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Surveillance, Capitalism, Leisure, and Data: Being Watched, Giving, Becoming

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ABSTRACT

This conceptual paper aims to serve two purposes: 1) introduce theories of surveillance to aid leisure scholars in exploring surveillance in its many forms; and, 2) add to the discussion on surveillance by layering "the leisure body" onto existing theory. We begin by introducing three groupings of "surveillance" theory: panoptic surveillance (think Bentham and Foucault), post-panoptical surveillance (think Deleuze), and contemporary surveillance (Galič et al., 2017). Panoptic surveillance is a physical surveillance (reliant on a fleshy body and physical space) where, like in Bentham's and Foucault's panopticons, the individual polices personal presentation and action under the presumption of being watched. We theorize this as surveillance *on* the body; it is body-to-body even as it is mediated through technology. Post-panoptical surveillance is less dependent on distinct, physical spaces, and particularly those of enclosure. We theorize this as the digital merging with the physical, where surveillance comes from the interaction of the technological with the fleshy body. Although this surveillance is less reliant on specific times and spaces—occurring *within* or *through* the body—it is nonetheless conditioned by our physical connections to technological devices. This is technology-to-body surveillance that is dependent on a physical interaction between the two. Contemporary surveillance is not dependent upon a physical linkage between technology and the body or a space of enclosure; it both marks an individual and simultaneously dissolves them into an ocean of big data. It is an inescapable surveillance *as existence* in the modern world. We call this *technobody* surveillance where the need for the interaction between technologies and fleshy bodies is subsumed by the gaseous and pervasive nature of apparatuses of surveillance. With each, we provide an exemplar from leisure practice, time, and/or space to illustrate how each operates within leisure phenomena.

> *"Instead of labor, surveillance capitalism feeds on every aspect of every human's experience"*

(Zuboff, 2019, *p. 9).*

Even now, during this third decade of the twenty-first century, we struggle to fully comprehend the extent that information and communication technologies (ICTs) have changed (and continue to change) our lives. The never-ending advance of newer,

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smaller, and more enmeshed ICTs blurs any clear distinctions between our homes and offices, work and leisure, or our consumptive and productive behaviors (Floridi, 2014). The unique qualities that once distinguished these various life activities, brought into sharp relief within unique spaces and times, now seem to have receded toward a pale monochrome. This dissolution of discreteness, the reduction of the individual and activity to quantifiable and calculable data points, produces a social condition that can as easily assist in weight loss journeys (Ringeval et al., 2020) as it can (re)establish cultural redlining and Jim Crow social organization (Benjamin, 2019). This condition, which Zuboff (2015a, 2015b, 2019) conceptualizes as *surveillance capitalism*, appears to feed on all of human experience, as well as reduce the same to base levels of production for profit.

Zuboff's surveillance capitalism, as well as the ever-blurring line between the fleshy body and data avatar (Silk et al., 2016; Spracklen, 2015; Yee, 2014), should cause us to reflect on the collection of data and the surveillance of the person (and communities) as current and significant means and methods of control. Indeed, Black feminist technology scholars like Safiya Noble (2018b) and Ruha Benjamin (2019) have written extensively and convincingly about how technology and data, while profitable for some, can be rendered deeply oppressive to others. Within leisure studies, Spracklen (2015) lamented much of this present condition while proposing his theory of digital leisure, stating "the Net has become an apparatus of commerce, control and surveillance, with most of this activity hidden behind the discourse of personal freedom" (p. 5).

We believe the field of leisure studies would be wise to attune to this condition, and in this paper we hope to raise questions for leisure scholars to consider: How do surveillance of the individual and surveillance capitalism transform the idea of leisure? How might leisure as a practice, and our willingness to allow the pressures of late-stage and surveillance capitalism(s) to dilute and infiltrate this practice, serve as a platform for our commodification? How, as leisure scholars, do our research methods and areas of inquiry introduce surveillance upon certain groups? And, how might we rethink leisure in our contemporary moment, critiquing its maintenance of, *and resistance to*, surveillance (capitalism)?

Although attending to each of these questions in full measure is beyond the scope of this article, our intention is to raise awareness and bring these questions (and hopefully others) to the fore as important ground for future scholarship. We are less focused on redefining leisure and more intent on shifting focus to the asymmetries of power, knowledge, and pleasure within leisure-focused surveillance, as well as imagining a future that may retain leisure as a domain of life activity that effectively preserves a measure of our collective humanity.

If always-on surveillance and surveillance capitalism are here to stay (they are), and are a threat to human nature as we know it (they likely are), how might leisure scholars begin to respond and chart a path of resistance? If, as Zuboff (2019) argued, privacy and monopoly laws are ineffective at curbing the harmful impacts of surveillance capitalism (because they were written in and about a time that is no longer relevant), then how might we use theory to understand, explain, and combat this present reality? How may existing theories of surveillance spur our imaginations to begin theorizing and thwart surveillances yet to come?

We begin by introducing three groupings of surveillance theory using Galič et al. (2017) as a guide: panoptic surveillance (think Bentham and Foucault), post-panoptical surveillance (think Deleuze), and contemporary surveillance (Galič et al., 2017). Our interpretations of these types of surveillance differ slightly from Galič, Timan, and Koops; in this paper we modify the conceptualization of post-panoptic surveillance and draw a more distinct differentiation between post-panoptic and contemporary surveillances. Panoptic surveillance is a physical surveillance (reliant on a fleshy body and physical space) where, like in Bentham and Foucault's panopticons, the individual polices personal presentation and action under the presumption of being watched in a given space and/or time. Within panoptic modes of surveillance, the physical spaces of self-policing and self-discipline figure as spaces of enclosure (e.g., the school, the family, the factory, the prison, the zoom call). We theorize this as surveillance *on* the body; it is body-to-body even as it is mediated through technology.

Post-panoptical surveillance is less dependent on distinct, physical spaces, and particularly those of enclosure. We theorize this as the digital merging with the physical, where surveillance comes from the interaction of the technological with the fleshy body (think smart phones, apple watch, etc.). Like with other uses of the 'post' prefix, the 'post' here radicalizes to suggest a new model, but one that echoes its antecedent's foundations (Lorimer, 2009). Although this surveillance is less reliant on specific times and spaces—occurring *within* or *through* the body—it is nonetheless conditioned by our physical connections to technological devices. This is technology-to-body surveillance that is dependent on a physical interaction between the two. Our technological devices are often left on, but they can be turned off, and post-panoptical surveillance can thus be turned off, disconnecting the individual from the apparatus.

