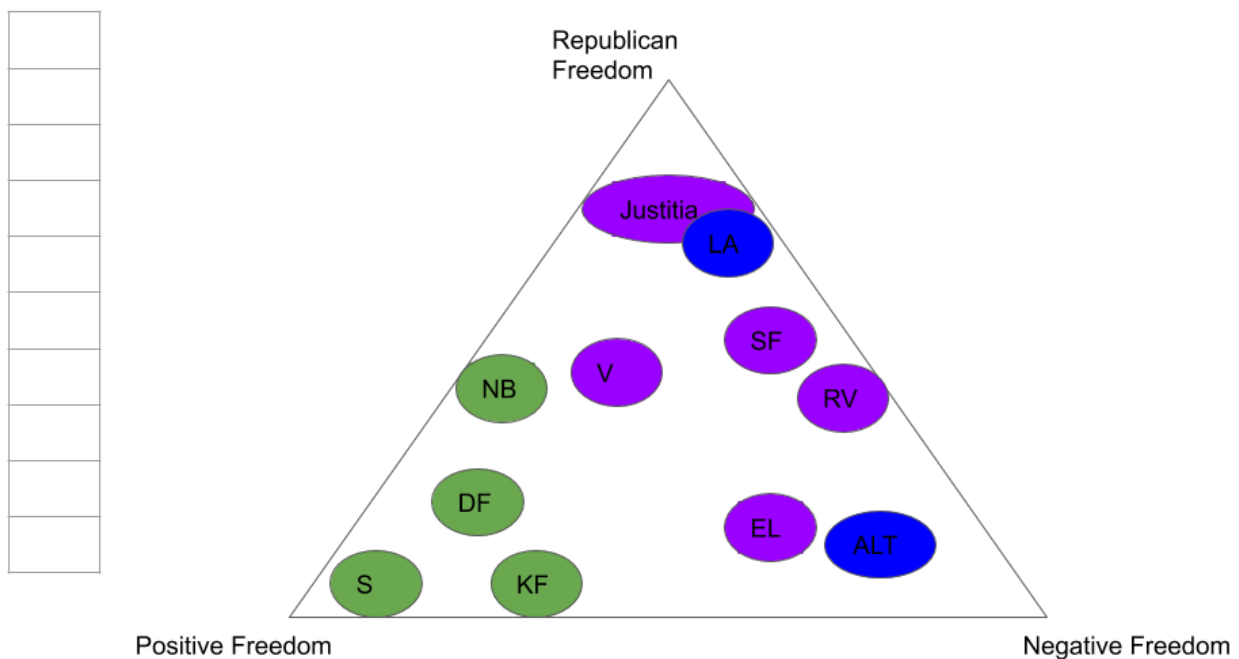


Figure 17 The typology of ideological dimensions colour-coded by us

Based on our analysis, we find that the following holds true for the different actors in the context of the surveillance discourse:

- S are Conservatives, as they see safety (order) as necessary before freedom can be obtained.
- DF are Conservatives, as they also view order in high regard (despite some concerns of freedom) and they are interested in potentially providing more order through the use of facial recognition.
- SF are Liberals, as they value freedom very highly and believe in equality as seen by their opposition towards the possibility of giving the Minister of Justice exclusive rights to declare new areas surveillance-approved.
- EL are Liberals, as they see equality between state and citizens as paramount to freedom, while still being opposed to the proposal of increased surveillance and thereby values freedom higher than order.
- KF are clear Conservatives, as they value order above all else in this particular debate. They do not mention the concern of freedom, but they do say that surveillance should not be necessary in an ideal situation and implicitly talk about freedom as a value under attack (from enemies within). They resemble Socialdemokratiet in the way that order must be secured before freedom can be obtained.
- NB are also Conservatives, as they believe that surveillance tools are proportionate to the current situation. They also want offenses done by foreign criminals to be more regulated.

- ALT are Libertarians, as they strongly oppose more surveillance and point out that it is important to protect the citizens against encroachment from the state.
- RV are Liberals, as they are also strongly against further surveillance as well as placing equality in high regard. This is indicated by their argument that citizens should not feel accused of crime by being recorded. It speaks somewhat for a wish for a relative equal relationship with the state in terms of surveillance.
- Venstre are difficult to place as they put themselves just in the middle of order/freedom. They do not support the bill of increased surveillance as it stands but may do if the proper balance is found. With that caveat we think that they resemble Liberals the most.
- LA are Libertarians, as they value individual rights highly and do not condone more surveillance unless there is proper evidence that it will have the desired effect.
- Justitia are Liberals, as they value the protection of freedoms for the individual above all else and wish to prevent the distortion between state and citizens by artificial suspicion.



*Figure 18 The political parties and Justitia colour-coded by their ideological categorisation with inspiration from Nam (2017).*

## 7.0.1 LIBERTARIAN

The libertarians establish their discourse as questioning the fundamental idea of how video surveillance plays out and interferes in the physical world. They try to limit the law's effect on people's ability to move around freely in society without any external interference. An argument to be made is that the libertarian parties who argue against the implementation of video surveillance, are primarily using an argument of privacy. They have concerns of how to protect the basic right to be left alone as well as the principle of being innocent until proven guilty (Dyrn 2009). The concern stems from a right to protection provided in the social contract as the state of justice has to provide the individual with protection from unjustified forces with the task of proving guilt falling to the prosecutor. The libertarians are deliberately changing the conversation from a matter of video surveillance into talking about the principles of right to privacy.

