

Capitalism & Democracy in the Digital Age: Examining How the USA & Germany Enable & Disempower Surveillance Capitalism & Google



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Table of Contents

1. INTRODUCTION	P. 3
<hr/>	
2. USING HISTORICAL MATERIALISM TO UNDERSTAND HOW CAPITALISM UNDERMINES DEMOCRACY IN THE DIGITAL AGE	P. 9
1. HISTORICAL MATERIALISM	
2. THE SEPARATION BETWEEN THE ECONOMIC & THE POLITICAL	
3. UNDERSTANDING & ANALYZING SURVEILLANCE CAPITALISM	
4. HOW SURVEILLANCE CAPITALISM UNDERMINES DEMOCRACY	
<hr/>	
3. HISTORICAL CONDITIONS OF SURVEILLANCE CAPITALISM	P. 19
1. CAPITALISM VERSUS DEMOCRACY	
2. TECHNOLOGICAL REVOLUTIONS & POWER	
3. NEOLIBERALISM & LIBERAL AUTHORITARIANISM	
4. POST 9/11 SURVEILLANCE STATES & SOCIETIES	
5. ADVANCED TECHNOLOGIES & THEIR INTEGRATION INTO SOCIETY	
6. POWER ACCUMULATED & EXERCISED BY BIG TECH CORPORATIONS	
<hr/>	
4. SURVEILLANCE CAPITALISM, GOOGLE & DEMOCRATIC GOVERNMENTS	P. 24
1. UNITED STATES	
2. GERMANY	
<hr/>	
5. CONCLUSION	P. 32
<hr/>	
BIBLIOGRAPHY	P. 34
<hr/>	

Introduction

Populations around the globe are increasingly demanding radical change for how our national and transnational political and economic systems are structured (Gonzalez-Vicente & Carroll, 2017)). But why do they feel this way? Scholars have come up with a plethora of studies showing how global surges in populism represent citizens' frustrations with existing unequal power structures, their governments and numerous forms of inequality (Gonzalez-Vicente & Carroll, 2017) (Streeck, 2016). There is a wide assortment of answers and solutions to why these frustrations and problems exist. Over the past two decades, growing numbers of critical political economy scholars provided answers that concentrate on the fundamental problems caused by capitalism (Streeck, 2016) (Piketty, 2014). More recently, it has become more popular for politicians to voice these concerns (even in free-market America as seen with politicians like Bernie Sanders). At the same time, many scholars, politicians and civil society groups have increasingly attributed the causational factors to be the problematic issues produced by how society has been digitalized (Zuboff, 2019) (Foroohar, 2019) (Vaidhyanathan, 2018) (Schwab, 2016). Yet, people from both of these camps have identified that many of these problematic scenarios are caused by both capitalism and the digitalization of society. The two factors are undoubtedly interconnected. We have already experienced this interconnectedness with the tectonic shift from a tangible economy to a more complex intangible economy that runs on data and advanced technologies.

Our contemporary global political economy now considers data, or information, as its most valuable resource in the world, overtaking oil (Schwab, 2016). The United States' fastest-growing industry is the extraction of personal data and worth "\$197.7 billion by 2022 if current trends hold – more than the total value of American agricultural output" (Foroohar, 2019:275). In 2015, Shoshanna Zuboff coined the term "surveillance capitalism" for this market behavior that accumulates massive amounts of power through extracting and then commodifying their users' data and through manipulating human behavior (all without fairly acquiring their democratic consent) (Zuboff, 2019). Unfortunately, the significant material wealth and power gained from the extraction of raw materials in the form of personal data from global populations are being accumulated by market actors, instead of the citizens who generate those resources. Why do we not share the benefits from these valuable resources in a more egalitarian manner – such as how states like Saudi Arabia and Norway manage the benefits from their oil production through mechanisms like oil-funded state infrastructure investments or sovereign wealth funds?

Stakeholders in governance should concentrate on the implications of the significant structural changes caused by capitalism and its role in shaping the digitalization of our societies. While historically focusing on these structural changes caused, we should examine their effects on our democratic systems, human rights and levels of inequalities. Accordingly, let us investigate the question of what can we do in the coming years to ensure that the digital age fosters collective well-being and sustainable growth while improving our liberal democratic system instead of undermining it? Constructing responses to this question is critical because the problematic conditions produced by capitalism and the digitalization of society have become increasingly evident during the tumultuous Trump-era years of authoritarian populism and with the crises initiated by COVID-19.

This thesis will focus on understanding the contemporary role that technology and capitalism have played in expanding or limiting our democracies by analyzing the actions of the German and United States governments in enabling or disempowering Google and its utilization of surveillance capitalism (Zuboff, 2019). This concentration is valuable because our level of freedom is deeply reliant upon the historical conditions of democracies, capitalism, and scientific and technological development (Srnicek & Williams, 2016) (Streeck, 2016). This reality is particularly accurate for the third technological revolution and the dramatic changes that information communication technologies (ICT's) brought with the Internet and digitalization. How these advanced technologies were integrated into our systems significantly changed production, labor relations, social relations and how information is shared, consumed, understood and used. These changes were mostly driven by market imperatives and market actors and permitted them the power to alter social, economic, political, epistemic and even cultural power structures.

The way that big tech companies integrated advanced technologies into society equipped them with powerful mechanisms to accumulate and sustain their power at the expense of the interests of the average citizen (Foroohar, 2019). In the process, they have subtly repressed any rebellious behavior which may threaten their domination (Zuboff, 2019). These unfavorable developments are quite problematic for building equitable societies and are similar to what happened during previous forms of capitalism. Accordingly, this thesis focuses on how these historical developments and unequal power structures have allowed capitalism to create new human rights and inequality crises – continuing capitalism's long history of crisis creation (Streeck, 2018). States must understand and address the behavior of the ever-powerful big tech giants. They should do so through empowering liberal institutions and stakeholders to earnestly address how these market actors must responsibly integrate advanced technologies and digital platforms into society. Perhaps the most critical factor in these developments is Google because it pioneered and established surveillance capitalism as the normative behavior in the market (Zuboff, 2019). Therefore, the analytical focus concentrates on Google because it has sustained a significant authority of power and influence in the global political economy. The political, societal and economic changes brought about by forces such as Google require a new analytical, critical assessment of our complex global political economy.

This thesis establishes that Shoshanna Zuboff, with her (2019) book “The Age of Surveillance Capitalism: The Fight for a Human Future at the Frontier of Power”, delivered the needed contemporary analytical assessment of how big tech and its surveillance operations produce a variety of adverse outcomes in the global political economy. These include undermining democracy and human rights. Zuboff exemplifies, in many forms, how surveillance capitalism creates unequal power structures within our societies today. The thesis will explain that these adverse developments are possible because of the specific historical conditions that allowed surveillance capitalism to thrive and become normative behavior. This analysis will illustrate how existing structures enabled surveillance capitalists like Google, Facebook, and Amazon to become dominant hegemonic forces in the global political economy, which are arguably more powerful than most countries. These corporations have managed to undemocratically extract data from the lives of individuals by coercing their users into accepting their terms and conditions, which can take days to fully understand the implications on their human rights, privacy and freedoms (Zuboff, 2019). Surveillance capitalists then can capitalize

on that data by selling it for profit, using it to improve their services, or utilizing it to predict and manipulate future behavior in collaboration with other market actors (Zuboff, 2019). This represents the commodification of human behavior, personal information and many social interactions within society. How actors like Google have been able to extract, commodify (or profit from) and manipulate individuals' behavior has severe implications for the individual human rights and foundational principles and values of democracy.

All of this depicts a pattern of subordinating human behavior to the logic of capitalist markets for profit while putting at risk the freedom, autonomy, and self-determination of citizens in the market, politics, and everyday life. Democratic countries have both enabled and undermined Google and other corporations in creating unequal power structures and succeeding in exploiting citizens. This thesis will identify and analyze how the United States and Germany have attempted to address Google's utilization of big data, which pertains to their subversion of the individual human right to self-determination. Particularly, the paper will focus on how they have both undermined and protected democracy by addressing surveillance capitalism and its adverse outcomes. Hence, the broader theoretical debate of the thesis will focus on whether there is a structural opposition between capitalism and democracy. The investigation utilizes the critical lens of historical materialism as understood by Ellen Meiksins-Wood to formulate responses to this question. These needed nuanced analyses will incorporate additional relevant theories, terminology and histories such as "Fordism" and surveillance societies.

This thesis sets itself within this broader theoretical debate of discussing the relationship between capitalism and democracy. That focus enhances our understanding of how surveillance capitalists utilize the ideology and mechanisms of capitalism while undermining democracy. In this process, the thesis will shed more light on how capitalism has been able to gain unrivaled power within the global political economy, particularly over democracy, through further developing the separation between what is determined as the 'political' and the 'economic'. Moreover, this thesis addresses how capitalism, through expanding this separation, has promoted the fictional idea of a self-regulating market and systematically depoliticized inherently political rights, processes and institutions (Meiksins-Wood, 1995). The analysis concentrates on how capitalism expands this separation by marketizing one of the last unclaimed frontiers within society and human life, through the commodification and manipulation of human behavior with surveillance capitalism. This process endangers some of democracy's most fundamental foundations. The thesis uses this analytical framework to focus on how these historical developments have played out in two of the most powerful, capitalist and liberal democracies – Germany and the United States. Therefore, the thesis examines the following question: to what extent have the USA and Germany been (un)able to address how Google utilizes big data to undemocratically extract information from individuals and then manipulate their future behavior?

