

The Opaque State: Surveillance and Deportation in the Bundesrepublik

Überwachtes Deutschland. Post- und Telefonüberwachung in der alten Bundesrepublik. By Josef Foscith. Göttingen: Vandenhoeck & Ruprecht, 2013. Pp. 378. Cloth €34.95. ISBN 978-3525300411.

Dark Territory in the Information Age: Learning from the West German Census Controversies of the 1980s. By Matthew G. Hannah. Burlington, VT: Ashgate, 2010. Pp. xviii + 276. Cloth \$45.00. ISBN 978-1409408130.

Gespenster der Migration. Zur Genealogie illegaler Einwanderung in der Bundesrepublik Deutschland. By Serhat Karakayali. Bielefeld: transcript, 2008. Pp. 296. Paper €28.80. ISBN 978-3899428957.

Blackbox Abschiebung. Geschichten und Bilder von Leuten, die gerne geblieben wären. By Miltiadis Oulios. Frankfurt am Main: Suhrkamp, 2013. Pp. 482. Paper €20.00. ISBN 978-3518126448.

In his study of deportation in contemporary Germany, Miltiadis Oulios notes that one of the “un-words of the year” in 2002 was “*Ausreisezentrum*” (19). The euphemistic term refers to detention facilities where asylum seekers without passports are held until their identities are determined and their deportations completed. Because it is German policy not to deport anyone without a passport, the absence of an identity document leaves them in legal limbo, often for long periods of time. In regular deportation prison (*Abschiebehaft*), detainees are charged for their days of residence at the rate of a moderately priced hotel, have their biometric data recorded for identification, and are put on an airplane, either alone or accompanied, and sometimes wearing a so-called “bodycuff” restraining their limbs beneath their clothes. The biometric data is shared through Europe-wide databases to prevent reentry into the Schengen area, leaving what scholars call “data doubles” on government servers. Frozen in physical categories, this digital reduction of the person may inadvertently draw further attention to itself in the context of probabilistic models of “actuarial justice” and discriminatory practices of racial profiling.¹ Since 1993, select German airports also have facilities technically outside of sovereign territory where refugees can be held, and often deported, after expedited trials (298). Oulios refers to all of these sites as the “black boxes of deportation.” He presents them as the built refutation of the

official German mythology as a “transparent state” expressed through the glass domes and curtain walls of its government buildings with their annual “Open Door Days.”²

Where do the black boxes of surveillance and deportation fit in the story of the Bundesrepublik? The Federal Republic has long profited from comparisons to the *Unrechtstaaten* of the German Democratic Republic and the Third Reich, whose surveillance and population policies freed West German police practices from scrutiny. The four books under review here reflect a recent change in the scholarship. They offer insight into what could be called the opaque state in the Bundesrepublik. Against Whig narratives of a West German state becoming ever more democratic since the high point of executive power under Konrad Adenauer’s *Kanzlerdemokratie*, these studies document new forms of routinized suspicion and asymmetrical observation in the overlapping ages of international terrorism and the computerized database since the 1970s. To be sure, these authors remain fixated on a state-society framework that often undersells the importance of surveillance within the sphere of the market and dwell on the punitive rather than pastoral aspects of surveillance. These books nonetheless offer an important counternarrative to overly sunny success stories of West German rehabilitation.³ They show how Big Data and terrorism were joined at the hip in the Bundesrepublik. They also point to a fear and a reality of involuntary observation, or what could be called visual abjection. The treatment of the “human as an object,” as it is often described, is suffered most keenly by those populations deemed to be different, especially those coded as racially nonwhite. Visibility and citizenship in the computer age are connected in ways that call into question demands made in the language of privacy and transparency.

Duden offers both a spatial and an individual definition for surveillance (*Überwachung*). One is “to ensure that everything in a specific area happens correctly”; the other is “to follow closely what someone (who is suspicious) does.” Both are reflected in the scholarship on surveillance. Josef Foscith’s timely book *Überwachtes Deutschland* belongs in the first category. It arrived in the wake of former National Security Agency (NSA) contractor Edward Snowden’s revelations in 2013 about the astonishing extent of US surveillance of private and official communication. Since then, Foscith has appeared regularly in the press to argue that the US has enjoyed the right to overrule West German federal and constitutional law since the years of postwar occupation.⁴ The Teufelsberg listening station, which began operation on the highest point in West Berlin in 1961, as well as the American listening station in Bad Aibling, have long been visible signs of the presence of the US security state. They are nodes in the NSA’s global ECHELON network gathering signal intelligence, or sigint, through satellite, radar, and electronic surveillance.