Contemporary surveillance, however, cannot be turned off and is not dependent upon a physical linkage between technology and the body or a space of enclosure. Contemporary surveillance figures as a posthuman transcendence whereby the body, its actions, and even its thoughts become a web of descriptive data points that both mark an individual and simultaneously dissolve them into an ocean of big data. Contrasted with the preceding forms of surveillance, the presence of the body in time and space, as well as the direct interaction of that body with technologies, fades into a background of multi-modal data collection; it is an inescapable surveillance *as existence* in the modern world. We call this *technobody* surveillance where the need for the interaction between technologies and fleshy bodies is subsumed by the gaseous and pervasive nature of apparatuses of surveillance. All actions and inter-actions are codified, and to function effectively in the modern, global world the individual cannot be disconnected from the surveillance apparatus (e.g., credit scores, digital banking, etc.). Indeed, to go "off the grid," to not engage with this pervasive surveillance, itself becomes data fed into the machine. This contemporary surveillance is a shell that contains other forms of surveillance and holds our current digital neoliberal capitalist society together. Where Galič et al. (2017) positioned much of this transcendence within the realm of the post-panoptic, and described the contemporary as expansive off-shoots of this concept, we believe that this distinct step-wise interpretation of post-panoptic and contemporary surveillance is more functional.

To be clear, although we write of three separate modes of surveillance, they are interconnected. The existence of post-panoptical surveillance should not be taken to

indicate the cessation of panoptic modes of surveillance. To the contrary, we see an intensification of panoptic surveillance in the shifts to post-panoptic modes (Massumi, 2015). Likewise, contemporary surveillance is not a discontinuation of the post-panoptic. Rather, contemporary surveillance relies on the post-panoptic to construct new data-collecting structures and normalize a kind of always-on surveillance in the populace.

In our explorations of these modes of surveillance, we provide an exemplar from leisure practice, time, and/or space to illustrate how each operates within leisure phenomena. In so doing, we describe these modes of surveillance as being nested within one another (like Matryoshka, or Russian dolls, separate but inextricably linked) and illustrate how they are variously couched within leisure. It is important for our field to elaborate various conceptualizations of surveillance and further the legacies of feminist (Nichols et al., 2021), queer (Dykstra & Litwiller, 2021), and critical resistances (Pinckney IV et al., 2018). We conclude by "imagining forward" into how we might theorize and in turn counter the attack on human nature mounted by surveillance capitalism.

The elf, the shelf, and the all-seeing eye(s)

To give a through-line that helps demonstrate how these modes of surveillance are codependent and simultaneous, we will return in each section to the example of the Elf on the Shelf®. In 2005, the book, *The Elf on the Shelf: A Christmas Tradition* accompanied by a stuffed "scout elf" doll came to market, starting a new holiday tradition that has now spread to over 15 million homes (including one of the authors of this paper—Figure 1). In short, the Elf[1] "comes" to the house right around (American) Thanksgiving. Parents (or guardians) place it somewhere in the home where it sits (creepily) watching the children (and everyone). Each night the elf "flies back to Santa" to report on behavior, then returns for the next day's observations. The scout elf is a classed object in that it serves as a monitoring tool to help police behavior around the consumptive tradition of Christmas, and itself requires a purchase of at least $25 USD.[2] The original scout elf was also male, white, and blue eyed, with both "girl" and "dark toned" elves appearing only several years later, bringing the problematics of class into intersections with race.

This frozen-in-place, but always-on surveillance, coupled with the *aller-retour* performed each night by the elf is anxiety producing for child and adult (Pinto & Nemorin, 2015; Tuttle, 2012). For the child, the elf represents a real-life manifestation of Santa-linked surveillance of naughty and nice behavior, brought to life in this ever-moving always-watching scout. For adults in these households, the maintenance of the illusion through every-night movement of the elf carries with it the anxiety of maintaining well-behaved children in an overwhelming time of year. The basic book/elf pairing from 2005 has now grown into a far-reaching empire that includes movies, immersive elf experiences, virtual games, elf-based school curriculums, blogs, Pinterest boards, and elf pets. The elf manifests then, as a type of capitalist-linked leisure, demonstrating

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[1]The aforementioned "scout elf" that comes with the book or can be purchased separately online

[2]$25 USD is the January 2023 price for the original package that includes the story book and the white, blue-eyed elf on Amazon. At the same time the "Dark Tone" boy elf package can be purchased for $16.50 USD.

Figure 1. Elf on the Shelf doll posed with Foucault's Discipline & Punish. © the authors.

each of the modes of surveillance we discuss in this paper, while providing a tangible through-line for readers as we look into the prism of surveillance and leisure.

Panoptic surveillance

One of the most famous images representing panoptic surveillance is that of the panopticon prison design originally envisioned by Bentham in the late 1700s. In Bentham's concept, prison cells were arranged in a circular fashion, backlit, and facing a single guard tower in the center of the circle. The guards in the tower were never visible to the prisoners, but the prisoners were always visible to the guards. Because of this design, prisoners would never know if guards were watching them at any given time and must assume they are constantly surveilled, causing them to effectively self-police. In this way, just a few guards in the tower could monitor many prisoners using the threat of constant surveillance and visibility as a tool for discipline (Figure 2). This physical architecture, a means of control of many by the few through constant unverifiable surveillance, could be used not only in prisons, but in other institutions such as schools, factories, and hospitals.