The analysis focuses on the United States and Germany because they are two of the most powerful democratic governments, politically and economically, with populations that are very active in shaping our digital world. The similarities and differences of their histories and cultures make them interesting choices - especially when it comes to surveillance states, respecting democratic rights, economies and data privacy laws. The analysis investigates the United States because it is where Google and most other significant tech companies started, where Google

established surveillance capitalism, and because the US government can significantly empower and disempower Google in various ways. Furthermore, America's government, market, culture, institutions and actors represent primary variables related to the six historical conditions that the paper will analyze. Germany was chosen because it has high technological capabilities, a disinterest in returning to a dangerous surveillance state, and is a robust democratic bastion concerning guiding a more ethical, human-rights centered approach of integrating technologies into society during the digital age (Eichenhofer, 2017). The German and American governments' actions that represent how they have empowered or disempowered Google will be detailed and analyzed from 2000 to 2020.

The particular analytical focus of this thesis was inspired by a desire to build solutions that address the proliferation of adverse outcomes produced by how technologies were integrated into society. Digital platforms have been able to negatively alter human behavior and exacerbate social divisions and forms of inequality (Foroohar, 2019). The Cambridge Analytica scandal revealed how big data and advanced technologies could undermine democracies by manipulating individual voting behavior of specific targeted demographic populations via digital platforms (Vaidhyanathan, 2016). These developments and their effects have only become accelerated by the fourth technological revolution with the integration of advanced technologies such as artificial intelligence (AI). These technologies enhanced the ways that market actors can advance their interests, power, and claims to spheres of life – therefore advancing the interests of capitalism over democracy. We see technology's capabilities in undermining freedom and human rights within the public sector by authoritarian governments like China, who suppress and control their citizens with ubiquitous surveillance, big data and AI – especially its Uyghur population (Leibold, 2020). This repressive behavior is similar to how the Nazis controlled their citizens' and undermined their democratic rights. Similar surveillance tactics to gain power at the expense of controlling human behavior are used in more subtle ways by capitalist digital corporations (Zuboff, 2019). These kinds of historical insights are beneficial by comparing current and previous power regimes in the political economy that systematically accumulate capital and power at the expense of the interests of humanity, the average citizen, democratic institutions and the human rights they protect.

The historical focus of the thesis aims to illustrate how capitalism has produced contemporary power relations that are not too different from what existed during previous forms of capitalism. Karl Polanyi established in 1944 that for capitalism to advance its interests during the industrial revolution, it had to create three fictions that must be sustained for free-market economies to thrive. In essence, human life must be rebranded as labor, nature must be rebranded as real estate, and that money must be branded as credit (Polanyi, 1944). As Shoshanna Zuboff established in 2015, the ever-powerful capitalists of today who have achieved their power primarily through technology and surveillance, have founded a fourth fiction to further commodify human life. The fourth fiction is that the past, present and future behavior and personal information of humans underwent commodification as they were undemocratically acquired, traded and shared in a ubiquitous world of digital products and services. This means that our realities experience dramatic transformations, produced by market imperatives and actors that gained significant profits and control over society (Zuboff, 2015). Therefore, human behavior has become commodified and transferred into the economic sphere. These developments have serious implications for fundamental democratic and human rights such as

freedom, autonomy, self-determination, privacy and the right to one's property. Governments should individually and collectively strive to effectively understand and address this commodification of human behavior that is now a new frontier of power because of market actors like Google.

OUTLINE

To better understand how capitalism historically undermines democracy in the digital age, the second chapter will examine how history can provide us with insights from previous forms of capitalism that are similar to surveillance capitalism. The analyses focus on the specific mechanisms capitalists used to gain power, shape unequal power structures, and ultimately undermine democracy and human rights. The first section utilizes historical materialism to relate earlier forms of capitalism that threatened democracy to contemporary versions. Historical materialism helps incorporate the broader theoretical debate between capitalism and democracy while identifying the historical mechanisms and conditions that enabled forms of capitalism to undermine democracy. The second section primarily focuses on capitalism's mechanism of the separation of the 'political' and the 'economic', and relative historical conditions. The thesis adopts this methodology because capitalism is being utilized to its full extent with its powers, theories, mechanisms and ideologies by dominant market actors such as Google that shape normative behavior in the political economy. The third section will connect these broader historical debates to Shoshanna Zuboff's understanding of surveillance capitalism. At the same time, it will distinguish the most valuable aspects of Zuboff's theoretical framework, analyses and documentation for comprehending surveillance capitalism and its implications – including critiques. The final section of the chapter concludes by comparing these previous forms of capitalism to surveillance capitalism and how they undermine democracy – revealing their similarities. Additionally, this chapter incorporates valuable modern theoretical debates and terminology put forward by academics regarding the protection of human rights in the digital age. The following chapters will revisit the extents to which contemporary cases fit into the broader historical debate and circumstances of capitalism undermining democracy.

The third chapter then utilizes historical materialism to explore the historical conditions that significantly facilitated and shaped the rise and supreme accumulation of power by big tech corporations like Google that continue to undermine democracy and human rights. It will cover six historical conditions: capitalism versus democracy; technological revolutions and power; neoliberalism; post-9/11 surveillance states and societies; digitalization of society and how advanced technologies are integrated; and the power accumulated and exercised by big tech corporations. Interpreting the role of these particular historical conditions directs our attention to the structural circumstances of the political economy that permitted capitalism to continue its expansion of commodifying aspects of human life, through surveillance capitalism.

Chapter four examines how market and political actors can undermine or empower democracy, human rights, and individual privacy rights in Germany and the United States. This approach will provide valuable insights for stakeholders in governance to determine how they should address the behavior of surveillance capitalists like Google. The first section analyzes the actions of the United States, and the second concentrates on those of Germany. The analyses focus on particular cases to discern both countries' complicity in empowering Google and its activities, such as awarding it government contracts or evidence of Google's lobbying efforts

effectively influencing administrations and legislation in their favor. When discerning how both governments have undermined Google's power and activities, the analyses focus on specific cases such as new data privacy laws or punitive measures like fines. Analyzing these circumstances are valuable since they highlight mechanisms that both market and political actors have used to accumulate more power for their respective institutions, populations and interests.

The concluding chapter revisits the research question and provides responses that incorporate insights and conclusions gathered from the previous chapters. It also examines instances of how academics, politicians and transnational civil society groups have found approaches or mechanisms that can empower democracy and vulnerable populations in the digital age while diminishing the adverse outcomes produced by big tech corporations.

LITERATURE REVIEW

The thesis focuses on a range of authors' analyses of how modern and past forms of capitalism undermine democracy. Many approaches to comprehending how the digital age works require employing more traditional understandings of systemic inequalities and structural problems produced by capitalism and forms of democratic governance. Therefore, the thesis refers to historical examinations from political economists over the past few centuries, ranging from Adam Smith to Karl Marx, Karl Polanyi and Hannah Arendt. The similarities in their conclusions will illustrate the significant structural problems and adverse outcomes that forms of capitalism have generated (while incorporating the role governments played). However, the main theoretical framework for understanding these problematic circumstances produced by capitalism and surveillance capitalism that the thesis employs is Ellen Meiksins-Woods's framework of historical materialism. Among others, these critics posit mechanisms that capitalism and its relative actors have utilized to acquire such power and generate inequities. Understanding these mechanisms is crucial to assess the well-being of our democracies, societies, lives and markets. Although these earlier historical understandings have shown how capitalism has produced adverse outcomes, they are not entirely sufficient for us to understand the contemporary issues that we face within the 21st century.

Throughout these investigations, the thesis engages with contemporary scholars and their analyses that contribute to understandings of adverse outcomes generated during the digital age – such as Klaus Schwab, Siva Vaidhyanathan and Thomas Olesen. It will also rely on legal scholars that focus on big tech corporations such as Lina Kahn and Frank Pasquale as well as human rights scholars such as Salvador Regilme and Rikke Jørgenson. For circumstances and analyses concerning the global political economy, it relies on scholars such as Wolfgang Streeck and Thomas Piketty. Primarily, the thesis applies analyses and documentation provided by Shoshanna Zuboff and Rana Foroohar, particularly when it comes to documenting Google's behavior. Zuboff's (2019) book provided a needed analytical framework filled with extensive documentation of surveillance capitalists abuses in the market. Foroohar's (2019) book provided a more straightforward, just as useful summary on the various modes that surveillance capitalism plays a significant role in shaping our society, market and politics while producing many adverse outcomes. This thesis incorporates these nuanced analytical frameworks alongside more traditional ones into a collective understanding that is valuable to apply when forming policy solutions that empower democracy through dissecting the role that two democratic governments played in enabling or disempowering Google. When documenting the USA and Germany cases,

the fourth chapter uses scholarly sources and primary sources such as German and USA government press releases, statements, laws, government procurements, penalties and legal cases. When necessary, the inquiries will utilize respected civil society groups and media resources of evidence of the countries working with or against Google.

2. USING HISTORICAL MATERIALISM TO UNDERSTAND HOW CAPITALISM UNDERMINES DEMOCRACY IN THE DIGITAL AGE

2.1 HISTORICAL MATERIALISM

The foundation of the thesis's analysis sets itself within the broader theoretical debate of the relationship between democracy and capitalism. This is because the research question, theoretical analysis, and cases are associated with democracy's historical struggle to protect its principles and values versus capitalism. Surveillance capitalists like Google embody capitalism's contemporary role in this conflict. Historical materialism is very useful for understanding the conditions which allowed surveillance capitalism to come to fruition, to accumulate and sustain its supreme power in the global political economy, and how democratic governments have addressed problems generated by surveillance capitalism. Examining these historical conditions reveals how they enabled surveillance capitalism to advance its control over human life and societies through its ideology and mechanisms.