The principles of privacy and individual freedom is seen as fundamental values for the libertarians across the different notions of freedom. LA resides in the area of republican freedom with “*clear individual rights are a precondition for a free society*” (Liberal alliance 2020) and ALT on the other hand want equality in society and protection against surveillance and abuse of personal data according to their website (alternativet 2020b). In relation to Nam (2017) this would place ALT as Liberals, but we can see that in this particular debate, they are actually more akin to Libertarians. As mentioned, LA is placed in the corner of republican freedom, however in public they are often known as one of the most liberal parties in Parliament (and thus intuitively negative freedom based). In relation to the application of video surveillance though, we can actually see that ALT (and even EL) is more keen to have as little state interference (in terms of surveillance) as possible, while having different value-based arguments for their concerns. ALT focuses on the effectiveness of the tools while EL focuses more on achieving safety through an equal welfare state.

LA is approaching the question of video surveillance in a more pragmatic way, as they acknowledge that the police need the right tools to fight crime, but at the same time they are concerned about the consequences these tools have for the individual's rights.

Nam describes a Libertarian group as having “(...) *a higher level of surveillance concerns than any other ideological group*” (Nam 2017, 3). This is similar to what we have seen throughout our analysis with them having strong ideological concerns based on what Nam terms as “*ideological understanding of privacy. Libertarians, who do not fundamentally support any type of interference or regulation, treat privacy as a right (i.e., a personal freedom) and personal commodity*”. (Nam 2017, 3) The libertarians discourse of freedom is more about protecting rights in relation to the state and less about providing security.

## 7.0.2 THE CHANGING SOCIALIST

Enhedslisten is an odd party to discuss as they have multiple traits of Communitarians within their traditional ideology. For instance they have a large focus on equality and creating equal opportunities for every individual (enhedslisten 2014). However, in terms of their stance on video surveillance we found that they place individual freedom in high regard. This can also be seen somewhat in their party program as they write:

*“We want to set humans free. Free for all kinds of oppression”* (enhedslisten 2014) Combining this with our own analysis, they actually belong to a libertarian viewpoint and a proponent of negative freedom (as they are against state imposed video surveillance).

They see that this is not possible through surveillance but instead through a strengthened welfare society and a focus of equality.

A possible reasoning for their discontent for video surveillance could be found in their political ties to the Communist party and the association to the DDR and the Soviet Union's systematic surveillance of its citizens, and the horrors followed by this would be a fearful scenario for Enhedslisten.

(‘Enhedslistens historie’ 2006)

This rationale makes their placement in the negative freedom camp more understandable, as they fear the paradox of the positive freedom and hence steer clear of subscribing to the positive notion of freedom. This can explain why they are grouping together with parties, normally associated with more liberal ideals.

## 7.0.3 THE CONSERVATIVE CLUSTER

The most clear discourse was identified in the cluster of the conservative parties. They value order above freedom and are willing to potentially sacrifice freedoms to obtain security in the society. This security will then lead to more freedom according to them and their positive freedom view (in Hækkerups conception). This can be seen as paradoxical since the very thing they want to combat is a lack of freedom due to a sense of lacking security caused by criminal gangs roaming public spaces. This can be seen for example by Socialdemokratiet saying:

*“This means, that we as a society have a responsibility to fight those barriers and inequalities that deprive some peoples’ freedom to follow their dreams.”* (Socialdemokratiet 2017)

The conservative cluster is keen on defeating this enemy no matter the cost of the very liberties they want to protect. Video surveillance acts as a simple *technological fix* showing the citizens that parliament is willing to do something about it to provide freedom and safety for the people. This is to

address an underlying assumption that people don't feel safe in public streets. As can be seen in our colour-coded triangle, S is not surrounded by some of their usual allies such as SF and RV in the debate about surveillance (Rosenkilde 2019) . Instead the other three conservative parties (translated through the use of (Nam 2017)) are NB, DF and KF. Once again this clearly shows the fluidity of freedom discourses in relation to surveillance. Many of the political parties do not follow their more traditional ideological viewpoint in this particular case and unholy alliances can be seen as a result.

Nye Borgerlige attempts to steer the discourse of freedom into a new front around the identified nodal point of foreign policy. The government and Nick Hækkerup is exercising a force of power as he swiftly shuts down their proposal and refers the topic of immigration politics for another debate. The power relation between the two parties becomes apparent with Socialdemokratiet simply sweeping it off as another topic. This leaves Nye Borgerlige's discourse of freedom and surveillance as part of immigration policy. This reduces their role in the debate as their power is inadequate to win the fight for their discourse of freedom.

Nye Borgerlige is not shy of dividing people's rights to freedom into different groups based on either their religious belonging or their ethnicity. On one hand they argue for the freedom of every innocent individual with no baseline of ethnicity or religion. On the other hand they are willing to compromise this and give up freedom for all and target specific groups who they perceive as dangerous for their idea of order. This is possibly based on what Nam establishes as '*order above freedom*' (Nam 2017). Their perception of freedom for criminal foreigners are summed up as "*Catch them, convict them and deport them*" (Nye Borgerlige 2017)

A part of this rather normative approach there is willingness to cut small bites of freedom. A reasoning for this willingness could be seen in the light of Nye Borgerlige being in a political corner with a rather small base of voters with plenty of competition on the far right.

This possibly creates a rationale for Nye Borgerlige to make their discourse of freedom a matter of immigration. Their voter base is willing to throw people out of the country based on ethnicity. This makes them willing to potentially limit specific groups' freedom further than others to which they see surveillance as a tool to do so.

Nye Borgerlige is a fairly small party and cannot afford to lose momentum on the far right. This would open up for other parties to take over their discourse. This is for example seen with the party Stram Kurs on the right and Dansk Folkeparti more in the middle of the political spectrum. Even though Dansk Folkeparti is more moderate they still have a rather strict immigration policy.