Foucault (1979/1995) expanded on Bentham's ideas, asserting that panoptic surveillance is how the state exercises power on citizens through various institutions (school, health care, factories) to create "properly" behaving, "normal," "docile bodies." He states that permanent unverifiable visibility is key to exercise state power.
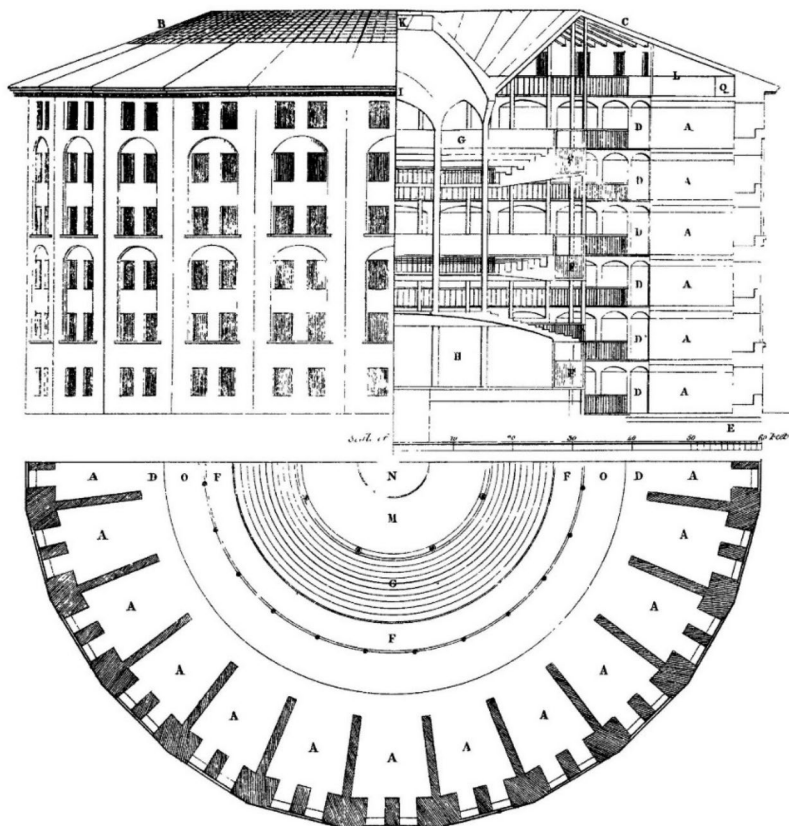
Figure 2. Plan of Jeremy Bentham's panopticon prison, drawn by Willey Reveley in 1791.

> Visible: the inmate will constantly have before his eyes the tall outline of the central tower from which he is spied upon. Unverifiable: the inmate must never know whether he is being looked at at [sic] any one moment; but he must be sure that he may always be so
>
> (p. 201).

What Foucault added was a theory of *how* surveillance worked as an apparatus of state power. Foucault argued that the inmate or student or factory worker or patient would begin to self-surveil (and surveil one another), behaving in "correct," "normal" ways so that the instrument of discipline (the physical and metaphorical guard tower) would no longer be necessary; the people would internalize the state's discipline, overlaying it onto their own bodies.

> He who is subjected to a field of visibility, and who knows it, assumes responsibility for the constraints of power; he makes them play spontaneously upon himself; he inscribes in himself the power relation in which he simultaneously plays both roles; he becomes the principle of his own subjection (pp. 202–203).

Foucault states that once the inmates play a role in their own subjection, then power functions automatically. With this in mind, how exactly does panoptic surveillance and power relate to the body?

What is its relationship to the body?

Panoptic surveillance is a physical surveillance (reliant on a physical space…the "architectural apparatus" as "a machine for creating and sustaining power"); we theorize this as surveillance *on* the body—the human and their body are central to the working of panoptic power. During the industrial revolution, we saw this architectural apparatus in the design of factories where workers worked in a large room and could be monitored by a supervisor whose office was placed physically above them so that supervisors could observed without being seen. The goal of panoptic surveillance is to *discipline* bodies.

According to Foucault (1979/1995), "Discipline 'makes' individuals; it is the specific technique of a power that regards individuals both as objects and as instruments of its exercise. It is not a triumphant power…it is a modest, suspicious power, which functions as a calculated, but permanent economy" (p. 170). That calculated, permanent economy works to discipline its citizens into behaving as "normal" citizens *should* (think norms written by those in power and upheld and internalized by citizens). We see this everywhere, especially our leisure spaces.

Where do we see this nested within leisure?

Doctorow (2020) argues that when we are watched, our behavior changes, and not for the better. In a similar way, Zuboff (2019) states that we need sanctuaries, places where we are free from surveillance for us to be human, to be our authentic selves. Historically, those 'sanctuaries' of freedom were leisure time and spaces such as public parks, playgrounds, hiking trails, at home playing, etc. However, our time spent engaging in digital leisure (especially social media sites) has displaced time spent doing analog leisure. Here, we provide two examples of panoptic surveillance in the leisure field: Instagram and Elf on the Shelf.

Instagram

As of 2022, the average person spent 2 hours and 27 minutes daily on social media (Buchholz, 2022, para 1), which accounts for half of their total daily leisure time (the second half is mostly spent watching TV). Most digital leisure spaces (and television viewing practices) are steeped in surveillance.

For one compelling example, we can explore how the architecture of Instagram and its influence on users' production of self closely parallels the panopticon. On Instagram, user content is produced in two ways: 1) Individual posts and 2) "stories." Individual's posts are the main form of Instagram content and consist of single photographs with or without captions (Figure 3). These posts are displayed as a gallery of user-curated images and biographical information, making the person's life observable from the outside as single images appearing on the feeds of other users, or collected images on the user's profile page. Users create posts that are linked to their profile and are always under the (potential) gaze of (unseen) others, then discipline themselves based on this assumption of being watched (McKeown & Miller, 2020). While many other users *may* observe a post, there is no metric for number of views,
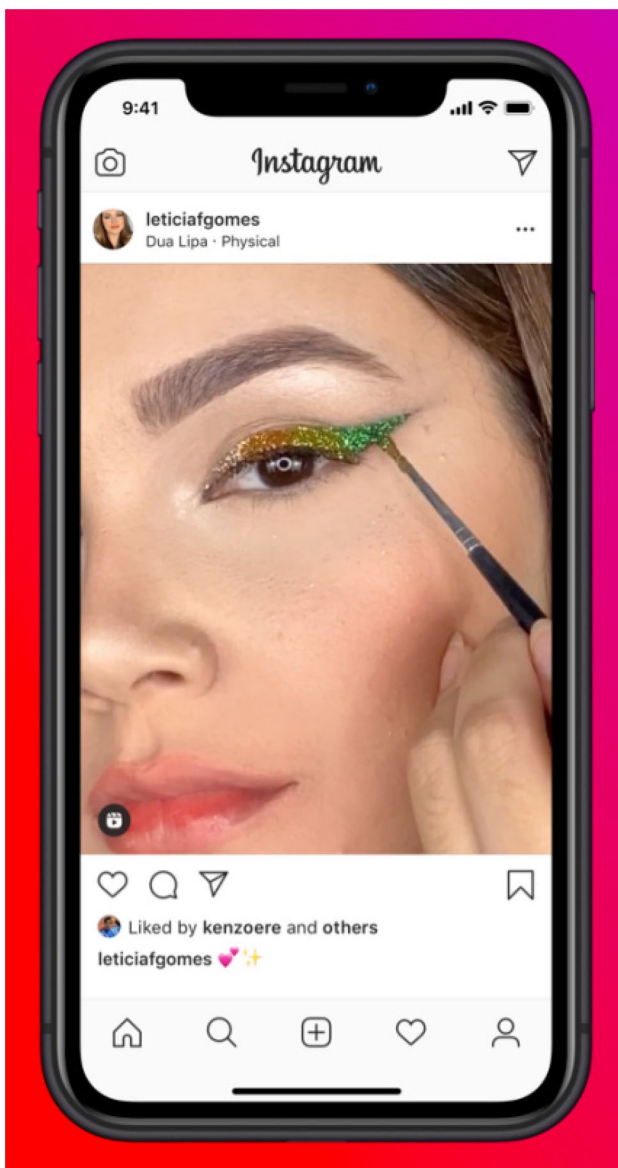
Figure 3. Example of Instagram post. Photo from Instagram Reels Licensed CC-BY 2.0.