In Ellen Meiksins-Wood's (1995) book, "Democracy Against Capitalism: Renewing Historical Materialism", she examines the complicated histories of democracy and capitalism, their strange relationship and their significant role in shaping history and organized human life. Historical materialism is a process of understanding democracy and capitalism by "reexamining the historical conditions that made such conceptions possible and plausible" (Meiksins-Wood, 1995;19). It is a useful process because it identifies "what is distinctive about capitalism", its historical pattern and the "historical processes that produced it" by focusing on categories such as forces and relations of production, property, labor and superstructures (Meiksins-Wood, 1995:12). Using such macro-historical perspectives helps identify fundamental conflicts and problems in the historical relationship between capitalism and democracy. Historical materialism allows us to apply a skeptical perspective in examining how capitalism's sacred laws and market imperatives came to dictate organized human life. This allows us to not accept capitalism's laws and market imperatives as inherent to human nature and as determining factors of humanity's history and future. Meiksins-Wood explains that the invisible hand guided a universal capitalist history that was promoted by neoliberal evangelists ranging from Adam Smith to Hayek, Freidman and politicians like Ronald Reagan. As we have seen almost every decade over the past century, powerful actors utilized and engrained capitalism's sacred laws of market imperatives, technological determination and laissez-faires ideology that have disappointed humanity and earth because capitalism produces a history of crisis creation (Streeck, 2016).

2.2 THE SEPARATION BETWEEN THE ECONOMIC & THE POLITICAL

When analyzing the complicated and conflicting historical relationship between capitalism and democracy, Meiksins-Wood concentrates on how capitalism "is underlined" by a separation between the 'economic' and the 'political' (Meiksins-Wood:1995:19). This separation allows capitalism to continuously and systematically cut off essentially political issues such as control over labor, production and property (Meiksins-Wood, 1995). This mechanism has been one of the most significant tools of capitalism to gain power. This analytical focus on the separation between the 'economic' and the 'political' is useful because it works "to understand precisely what it is in the historical nature of capitalism that appears as a differentiation of 'spheres'" (Meiksins-Wood, 1995:19). That differentiation is a theoretical and a practical problem for democracy as it instills a "separation of political and economic struggles" (Meiksins-Wood, 1995:19). The implication of this separation between the political and the economic is that it made it plausible to think of democracy in a very circumscribed political sphere with limited rights that has no significant implication on how social and economic power is distributed in society. This separation is very specific to capitalism and its ability to accumulate power by depoliticizing aspects of human life and society that were innately political and human (Meiksins-Wood, 1995). More specifically, capitalism expands this separation through marketization, commodification, privatization, control over labor, capital, and social relations as well as through hindering democracy's ability to protect political rights and democracy itself (Meiksins-Wood, 1995). To preserve and defend the interests of democracy, it advances its power over society through democratization, politicization, liberation, emancipation, and gains in freedom and human rights (Meiksins-Wood, 1995).

Meiksins-Wood historically examined this separation by capitalism and its consequences on how power is structured and established that our contemporary conceptions of the 'political' and the economic' are in stark contrast to earlier popular societal structures of power and democracy such as in classical Athens. In Athens, both political and economic power were so inseparably connected that people would be liberated from economic exploitation when they obtained their political rights (Meiksins-Wood, 1995). With its significant indicators of inequalities, our current global political economy has shown that the rights and interests of capitalism economic exploitation are much more powerful than those of democracy and the average citizen (Streeck, 2016) (Piketty, 2019). Two recent examples have been the 2008 global financial crisis and many aspects of the economic COVID crises of 2020.

Capitalism's historical tendency to structurally separate the 'political' and the 'economic' is one powerful mechanism in which "capitalist appropriation and exploitation actually do divide the arenas of economic and political action, and actually do transform certain essential political issues—struggles over domination and exploitation that historically have been inextricably bound up with political power—into distinctively 'economic' issues." (Meiksins-Wood, 1995:20). Ultimately, this separation has serious implications because it subtly creates and "disguises the new forms of power and domination" to achieve its goals of unfettered capital accumulation and marketize as many aspects of our earth and human life as possible (Meiksins-Wood, 1995:11). Karl Polanyi established that capitalism disguises forms of power and domination in order to advance its free-market interests (Polanyi, 1944). Furthermore, capitalism was able to rise, succeed and thrive through creating three fictions at the expense of human life

and our planet's health (Polanyi, 1944). The first is that life must be rebranded as labor. During the industrial revolution, laborers experienced the implications that had with the prevalence of poor labor conditions and child labor. The second was that nature must be rebranded as real estate. In recent decades, we have been witnessing the existential implications on our environment. The third was that exchanges of goods and services could be rebranded as money.

During the late industrial revolution, capitalism found a new way to disguise its power through American car manufacturer Henry Ford's methods of changing production. Fordist methods dramatically increased productivity and capital accumulation by changing the distribution of labor with assembly-line methods alongside improved technological capabilities (Maier, 1977). To transcend class conflict, the owners of the means to production (i.e. Ford) made their workers more docile by increasing wages so that their laborers could be more pleased (and potentially save up to buy one of Ford's Model-T cars) (Meiksins-Wood, 1995). This helped diminish the dangers that socialism posed to their elite capitalist system without initiating a radical redistribution of economic power (Meiksins-Wood, 1995). Under these Fordist conditions, democracy's rule over the 'political sphere' became further circumscribed by capitalism's new domination over the workplace that was ruled by a shared perception of productivity (Meiksins-Wood, 1995).

For three decades after WWII and during the Cold War, capitalism aggressively expanded around the globe, and so did democracy in the West. Fordism's significant increases in productivity coincided with working class-struggles, which caused institutionalized bargaining for better wages and job security, progress in the living conditions of the laboring majority, and the protection of their political and civil liberties expanded (Streeck, 2016). However, this short period of improved prosperity and stability allowed capitalist institutions and their ideology to absorb western working classes (Duzgun, 2020). Hence, through institutionalized mechanisms of wage bargaining, the demands for increased wages were separated from demands for radical equality and political liberties and freedoms (Duzgun, 2020). Elements of the working classes became deradicalized mainly because of their pacification and depoliticization through systemic dependence on collective bargaining, electing pro-labor candidates and powerful lobbying (Streeck, 2016) (Duzgun, 2020). Consequently, their solidarity and protest weakened with significantly limited and ineffective strikes and demonstrations in workplaces and public spaces. What arose after this were generations of politically passive, hypercompetitive, consumerist citizens who were becoming increasingly more controlled through debt and surveillance – producing conditions where it is increasingly difficult to imagine a world without capitalism (Streeck, 2016) (Duzgun, 2020). These developments created perfect conditions in the 1970s during the economic downturn – with demobilized and deradicalized classes whose demands for popular sovereignty and socio-economic rights – for neoliberalism to rise and persistently undermine those demands and rights (Gonzalez-Vicente & Carroll, 2017). Unsurprisingly, neoliberal capitalism and governance separated the institutions of 'economic' decision-making from democratic examination through resorting to totalitarian measures and creating technocratic institutions of governance. The 'democratic' institutions that survived were inadequate at protecting and improving the lives and interests of the general citizenry while inequalities are worsening (lower social mobility and high unemployment) (Streeck, 2016).

The separation between the political and the economic has contributed to capitalism's hegemonic success. It did that by creating mechanisms that produced fictions, ideological constructs and beliefs of capitalism that had to become institutionalized in order for it to gain absolute legitimacy in society and politics. Perhaps most supreme and sacrosanct of capitalism's fictions was that of the self-regulating market as promoted by Smith, Hayek and the like. However, for this self-regulating market to actually regulate itself, capitalists and politicians had to establish a plethora of institutional and political arrangements (Meiksins-Wood, 1995). They made those arrangements to ensure that capitalism was not threatened by the non-market mechanisms that humans previously relied on to advance their democratic, social, political and economic empowerment (Meiksins-Wood, 1995). Karl Polanyi's theoretical framework for understanding the mid-20th century global political economy identifies further mechanisms in which capitalism separated the political from the economic. One of the primary mechanisms is powerful systematic persuasion and coercion. He established in his (1944) book "The Great State Transformation" that capitalism has significantly changed the mentalities of humans. Additionally, Polanyi declared that capitalism does not have a self-regulating mechanism, that the circumstances or conditions it generates are not in the interests of the general citizenry, and that it is vital to invoke democracy and its devices to prevent free markets from negatively affecting society and vulnerable populations (Polanyi, 1944). Eventually, states and market actors institutionalized those beliefs and mechanisms, changed people's minds and how they perceive and interpret things. These processes separate the political from the economic and advanced capitalism.

Psychology played an influential role in shaping 20th-century capitalism, consolidating its power, and advancing the interests of capital accumulation and consumption. It was used to psychologically change how people socially relate to one another and associate their needs and desires when it came to constructing an individualistic society and citizens that became obsessed with consumerism (Kasser & Kanner, 2004). Economic, political and social institutionalization were significant ways in which capitalism utilized these psychological methods that harvested the powers of human emotion (Kasser & Kanner, 2004) (Polanyi, 1944). A critical mechanism that it used was convincing individuals through advertising that they must buy particular companies' products and services, which became a significant part of our societies – even culturally (Kasser & Kanner, 2004). As we will investigate, psychology is perhaps playing a more substantial role in the twentieth century, especially with surveillance capitalism.

2.3 UNDERSTANDING & ANALYZING SURVEILLANCE CAPITALISM

Capitalism has globally succeeded in its efforts to continually convince democratic governments to subject more and more aspects of human life and our planet to be ruled by market imperatives (Streeck, 2016). Subordinating planet earth and human life to the logic of capitalist markets has produced serious consequences to their well-being by primarily sustaining and expanding those three identified fictions. Surveillance capitalism made the fourth unilateral claim by commodifying human information and the manipulation of their behavior. This fourth claim has severe implications for democracy, freedoms and human rights such as self-determination, privacy and the rights to one's own property.