Through unprecedented access to the archives of German intelligence agencies, Foscith provides the most comprehensive portrait to date of how US and West German intelligence agencies monitored personal communication in the territory of

the Federal Republic. He documents how US authorities “seized, opened and for the most part, destroyed” millions of letters and packages sent from both East and West Germany from 1949 until the early 1970s and copied all telexes to be sent to the NSA for evaluation (15). The West German authorities were enthusiastic partners. With their help, close to twenty million items of post originating in East Germany were confiscated and destroyed at the high point of 1960 (116). Foscepoth introduces the *Reißwolf*, literally “shred wolf,” housed in a prison in Lüneberg, which shredded most of the seized material. The shred wolf acts as a fitting countericon to the automated envelope steamer that sits on display in the “Runde Ecke” Stasi museum in Leipzig as a symbol of totalitarian control. In light of Foscepoth’s evidence, forced dichotomies that hold up the “real” surveillance state in the GDR against the “free” West no longer convince. As he puts it, “East Germany loses its singularity” (260).

In the end, what shocked Foscepoth was less the volume of censorship and surveillance than the ongoing attempts of both US and West German authorities to find detours around parliamentary oversight and the Basic Law. He concludes that breaking the law, both constitutional and civil, was part of the “everyday of the executive” in the Federal Republic (272). Eluding transparency was systemic state practice. Here Foscepoth blames the logic of the Cold War for turning “the state of war as a state of exception into the normal state, even in times of détente” (236). He asks if one should speak of “liberalization through the state or against the state” in the Federal Republic and sides implicitly with the latter (18). At the same time, he acknowledges that surveillance was a “structure-creating process” for West Germany (262). The Bundesrepublik established its position within the US-led alliance by demonstrating responsible management of the flow of written, printed, and spoken communication into and out of the country. Breaching the individual privacy of citizens was an essential component for inclusion among the Western, liberal states.

Foscepoth rejects the ongoing comparison of West Germany either synchronically East to the GDR or diachronically back to the Third Reich. “After sixty years of the Federal Republic,” he writes, “it is time to evaluate the history of this state according to its own norms” (273)—the norms of the liberal state. While the statement may be true for a historiography often more willing to focus on West German successes, Foscepoth undersells the number of voices that preceded his own call to accountability. For all of its illuminations, his narrative has a tendency to remain within the world of the government and courts. Yet the security state was responding to larger discussions about the legality of these policies as well as external stimuli beyond the Cold War confrontation.

Critical observers of the Bundesrepublik from the 1960s onward asked probing questions about the status of the rule of law (*Rechtsstaatlichkeit*). It was especially true during the West German state’s fight against leftwing terrorism in the 1970s, which historians have portrayed as a watershed for the rise of security discourse.⁵

Justified by the principle of the postwar state as a “democracy capable of defending itself” (*wehrhafte Demokratie*), the fight against groups like the Revolutionary Cells, the June 2 Movement, and the Red Army Faction, also known as the Baader-Meinhof Group, entailed a tremendous expansion of police capacity. It included the tripling of the staff of the Bundeskriminalamt (Federal Criminal Office or BKA), the creation of a special border force, and new laws for censoring leftist seditious speech as well as barring people formerly affiliated with radical-left organizations from public-sector employment. These measures evoked concern across the political spectrum. Foscaphoth quotes the reservations of one Social Democratic politician in 1977: “For democracy to grow from the roots up, the first requirement is that everyone who is an ‘individual’ must have freedom from fear. But the eavesdropped citizen is the frightened citizen. He is the person X-rayed from the darkness, penetrated by gazes that he cannot see. His state no longer sits reliably in the light” (235).