Socialdemokratiet is among other examples grounding their need for freedom in the recent bombings of public buildings This could be done to demonstrate how people are limited in their daily lives. It

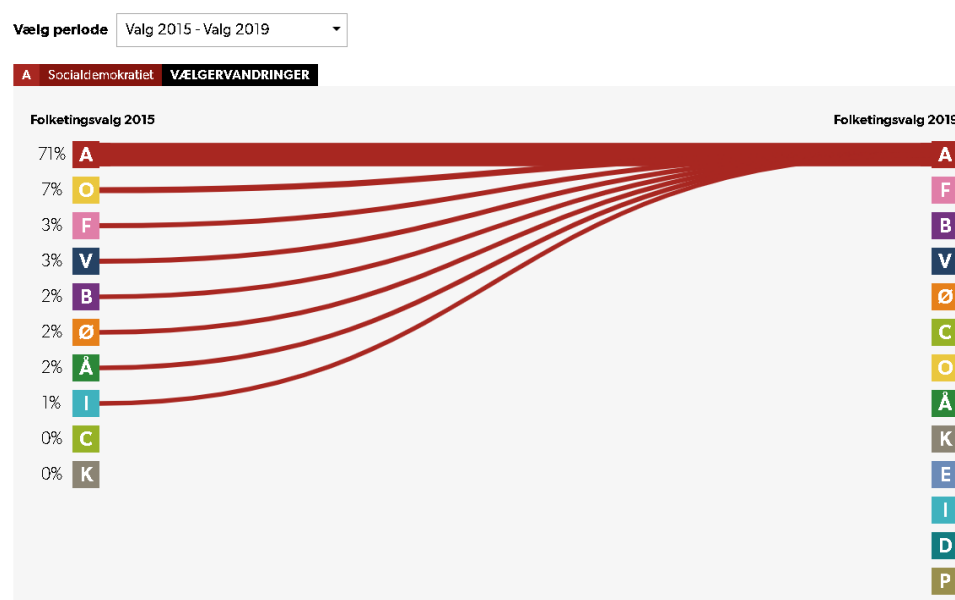
becomes an important feature for the government to be resolute and present themselves as reacting to the elements threatening public safety. They want to show that they are capable of providing more real freedom, expressed as a positive notion in Berlin's words: "(...) *bearing responsibility for my choices and able to explain them by reference to my own ideas and purposes.*" (Berlin 1958, 178)

Socialdemokratiet manifest themselves as in control as they are newly elected for parliament as of 06/06/2019 being a minority government (Knudsen 2001; Lyngbæk Olsen, Falk Lønstrup, and Bue Lauritzen 2020).

Before the election in 2019 Socialdemokratiet has been moving within the political spectrum. They have been moving towards Dansk Folkeparti, in regards to value- and redistributive policy. Socialdemokratiet is also taking over similar agendas of foreign politics, popular amongst the voters of Dansk Folkeparti (Øyen 2019).

This move into value policy is a general change in Socialdemokratiets policy as they joined the paradigm shift with the willingness of adopting what previously were Dansk folkepartis policy. Thus trying to hijack voters from Dansk Folkeparti. At the election in July Dansk Folkeparti lost upwards of 7% of their voters to Socialdemokratiet. An argument to be presented here is that Socialdemokratiet wants to be tough on criminals as with Hækkerup saying that the purpose of video surveillance is "(...) *To fight crime efficiently*" - Nick Hækkerup (Hækkerup and Retsudvalget 2019b)

The implementation of video surveillance might appeal to the voters 'returning' from Dansk Folkeparti, and act as a way to unite these voters from Dansk Folkeparti with the classic voters from Socialdemokratiet (Larsen 2019; Agerlin Olsen 2019).



The proposal of more surveillance could be seen as a more practical way of targeting foreigners and gang criminals as they are upwards of 3.5 times more likely to be convicted for violent crimes than the rest of the population (Lingren and Kirchheiner 2019). It could be seen as conveniently changing the

perception of freedom depending on the voters segment they want to target. It could seem that Socialdemokratiet wants to limit the general freedom of the people as an indirect way to target foreigners. On the other hand Socialdemokratiet could simply have a very strong belief in Nick Hækkerups statement of 'no freedom without safety'.

#### **7.0.4 THE DIFFERENT LEVELS OF FREEDOM PERCEPTIONS**

One of the challenges by categorizing the political parties and Justita appropriately and in a comparable manner is the fact that some of the actors view freedom (or lack there of) on completely different levels. The point of departure for the entire debate is Nick Hækkerups notion that surveillance leads to safety, which in turn leads to an increase in freedom. Thus Hækkerup speaks of freedom as something that is achievable in an indirect fashion; the citizens must feel safe, before they can feel a sense of real freedom (positive freedom). On the other hand, a party such as De Radikale Venstre sees cameras as directly limiting and restricting freedom, just by being there. But this kind of freedom does not exist in Hækkerups eyes, there is simply no real freedom there to limit in the first place. This again goes to show how difficult the subject of the matter is and how fluid the concept of freedom can be to different actors and political parties.

## **8.0 CONCLUSION**

In our project we set out to answer the following:

How does the debate surrounding video surveillance reveal discourses of freedom?

To get a solid understanding of freedom, we studied the old classical works of the concept based on Locke and Hobbes. This helped us develop a frame of reference and a starting point when examining the newer concepts of positive, negative and republican freedom. This also showcased that old published work such as Locke and Hobbes, can still be relevant today as technology continues to challenge our conceptions of freedom. We chose to focus on the three aforementioned concepts, with the expectation that they would illuminate the differences in the political landscape and help expose the political discourses. To assist our analysis we opted to integrate some methods from the discursive field. This helped us to identify some of the important characteristics of the debate and to better structure our analysis. We developed a triangle of freedom that encompassed all three modern notions of freedom, in order to place the actors as precisely as possible and better show how they



sometimes subscribe to more than one notion at the same time.