only "likes." Once someone likes a post, their identities are "revealed" as surveillor, or guards in the tower (Figure 4).

The same is true for Instagram "stories;" short video clips or collections of images that are ephemeral and exist for only 24 hours. Anyone on the site may view these posts, but in this case the user can see all users that have viewed the story, not just those who have "liked" it. In both posts and stories, the user is likely to curate their content to an audience they cannot see or be sure is actually watching them. Users work to encourage more people to view their content, but also to adjust and adapt to the perceived desires of those viewing in an effort to drive engagement (How should I pose? What pictures about my life should I share?) (Wong et al., 2019; Zulli, 2018);

Figure 4. FB Panopticon Photo by Joelle L is licensed for use under CC BY 2.0. Instagram is owned by Meta, formerly Facebook Inc.

akin to the self-surveillance in reaction to the guard in the tower. In this way panoptic surveillance is being internalized and administered simultaneously, as the user is both the watched and the watcher. Albrechtslund (2008) refers to this as the "participatory panopticon" arguing that surveillance on social media, where work and play are intertwined, is not always a dominant top-down control, but often the user (willingly and happily) embraces the policing of self to appeal to the (maybe watching) masses.

Elf on the Shelf

"How does leisure focus on training (i.e., disciplining) young humans to further embrace systems of exploitation?" (Schultz & Rose, 2022, p. 138). Schultz and Rose (2022) challenge us to think about how holiday leisure traditions, specifically The Elf on the Shelf, powerfully normalize neoliberal and surveillance capitalisms. Here, we consider Elf on the Shelf as it was first introduced as an example of panoptic surveillance in a leisure space. Recalling the description of Elf on the Shelf, the parallels to panoptic surveillance are clear. The elf is akin to the guard tower, physically visible in the house, manufacturing a sense of being constantly watched for the children. Like the prisoners in the cells, the children can see the elf, but cannot see Santa (read: prison guards) that the elf reports to each night. The elf is a form of parent-endorsed surveillance (Tuttle, 2012) with the primary goal of disciplining children to behave—the reward for that discipline is the consumptive event of receiving presents. A secondary and more insidious goal is to normalize surveillance, preparing children to accept life in a hyper-surveilled police state (Pinto & Nemorin, 2014, 2015). The elf represents the element of the Santa myth and narrative that, were we to examine it in isolation, would be deeply disturbing—there is a tiny person in your home watching your children, and reporting back to a fat old man that has the power to visit every child in one night! But this observational construct (of Santa, and post 2005 the shelf elf) is so deeply rooted in the leisure and consumptive practices of Christmas that it is simply accepted. Like the guard tower, the elf works without the necessity of any real punitive action; the children begin to police themselves.

But what happens beyond the self-policing of the body that comes with our social media use and elf-laden Christmas tradition? The surveillance that surrounds us is woven into the fabric of our lives through the technologies we use and carry, extending beyond the self-surveillance of the panopticon. In the following section we explore the next form implicated in that apparatus.

Post-panoptic surveillance

Post-panoptic surveillance is less dependent on distinct physical enclosed spaces of discipline (e.g., the home, factory, school, prison, the zoom call), so while there is still a spatial component to surveillance, it is transformed. Instead of enclosed spaces, we see a shift toward a surveillance apparatus that moves with us, accompanying us as we move and as we move between otherwise surveilled spaces. Surveillance is still rooted in the interaction of the technological with the fleshy body, but this time occurs *within* or *through* the body as an adjunct to daily life. Where panoptic surveillance is predicated upon an understanding that one may be watched and judged, causing the self-policing of the body and performative actions, the post-panoptic shifts to a surveillance of the person by the technologies connected to them (think smart phones, Fitbit, apple watch, etc.). Post-panoptic surveillance is more pervasive and less overt, less restricted by distinct physical space, allowing it to blend into the background and be forgotten. However, it can still be turned off, powered down, and disconnected.

In the Foucauldian framework, families, schools, barracks, hospitals, and prisons worked to concentrate, distribute, and order time and space to produce moral subjects (Foucault, 1995). That disciplinary structure aligned with a nineteenth-century form of capitalism focused on production. Yet, late-stage capitalism "is no longer a capitalism for production but for the product, which is to say, for being sold and marketed" (Deleuze, 1992, p. 6). And with this shift in capitalism the associated social order shifts from one of disciplining moral subjects toward controlling (or modulating) access, passage, and flows of information and capital (Deleuze, 1992; Kumm & Johnson, 2017; Massumi, 2015). The monitoring and tracking of individual movements and actions by digital technologies becomes how our various vital capacities are modulated and controlled. We (sometimes) willingly become both the means of production and the product through acts of prosumption (Ritzer, 2015), and (knowingly) engage through our devices with surveillance of our selves (Whitson, 2014). Within this late-stage capitalism, we find that "the difference between marketing and consuming and between living and buying is … almost indistinguishable" (Massumi, 2015, p. 24).