The 1970s inaugurated widespread public discussions of asymmetric observation by an opaque state enabled with new technologies. In *Dark Territory in the Information Age*, Matthew Hannah describes how a section of the West German population responded to the expansion of surveillance in the 1970s through the defense of “dark territory” of their own. He details the way that state measures taken in the Federal Republic’s war on leftwing terror introduced technologies of mass data gathering as well as a practice of de facto criminalization of those involved in the alternative scene which had emerged from the student movements of “1968.” Authorities applied the principle of “suspicious until proven innocent” through a series of techniques: for instance, the practice of “kettling” at demonstrations, in which large groups of protesters were held and not released until the protesters provided the police with identification information; the routine police raids of collective housing projects or squats, during which personal information was also collected; and a 1978 law permitting police to request papers from anyone even without suspicion of a crime (22–27). A troublingly symptomatic innovation for many West Germans was the method of the data dragnet (*Rasterfahndung*) spearheaded by BKA head Horst Herold. Nicknamed “Commissar Computer,” Herold used computerized databases to collate huge amounts of individual information to search for revealing correlations, pioneering modes of what is now called “dataveillance,” and representing a significant advance from the analogue surveillance techniques associated with the Stasi—including the film camera and the reel-to-reel tape recorder.⁶

Bringing a vastly larger cross section of the population under scrutiny, the specialized PIOS (*Personen, Institutionen, Objekten, Sachen*) database, created under Herold’s watch in 1976, gathered names and handwriting samples from anyone with a vague connection to the leftwing terrorists. It included information on 135,000 people by 1979. The same year, the Interior Ministry found that the BKA held information on 4.7 million people and 31,000 organizations, including 2.1 million fingerprints, and

1.9 million photographs (15). In a country of just over sixty million, these procedures meant that the files of the Federal Criminal Police held the name of one in every twelve people. Investigation through correlation cast suspicion on every act that deviated from the norm and worked by including everyone into a pool of the potential culprits. The logic of correlation meant that practices as innocuous as paying one's utility bill with cash rather than bank transfer brought one into the umbra of state surveillance.

The creation of a data community of people whose information exists in state files, and later on servers, always contains the possibility of transforming into what has been called a "data public," in which the objects of surveillance recognize one another as existing under similar conditions and mobilize as political actors. For the bulk of his book, Hannah describes just such a case as citizen concerns about the all-seeing state crystallized around the seemingly innocuous project of a nation-wide census planned for 1983. There had not been a census in the Bundesrepublik since 1956 and many critics felt that it was a means of locating perceived social deviants and disciplining the population into conformity.⁷ Centers of opposition arose in the alternative scene that had felt the effect of the 1970s police measures most keenly. Census opponents used the metaphorical specter of the "glass citizen" (*gläserner Bürger*), implying an inversion of the transparency promised by West German democracy. Rather than the state that exposed itself to scrutiny, it was the citizen herself who lost the membrane dividing the public from the private self. In an era when access to computers remained the monopoly of government and large corporations, many feared the added capacity created by these technologies to produce a "cybernocracy" (*Kybernokratie*, 40).

The bar code, ubiquitous by the 1980s, became a stand-in for the dread of hidden instruments of social control beneath the illusion of individualism. As Hannah puts it: "miles of aisles full of colorfully juxtaposed, totally unique packages nevertheless all share this one seemingly identical visual element constituting an open secret to which we are not privy" (60). Critics feared that liberal capitalism allowed for apparent diversity while asserting an invisible control, capable of intervening at any moment. Opponents had a striking success in 1983 when they convinced the Federal Constitutional Court to halt the census. Just four years later, however, and despite the mobilization of a larger number of opponents, the census went through as planned. The same year, the federal government overruled opposition to the introduction of the first machine-readable identity card for German citizens, representing a firm movement toward using modern technologies in the state "embrace" of the population.⁸

Hannah provides an intimate portrait of the census boycott movement, often including long block quotes from the West Berlin leftwing newspaper, *Die Tageszeitung*, to show that the opposition went well beyond blunt slogans and paranoia. While it is clear why some felt that life beyond the eye of authorities was a noble goal, it is also clear that the census could play a key role in addressing socioeconomic inequality. Surveillance has been described as a social contract.⁹ We submit to counting,

measurement, photography, scanning, and tracking in exchange for benefits offered by the state. Scholars frequently issue reminders that surveillance needs to be put into the context of pastoral care as well as personal endangerment.¹⁰ At isolated moments, Hannah cedes the fact that enumeration could be a boon for underrepresented populations seeking access to social services but leaves a lingering impression of idealizing the census opponents' quest for "dark territory."