The analysis and subsequent discussion revealed that the freedom discourse is not the same across the different political parties and Justitia. Freedom is a very fluid concept and can change rapidly depending on perspective.

Given that most of our analysis was grounded in a formal political debate, some disagreement was expected. However, the clustering that occurred between the different freedom conceptions was surprising and interesting. We found that the traditional ideological distinctions did not always apply in relation to freedom when discussing surveillance. The parties mix and match across the political spectrum with no way of knowing beforehand how they interpret freedom and which measures of surveillance are adequate in their eyes.

It is important to underline that placing the parties in the various freedom conceptions is subject to some uncertainty as our empirical case is narrow and freedom is often implicitly stated based on surveillance. It also became apparent that each party had a different perception of the level of interference surveillance cameras impose on citizens. However, the clusters we found were still interesting, because they showed new alliances in regard to freedom discourses in relation to video surveillance. We saw that S, DF, K and NB more or less argued for a positive notion of freedom. SF, LA and Justitia were more focused on protection against domination and thus placed in the republican sphere, while EL and ALT, were more firmly against increased surveillance and thereby promoters of negative freedom.

RV were somewhat in between republican and negative freedom and V were almost in the middle as they neither denied or approved of the bill about increased surveillance (L-102). This distribution showed that traditional ideological alliances cannot be taken for granted when it comes to opinions about video surveillance and the freedoms of citizens.

The political debate shows a fight over the various freedom discourses where each party tries to advocate for their individual understanding in relation to video surveillance by using various discursive tools. It is important to note however, that we cannot generalise their discourses of freedom based on one single debate. The political parties might express freedom completely differently when the subject is not video surveillance. Thus we think it would be interesting in a future project to investigate other debatable subjects to see how freedom in such a context would be articulated.

In regard to Justitia, their concerns mostly revolve around the protection of citizens rights and thus lean mostly toward republican freedom. This is similar to the parties of LA and SF, but Justitia represents an NGO with no hidden motives other than protecting the rights of citizens. This can also be seen in their skepticism towards the proposal about increased authority of the Ministry of Justice, in which they are able to approve further surveillance on a case by case basis. In general Justitia is not against camera surveillance, but emphasises the importance of proportionality as they still think it is



interfering in itself and the justification for it must be sufficient. This project enables a framework for future discussions about freedom and other potentially interfering technologies and thereby qualify the debate further.

### 8.0.1 PERSPECTIVE ON FURTHER RESEARCH:

A thing to notice when working with a 'critical case' study is the narrow scope of the research. This results in an in-depth analysis, which can potentially lead to a loss of the broader picture. To address this we are briefly going to make a perspectivation to the empirical data and lastly present ideas for further research regarding the discourse of freedom.

The narrow scope of this project calls for more research into the ever changing nature of how the discourse of freedom in relation to video surveillance is constituted across different arenas. Arenas for further project ideas could be media outlets, newspapers, social media or perhaps even internally within the political party. A project within a political party would have been large and time consuming, and would have required access to various actors across multiple parties making it difficult to conduct (especially considering the SARS-CoV-2 lockdown) The purpose of such a project would be to expand on the discourse of freedom in parliament, as those debates are public and might be articulated differently than those within each party. . This would make freedom an even more nuanced concept.. This would make it possible to 'look behind the curtain' and into the 'engine room' of various parties and how their discourse of freedom in relation to video surveillance is constituted. An access like that, into an internal debate would have been fruitful. We believe that a study of that character would have provided a less staged presentation of their discourse of freedom that is formed during the legislative processes.

Another aspect to the discourse of freedom became apparent as the article 'Overvågning øger ikke sikkerheden. Men den giver tryghed' touches upon the individual's perspective of what constitutes an effect of video surveillance. This would question the presumed feeling of safety. Questioning the acceptance of surveillance as a thing for providing safety, would likely result in most people allowing such state surveillance as 'they have nothing to hide' (Lønstrup 2019). A project in this regard would be conducted via interviews asking for people's perception of what constitutes safety. This could be supported by observations and potentially workshops surrounding what video surveillance is and should be capable of. This could provide an in-depth understanding of how Hækkerups notion of freedom ("Without security, there is no freedom") is received in the public domain. A project like this could answer when video surveillance crosses people's '*personal borders*', asking questions of when individuals actually feel violated. Does it make people feel safe? And what would it take to make video surveillance a functional tool providing for people's safety. This moves the discourse of video

surveillance from a political question and into more of a personalized one with the possibilities of mapping out scenarios where video surveillance might have an effect.