What is its relationship to the body?

Technology enables us to move, and to move in more diverse ways, through and beyond the enclosed spaces of panoptic surveillance. Yet, the smart technologies that enable our movements are the same that surveil us. We carry these technologies in our pockets (e.g., smart phones), wear them on our bodies (e.g., Fitbit, smart clothing and jewelry), and wire them to our homes (e.g., Ring Smart Home Security). While the convenience is difficult to deny, our bodies are tied to technology and rendered into a commodity.

The imprint of the body taken by the portable/wearable/installed technology becomes a part of who we are. This is no longer a surveillance *on* the body, but *within* or *through* the body. We are no longer merely disciplined in space, but disciplined in movement (e.g., through step counts), attention (e.g., persistent checking for device notifications), activity (e.g., working on mobile even when not at work), and focus (e.g., texting and driving). As technology becomes smarter, and as we further invite it into our lives, we become increasingly entangled in a web of surveillance that does not require the eyes of another human to operate on our bodies. The devices that discipline us to their needs act as surveillance mechanisms of our movement, attention, activity, and focus, reporting back on us to the surveillance capitalist machine. Preoccupied with our shiny screens and novel gadgets, the effects and feelings on the body of being watched are subsumed by notions of convenience, if we were ever conscious of the surveillance bargain for our bodies and their data to begin with.

Where do we see this nested within leisure?

The body-to-body influence of panoptic surveillance in leisure spaces is clear when we examine the policing of self and performativity through social media posts and the curation of the self. The presentation of self is ordered by the belief that the "other" (peer, corporation, influencer) is watching, and we must present in a certain way. In a post-panoptic leisure context though, we are surveilled (consciously or otherwise) by the technologies we engage with in the act of leisure itself; surveillance is technology-to-body.

The wearable fitness tracker

Like the voluntary panoptic surveillance users engage with on social media platforms like Instagram, users of fitness trackers and other wearables that track biometric and other data (e.g., Fitbit, Apple Watch, Garmin wearable, etc.) agree to be surveilled. But wearable fitness trackers allow for a different type of post-panoptic surveillance, what Whitson (2014) calls "governance and gamification" of and by the user. The way that wearable fitness trackers create a bridge between the using body and the collector of surveillance data implicates them and their users into the network of post-panoptic surveillance and continues the work of commodifying leisure practice. While hiking, for example, the Fitbit user may employ a variety of the device's features to track their progress or physical activity metrics. Distance, altitude, heart rate, steps, and others might be used by the hiker as a kind of self-surveillance, but these same metrics are also logged and used by the technology makers (or other third parties) engaging in what Lupton (2016) calls dataveillance; "the watching of people using technologies that generate data, increasingly in digitized formats" (p. 102). This dataveillance is both covert and overt, meaning that users know some of this data is transmitted but may not be aware of the full complement of metrics and data recorded and tracked (Esmonde & Jette, 2020).

The actualization of this dataveillance on the body of the hiker manifests through how the fitness tracker relays data to the parent company. The company in turn, usually through a proprietary app used online, by separate mobile device, or even through messages on the device itself, encourages continued use of the device; and by

Figure 5. Elf on the Shelf with white powder. Image accessed under creative commons license CC-BY JennaBlogs.com.

association continued generation of usable and sellable data. This is the manifestation of post-panoptic surveillance for surveillance capitalism in that the monitoring of the device and its user is more lucrative than the sale of the product itself. And so, the user becomes the prosumer in both the consumptive act of purchasing the device, and the productive act of generating large amounts of sellable data.[3] Importantly though, in this cadre of surveillance, data are tied to the individual and the device, and devices that are turned off or left unused disconnect the person from the surveillance.

The elf apps

Who needs technology when you have Christmas magic? Answer: anyone trying to keep the elf fantasy alive. It is important to remember that the panoptic power that the scout elf represents is fueled by its 'magical powers' that observe and report the behaviors of children back to Santa. Each night the elf flies back to the North Pole, makes its report, and returns to a new place in the home before the children arise in the morning to see the scout frozen and still in some new pose (e.g., snorting powdered sugar on the kitchen counter, passed out in a tumbler of maple sirup, or making snow angels on a pie plate—Figure 5). Entertaining children while conditioning their acceptance of omnipresent surveillance is the name of the game. And to keep the game going parents may avail themselves to the Scout Elf App, which is advertised

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[3]See the work of Ritzer et al. on prosumers and presumption (Ritzer, 2015; Ritzer et al., 2012).

to provide inspiration for creative activities and elf moments (for adults) as well as videos and music (for children). And if this is not enough, one may also purchase Elf Pets and Elf Mates to widen the surveillance net in the home, and integrate these new "friends" into your use of the Scout Elf app.

The post-panoptic surveillance afoot is more nuanced than posing an elf with a piece of smart tech or attaching an elf to a person as a tracking device. Such approaches would spoil the "magic." The surveillance is rather less overt through the usage tracking of Elf apps, and the checking and re-checking of elf-focused social media. The slow creep of the simple Elf concept, driven by insatiable capitalism, subtly draws child and parent alike into an online community. It links bodies to technology via smart device applications and turns the wheels of prosumption through acts of "$/Elf-ies." The elf scout is no longer just a cloth and plastic figure of surveillance but a link to very real surveillance apparatuses. Far more than just fun and games, these apps wire the elf fantasy to real surveillance—there is nothing magical about it.

Contemporary surveillance

Finally, in contemporary surveillance, the layers of panoptic and post-panoptical are subsumed by a broader, more intense, and further dehumanized datafication. In contemporary surveillance the value of the individual is stripped away from the surveilled consumer and is separated from the bodily entanglement of data-mediated capitalist prosumers. The value of the economic unit (encompassing the individual, the family, the community, the racial group, or whatever ordering mechanism the surveillance capitalist machine settles on in that moment) resides wholly in their data, as well as that data's inclusion/interaction with the data of others. The body is transcended, and we enter surveillance *as existence*—a kind of extended and multi-dimensional data avatar; the *technobody*. The body maintains its value from panoptic and post-panoptic surveillance (as these forms of surveillance are acting simultaneously) but that value is also actualized through quantified data avatars that can be deconstructed and recombined. This form of surveillance underpins governmental and corporate strategy through the quantification of individual action beyond anything ever available in history (Andrejevic, 2014). The result is that the individual becomes a series of loosely connected data objects, working in "the world of the robotized interface, where technologies work their will, resolutely protecting power from challenge" (Zuboff, 2019, p. 225).