According to Zuboff, surveillance capitalism aims to achieve its goals of market capitalization and profit. It accomplishes these goals by utilizing mechanisms of information accumulation of its users, then using that information to improve their services as well as commodify and trade that information in a new market of exchanging products and services consisting of individual's data and manipulating their behavior (Zuboff, 2019). Surveillance capitalism originated with Google in the early 2000s. It began when they started tracking and transforming almost any of their non-market interactions with people that use their intentionally free platforms (i.e. Gmail and search engine behavior) into "surplus material for the fabrication of products aimed at genuine market transactions with its real customers: advertisers" (Zuboff, 2019:93). Hence, Google "created out of thin air and at zero marginal cost an asset class of vital raw materials derived from users' non-market online behavior" (Zuboff, 2019:93). This surveillance trading system represents a market that profits from trading personal information and the manipulation of human futures, which is similar to how financial markets trade on futures contracts (derivatives) that buy and sell commodities or financial instruments at a specific time and price. The Cambridge Analytica scandals showed how these market interactions can creep into the political sphere and undermine democracy as observed through tactics of micro-targeted advertising (psychographic analytics) in the United States 2016 Presidential election, in Britain's Leave.EU campaign, and in numerous other countries around the globe (Amer & Noujaim, 2019) (Kreiss & McGregor, 2018).

The surveillance assets, or raw materials (personal data), were subtly obtained at first, and today they are hunted for aggressively through surveillance via ubiquitous technological applications so tech corporations could create a "new kind of marketplace in which its proprietary 'prediction products' manufactured from these raw materials could be bought and sold" (Zuboff, 2019:94). Eventually, almost every other industry became highly incentivized to compete in this grand system of surveillance-based processes that accumulate and convert human information and behavior into surveillance assets "in the pursuit of surveillance revenues and their translation into surveillance capital" (Zuboff, 2019:94). The design of this system and its processes fundamentally undermines the protection of individuals' data privacy rights and autonomous futures. They could have been designed differently. These developments exemplify patterns of "subordination and hierarchy" and how unfettered capitalism lays its claims to the "stuff of human nature for a new commodity invention" to derive more power through commodifying who we are and what we will do in the future because "we are the objects from which raw materials are extracted and expropriated" (Zuboff, 2019:94). What empowers surveillance capitalists is how difficult it is to understand these abstract forms of material resources and the unequal epistemological, material and power structures that were created and sustained. For the past two decades, policymakers have exhibited difficulties in comprehending these abstract matters, and it has only become more challenging with the integration of more complex technologies and opaque operations of big tech giants (Olesen, 2019). Surveillance capitalism's capabilities and mechanisms are further accelerated by increased digitalization of goods and services, daily life and advanced technological applications such as AI and the Internet of Things (IoT). Google pioneered these surveillance capitalism tactics, but later those tactics became the normative behavior and were perfected in their respective markets by Amazon, Facebook and others (Zuboff, 2019).

Although Shoshanna's Zuboff's book provided the needed documentation and analysis of the rise and unrivaled accumulation of power by surveillance capitalism, it still has some shortcomings that the following section examines. When Zuboff says that surveillance capitalism is an unrivaled form of capitalism that is entirely unprecedented and historically unique, that is not exactly true. The following section demonstrates how surveillance capitalism is just an extension of previous, existing forms of capitalism, but uses more advanced technologies equipping them with much greater capabilities to do what former capitalists did in earlier times. This section examines the various mechanisms that both surveillance capitalism and previous forms of capitalism used. Zuboff should have given more attention to these mechanisms. For example, Zuboff does not focus enough on key mechanisms such as changes in production (i.e. modern surveillance workplace surveillance of distribution center workers) and changes in the relationships between capital and labor (i.e. economic struggles of freelance gig economy workers such as Uber drivers). An additional critique is that Zuboff could have been more attentive to the implications of significant digital age revolutions such as artificial intelligence, robotics, biogenetics, nanotechnology, logistics, quantum computing, and integrated into society.

2.4 HOW SURVEILLANCE CAPITALISM UNDERMINES DEMOCRACY

Surveillance capitalism fundamentally undermines democracy in a variety of ways. This section incorporates both the valuable arguments by Shoshanna Zuboff that establish how surveillance capitalism undermines democracy and how she could have improved her theoretical framework. In contributing supplementary suggestions for understanding how surveillance capitalism undermines democracy, the section focuses on the similarities between its mechanisms and previous forms of capitalism that hindered democracy. The central focus points will be on forms of separating the political from the economic, unfair capital accumulation, worsening inequalities, disempowering individuals, psychologically changing people's beliefs, and changing social relations and modes of production. Most of capitalism's mechanisms possess the goals of separating the 'political' and the 'economic' and hindering democracy. This is because democracy often aims to undermine the free-market interests of capitalism. We will examine how surveillance capitalism utilizes these mechanisms to their extremes. Furthermore, the section explores how previous forms of capitalism and surveillance capitalism both generated sharp inequalities and formed unequal systems of epistemological and material wealth distribution. Focusing on inequality disparities is critical because surveillance capitalism's methods also contribute to increasing inequalities, and harsh inequalities have proven to undermine democracy, democratic consolidation and fair competition in markets (Kahn, 2019) (Regilme, 2014) (Feroohar, 2019).

Zuboff appropriately focuses on how surveillance capitalism undermines democracy through its primary mechanism of undemocratically commodifying personal information and manipulating future human behavior. This is because these processes lead to weakening the protection of human rights and essential principles and values of democracy. These include threatening freedom, autonomy, human dignity, self-determination, and individual privacy rights. Surveillance capitalism is similar to previous forms of capitalism because it coerces the people (internet users) into new economic spheres where capitalist appropriation and exploitation can easily commodify the personal information of its users and manipulate their future behavior. Unfortunately, they are undemocratically commodifying their users' behavior because they do

not gain their consent through fair, egalitarian, democratic processes. Instead, they subtly coerce them into consenting in a matter of seconds to sign away their digital exploitation in Terms of Agreement documents that often take several days to read and comprehend fully (Foroohar, 2019). This creates exploitive economic transactions that are essentially grabbing political rights from users – therefore, separating the political from the economic.

As Zuboff documents extensively, almost every sector is attempting to adopt and participate in surveillance capitalism, with its mechanisms and market imperatives that trade for guaranteed outcomes because they recognize the immense opportunities for accumulating power and material resources (Zuboff, 2019). For example, insurance companies are minimizing risk by using surveillance for "behavioral underwriting" through continually monitoring and enforcing policyholder behavior by tracking them with advanced technologies like AI and the IoT (Zuboff, 2019). We are witnessing these developments to alarming proportions with the company Clearview.AI in North America. The company works with government and law enforcement agencies by using AI-enabled facial recognition to process any publicly available photos on the internet, including social media platforms such as Instagram, Facebook and Twitter, to create personal profiles for surveillance purposes (Wingfield, 2020). While doing so, they ignorantly misuse constitutional claims by declaring they have the right to do so because of the US first amendment ¹.

Zuboff correctly stresses that surveillance capitalism significantly undermines fundamental democratic populations, processes and institutions by systematically changing epistemological power structures. She describes surveillance capitalists like Google as information empires that have been unaccountable for their intrusive operations for twenty years due to a lack of laws that effectively address their unequal accumulation of epistemological resources and wealth (Zuboff, 2019) (Foroohar, 2019). This significant epistemological power is derived from controlling three elements (Zuboff, 2019). The first one is the distribution of knowledge (who knows). The second is authority over who knows (who decides who knows). The final is the institutions that dictate the concentration of capital and methods of accumulating unprecedented power and material wealth (who decides who decides who knows).

Zuboff should have focused more on how the original three fictions established by capitalism were significantly empowered by the capabilities and dominant power that advanced technologies and surveillance capitalism provided. Increased technological capabilities permitted these fictions to extend their consequences for human life and nature. Today we see capitalism's fiction that human life be rebranded as labor being pushed to the limits when companies like Amazon undermine the well-being of its workers in its distribution centers by excessively tracking their behavior through surveillance technologies that impose dangerous productivity expectations (Foroohar, 2019). Additionally, we see the implications of that fiction being pushed to its limits by surveillance capitalism through witnessing how unprotected gig economy laborers like Uber drivers are being exploited for increased productivity, fewer profits, fewer benefits and facing increasing challenges such as having to hold several jobs (Foroohar, 2019). Regarding the fiction that nature being rebranded as capital and real estate, we see how fossil fuel and agribusiness industries have undermined the well-being of our environments by using advanced

¹ For more information on Clearview AI versus privacy and civil rights groups see "ACLU Sues Clearview AI." American Civil Liberties Union, 28 May 2020, www.aclu.org/press-releases/aclu-sues-clearview-ai.

technologies. They accomplish increased material resource extraction that causes intensified environmental degradation with fracking and deforestation (raising the spread of pathogens like COVID-19). Concerning the fiction that money being rebranded as credit, we observe how the finance industry uses advanced technologies like AI to trade futures commodities and to speculate with cryptocurrencies (Schwab, 2016).

Zuboff's theoretical framework accurately concentrated on how surveillance capitalist methods, products and services that dominate the market have serious implications for disempowering individuals by addicting them to their services (Zuboff, 2019). Ultimately, this transforms their users into people that are more docile, reliant and appreciative of these companies. As admitted by one of Facebook's founders, Sean Parker, Facebook and surveillance capitalists from the very beginning have "actively manipulated users' brain chemistry to keep them coming back again and again" and that their thought process was "how do we consume as much as your time and conscious attention as possible" (Foroohar, 2019:86). To succeed in ubiquitously obtaining this goal of addicting users, Parker explained that their digital architects "exploited a vulnerability in human psychology to create something addictive to users" by giving their users a dopamine hit whenever someone likes or comments on a post or photograph (Foroohar, 2019:86). Google has the same goal and achieves it through providing free services that encompass all of their users' online digital service needs while opaquely deriving raw materials for surveillance capital markets in the process (Taylor, 2018). Previous forms of capitalism used similar methods to disempower individuals through harsh working conditions or unemployment/wage threats that would highly discourage them from politically organizing and demanding democratic empowerment (Meiksins-Wood, 1995). More subtle methods psychologically coerced workers through advertising or the institutionalization of consumer culture (Kasser & Kanner, 2004). Marketing pushed people to believe that they must follow the large individualistic collective that spends their free time and money on accumulating and consuming popular products and services (Kasser & Kanner, 2004). Over time these methods played a substantial role in shaping culture, which essentially empowered capitalism for generations to come through separating the 'political' from the 'economic'.