## 9.0.0 REFERENCESLIST

- Agerlin Olsen, Esben. 2019. 'Mere grænsekontrol og hårde straffe: Er Socialdemokratiet ved at blive et nyt Dansk Folkeparti?' *Nordjyske.dk*, 17 October 2019. <https://apps-infomedia-dk.zorac.aub.aau.dk/mediemarkiv/link?articles=e766d94e>.
- Albrechtslund, Anders. 2016. *Overvågning*. Tænkepauser – Viden Til Hverdagen 39. Place of publication not identified: Aarhus university Press.
- Alternativet. 2020a. 'Justits- og Frihedsministeriet'. Alternativet. 2020. <https://alternativet.dk/der-er-et-alternativ/politisk-program-og-nye-ministerier/justits-og-frihedsministeriet>.
- . 2020b. 'Justits- og Frihedsministeriet'. Alternativet. 2020. <https://alternativet.dk/der-er-et-alternativ/politisk-program-og-nye-ministerier/justits-og-frihedsministeriet>.
- Amnesty. 1948. 'FNs verdenserklæring om menneskerettigheder'. 1948. <https://amnesty.dk/om-amnesty/fns-verdenserklæring-om-menneskerettigheder>.
- Berlin, Isaiah. 1958. 'Two Concepts of Liberty'.
- . 2002. *Liberty*. Edited by Henry Hardy. Oxford University Press.
- Bom, Anne Klara. 2015. *Diskursanalytisk metode*. Frederiksberg: Samfundslitteratur.
- Bouma, Henri, Jack Vogels, Olav Aarts, Chris Kruszynski, Remco Wijn, and Gertjan Burghouts. 2013. 'Behavioral Profiling in CCTV Cameras by Combining Multiple Subtle Suspicious Observations of Different Surveillance Operators'. In , edited by Ivan Kadar, 87451A. Baltimore, Maryland, USA. <https://doi.org/10.1117/12.2015869>.
- Buolamwini, Joy, and Timnit Gebru. 2018. 'Gender Shades: Intersectional Accuracy Disparities in Commercial Gender Classification', 15.
- Burch, Druin. 2004. 'Two Concepts of Liberty'. *The Lancet*, 28 February 2004.
- C. Welsh, Brandon, and David P. Farrington. 2009. 'Public Area CCTV and Crime Prevention: An Updated Systematic Review and Meta Analysis'. *Justice Quarterly*.
- Campbell, Charlie, and Chengdu. 2019. 'How China Is Using Big Data to Create a Social Credit Score'. *Time*. 2019. <https://time.com/collection/davos-2019/5502592/china-social-credit-score/>.
- Carter, Ian. 2016. 'Positive and Negative Liberty'. In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2019. Metaphysics Research

Lab, Stanford University.

<https://plato.stanford.edu/archives/win2019/entries/liberty-positive-negative/>.

———. 2019. 'Positive and Negative Liberty'. In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2019. Metaphysics Research Lab, Stanford University.  
<https://plato.stanford.edu/archives/win2019/entries/liberty-positive-negative/>.

Christman, John. 1991. 'Liberalism and Individual Positive Freedom'. *Ethics* 101 (2): 343–59. <https://doi.org/10.1086/293292>.

———. 2015. 'Freedom in Times of Struggle: Positive Liberty, Again'. *Analyse & Kritik* 37 (1–2). <https://doi.org/10.1515/auk-2015-1-211>.

Cockerell, Isobel. 2019. 'Inside China's Massive Surveillance Operation'. *Wired*, 5 September 2019. <https://www.wired.com/story/inside-chinas-massive-surveillance-operation/>.

Danmarks statistik. 2019. 'Højeste antal voldsanmeldelser siden 1995'. Danmarks statistik.dk. kv1 2019. <https://www.dst.dk/da/Statistik/nyt/NytHtml?cid=30050>.

Dansk Erhverv. 2020. '16 initiativer til øget tryghed i det offentlige rum'. Dansk Erhverv. 14 November 2020. <https://www.danskerhverv.dk/presse-og-nyheder/nyheder/16-initiativer-til-oget-tryghed-i-det-offentlige-rum/>.

Dansk Statistik. 2020. 'Statistikbanken'. 2020. <https://www.statistikbanken.dk/10060>.

Det Konservative Folkeparti. 2020. 'Om Det Konservative Folkeparti'. *Det Konservative Folkeparti* (blog). 2020. <https://konservative.dk/partiet/>.

Dijk, Teun A. van. 1997. 'What Is Political Discourse Analysis?' *Belgian Journal of Linguistics* 11 (December): 11–52. <https://doi.org/10.1075/bjl.11.03dij>.

Døssing Spangtoft, Sebastian. 2020. 'Corona-Læge Meldes Savnet Efter Interview | BT Udland - Www.Bt.Dk'. 04 2020. <https://www.bt.dk/udland/corona-laege-meldes-savnet-efter-interview>.

Duggins, David, Hironobu Fujiyoshi, and Osamu Hasegawa. 2000. 'A System for Video Surveillance and Monitoring', 70.

Duignan, Brian. 2020. 'The Social Contract and Philosophy'. Encyclopedia Britannica. 2020. <https://www.britannica.com/story/the-social-contract-and-philosophy>.

Dyrn, Gret. 2009. 'Retssikkerhed Begreb Og Indhold i Forandring'. Ellebye Advokater.

Enhedslisten. 2014. 'Principprogram'. Enhedslisten. 2014.  
<https://enhedslisten.dk/programmer/enhedslistens-principprogram>.

Enhedslistens historie'. 2006. Text. Enhedslisten. 2 November 2006.  
<http://org.enhedslisten.dk/parti/historie>.