Hannah invokes Michel Foucault throughout the study but arguably fails to follow the French philosopher's logic to its conclusion. An extension of Foucault's insights in his influential book, *Discipline and Punish*, would make clear that the traditional liberal category of privacy is dubious; in this context, Hannah's new category of "informational citizenship" seems somewhat naïve. From a Foucauldian perspective, the significance of the apparatus of surveillance is not that it actually captures one's every movement. The guard tower at the center of Jeremy Bentham's panopticon might always be empty. It is the belief in the state's omniscience rather than its actual omniscience that produces self-government within the ostensibly private domain of the individual. One could argue that the boycott movement did the West German state a tremendous service by amplifying and even exaggerating its surveillance capacities. While it is impossible to live in a reality in which Big Brother sees everything, it is quite possible to live in one where people believe that he does. The more alarmist faction of the boycott movement could be seen to give aid and comfort to their own enemy.

Hannah also neglects the tension between the secessionist version of the West German counterculture on the one hand, which called for autonomy and self-determination beyond the gaze of the state, and the citizens' initiatives and new social movements (NSM) on the other, which often drew from the same milieu but espoused a model for participatory politics from the bottom-up. Rather than seeking "dark territory" in the mode of the squatters' movement or anarchist *Autonomen*, the new social movements, and the affiliated Green Party, demanded a dilation of the lens of the officially visible. The finitude of natural resources, the unpaid labor of women, and the risk of nuclear contamination and war to future generations: these were quantities that NSMs rallied for inclusion in public measurements of the good society and, by extension, the good life. The act of politics was usually about making the previously invisible seen. In this sense, the decline of the secessionist counterculture in the mid-1980s—around the time of the failure of the second boycott movement¹¹—represented a return to the mainstream and an embrace by progressive politics of the very language of transparency for which they criticized the state. Thanks in part to the proliferation of rights-based activism, the ideology of transparency was on a victory march by the early 2000s, especially when aided by the connectivity of personal computers and the Internet. In the reinvigoration of the category of civil society, the quest for dark territory became suspect.

The new social movements' ethos of illumination is expressed well in the name of

a group in Stuttgart, *Aus dem Schatten* or Out of the Shadows, devoted to publicizing the working conditions of foreigners. Foreigners have been important allies and core participants in NSMs in recent years. Noncitizens have the most at stake in struggles over surveillance as they are the most consistent targets of the gaze of the opaque state. If surveillance is a social contract, foreigners live under constant threat of its abrogation through deportation. By paying attention to the treatment of foreigners, West German activists recognize that they can often find the origins of state practices later applied to the general population. After the outbreak of the Algerian War of Independence, for example, French Algerians were the first group to routinely have their fingerprints taken as they crossed the border following a special request by the French Foreign Office. Foreigners were also the first to have their identities recorded in a computerized database after the establishment of the Central Foreigner Register (*Ausländerzentralregister*) in 1967. Hannah notes that noncitizens were cautionary tales for the census boycott movement. Census critics felt that “foreigners could be seen already to be living the future awaiting all Germans in the coming surveillance state” (48).

In recent years, groups like *kein mensch ist illegal* and *Pro Asyl* have put faith in the power of visibility and advocacy to redress the precarious position of Germany’s foreign residents. In alliances with foreigners, they seek to form counterpublics against the one-way gaze of state surveillance. Mobilizations against deportation and for the expansion of asylum law become proxy battles about the overreach of the opaque state writ large. Oulios’s *Black Box Abschiebung* works in this mode of visibility activism. In his words, he seeks to “bring light into the ‘black box of deportation,’” which requires a “lack of transparency” to function (10, 19). He intersperses a chronological overview of immigration and asylum policy in Germany with firsthand accounts of deportees, performing the liberal-humanistic act of advocacy by “giving voice” to those usually mute in the public sphere.

Oulios recounts how the Christian Democratic politician Manfred Kanther, later forced to resign in a donation scandal, declared 1998 the “year of security,” leading to the authorization of random identity checks in railway stations, trains, and airports to ferret out undocumented migrants (235). The technical term for these checks is “veiled searches” (*Schleierfahndungen*), an interesting counterpoint to the *Rasterfahndungen* of dataveillance, and using a word associated far more frequently with the Muslim “veil” or headscarf. The police officer is veiled in the *Schleierfahndung*, taking advantage of the privilege of evading publicity when she sees it necessary. Surveillance is defined by asymmetric visibility: one is observed without seeing the observer. In the *Schleierfahndung*, the authorities wear or see through a veil that is only permeable in one direction, performing the opaque state rather than the transparent state of official German self-understanding. For Oulios, new state practices mean that foreigners now live “under general suspicion.” The position has been reinforced

by the creation of a Europe-wide fingerprint database for registered asylum seekers in 2003 and the introduction of fingerprinting for all non-European Union (EU) foreign residents in 2011 to prevent visa overstaying and falsification of residence permits, a crime that, Oulios notes, happens in a miniscule 0.0008 percent of cases (274).