Zuboff should have focused more on how surveillance capitalism undermines democracy through weakening social relationships. This new branch of capitalism weakens social relationships by allowing people to be less-reliant on building and maintaining traditional face-to-face relations in the social spaces where democracy, human rights, and social empowerment are more accessible and provide robust conditions for their protection and growth (i.e., cafes, bars parks, etc.) (Gopnik, 2019). Surveillance capitalists are highly incentivized to move people into their digital popular public spheres of estranged social and (opaque) economic transactions (i.e., creepy data extraction) and keep them there as long as possible (Foroohar, 2019). These digital spaces separate the 'political' and 'economic' by producing popular places that are governed by market actors, therefore providing capitalism with more power and the ability to diminish people's rights by unilaterally and immediately refusing them access. For example, Jordan Peterson spoke out against YouTube (owned by Google), and they banned his YouTube account/channel as well as how the Cambridge Analytica scandal whistleblower Christopher Wyllie was banned from Facebook for uncovering their involvement in voter manipulation (Taylor, 2018) (Amer & Noujaim, 2019).

When surveillance capitalism applies its products, services, and tactics to specific vulnerable people/demographics (i.e., youth) with the right conditions and content, they can be compelling mechanisms of changing how people live, associate themselves with others and construct ideas of success and happiness (Mukherjee, 2018) (Foroohar, 2019). There have been a plethora of scientific studies that show how these mechanisms of social media platforms can create very addictive, obsessive, and psychologically harmful outcomes for individuals – with many studies even pointing out the correlation between extreme social media use to higher rates of youth suicide (Mukherjee, 2018). Ultimately, these behaviors can seriously undermine democracy through disempowering individuals, their social relationships and how information is distributed. Furthermore, these developments estrange citizens from other people, democratic processes, and democratic spaces where democracy, civil relationships, mutual respect and egalitarian practices and dialogue tend to thrive (Gopnik, 2019).

Similar to how previous forms of capitalism used psychology to separate the 'political' and the 'economic', surveillance capitalism also strives to psychologically change how people perceive and understand ways of organized human life through ideology, fictions, mechanisms and institutionalizing them. Some alarming consequences produced by Facebook, Youtube and Twitter include increased misinformation, the proliferation of hate-speech and people becoming stuck within their own 'filter' or 'preference' 'bubbles' by being exposed to content and users that agree with their pre-existing beliefs (Mukherjee, 2018). Zuboff's critiques could have directed more attention to how surveillance capitalist platforms undermine democracy by both generating misinformation and exacerbating social divisions. They primarily do so by providing people with popular havens (platforms) to spread misinformation and harmful speech without being held accountable by societal norms that people usually respect in public spaces (Vaidhyanathan, 2018). These hateful speech platforms often instill blame, hate, racism, conspiracies, and a distaste for truth (Vaidhyanathan, 2018). They can become ideologically important for manipulating people's political beliefs. We have witnessed this with libertarian Alex Jones in America or as violent as the role platforms like 4-chan and 8-chan played in forming communities for far-right extremists that encouraged mass shootings in America and elsewhere (Vaidhyanathan, 2018). There have also been many examples of how advanced technologies through their algorithms can produce what people are now calling "Algo-racism", such as how facial recognition applications are significantly bad at recognizing non-white faces (Foroohar, 2019). Siva Vaidhyanathan wrote several books about how social media and actors like Facebook and Google undermine our democracy (Vaidhyanathan, 2018). He focuses on how they have seriously impaired our ability to think collectively as liberal democratic societies, making it more difficult to face critical challenges – and that what we have produced with surveillance capitalism, is a "waste of our intelligence (Vaidhyanathan, 2018:202). A perfect example of how surveillance capitalism undermines our ability to collectively face critical challenges was recently realized by US Speaker of the House Nancy Pelosi when she recently spoke out about existing strong bipartisan support to crackdown on social media platforms because these companies have exploited their users' health through having business models that profit off of COVID-19 misinformation ².

² Sanz, Catherine. Social Media Platforms Are Profiting from COVID-19 Misinformation: Nancy Pelosi. ABC News Network, June 2019.

Both Zuboff and Vaidhyathan correctly relate today's problems with Hannah Arendt's 1950's insights from "The Origins of Totalitarianism" that we need to consistently "stop and think" because "totalitarianism can take hold where people without power are kept too busy to consider the greater ramifications of their actions" (Vaidhyathan, 2018:202) (Arendt, 1951). Furthermore, Arendt explored how we were psychologically brought down paths of "thwarted individuality to totalizing ideology", because "It was the individual's experience of insignificance, expendability, political isolation, and loneliness that stoked the fires of totalitarian terror" (Zuboff, 2019:517). Surveillance capitalists make us refuse to look away at our screens, to "stop and think" and generate excessive profits and growth that incentivize them to be actively ignorant towards the consequences of their behavior. It is causing contemporary trends that are surprisingly similar to what Arendt witnessed in previous forms of power from the 1950s and earlier that represented broader trends of authoritarianism-like power gaining hold through technologies and mass persuasion. These tactics instilled a significant inability to think collectively and address our problems. Zuboff correctly notes how this creation of such conditions allow for people to become interested in authoritarian power. This is important because "surveillance capitalism is surely contributing to the tempering of commitment to the democratic prospect as it successfully bends populations to its soft-spoken will." (Zuboff, 2019:517). We should not allow these market actors to obtain and abuse their totalitarian-like power regimes that are essentially global, social, political and economic entities. They have authoritarian-like power that can make us overwhelmed about the burdens of effective life and in resisting systemic exploitation for our rights and self-determination.

Zuboff should have focused on how surveillance capitalism changes production to produce unequal power structures of material wealth extraction as a means to dominate power structures, the direction of capital and material wealth. Meiksins-Wood would agree that the mechanisms of surveillance capitalists like Google (Alphabet) and Amazon are very similar to the ones used by Fordist owners of late industrial capitalism. One reason why is because they became powerful material wealth conglomerates that dictate major developments and investments in the economy. They have the power to eliminate competition as they have become powerful financial institutions, with similar, if not more, power than 20th century big banks. Surveillance capitalist corporations dominate their respective markets and then change power structures, allowing them to profit off of commodifying their user's behavior and manipulating their future behavior (Zuboff, 2019). At the same time, they utilized micro-targeted advertising and building addictive platforms that were founded off of similar strategies to lottery machines (Foroohar, 2019). The same people who have insane amounts of money in big tech have often created parent companies to compete in more industries like Google did with Alphabet. These entities receive significant material wealth and epistemological benefits from surveillance capitalism that have largely been going into the pockets of its unapologetically, mainly elitist and white male demographic of employees (Foroohar, 2019). These organizations and people play a significant role in transnationally allocating a considerable amount of the world's wealth, capital, and various economic opportunities (Arewa, 2019). In America, Silicon Valley hosts and funds mobs of venture capital firms and hedge funds that use predatory tactics on many companies such as utilizing leveraged buyouts to buy them out and suck the money out of them (Arewa, 2019). These kinds of predatory practices by surveillance capitalists have contributed to a decrease in competition (Kahn, 2019). Specific hedge fund companies (namely Fortress Investment Group and Alden Global Capital) have used leveraged buyouts to destroy and bleed

out many of America's local media companies that were already suffering from big tech's increasing power in the media market (Arewa, 2019) (Martin & McCrain, 2019). Local media companies are some of the country's most essential democratic institutions because they provide crucial journalism and information that many national and international media companies rely upon (Martin & McCrain, 2019). Therefore, it is possible to contend that surveillance capitalists are attributing to a weakening of foundations of effective journalism in America and contributing to a broader global trend in weakening Media institutions, which are so critical to democracy (Martin & McCrain, 2019). Surveillance capitalists have significant influence over many aspects of the Internet, which is the "railroad of our times – an essential piece of public infrastructure over which much of the world's commerce and communication is now conducted" (Feroz, 2019: 136).

Surveillance capitalism used mechanisms that were similar to how previous forms of capitalism undermined social relationships through systematic Fordist methods. For example, these companies would aggressively suppress any workers from organizing into labor unions because essentially, they are organizations that consist of social relationships to build collective bargaining power against the owners of capital (Zuboff, 2019).

These aforementioned trends related to surveillance capitalism appear to be contributing factors for democratic decline.

3. THE HISTORICAL CONDITIONS OF SURVEILLANCE CAPITALISM

This chapter lays out the historical conditions which allowed for surveillance capitalism to come to fruition the way that it did. Furthermore, it holds that these conditions enabled surveillance capitalism to accumulate, exercise and sustain its supreme amount of power in different parts of society. These historical analyses will provide stakeholders (i.e., policymakers and academics) with useful insights concerning the broader structural problems which enable surveillance capitalism's undermining of democracy and human rights in the digital age.

3.1 CAPITALISM VERSUS DEMOCRACY

As described in the previous chapter, surveillance capitalism's unilateral claims to human nature that undermine human rights were possible because it utilized capitalism's ideologies and mechanisms that were already deeply ingrained into the global political economy. For surveillance capitalists to succeed in their intrusive activities, they need governments that do not impede their unilateral claims to commodify personal information and human behavior. Surveillance capitalist's level of success is dependent on how governments approach their market behavior (i.e., regulations) and the protection of human rights, democratic processes and institutions. The cooperations and conflicts that governments have with forms of capitalism contribute to producing historical conditions that dictate if certain forms of market behavior are acceptable, illegal or popular. Capitalism ultimately helped provide historical conditions that facilitated surveillance capitalism's creation (via Google and the USA) and how it became the normative behavior in the market essentially without significant regulation for two decades (Kahn, 2019).