- Erasmus Montanus'. 2020. In *Wikipedia, den frie encyklopædi*.  
[https://da.wikipedia.org/w/index.php?title=Erasmus\\_Montanus&oldid=10318378](https://da.wikipedia.org/w/index.php?title=Erasmus_Montanus&oldid=10318378)
- European Union. 1950. 'Den Europæiske Menneskerettighedskonvention'. 1950.  
[https://menneskeret.dk/files/media/dokumenter/om\\_os/om\\_menneskerettigheder\\_diverse/den\\_europaeiske\\_menneskerettighedskonvention.pdf](https://menneskeret.dk/files/media/dokumenter/om_os/om_menneskerettigheder_diverse/den_europaeiske_menneskerettighedskonvention.pdf).
- Fairclough, Norman. 2009. *Discourse and Social Change*. Reprinted. Cambridge: Polity Press.
- Findlaw's team. 2019. 'Civil Rights vs. Civil Liberties'. Findlaw. 11 October 2019.  
<https://civilrights.findlaw.com/civil-rights-overview/civil-rights-vs-civil-liberties.html>.
- Flyvbjerg, Bent. 2001. *Five Misunderstandings About Case-Study Research*. Translated by Steven Sampson. 1st ed. Cambridge University Press.  
<https://doi.org/10.1017/CBO9780511810503>.  
 ———. 2006. 'Five Misunderstandings About Case-Study Research'. *Qualitative Inquiry* 12 (2): 219–45. <https://doi.org/10.1177/1077800405284363>.
- Folketinget. 2020. 'Lovgivningsprocessen i Folketinget / Folketinget'. 2020.  
<https://www.ft.dk/da/folkestyret/folketinget/lovgivningsprocessen-i-folketinget>.
- Foucault, Michel. 1982. 'The Subject and Power' 8 no.4: 20.  
 ———. 2013. *Archaeology of Knowledge*. 2nd ed. Routledge.  
<https://doi.org/10.4324/9780203604168>.
- Frandsen, Søren. 2019. 'Politiet finder nye alvorlige fejl - stop for brug af teledata som bevis - TV 2'. *nyheder.tv2.dk*. 19 August 2019.  
<https://nyheder.tv2.dk/krimi/2019-08-19-politiet-finder-nye-alvorlige-fejl-stop-for-brug-af-teledata-som-bevis>.
- Frank Lovett. 2018. 'Republicanism'. In *Stanford Encyclopedia of Philosophy*.  
<https://plato.stanford.edu/entries/republicanism/>.
- Graham A.J. Rogers. 2020. 'John Locke'. In *Encyclopædia Britannica*. Encyclopædia Britannica, Inc. <https://www.britannica.com/biography/John-Locke>.
- Hækkerup, Nick, and Retsudvalget. 2019a. *L 102 Forslag til lov om ændring af lov om tv-overvågning*.  
[https://www.ft.dk/samling/20191/lovforslag/L102/som\\_fremsat.htm](https://www.ft.dk/samling/20191/lovforslag/L102/som_fremsat.htm).  
 ———. 2019b. *L 103 Forslag Til Lov Om Ændring Af Retsplejeloven*.  
[https://www.ft.dk/samling/20191/lovforslag/L103/som\\_fremsat.htm](https://www.ft.dk/samling/20191/lovforslag/L103/som_fremsat.htm).
- Hobbes, Thomas. 1651a. 'Chapter 14: Of the Natural Condition of Mankind as Concerning Their Felicity and Misery'. In *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*. Lexington, KY: Seven Treasures Publications.  
 ———. 1651b. 'Chapter 18: Of the Rights of Sovereigns by Institution'. In *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*. Lexington, KY: Seven Treasures Publications.  
 ———. 1651c. 'Chapter 20: Of Dominion Paternal and Despotical'. In *Leviathan: Or the Matter, Forme and Power of a Commonwealth Ecclesiasticall and Civil*. Lexington, KY: Seven Treasures Publications.

- . 1651d. 'Leviathan'. 1651. <https://gutenberg.org/files/3207/3207-h/3207-h.htm#link2HCH0018>.
- Ian Shapiro. 2003. 'Introduction: Reading Locke Today'. In *Two Treatises of Government : And a Letter Concerning Toleration*, by John Locke, 358. Yale University Press.
- Jørgensen, and Louise Phillips. 1999. *Diskursanalyse: som teori og metode*. 1. udg. Frederiksberg: Roskilde Universitetsforl.
- Justitia. 2020. 'Om Justitia'. Justitia - Danmarks første uafhængige juridiske tænketank. 2020. <http://justitia-int.org/om-justitia/>.
- Justitsministeriet. 1998. 'Den Europæiske Menneskerettighedskonvention'. oktober 1998. [https://familieadvokaten.dk/docs/Lovsamling/Den\\_Europaeiske\\_Menneskerettighedskonvention.html](https://familieadvokaten.dk/docs/Lovsamling/Den_Europaeiske_Menneskerettighedskonvention.html).
- Justitsministeriet, and Nick Hækkerup. 2019. 'Tryghed Og Sikkerhed i Det Offentlige Rum'. Justitsministeriet.
- Justitsministeriet, and Ritzau. 2019. 'Overblik: Her er sagen om politiets mangelfulde teledata'. Berlingske.dk. 19 August 2019. <https://www.berlingske.dk/content/item/1393890>.
- Karner, Lasse. 2014. 'Kina Anholder Aldrende Systemkritiker'. 16 September 2014. <https://www.berlingske.dk/internationalt/kina-anholder-aldrende-systemkritiker>.
- Kelly, P. J. 2007. *Locke's Second Treatise of Government: A Reader's Guide*. Continuum Reader's Guides. London ; New York: Continuum.
- Kharpal, Arjun. 2019. 'China's Surveillance Tech Is Spreading Globally, Raising Concerns about Beijing's Influence'. CNBC. 8 October 2019. <https://www.cnbc.com/2019/10/08/china-is-exporting-surveillance-tech-like-facial-recognition-globally.html>.
- Knudsen, Tim. 2001. 'Parlamentarismen i Danmark | Information'. 23 July 2001. <https://www.information.dk/debat/2001/07/parlamentarismen-danmark>.
- Kobie, Nicole. 2019. 'The Complicated Truth about China's Social Credit System'. *Wired UK*, 7 June 2019. <https://www.wired.co.uk/article/china-social-credit-system-explained>.
- Laclau, Ernesto. 2014. *Hegemony and Socialist Strategy: Towards a Radical Democratic Politics*. Second edition. Radical Thinkers. London: Verso.
- Larsen, Frederikke Engberg. 2019. 'Her er tre gode grunde til at rykke fra DF til Socialdemokratiet'. Kristeligt Dagblad. 37/03 2019. <https://www.kristeligt-dagblad.dk/debatindlaeg/velfaerd-udlaendingepolitik-og-tonen-tre-gode-grunde-til-rykke-fra-df-til>.
- Liberal alliance. 2020. 'Principprogram Liberal Alliance'. 2020. <https://www.liberalalliance.dk/wp-content/uploads/2020/04/Principprogram.pdf>.