Oulios's book is a polemical depiction of German migration policy. His implicit assumption is that publicity dissolves injustice. The greater the exposure of the mechanisms of managing foreigners, the more humane that management will be. His response to the status of the illegal is both utopian and simple: legalize people; document the undocumented; create a "global passport" (317). Oulios's generous political gesture elides the way that documentation is not a human validation above politics but is also subject to political instrumentalization, with outcomes that might not be welcome. The drive to bring migrants into the light of publicity in the US, for example, has not necessarily been led by those with Oulios's expansion of the polis in mind. The program often reads: locate, document, deport. In recent years, refugee activists in Germany have sought to "break isolation" by bringing public visibility to their plight of being tied to specific sites of residence (*Residenzpflicht*) and being barred from regular employment. Yet politics is not over once refugee activists have gained public visibility; it has just begun. The chance that refugees will be granted greater freedom of movement once gaining public attention is objectively no greater than their summary deportation. It relies entirely on the judgment of the courts and their ability to win allies among local politicians who may choose to support or denounce activists for any range of reasons from election tactics to personal ethics.

Too much faith in opening the black box reflects excessive confidence in the "transparency ideology" that creates an overly straightforward equation between visibility and democracy.¹² As with many historians of postwar Germany, activists often see state and civil society operating within a zero-sum game: the more publicity created by civil society, the less secrecy—and therefore capacity for arbitrary power—in police and state. Metaphorically speaking, the fewer the shadows, the more the light of social justice will shine upon us all. Yet this is an essentially performative understanding of social change that equates protest numbers with impact and underestimates the way that the "secret sphere" of police and state has grown apace with the public sphere, especially in a computer-aided age. The narrative of "liberalization" according to which the Bundesrepublik passes from secrecy and executive power into openness and participatory democracy is not only inaccurate, as these books show; it is also a misleading model for leftist politics. The opponents of the census contended that there is no inherent virtue in living in the light. Scholars have argued that the doctrine of transparency offers a deceptive "fantasy of renewal and immediacy" and lends itself to an "audit culture" of incessant and potentially tyrannical self-disclosure; "transparency is a means to an end—good and fair government," Clare Birchall writes, "not an end in itself."¹³

In *Gespenster der Migration*, Serhat Karakayali shows himself much less willing than Oulios to buy into the opposition of state/dark/bad against public/light/good. Indeed, he bases his argument on the fundamental ambivalence of surveillance and the law. He suggests that the narrative of migration is neither one of defending dark territory nor one of bringing light to the hidden spaces of deportation. Instead, he identifies a strategic oscillation in the treatment of migrants between visibility and obscurity. The category of the “illegal immigrant,” which appeared first in criminal statistics in West Germany in 1971, established a new field of conflict (96). On one side are parts of the state, including the Interior Ministry, which have endeavored to keep the regulation of foreign populations out of the light of publicity; they did so, Karakayali argues, in order to preserve a flexible labor market ruled through regular appeal to the exception rather than the norm. On the other side are other parts of the state, including the Federal Labor Office, the labor unions, and some citizen factions which have campaigned for more comprehensive oversight in order to preserve wage and benefit structures from being eroded through so-called “black labor” or *Schwarzarbeit* by undocumented workers.