Contemporary surveillance is both an extension *and* evolution of the post-panoptical surveillance discussed above, as it cannot and would not exist without the foundational development of post-panoptical surveillance and the entrenchment of surveillance capitalism (Zuboff, 2019). Contemporary surveillance theory, write Galič et al. (2017), is "characterised by refinements of, and additions to … surveillance theory, branch[ing] out in different directions, from new types of Panopticons and digital surveillance to more user-centric perspectives of participation and resistance" (p. 11). This surveillance is technologically dependent, and although it (sometimes) requires human input or analysis, there are

contemporary surveillance apparatuses that operate in the absence of human input through AI and machine learning.[4]

As described earlier in this paper, surveillance capitalism claims "human experience as free raw material for translation into behavioral data" (Zuboff, 2019, p. 8). Those records of human experience are then churned into predictions applied to populations, and by association individuals, in the service of capitalism. Contemporary surveillance consists (at least in part) in the registration of passages, movements, or transactions within a seemingly open social field. As Massumi (2015) explained, the social field is open but full of checkpoints, which lurk and wait to register little details about each movement, which is "very convenient for surveillance or crime investigation, but even more valuable for marketing" (p. 27).

This is the business model of most social media and 'big tech,' keeping data-point tabs on billions of people whether they are users of the main services these companies offer or not (Taplin, 2017). While data points are collected at the granular level, from individuals, the revenue generated from this data is at the aggregate level. It is significantly more efficient for most large-scale advertisers to have information about segments of the population rather than billions of individual profiles (Noble, 2018a; Scott, 2015).

The nature of this type of surveillance—a kind of surveillance that is so ubiquitous it fades into the background like infrastructure and cannot be turned off without disruption—also allows for its contemporary evolution to where surveillance is an omnipresent set of expectations/structures that strip away the individual, as well as the means of self-determination and decision-making in favor of a data machine. Data machines are always-on generators of data points that create profiles and data avatars so thoroughly tracked that even absences of data become significant data. In advertising terms, for example, tracking cookies and identifiers for advertisers (IDFA)[5] have allowed third-party companies to create remarkably accurate predictive structures and tailored advertising for users who have not purchased or even interacted with that company before (Lodvdahl Gormsen & Llanos, 2022; Papadopoulos et al., 2019). The result is a specific and curated online experience, down the level of search engine results, based on user's demographic (general categories) and specific individual data streams driven by the surveillance apparatus. This tracking, profile construction, and leveraging for sales occurs almost exclusively in the background, out of sight (and mind) of the user themselves. The user does not work to produce these data points, nor can the user turn them off or opt-out if they want to continue to engage with contemporary technologies and ways of life.

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[4]We acknowledge, of course, that these technological structures would not exist without the direct and specific inputs of humans, and that there are complex relationships between the infrastructures that keep technologies functioning for our varied uses (Parks, 2015). But, for the purposes of our arguments here, understanding AI-based collection and analysis of surveillance data as a kind of human-free apparatus allows for an understanding of ongoing developments of human-free evaluation of data and decision making.

[5]These are the elements that allow for behavioural targeting in people's online activity and purchases, so the ads that appear based on your previous online purchases and/or your recent browser history (Miles, 2021).

Galič et al. (2017) call this "a façade or illusion of self-control, where actually users are being tracked and traced in the background" (p. 30). The tools provided by capitalism to assist us in our personal goals and desires, actualized through technologies, become the tools whereby we are converted into value through data, via a set of metrics determined by the enterprise that produces, supports, and obsolesces the hardware and software that datafies us.

What is its relationship to the body?

Rather than a relationship to the body of the individual as in panoptic and post-panoptic surveillance, the influence of contemporary surveillance becomes surveillance *as existence*, or integrated into the fundamental makeup of contemporary life. Although we are not yet at the point of widespread use of implantables, embeddables or ingestibles, the potential for the use of this type of device (both as workplace surveillance devices and for personal use) are on the horizon (Pedersen & Iliadis, 2020). This metaphorical (or literal) creation of the cyborg (a hybrid of machine and organism (Haraway, 2006)) is non-negotiable. As with the ubiquitous wearables and portable tracking systems we currently engage with in the name of 'quality of life,'[6] devices that are embedded, implanted, or that otherwise engage cyborg notions of humanity (Currier, 2003; Haraway, 2006) become the ways that we must inhabit and interact with the world— extra-body connection points that both track data about the body and generate data that is itself tracked, while remaining loosely affiliated with the body. The line between the body and the technology is erased, creating a kind of cybernetic being that is simultaneously the surveilled and the surveillance device. It is ubiquitous, permanently on, and impossible to turn off or disconnect.

Although social interactions entrenched in technologies are not yet (literally) part of the body, the move in this direction is happening in real-time. Take job hunting as one example, where proprietary platforms like LinkedIn, Indeed, and others are the primary way that job seekers and companies find each other. These platforms are in the business of creating data profiles and leveraging them to enhance recruitment and product sales. LinkedIn (owned by Microsoft), for example, had over 822 million users in Q1 of 2022, and the highest percentage of their revenue comes from the "talent solutions" services they offer to companies—services that companies pay for to leverage the extensive profile and aggregate data the site collects on its users to match employers with job seekers (Parker, 2021). This revenue stream is followed by marketing solutions where that same user data (including data on what companies users have been in contact with) is leveraged for the sale of advertising space on the site, and sold to third-party marketing companies (Iqbal, 2022; Parker, 2021). As a job-hunting user, to have full access to the site and the job postings hosted by it, you must have a profile—you must allow LinkedIn to build your data profile. Your value is not just as a job seeker who provides data to the machine either. LinkedIn positions itself as a

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[6]We mean here technologies like Fitbits and Apple Watches, but also our cell phones, computerized cars, even internet-enabled appliances and children's technologies like toys and monitors

professional social network, encouraging users to remain engaged and active on the service, contributing perpetually to their own data image and being leveraged through their surveilled activity as producers of capital data objects for the technologically-integrated bottom-line of the company. It is here where we see the real relationship of the contemporary surveillance apparatus to the body. The material, fleshy body is no longer required, but is decomposed into its constituent data and repackaged. The data need not even be generated by a fleshy body where bots and AI-generated content can accomplish similar things to user-generated content.