- Lingren, Daniel, and Og Line Kirchheiner. 2019. 'Nye tal: Libanesere topper listen over mest kriminelle befolkningsgrupper i landet'. Berlingske.dk. 5 April 2019. <https://www.berlingske.dk/content/item/1358887>.
- Locke, John. 2003. *Two Treatises of Government: And a Letter Concerning Toleration*. Edited by Ian Shapiro. Rethinking the Western Tradition. New Haven, Conn. ; London: Yale University Press.
- Lønstrup, Af Vibe. 2019. 'Overvågning øger ikke sikkerheden. Men den giver tryghed'. Kristeligt Dagblad. 11 October 2019. <https://www.kristeligt-dagblad.dk/liv-sjael/overvaagning-oeger-ikke-sikker-heden-men-den-giver-tryghed>.
- Lyngbæk Olsen, Martin, Katrine Falk Lønstrup, and Daniel Bue Lauritzen. 2020. 'Overblik: Her Er Resultatet Af Folketingsvalget 2019'. Altinget.Dk. 6 June 2020. [//www.altinget.dk/artikel/183360-her-er-valgresultatet](http://www.altinget.dk/artikel/183360-her-er-valgresultatet).
- Magnus Heunicke. 2020. *Lov Om Ændring Af Lov Om Foranstaltninger Mod Smitsomme Og Andre Overførbare Sygdomme*. <https://www.retsinformation.dk/eli/lta/2020/208>.
- Marx, Gary T. 1998. 'Ethics for the New Surveillance'. *The Information Society* 14 (3): 171–85. <https://doi.org/10.1080/019722498128809>.
- Mazerolle, Lorraine, David Hurley, and Mitchell Chamlin. 2002. 'Social Behavior in Public Space: An Analysis of Behavioral Adaptations to CCTV'. *Security Journal* 15 (3): 59–75. <https://doi.org/10.1057/palgrave.sj.8340118>.
- Mchangama, Jacob. 2020a. 'HÅ\_ringssvar til: tryghed og sikkerhedspakken'. Justitia | Danmarks uafhÅ\_ngige juridisketÅ\_nketank HÅ\_ringssvar.
- . 2020b. 'Høringssvar til: tryghed og sikkerhedspakken'. Justitia | Danmarks uafhængige juridisketænketank Høringssvar.
- Mchangama, Jacob, and Justitia. 2018. *Retssikkerhed i Danmark 2018: statusrapport*. Justitia.
- McHugh, Sean. 2020. 'Understanding Camera Lenses'. 2020. <https://www.cambridgeincolour.com/tutorials/camera-lenses.htm>.
- Meckl, Markus. 2016. 'Isaiah Berlin and the Politics of Freedom: "Two Concepts of Liberty" 50 Years Later'. *The European Legacy* 21 (4): 437–38. <https://doi.org/10.1080/10848770.2016.1150066>.
- Michael J. Thompson. 2013. 'Reconstructing Republican Freedom: A Critique of the Neo-Republican Concept of Freedom as Non-Domination'. *Philosophy and Social Criticism* 39 (3): 277–98. <https://doi.org/10.1177/0191453712473081>.
- Moltke, Henrik. 03/02. 'ANALYSE Derfor vil EU bremse ansigtsgenkendelse'. DR. 03/02. <https://www.dr.dk/nyheder/penge/analyse-derfor-vil-eu-bremse-ansigtsgenkendelse>.