In a persuasive analysis, Karakayali reads “the figure of the illegal” as “a mode of government” (181) that works between targeted attention and tactical obliviousness. The goal is neither Big Data’s “n=all”; nor is it the all-seeing, argus-eyed Big Brother state. To Karakayali, the power of the state lies in its capacity to determine whether its interests are served best when certain actions escape or are granted public attention. Despite the expansion of capacity for detention and deportation, Karakayali follows other scholars of migration in finding the “Fortress Europe” metaphor misleading. Like other European countries, Germany continues to rely on frequently undocumented labor in key sectors resistant to outsourcing such as agriculture, home care, and construction. Crucial to the functionality of this system from the perspective of the German state is a reliable principle of rotation. Karakayali and his collaborator, Vassilis Tsianos, have described this mode of government elsewhere with the term “porocracy,” rejecting metaphors of walls for a vision of “highly perforated systems or regimes.”¹⁴ As they put it, “the most common manifestation of the border in Europe is not to be found along the geographical border line of the Schengen area but rather in the records on the laptops” and files of the authorities.¹⁵ The emergence of such “smart borders” is matched by a flexible practice of detention for unauthorized migrants, encouraging constant circulation through the labor market. Karakayali follows the sociologist Zygmunt Bauman’s perspective on regimes of surveillance and detainment in the second era of globalization, who sees both the camp and “the database [as] a vehicle of mobility, not the fetters keeping people in place.”¹⁶

Karakayali’s argument suggests convincingly that, by relying too heavily on dichotomies of secrecy and publicity, we miss the way these dynamics are used together, with more attention to efficacy than internal coherence. His state is neither “dark”

nor “light” but nimble, mirroring the itinerancy of migrants with shifting practices of its own. He echoes here the influential work of Gilles Deleuze, who suggested that Foucault’s disciplinary societies defined by enclosure and direct supervision of individuals had given way to “societies of control” which allowed for freer movement but retained the capacity to track and sort populations through technical means.¹⁷ The expanded police capacities of the *Schleierfahndung* were justified, for example, by the need to guard national borders after the dissolution of internal national borders in the EU. Even as it recedes from visibility, state power is fortified with new tools and technologies.

For Karakayali, surveillance of migrants is ultimately an economic more than political issue. He differs from those who see restrictive immigration policy as a tactic of populist electioneering or a response to domestic security concerns. This perspective leads him to overlook some of the more explicitly political reasons for changes in immigration policy, however. For example, in the 1960s, it was Iranians who protested against the authoritarian policies of the Shah who first received notations in their passports prohibiting political activity and threatening deportation. These cases of dissidence provided the political context for the passage of the Foreigner Law of 1965. Further protests against the Shah led to the levying of a deportation deposit by Baden-Württemberg for entering Iranians in 1968. Karakayali rightly links the 1973 “recruitment stop” of guest workers to the wildcat strikes by Turkish workers in Cologne and elsewhere, but the policy shift was also hastened by terrorism fears after the 1972 attacks during the Olympics. The events in Munich also led to one of the first instances of mass profiling during which all citizens from Arab states were subject to heightened scrutiny and frequently barred entry to West Germany. Perhaps because the “autonomy of migration” perspective tends to code the act of migration as implicitly political, there is a certain downgrading of the explicitly political activism of foreigners in Karakayali’s book (156).¹⁸

These last two studies of the opaque state, by Karakayali and Oulios, have the advantage of raising economic questions all but absent from the works by Hannah and Foschepoth. As Karakayali puts it: “To secure a social compromise in Fordism, the ‘population,’ especially the working population, must be a manageable volume (*steuerbare Grösse*). In the Keynesian welfare state, the operators of cohesion are economic” (152). Without connecting economic issues to those of surveillance, it is impossible to understand the graffiti scrawled on a Berlin trash can in 2013 reading “Jobcenter = Stasi.” Combining the core competencies of the Arbeitsamt (Labor Office) and the Sozialamt (Social Security Office) under a new English name after the Hartz IV reforms, the Jobcenter is the site of registration for those receiving unemployment aid and social assistance. Jobcenters also act as brokers for the obligatory “workfare” programs, known colloquially as “one euro jobs” because of their meager average hourly rate of compensation. Oulios notes that the first recipients of

“one euro jobs” were asylum seekers otherwise barred from employment, suggesting another way in which foreigners were test subjects for modes of state regulation (139).