Powerful surveillance capitalists took advantage of capitalism's use of its primary mechanisms that separate the 'political' and 'economic' and the role that it played in producing favorable free-market historical conditions. Market and political actors used nuanced versions of those older mechanisms and ideologies to form political and economic structures that were favorable to grant surveillance capitalists the freedom to do whatever they like. The previous chapter identified these mechanisms. They include mass-persuasion, coercion, institutionalization, psychology, addictive capital accumulation (consumerism), social relations, production and changing power structures (i.e., epistemological, material). Through such mechanisms of systematically separating the political from the economic (i.e., Fordist methods), capitalism produced generations of citizens and people in power that are indifferent to radical change. This created another significant historical condition for surveillance capitalism to thrive, wide-spread radical indifference. This meant that surveillance capitalism could make its unilateral claims to human life while coercing, addicting and persuading people en-masse to do what their business models want them to do.

Capitalism is also a critical historical condition because its ideologies were used by surveillance capitalists to justify their practices and behavior in the market before governments. Surveillance capitalists like Google and Facebook, in their defenses for their actions, use rhetoric that aligns with old capitalist ideologies like Friedrich Hayek and Adam Smith that promoted the "invisible hand" and laissez-faire economics (Feroz, 2019). Their discourses and economic ideologies "unequivocally link freedom and ignorance" so that the "market dynamic makes it possible for people to operate in ignorance without 'anyone having to tell them what to do'" (Zuboff, 2019:496). Antiquated aggressively free-market economic and political frameworks are not applicable to the extreme complexities of the contemporary global system. Our modern globalized system composes billions of individual actions that "produce efficient markets add up to a staggeringly complex pattern, a mystery that no one person or entity could hope to know or understand, let alone to direct" (Zuboff, 2019:496). Nevertheless, today, many politicians and companies like Google and Facebook unabashedly act and communicate those viewpoints (Feroz, 2019). They promote these outdated and ignorant ideologies (as evangelist neoliberals like Milton Friedman did decades ago) because "many capitalists, including surveillance capitalists, vigorously employ these centuries-old justifications for their freedom when they reject regulatory, legislative, judicial, societal, or any other form of public interference in their methods of operation" (Zuboff, 2019:497). These realities require attention from democratic governments because if a market economy is left to itself, it "contains powerful forces of divergence, which are potentially threatening to democratic societies and to the values of social justice on which they are based" (Piketty, 2014:571).

3.2 TECHNOLOGICAL REVOLUTIONS & POWER

A technological revolution changes power significantly because it is the appearance of "new technologies and novel ways of perceiving the world [that] trigger a profound change in economic and social structures" (Schwab, 2016). Technologies have been significant catalysts for change in human history because they provide improved capabilities and can change how information is shared, how material wealth is shared and even how people interact. Scholars have described in various ways how technological revolutions have historically empowered humans and evolved our societies, but also have often disempowered vulnerable populations that are

susceptible to the demands of the capitalists who own the new technologies and reap their benefits (Zuboff, 2019) (Kletter & Adams, 2018) (Schwab, 2016) (Foroohar, 2019). The ruling classes that received the benefits from owning the means of technological change have historically shaped normative behavior and altered power structures in their favor either (i.e., politically, economically, socially and/or culturally). The inequality outcomes of this are represented in the concentration of the world's wealth that is owned by the individuals that reaped the benefits from recent technological revolutions (Srnicek & Williams, 2016). During the industrial revolution, the (bourgeois) owners of capital became some of the most powerful actors socially, politically and economically because they owned the means of technological change and often abused their monopolistic power (i.e., western industrial railroad and steel titans like Carnegie and Rockefeller) (Kahn, 2019) (Foroohar, 2019). Subsequently, the beneficiaries of technological change became global financial markets, American automobile companies, telecommunications sector, agribusiness, advanced technological hardware industry, the global marketing industry and the internet software companies like Google and Facebook.

A historical condition that permitted surveillance capitalism to dominate society is that market actors who own the means of the technological change have historically received the most benefits and significantly gain increased their power (i.e., through increased productivity, profits and commodification) (Srnicek & Williams, 2016). Surveillance capitalism has shown us how technologies can significantly advance the interests of those that owned the means of the new technology and allowed them to claim new parts of human life (personal information and behavior) to be ruled by market imperatives. Governments are often not able to develop policies in time to manage these changes, and therefore market actors are left unregulated and free to do what they please (Kahn, 2019). This makes it very difficult for the benefits of technological change and progress to be distributed in an egalitarian manner (and that is why governments are considering implementing universal basic incomes with the AI and robotics revolution) (Srnicek & Williams, 2016). Exacerbated inequalities have transpired over the past decades because democracies were ill-equipped to protect their citizens from the epochal changes and intrusions into life brought about by capitalism's utilization of new advanced technologies.

3.3 NEOLIBERALISM

Neoliberalism significantly contributed to the historical conditions that allowed for the birth of surveillance capitalism, how it became the normative behavior, and for big tech corporations to become unrivaled market powers. Neoliberalism, in its many forms, generated outcomes and opportunities that surveillance capitalists took advantage of. These include but are not limited to: lack of significant regulation and penalties; favorable conditions for corporations; weaker notions of human rights; lobbying; and using politics to undermine government agencies.

For around the past fifty years, neoliberalism has been capitalism's contemporary dominant economic and political ideology (Harvey, 2007). It was globally promoted and ingrained by a nexus of US political and market actors that transferred significant domestic and transnational power to transnational corporations (Harvey, 2007). As we look back now at what neoliberalism has done, we see that it "normalized routinized suffering, life-threatening inequalities, extreme poverty, and governments that are wholeheartedly willing to throw away huge amounts of money to save corporate behemoths rather than actual people's lives" (Regilme, 2019:164). A critical method in which neoliberalism normalized these behaviors was through

lobbying. The most significant lobbying occurred against governments like the USA, where "Lobby groups funded by wealthy elites and interest groups made it possible for domestic and foreign policies of the US less committed to human rights than it should have been" (Regilme, 2019:163). Weaker notions of human rights in the US and elsewhere is another aspect of neoliberalism as a historical condition that benefits surveillance capitalists by making it easy to carry out intrusive operations that undermine human rights.

Neoliberalism pushed democratic governments like the Reagan and Thatcher administrations to aggressively promote free-market capitalism against communist socialism. It generated market-privileging governance that systematically neglected to hold market actors accountable for their actions (Regilme, 2014). Initiated by the western economic elite, neoliberalism was a backlash against big government (Harvey, 2007). It was emboldened by beliefs that society's problems are caused by lazy poor people who abuse welfare systems. These market-favoring mentalities provided generations of political and economic environments that fought against any regulations, especially against corporations (Harvey, 2007). Neoliberalism has supported further ingraining capitalism's mentalities, such as the fiction of a self-regulating market and the fictitious benefits of laissez-faires politics (Meiksins-Wood, 1995). Consequently, it popularized state management that promotes the consolidation state and the privatization and marketization of inherently political processes and entities (i.e., federal agencies) (Streeck, 2016). Through decades of institutionalization and economic studies that catered to these beliefs and politics, neoliberalism promoted capitalism's natural law that "considers capital accumulation as a sacrosanct principle fully embraced by powerful global capitalists whose allegiance is to their own selfish interests recognizing no other universal norm of collective human welfare except that of only oneself" (Regilme, 2014:282). The particular ideology that perhaps best represents this selfish capital accumulation is trickle-down economics. Google employed the same ideology and biased economic studies. Hal Varian, Google's chief economist for the past two decades, employed neoliberalism trickle-down economics to incorrectly predict, with his popular "Varian rule", that "everything rich people have today, the middle classes and eventually the working classes would have tomorrow, thanks to the price-crunching effects of technology (Feroohar, 2019:145).

3.4 POST 9/11 SURVEILLANCE STATES & SOCIETIES

The fourth historical condition is that surveillance capitalism was coming to fruition when countries were becoming surveillance societies themselves because of government surveillance after 9/11 (Greenwald, 2014). After 9/11, around the world and especially in the USA, governments took advantage of demands for stronger national security and utilized improved surveillance technologies to significantly increase their surveillance activities and capabilities (Greenwald, 2014). For the past two decades, existing docile and depoliticized societies under ubiquitous surveillance permitted and have gotten used to the actions of surveillance activities of governments and market actors (Greenwald, 2014). Post-9/11 surveillance states collaborate and rely on the private sector for innovative capabilities (Greenwald, 2014). Consequently, if governments do the same things as surveillance capitalists and cooperate with them, then are they not more likely to allow surveillance capitalists to intrusively collect massive amounts of information about individuals? Maybe because governments want to be able to access that information when they need it for their own purposes (see the case of San Bernardino California 2015 terrorism attack, FBI and Apple).

3.5 DIGITALIZATION OF SOCIETY & HOW ADVANCED TECHNOLOGIES ARE INTEGRATED

The digitalization of society is a historical condition that empowered surveillance capitalism because it permitted us to shift "from a 'tangible' economy, based on physical goods, to one based more on intangibles – namely intellectual property, ideas and data" (Faroohar, 2019:140). Surveillance capitalists reaped the benefits from the digitalization of society through marketizing it because they knew that the "network is worth far more than any value of any single node within it" (Faroohar, 2019:141). This historical condition was even more favorable for surveillance capitalists because the digital world they operated within was essentially unregulated (Zuboff, 2019). The virtually unregulated world became the digital wild west for market actors like Google to create opaque, complex and addictive platforms that intrusively exploited its users for their data and future manipulation. These free-for-all digital market conditions should naturally generate questions of ethics and responsibility. However, by the time society and policymakers started asking those questions, it was too late because surveillance capitalism was already fully integrated into the market and society.

There has been significant work by transnational civil society, especially whistleblowers, to uncover the operations of these opaque complex digital and surveillance systems and institutions (Olesen, 2019). Whistleblowers are critical because they reveal the extreme complexities created by digitalization that "makes the workings of organizations increasingly complex, sophisticated, and, as a result, opaque for outsiders, including lawmakers and citizens" (Olesen, 2019:287). Examples of significant whistleblower cases include Chelsea Manning (CIA), Edward Snowden (NSA) and Christopher Wyllie (Cambridge Analytica). The notable complexities and lack of transparency produced by digitalization become more acute because of the integration of AI (with its 'black-box problems'), robotics, the Internet of Things (IoT), facial recognition technologies, and biotech. These conditions make it very challenging to identify honest truths and the design of these technological systems, particularly for external stakeholders such as effective regulatory oversight (Olesen, 2019). They also present formidable challenges in building trust between the designers, users and lawmakers. In the end, surveillance capitalists benefit significantly from these conditions as they help them achieve their goals without being inhibited by external parties.