- Munk-Petersen, Trine. 2014. 'Jorden er stadig flad som en pandekage'. Berlingske.dk. 28 August 2014. <https://www.berlingske.dk/content/item/184474>.
- Nam, Taewoo. 2017. 'Does Ideology Matter for Surveillance Concerns?' Department of Public Administration and Graduate School of Governance, Sungkyunkwan University, 25-2 Sungkyunkwan-ro Jongno-gu, Seoul 03063, Republic of Korea.
- Nielsen, Nicolas S. 2019. 'Terrorangrebet i København viste politiet vigtigheden af videoovervågning'. DR. okt 2019. <https://www.dr.dk/nyheder/politik/terrorangrebet-i-koebenhavn-viste-politiet-vigtigheden-af-videoovervaagning>.
- Nye Borgerlige. 2017. 'Fang Dem, Døm Dem Og Smid Dem Ud'. Nye Borgerlige. 8 July 2017. <https://nyeborgerlige.dk/fang-doem-smid/>.
- . 2019. 'Principprogram'. Nye Borgerlige. 2019. <https://nyeborgerlige.dk/principprogram/>.
- Ochab, Ewelina U. 2020. 'The Fate Of Uighur Muslims In China: From Re-Education Camps To Forced Labor'. Forbes. 4 April 2020. <https://www.forbes.com/sites/ewelinaochab/2020/04/04/the-fate-of-uighur-muslims-in-china-from-re-education-camps-to-forced-labor/>.
- O'Farrell, Clare. 2018. 'Key Concepts'. *Foucault News* (blog). 2018. <https://michel-foucault.com/key-concepts/>.
- Oxford dictionary. 2020. 'Coercion | Definition of Coercion by Lexico'. Lexico Dictionaries | English. 2020. <https://www.lexico.com/en/definition/coercion>.
- Øyen, Morten. 2019. 'Socialdemokratiet Har Kapret Mere End 100.000 Vælgere Fra Venstre Og DF'. Altinget.Dk. 20 May 2019. <http://www.altinget.dk/artikel/182857-socialdemokratiet-har-kapret-mere-end-100000-vaelgere-fra-venstre-og-df>.
- Pedersen, Susannah, Danmark, Folketinget, Danmark, Folketinget, and Kommunikationsenheden. 2015. *Min grundlov: grundloven med forklaringer*. Kbh.: Folketinget : [Eksp.] ft.dk.
- Pettit, Philip. 1999. *Republicanism: A Theory of Freedom and Government*.
- . 2014. *Just Freedom: A Moral Compass for a Complex World*. First Edition. W. W. NORTON & COMPANY.
- Piza, Eric L., Brandon C. Welsh, David P. Farrington, and Amanda L. Thomas. 2019. 'CCTV surveillance for crime prevention: A 40-year systematic review with meta-analysis'. *Criminology & Public Policy* 18 (1): 135–59. <https://doi.org/10.1111/1745-9133.12419>.
- Rasmussen, Maria Guldager. 2016. '1984 AF GEORGE ORWELL'. 13 June 2016. <https://litteratursiden.dk/anmeldelser/1984-af-george-orwell>.
- 'Retspolitik, data og sikkerhed'. 2020. Socialistisk Folkeparti. 2020. <https://sf.dk/det-vil-vi-etspolitik-og-sikkerhed/>.



- Reuters. 2019. 'China Putting Minority Muslims in "concentration Camps," U.S. Says', 4 May 2019. <https://www.reuters.com/article/us-usa-china-concentrationcamps-idUSKCN1S925K>.
- Ritzau. 2019. 'Minister Beskyldes for Erasmus Montanus-Logik Om Overvågning'. *Politiken*, 9 December 2019. <https://politiken.dk/indland/politik/art7547968/Minister-beskyldes-for-Erasmus-Montanus-logik-om-overv%C3%A5gning>.
- Rosenkilde, Kim. 2019. 'Her Er Fællesnævnerne Og Stridspunkter Mellem Frederiksen Og Hendes Allierede'. *Altinget: Energi Og Klima*. 6 June 2019. <http://www.altinget.dk/energi/artikel/her-er-faellesnaevnere-og-stridspunkter-mellem-frederiksen-og-hendes-allierede>.
- Rousseau, Jean Jacques. 1755. 'Discourse on Inequality', 44.
- Rousseau, Jean-Jacques. 1762. *The Social Contract or Principles of Political Right*.
- Sætra, Henrik Skaug. 2019. 'Freedom under the Gaze of Big Brother: Preparing the Grounds for a Liberal Defence of Privacy in the Era of Big Data'. *Technology in Society* 58 (August): 101160. <https://doi.org/10.1016/j.techsoc.2019.101160>.
- Sample, Ian. 2019. 'What Is Facial Recognition - and How Sinister Is It?' *The Guardian*, 29 July 2019, sec. Technology. <https://www.theguardian.com/technology/2019/jul/29/what-is-facial-recognition-and-how-sinister-is-it>.
- Saugmann Jensen, Anna-Sophie. 2019. 'Orientering Om Foreløbige Tiltag i Anledning Af Teledata-Sagen'. Justitsministeriet.
- Scott, Dane. 2011. 'The Technological Fix Criticisms and the Agricultural Biotechnology Debate'. *Journal of Agricultural and Environmental Ethics* 24 (3): 207–26. <https://doi.org/10.1007/s10806-010-9253-7>.
- Singh, Amarjot, Devendra Patil, and S. N. Omkar. 2018. 'Eye in the Sky: Real-Time Drone Surveillance System (DSS) for Violent Individuals Identification Using ScatterNet Hybrid Deep Learning Network'. *ArXiv:1806.00746 [Cs]*, June. <http://arxiv.org/abs/1806.00746>.
- Socialdemokratiet. 2017. 'Fælles Om Danmark - Socialdemokratiets Principprogram'.
- Tarpgaard, Jakob Lyders. 2019. 'Amnesty om Kinas genopdragelseslejre: "Noget af det mest ekstreme i verden lige nu"'. DR. 25 November 2019. <https://www.dr.dk/nyheder/udland/amnesty-om-kinas-genopdragelseslejre-noget-af-det-mest-ekstreme-i-verden-lige-nu>.
- United Nations, United. 2020. 'The Impact of Digital Technologies'. United Nations. United Nations. 2020. <https://www.un.org/en/un75/impact-digital-technologies>.
- Valeur, Simon, and Niels P. York. 2018. 'Trygheden Falder Trods Historisk Lav Kriminalitet: »Der Er Intet Belæg for at Være Mere Utryg«'. 7 March 2018. <https://www.berlingske.dk/samfund/trygheden-falder-trods-historisk-lav-kriminalitet-der-er-intet-belaeg-for-at>.

Vincent, James. 2020. 'Drones Taught to Spot Violent Behavior in Crowds Using AI - The Verge'. 6 June 2020. <https://www.theverge.com/2018/6/6/17433482/ai-automated-surveillance-drones-spot-violent-behavior-crowds>.

'WHO Timeline'. 2019. 2019. <https://www.who.int/news-room/detail/27-04-2020-who-timeline---covid-19>.