However polemical, the equation of Jobcenter to the Stasi expresses the basic truth about the most effective ways in which surveillance operates for the average inhabitant of the Bundesrepublik in the twenty-first century—not through debates about permissible political speech, as in the case of the GDR, but through the free market and the social state oriented to buttress it. Scholars have long shifted their attention from the “Big Brother” of the state to the range of “Little Brothers,” most of which operate in the commercial sphere.¹⁹ They have also drawn attention to the voluntary nature of self-exposure. As Byung-Chul Han notes, “compulsory transparency today is not an explicitly moral or biopolitical, but an economic imperative” guaranteed by “hypercommunication rather than solitude through isolation.”²⁰ Alongside the enormous expansion of social-networking services like Facebook, the use of data to determine creditworthiness, insurance premiums, and the voluntary self-profiling by jobseekers on websites such as XING, academia.edu, and LinkedIn make clear that the traditional liberal demand for privacy is no longer viable. Future studies of surveillance could profit from combining attention to state surveillance with the history of actuarial data collection, marketing, and public-opinion research in West Germany, especially in light of the frequently uncritical appeal by social historians to the data of the numerous institutes of “demoscropy” in the Bundesrepublik.

Another direction for studies of surveillance would be to expand the category of visibility with particular attention to questions of race. As numerous accounts attest, being nonwhite in the Bundesrepublik has always meant living under perpetual informal surveillance.²¹ Racial profiling is not separate from but an extension of everyday experiences of involuntary visibility, the impossibility for people of color of “passing” as German. Scholars note that the incursions of surveillance often result in corresponding critical movements. The census boycott led to a “right to informational self-determination” (*Recht auf informationelle Selbstbestimmung*) that would remain essential to the German culture of data rights to the present.²² In recent years, many refugee seekers, frustrated by restrictions, have sought to seize the terms of visibility by making their predicaments public. They have engaged in cross-country marches, hunger strikes, and long-term occupations of a public square and an empty school in the Kreuzberg neighborhood of Berlin. Yet refugees in Germany seem to face an ever-deteriorating position. Karakayali argues convincingly that the ongoing Europeanization of migration policy has further removed the migration issue from public accountability and into the realm of the executive. Including surveillance and deportation in the history of West Germany also means responding to the call to Europeanize the history of West Germany itself.²³

The works under review make clear that the national bildungsroman of “recivilizing” no longer reflects the institutional reality of a country with a labor market whose

borders are patrolled in the European enclaves of North Africa and the waters of the Mediterranean. They also make clear that, for the opaque state, sovereignty means the right to break the rules and to see without being seen. Though a sociologist, Karakayali's book models best the narrative we should hope for in future retellings of Germany's postwar story. His study opens up the category of the state to show the different shifting mandates within it. Far from granting it omniscience, he shows its fissures and the contingency of the alliances between the various actors in ministries, police departments, activist circles, and courts. Augmenting the flood of insights from work on the security state of the 1970s, new studies of the economic links between East and West Germany—from the volume of loans in the Honecker years to the sale of prisoners—have begun to crack the Cold War containers that have simplified the story until now. All states watch their populations, and all populations watch back. Following the meandering lines of alliances and enmity produced by this relationship is the task of historians.

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Notes

1. Malcolm M. Feeley and Jonathan Simon, "Actuarial Justice': The Emerging New Criminal Law," in *The Futures of Criminology*, ed. David Nelken (London: Sage, 1994).
2. Deborah Ascher Barnstone, *The Transparent State: Architecture and Politics in Postwar Germany* (New York: Routledge, 2005).
3. See, e.g. Konrad Jarausch, *After Hitler: Recivilizing Germans, 1945–1995* (New York: Oxford, 2006).
4. See, e.g. "Deutschland wird Angriffsziel der US-Dienste bleiben," *Süddeutsche Zeitung*, July 11, 2014, <http://www.sueddeutsche.de/politik/historiker-josef-foschepoth-im-gespraech-deutschland-wird-angriffsziel-der-us-dienste-bleiben-1.2043053>.
5. See, e.g. Karrin Hanshew, *Terror and Democracy in West Germany* (New York: Cambridge University Press, 2012); Stephan Scheiper, *Innere Sicherheit: Politische Anti-Terror-Konzepte in der Bundesrepublik Deutschland während der 1970er Jahre* (Paderborn: Schöningh, 2010); Mary Nolan, "Pushing the Defensive Wall of the State forward: Terrorism and Civil Liberties in Germany," *New German Critique* 39, no. 3 (2012): 109–133; Jeremy Varon, *Bringing the War Home: The Weather Underground, the Red Army Faction, and Revolutionary Violence in the Sixties and Seventies* (Berkeley: University of California Press, 2004); Klaus Weinbauer, "Terrorismus in der Bundesrepublik der Siebziger Jahre. Aspekte einer Sozial- und Kulturgeschichte der Inneren Sicherheit," *Archiv für Sozialgeschichte*, no. 34 (2004); Achim Saupe, "Von 'Ruhe und Ordnung' zur 'inneren Sicherheit.' Eine Historisierung gesellschaftlicher Dispositive," *Zeithistorische Forschungen/Studies in Contemporary History, Online-Ausgabe* 7, no. 2 (2010).
6. Thomas Y. Levin, "Ange Leccia: Arrangement Stasi," in *CTRL [Space]: Rhetorics of Surveillance from Bentham to Big Brother*, ed. Thomas Y. Levin, Ursula Frohne, and Peter Weibel (Cambridge, MA: MIT Press, 2002), 178.
7. For another insightful study of the census boycott see Larry Frohman, "'Only Sheep Let Themselves Be Counted': Privacy, Political Culture, and the 1983/87 West German Census Boycotts," *Archiv für Sozialgeschichte* 52 (2012): 335–378.
8. Torpey uses this evocative translation of the German word "erfassen." John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (New York: Cambridge University Press, 2000), 11.