Where do we see this nested in leisure?

The (de)constitution of the body into data, as occurs in contemporary surveillance, might give the leisure theorist pause as our conceptions of leisure are largely caught up in the fleshy body, even as that fleshy body might be engaged with digital leisure practices. Arguably though, it is precisely the preoccupation with the fleshy body in some leisure practices that renders them most easily surveilled and converted to capital in these contemporary ways. We will continue our previous examples here to help us understand.

Fitness tracking the data avatar

As discussed earlier, in the context of how users engage with the technology and allow it to modify their lives and actions, Fitness trackers are a kind of post-panoptic surveillance ideal. They both construct and monitor a set of personal actions cloaked under presumptions of ideal health and gamified idealism (Esmonde & Jette, 2020; Owens & Cribb, 2019). In subjecting the user to what Owens and Cribb (2019) call "biomedical and consumerist epistemologies" (p. 24) fitness tracker surveillance becomes with and through the body. But this also facilitates a form of capitalism where the body itself only holds value through the data that it produces, so while the consumer easily fall into the "Fitbit subject assemblage" through the use of the technologies themselves (Esmonde & Jette, 2020, p. 300), the produced value is not through the purchase of the technology, or even its use on the body,[7] but rather the data points that are continually generated by the product use, and leveraged by the company.

　　When we use our fitness trackers as part of our leisure practice (the Garmin that you use to track your hikes, for example), the company doesn't care where you go, how much altitude you gained, or that you got your 10,000 steps for the day. Rather, they care that they know you did those things, that you share that data (willingly or unknowingly) to facilitate the construction of your own data subject—a subject that exists in many ways completely disconnected from the fleshy body. This data is also nearly valueless on its own, as the data points from a single user provide little to advertisers. But as contemporary surveillance data is always collected in association with the data of others, the dissolution into the big data pool via the erasure of the fleshy body is inevitable. This erasure becomes an unspoken subtext of leisure

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[7]Acknowledging, of course, that they are used with and on the body.

experience, and one that is leveraged to better sell us goods and services based not on what we think we want, but what we are told. Surveillance capitalism then uses collective leisure data to modify our perceived needs and changes our leisure behavior through the dataverse.

An elf's silent work

The elf on the shelf positions contemporary surveillance in a decidedly different way to fitness trackers but is nonetheless significant for our discussion. Again, we have discussed how the elf watching us from its shelf engages both panoptic and post-panoptic surveillance, and in the context of contemporary surveillance we are engaged with a rendering of the self in the creation of exploitable surplus. "Rendition of all aspects of human experience in behavioral data" explains Zuboff (2019, p. 319) creates an irresistible surplus, but that is detached from the body. So while the act of purchase and engagement with elf-related technologies (like the website and mobile app) fit nicely into a post-panoptic surveillance practice where those data points are used to sell and re-sell to you, the data shadow (Zuboff calls this "the abandoned carcass") that is left behind by your surveilled elf interaction (photos, tweets, posts, app activity, purchase activity, etc.) remains in perpetuity. As contributors to the global data object, you as the producer of that data shadow often have little control over it after creation—the Elf on the Shelf app, for example, collects data on location and app interactions at all times, and the data, once generated, cannot be deleted or modified by the user (Google Play, 2023).

The elf on the shelf, as an apparatus of contemporary surveillance, normalizes embodied surveillance (the elf is both watching and moving at it watches), the kinds of perpetual and ubiquitous surveillance and reporting on "the other" that is required to support micro-fascism (Bratich, 2022). In many households, the elf creates a kind of intra-household surveillance network where siblings report on siblings, and even parents (those who brought the elf to life in the first place) are reported on or warned by the children the elf was initially meant to control. To push beyond the panoptic and post-panoptical, the elf has extended its influence through a rhizomatic capitalism (Tavares et al., 2017) that includes a number of online interactive activities, mobile apps, school curricula, streaming moving and shows, games, and knock-off products, all of which contribute to ever-growing data-fields that "poaches our behavior for surplus and leaves behind all the meaning lodged in our bodies, our brains, and our beating hearts" (Zuboff, 2019, p. 354). The purchases, the social media touch points, the download, use, and integration into Ed-Tech (Hillman & Esquivel, 2022) of curricula like the ones produced by this company all render the new holiday tradition into data points for sale.

Where do we go from here? What is next? How do we resist?

Based on what we have described in this paper, you might be inclined to wonder whether there is anything that can be done about the gaze of the all-seeing (elf) eye, and how these realities affect leisure practices and scholarship? While we are not able to provide sweeping prescriptions about the surveillance practices you are subject to,

Figure 6. Elf on the Shelf as part of a series of Matryoshka dolls. "Pixie hanging out with the nesting dolls. Day 9 elf on the shelf" – © Lisa Saunders.

Figure 7. The Elf on the Shelf balloon floats down Sixth Avenue during the 88th Annual Macy's Thanksgiving Day Parade in New York – © Andrew Kelly/Reuters.

we hope to provide some ways to think through this surveillance that can help you make informed decisions.

Elf Layers

The example of the Elf on the Shelf has provided us with a through-line to explain, in practical and unsettling terms, how the different modes of surveillance we have covered in this paper are implicit and explicit in a phenomenally popular North American Christmas tradition. We can use it again here to think about our role in surveillance creep. Products and "marketing juggernaut[s] dressed up as a tradition[s]" (Tuttle, 2012) like the elf on the shelf turn us into the proverbial frog in the boiling water, but a frog turning up our own heat. We are allowing, or even actively encouraging turning up our

own surveillance 'heat.' Contributing to this is that the Elf on the Shelf and the surveillance apparatuses it supports are not independent, but rather nested into one another like Matryoshka dolls (Figure 6). The layers are built onto previously accepted forms of surveillance to build structures that work seamlessly in concert with one another.