3.6 POWER OF BIG TECH CORPORATIONS

Due to neoliberalism and other identified historical conditions, transnational corporations like Google "have gained extraordinary influence over the day-to-day experiences of many people around the world, while being much less directly accountable to existing international human rights treaties" (Tsutsui & Smith, 2017). Surveillance capitalists have increasingly gained more power by influencing how human rights are governed and protected in the digital age (Jørgenson, 2017). To shape the governance of human rights, big tech corporations influence the policy environments of the state and attempt to constrain or guide the role of civil society (Jørgenson, 2017). In America, and in many countries around the globe, surveillance capitalists are now the primary group of corporations spending the most amount of money to lobby governments in their favor (Faroohar, 2019). They use their significant soft power to change the discussion and future governance because their goal is to continue their intrusive operations while maintaining minimal threats from government regulation and penalties. Another

mechanism they use to influence governance, and the general population, is by manipulating transnational civil society because "Big tech in general but Google in particular has bought and paid for mountains of academic research on areas of interest to the firm... [financing] hundreds of research papers to defend against regulatory challenges to its market dominance, shelling out anywhere between \$5,000 and \$400,000 to a host of academics, consultants, and former or future government officials" (Foroohar, 2019:213). To alter public opinion, "Google also donates large sums of money to news organizations for the development of certain types of content" (Foroohar, 2019: 217). The extent and the ways in which Google can exert its influence and power to shape our systems and peoples' beliefs is dangerous and disturbing.

Surveillance capitalists have also gained significant capabilities and monopolistic power and have shown they can control and eliminate competition (Kahn, 2019). They highly benefited from the prevailing antitrust philosophy that neoliberalism institutionalized in countries like the US because it maintained that "as long as products are cheap or free, there's no monopoly issue" (Foroohar, 2019:144). Google, the pioneering surveillance capitalist corporation, took advantage of these identified historical conditions and "leveraged its dominant market position in search to build giant businesses in email, photos, maps, videos, productivity applications, and a variety of other apps. In most cases, Google was able to transfer the benefits of monopoly power from an existing business to a nascent one" (McNamee, 2019:119). Monopolistic power and control over critical foundations of society provide surveillance capitalists like Google too much power to shape markets, society, politics and culture in their favor.

Ultimately, these six identified historical conditions have provided big tech (surveillance capitalist) corporations with unprecedented power that is not limited to just the market, but also in society and politics. Their power is epistemological, material, economic, social, technological and political.

4. SURVEILLANCE CAPITALISM, GOOGLE & DEMOCRATIC GOVERNMENTS

This chapter will examine how Google's surveillance capitalism and its adverse outcomes on undermining human rights and democracy have been enabled and disempowered by two of the most significant democratic governments, Germany and The United States. It will use specific cases of how either country has empowered or disempowered surveillance capitalism. While examining how the two governments have empowered surveillance capitalism, the analysis will focus on cases of:

- Governments awarding contracts to Google
- Implementation of policy that supports Google
- Awarding subsidies to Google
- Collaborations between government agencies and Google
- Evidence of Google's lobbying efforts influencing the government

- Significant collaboration and exchange of human resources between the government and Google ('revolving door') (i.e., current and past Google employees being awarded government positions and vice-versa)
- Google involvement in political campaign processes
- Supporting Google in foreign policy

When examining how the two governments have disempowered surveillance capitalism, the analysis will analyze cases of:

- Governments issuing penalties against Google
- Implementation and enforcement of data privacy laws
- Legal cases brought by government officials against Google
- Significant regulation/legislation that addresses Google's intrusive behavior

Due to limitations in scope and length, the analysis will only focus on what it identifies as the most significant cases from 2008 until 2020. Before 2008, Google did not interact with governments much and vice versa, and a prime example of that is that during the George W. Bush Administration (2000 - 2008), the big tech industry "maintained an especially low profile in Washington [D.C.]" (McNamee, 2019:112). When referring to Google, the study also concentrates on its parent company Alphabet and YouTube because collectively, they represent Google's broader operations.

4.1 UNITED STATES

US GOVERNMENT SUPPORTING & ENABLING GOOGLE

In the long term, Google has been supported by US-dominance globally, economically and politically for various reasons. Innovation plays a significant role in why the USA supports Google because, in the "United States policymaking has long put the interests of companies and, significantly, innovation above concerns about potential harms" (Vaidhyanathan, 2018:216). The US government was "instrumental in the development of the Internet itself and was deeply involved in the creation of Google" because it wanted to retain "information superiority" (Franks, 2017:454). The US intelligence community, namely the NSA and CIA, "funded, nurtured and incubated Google as part of a drive to dominate the world through control of information" (Franks, 2017:455). For the past two decades, the Pentagon has sponsored the "Highlands Forum", a secret forum or group that brings together US government officials and elites from different industries (like Google officials) that allows "special interests in corporate America to systematically circumvent democratic accountability and the rule of law to influence government policies, as well as public opinion in the US and around the world" (Franks, 2017:456). Over the years, Google has maintained "close ties to the Pentagon and intelligence agencies", especially with their lucrative contracts that have "helped boost company revenues and expand its services" (Mosco, 2019:596). The Google Earth mapping application actually "resulted from the purchase of a CIA-backed company which had worked for the agency on three-dimensional computer modeling of the planet" (Mosco, 2019:596). There have been numerous other cases that are being identified each year regarding US government projects and with Google (for example, see instances of "Project Maven", "Google Jigsaw", "Google Federal" and a variety of Department of Defense Contracts) (Mosco, 2019) (Franks, 2017). Furthermore, it is critical to recognize that private companies like Google regularly turn over their users' data in response to government

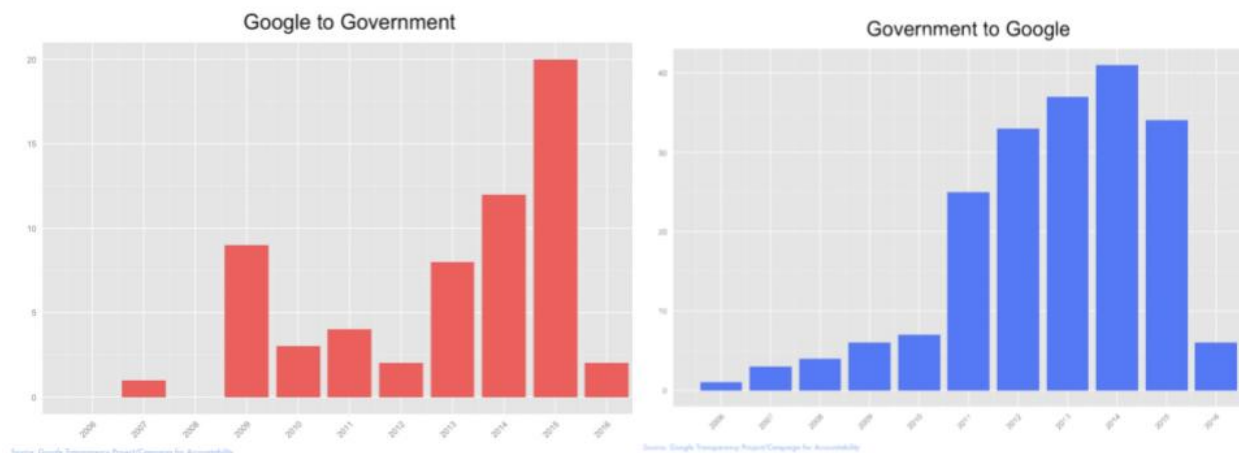
requests, such as from Germany and the US (Franks, 2017). It has long been in US government officials' interests to support US tech dominance, and they have used mechanisms to discourage foreign governments from penalizing Google or implement policy that could inhibit its success (Franks, 2017) (Zuboff, 2019).

In The US, tech companies have been utilizing Section 230 of the Communications & Decency Act of 1986 because it “gave technology companies exemption from liability for what people do and say on their platforms” and eventually became widely used as a legal loophole for online sex trafficking (Foroohar, 2019:224). This is basically a get out of free card that tech firms have constantly used over the past decades to be exempt from various forms of their users’ illegal content or activity. In 2017, a bipartisan group of senators introduced legislation called the Stop Enabling Sex Traffickers Act that created “a carve-out in Section 230 for tech firms that knowingly facilitate sex trafficking, meaning they could be held responsible for that” (Foroohar:2019:225). Unsurprisingly, over a long period of time, Google has been utilizing its significant lobbying power by “covertly fighting against congressional efforts to close the CDA 230 loophole, despite its effects on sex trafficking” (Foroohar, 2019:225). We can only hope that these powerful lobbying efforts fail against US policymakers.

BARACK OBAMA ADMINISTRATION (2008 - 2016)

As early as the Obama years big tech was involved in politics, because "Google and Facebook staffers closely collaborated with the 2012 Barack Obama and Mitt Romney campaigns" (Foroohar, 2019:218). More alarmingly, executives from Google visited the White House more than any other corporation during Obama's eight years in office (Foroohar, 2019). Obama maintained a close relationship with Google's chairman Eric Schmidt after he helped him get elected and eventually appointed Schmidt as the leading policy strategist for his administration's scientific research national plan (McNamee, 2019) (Foroohar, 2019). Obama's administration "embraced technology, and with it the optimism so deeply engrained in Silicon Valley", and big tech's relationship with the "federal government settled into a comfortable equilibrium" (McNamee, 2019:112). During Obama's time and to this day, Google (with help from Facebook) lobbied powerfully to push "a popular misconception that regulation does not work with technology", and "tech companies supported politicians with campaign contributions and technology in exchange for being left alone" (McNamee, 2019). Evidence indicates that Google has been the big tech corporation that has had the most influence with the US government with its 'revolving door' that transfers a high amount of people between the US government. Tech Transparency Project has collected research that concentrates on Google's activities with governments, and "has so far identified 258 instances of 'revolving door' activity (involving 251 individuals) between Google or related firms, and the federal government, national political campaigns and Congress during President Obama's time in office" (Tech Transparency Project, 2016). Cumulatively, these kinds of relationships and cooperation between the government and Google only provide more legitimacy and power to them, making it easier for them to advance their interests.