9. Toni Weller, "The Information State: An Historical Perspective on Surveillance," in *Routledge Handbook of Surveillance Studies*, ed. David Lyon, Kevin D. Haggerty, and Kirstie Ball (New York: Routledge, 2012), 61.
10. See, e.g. David Lyon, *The Electronic Eye: The Rise of Surveillance Society* (Minneapolis: University of Minnesota Press, 1994), 211.
11. Sven Reichardt, *Authentizität und Gemeinschaft. Linksalternatives Leben in den siebziger und frühen achtziger Jahren* (Frankfurt am Main: Suhrkamp, 2014), 35.
12. Barnstone, *The Transparent State*, 232.
13. Eric Jarosinski, "Of stones and glass houses: minima moralia as critique of transparency," in *Language Without Soil: Adorno and Late Philosophical Modernity*, ed. Gerhard Richter (New York: Fordham University Press, 2010), 157; Clare Birchall, "Transparency, Interrupted: Secrets of the Left," *Theory, Culture & Society* 28, no. 7/8 (2011): 63.
14. Vassilis Tsianos and Serhat Karakayali, "Transnational Migration and the Emergence of the European Border Regime: An Ethnographic Analysis," *European Journal of Social Theory* 13, no. 3 (2010): 378.
15. Tsianos and Karakayali, "Transnational Migration," 374.
16. Zygmunt Bauman, *Globalization: The Human Consequences* (New York: Columbia University Press, 1998), 51.
17. Gilles Deleuze, "Postscript on the Societies of Control," *October* 59 (Winter 1992): 3–7.
18. This perspective is in opposition to the work of Karakayali's occasional collaborator Manela Bojadziev who traces the dynamic relationship between migration and activism in her monograph, *Die windige Internationale. Rassismus und Kämpfe der Migration* (Münster: Westfälisches Dampfboot, 2008). See also Niels Seibert, *Vergessene Proteste: Internationalismus und Antirassismus 1964–1983* (Münster: Unrast, 2008).
19. Reginald Whitaker, *The End of Privacy: How Total Surveillance is Becoming a Reality* (New York: New Press, 1999), 133.
20. Byung-Chul Han, *Transparenzgesellschaft* (Berlin: Matthes & Seitz, 2012), 76 and 80.
21. See, e.g. Damani James Partridge, "WE WERE DANCING IN THE CLUB, NOT ON THE BERLIN WALL: Black Bodies, Street Bureaucrats, and Exclusionary Incorporation into the New Europe," *Cultural Anthropology* 23, no. 4 (2008): 660–687; Noah Sow, *Deutschland Schwarz Weiss. Der alltägliche Rassismus* (Munich: C. Bertelsmann, 2008).
22. The echoes of this culture were evident most recently in the leading role played by the German Green Party in defending data protection (*Datenschutz*) and the "right to be forgotten" in the European Parliament in 2013. "Das Recht auf Vergessen," *Die Zeit*, October 10, 2013, <http://www.zeit.de/2013/41/privatsphaere-internet-datenschutz>.
23. See Mary Nolan, "Americanization? Europeanization? Globalization? The German Economy since 1945," *Bulletin of the German Historical Institute*, no. 54 (Spring 2014): 59.