Panoptic surveillance, or surveillance directly of the human body disciplines the surveilled into a conforming docility. This axis of control influences the physical actions of buying, placing, and giving over control (by the observed child and obligated-to-the-illusion adult) to the surveillance of the elf. Post-panoptical surveillance enforces a data-generating s/elf-surveillance where the action of purchase and giving willingly into surveillance generates additional data that can, in turn, be effective in producing material consumption and influence. In this case the elf permeates the social media of consumers, both creating data points for the leveraging of sales in the future, but also a co-constructed policing of individual elf buyers into continuing and creatively developing the capitalist tradition of consumption. The layer of contemporary surveillance, built again on the normalization of data production and docile bodies, extends beyond purchasing and direct capitalist consumption and into a data landscape spreading out from the elf. This penetration comes from the proliferation of the elf into media, educational, and popular cultural spaces (see, for example, the Elf balloon in the Macy's Thanksgiving Parade—Figure 7). It increases social media touch points exponentially, creating new sets of exploitable data that may or may not circle back to the elf itself. In this case, the consumer body and the direct influence exerted upon it is replaced by its data, and this data is the sole unit of economic value.

As a leisure practice the Elf on the Shelf seems benign, even fun, but its implications on the surveilled lives of consumers is illustrative of how easily and directly leisure practices can be functionalized to work on the participant in service of someone else. As leisure scholars we need to remain vigilant that the technologies we engage with to create better leisure lives are not also turning those loves into capital.

The problem, of course, is that the state of surveillance capitalism described by Zuboff and others—the one that permits and encourages the contemporary surveillance we have described here—has already come. Surveillance capitalism has been discussed for almost a decade (Fuchs, 2017; Mosco, 2015; Zuboff, 2015a, 2015b) and the goal of this parasitic economic order is not just to predict and influence consumer behavior. More insidiously, it is to *control* behavior to drive consumerism and profitability. We argue, alongside Zuboff (2019), that we are currently living within a state of surveillance capitalism and that leisure is deeply and inextricably linked to this predicament. Your data avatar is already in place, and you are already influenced by what it represents about you.

For us, this speaks to Zuboff's "right to the future tense," which is her way of stating that the individual should have the right to decide what happens in their own future without the undue influence from outside (marketing) powers. Zuboff is bullish on how significant these influences are, while authors like Cory Doctorow (2020) are less convinced about the control efficacy of surveillance-based marketing and influence. Regardless of the level of influence you believe these surveillance practices have on yourself and others, understanding even the smallest amount of observation (secret or overt) that is then used to sell you things should be unsettling. But as individuals we

are not unsettled because layers of surveillance normalize these actions and their influences in what Fuchs (2015, p. 8) calls "the surveillance-industrial complex." These modes of surveillance are integrated and often (almost) inextricable from daily life because of the enormous influence of (roughly) five super-companies (Doctorow, 2020). Resisting the deep integration of these practices will require a kind of shift in perception to what Fuchs (2015) calls "a purely negative concept of surveillance" where "surveillance is a specific form of control that forms one dimension of domination, exploitation, class, capitalism, patriarchy, racism, and similar negative phenomena" (p. 7), and we will need to actively choose not to be surveilled.

It is important to recognize that the work of understanding and resistance is not isolated to those who work with and research technologies and their influences; leisure scholars and theory have an important role to play here. Leisure scholarship can reinvigorate and reinforce many of its social- and economic-justice values by exposing and resisting influences that surveillance capitalism bears upon us. Zuboff (2019) explains that "surveillance capitalists discovered that the most-predictive behavioral data come from intervening in the *state of play* [emphasis added] in order to nudge, coax, tune, and herd behavior toward profitable outcome" (p. 8). Many of us are experts in exactly this type of intervention and are therefore remarkably well-placed to push back against this type of influence.

Notes on leisure research

Importantly, surveillance capitalism acting in each mode discussed here relies on humans inviting/allowing (whether willingly or not) surveillance into every aspect of their experience (especially leisure). At various levels and to varying degrees our field centers on human experience (see Gallant & Yuen, 2021; Harper, 1981; Little, 2007; for some examples). It thus behooves us to carefully consider the implications of Zuboff's (2019) warning that the totality of the human experience now serves as raw material for commercial gain with the specific goal of predicting and controlling behavior.

As leisure researchers we are deeply complicit in this control through the ways we choose to research, those we choose to research, and the items we choose as lenses for our research practices. Our collective push to pursue research on (or with) marginalized groups, while significant and important for the collective cause of social justice, can have the unintended consequence of turning the surveillance gaze more directly and overtly onto these same populations. The effect of this focusing through the lens of research is the potential to re-marginalize rather than empower—to better focus the eye of surveillance. However, this creates a kind of knife edge where to ignore the need for research and research practices that foreground the effects of social structures on marginalized populations is to return us to a problematic past of research essentialism.

Admittedly, we are not able to offer a prescription for action on how we can push back as individuals and leisure scholars on surveillance apparatuses and surveillance capitalism, although this is absolutely needed. Here we find ourselves in a kind of Derridian ethical quandary where there is an urgency to act, but we are unsure what to do. We see this position as less a limitation and more an indication of a genuinely complicated situation that requires collaborative solution-making; currently there are no answers. For leisure scholars, we see the first part of this process as understanding

that these systems exist and are 'always on,' and acknowledging that they have deep implications in our research. Interrogating how our research might be folded into population surveillance and (possibly) used in the service of encoding urban infrastructure is just one example of this that we know can occur (Mowatt, 2022). But our research can also have impact on policy-making, something which is essential for the protection of consumers. The European Union leads the way here with the General Data Protection Regulation (GDPR) that helps to protect the digital and personal data of EU citizens, and others within EU borders. Under the GDPR, major private technology firms engaging in inappropriate surveillance actions of user data have been fined huge amounts, the largest being a €746 million fine to Amazon by the Luxembourg National Commission for Data Protection (CNDP) in 2021 (Kayali and Manancourt, 2021). The GDPR was developed with significant input from scholars, and the nature of North American geography, as well as our attachments to leisure practices, place North American leisure scholars in a position to contribute to surveillance protection policies here.

The one specific recommendation that we will make is that it is in nobody's best interest (except those corporations profiting) to allow surveillance apparatuses and surveillance capitalism to continue unchecked. So, while there is no specific solution to this issue, we can (and should) support experimentation with how to address it through scholarship and other means. We hope that this paper can provide leisure scholars with some of the tools they require to recognize and think about surveillance in their own lives and research, and that this can lead to effective ideas and (possible) solutions.

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