“Revolving Door” Between Obama Administration & Google



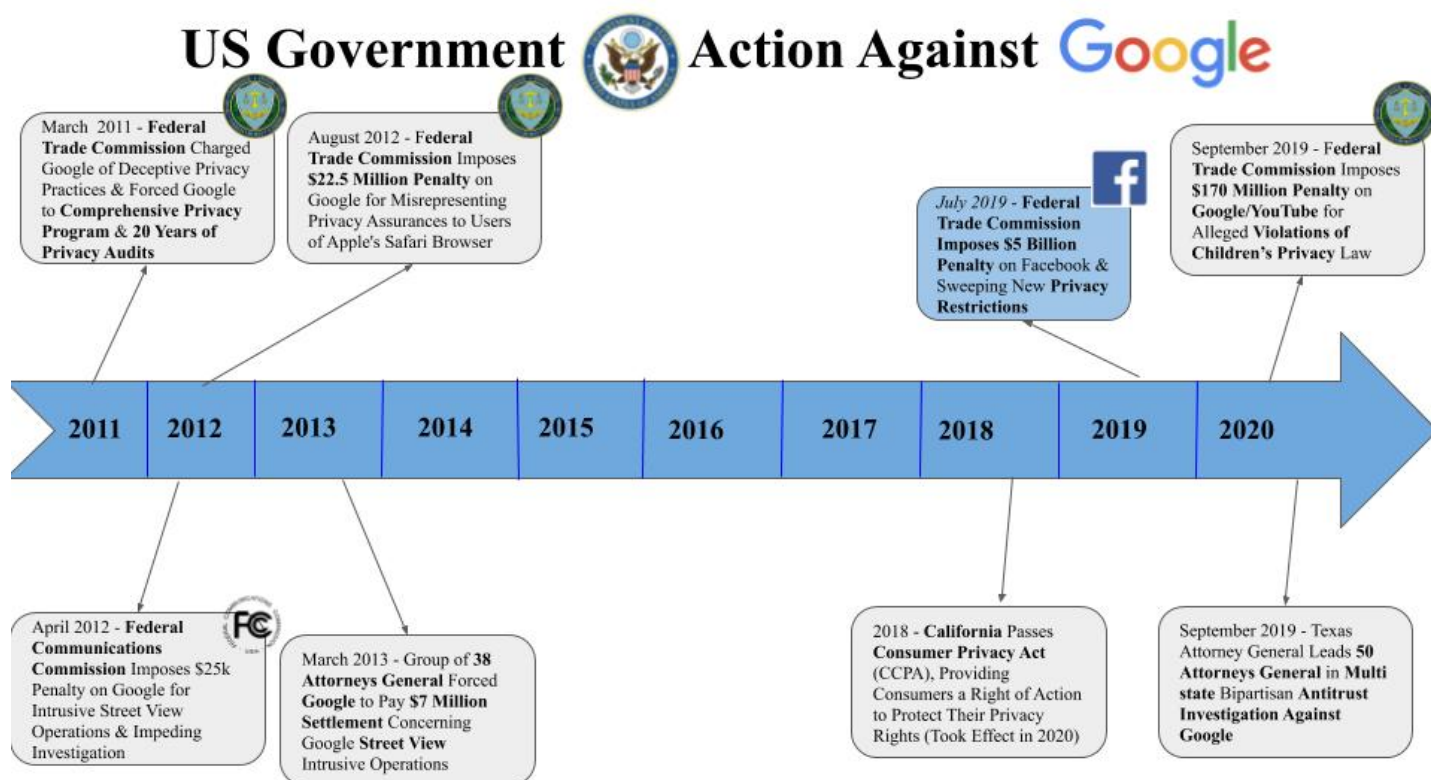
DONALD TRUMP ADMINISTRATION (2016-2020)

Recent political cycles have shown how big tech has changed democratic politics, especially with the uncovering of the Cambridge Analytica scandals and the involvement of both Facebook and the 2016 Trump campaign (Vaidhyanathan, 2018). Big tech firms like Google, Facebook, Microsoft and Twitter "actively seek political business for revenue purposes", and Donald Trump's 2016 election campaign gained significant power by convening "these companies and their extensive behind-the-scenes work with campaigns to facilitate the adoption and revenue-generating use of their platforms" (Kreiss, & McGregor: 2018: 175). In the 2016 presidential election cycle, American political groups "spent a total of \$1.4 billion in online advertising and marketing, up four times from the last election cycle... [and] Facebook and Google were, of course, both huge beneficiaries" (Ferozhar, 2019:229). The Trump years have made clear the alarming amount of influence and power big tech has gained by getting involved in politics and accumulating significant material, network, epistemological wealth and human capital. His administration's politics represent self-interested, ignorant and greedy forms of neoliberalism. Aligning with many of the neoliberal interests of Trump and the American Republican Party, Google naturally receives benefits from Trump's domestic and foreign policy that highly values protecting its economic interests of unfettered growth, deregulation, tax cuts, surveillance, data accumulation, influence over the internet and extreme transnational mobility capital (Regilme, 2019). The Trump years have provided big tech with various kinds of support ranging from tax breaks for big tech to threatening retaliation against Macron's France imposes a digital tax against US surveillance capitalists (Fuchs, 2018) (Zuboff, 2019).

During the Trump years, Washington D.C. "remained comfortable in the embrace of the major tech platforms", while Google and Facebook have "led a large tech industry presence on Capitol Hill" (McNamee, 2019:113). In the executive branch, Facebook director Peter Thiel has consistently advised President Trump and has lead "high-profile meetings in the White House

with technology executives" (McNamee, 2019:113). In both 2017 and 2018, "Google was the highest spending corporate lobbyist" (Feroohar, 2019:216). Trump has consistently undermined federal agencies and democratic policy norms in a supra-neoliberal manner by putting people in charge of federal agencies whose goals have been to weaken, impair, and deconstruct these agencies' strengths, capabilities and size (i.e., see the case of the Environmental Protection Agency). For example, with agencies that worked on digital regulation, The Trump administration "rolled back data privacy protections and set about dismantling network neutrality. All of this was done without study, without public comment, and without any consideration for objective analysis or the public interest" (Vaidhyanathan, 2019:216). These anti-regulatory activities (especially the rollback of data privacy protections) initiated by the Trump Administration significantly help Google keep politics separated and estranged from their surveillance capitalism.

US GOVERNMENT UNDERMINING GOOGLE



The above timeline identifies cases of how the US government has taken significant actions toward undermining Google and its intrusive or anticompetitive practices by implementing penalties, legislation and investigations ³.

The Federal Communications Commission's (FCC) 2012 lengthy investigation on Google Street View ended with a meager fine because Google's "lawyer's prevailed" and "there was not

³ Data Retrieved from Open-Source US Government Websites.

enough relevant law to protect citizens from its incursions” (Zuboff, 2019:146). This case shows how parts of the US government have struggled to hold Google accountable.

After regulators in Europe, Asia and US state-level regulators started looking into Google's anticompetitive practices, the US Federal Trade Commission (FTC) in 2011 "launched an investigation into Google" that "centered around the claim that Google had monopoly power in various markets and would use it to crush competitors if it could" (Foroohar, 2019:131). This case was partly initiated by complaints filed by two top online listing platform companies Yelp and Foundem. This is because Google used anticompetitive practices in different ways by being "able to effectively banish [them] from the top listings in searches, and thereby effectively stop them as competitors, [having] major similarities to the way other 'essential facilities', like the railroads and telecommunications lines of old, were able to hold up competitors and customers alike, providing access to their networks, or not, for whatever fee they liked, or in whatever way they liked" (Foroohar, 2019:135). After much investigation, the case was ultimately dismissed, and Rana Foroohar spoke with many other experts who explained their different suspicions that the decision occurred due to the success of Google's lobbying efforts, research funding and human capital exchange (Foroohar, 2019).

Following the course of European regulators, in late 2018 the FTC began investigating the use of "loot boxes", or manipulative tactics that companies use to addict children to video games that have the "aim of determining whether gaming companies... who make up an industry that is forecast to be worth \$50 billion by 2022, are knowingly using gambling techniques to hook kids" (Foroohar, 2019:126). The Children's Online Privacy Protection Act is a new federal law that has existed since 2018, that is "legislation designed to shift how technology companies market to children and how content and advertising can be presented to them" (Foroohar, 2019:126).

At the state level, California has taken the most significant action against surveillance capitalism. California's 2018 privacy legislation, the California Consumer Privacy Act (CCPA), established "a private right of action for consumers" (Williams, 2020:235). It took effect in 2020 and spawned "the passage of a rash of state privacy laws over the past year and will serve as the tipping point for the implementation of a federal data privacy law... [because] States will continue to promulgate differing laws until the cost and frustration of corporate compliance forces action at a national level" (Williams, 2020:243). This state legislation affects every state in the US and has had a massive effect in unleashing a new flow of other states implementing new measures for data privacy protection (Williams, 2020).

In 2020 America, "All three branches of the federal government are grappling with how to address control of privacy rights and liability for data breaches" (Williams, 2020:243).

4.2 GERMANY

GERMAN GOVERNMENT SUPPORTING GOOGLE

The research conducted has struggled to find cases for the German government supporting Google. It has only identified one significant case of cooperation between Google and

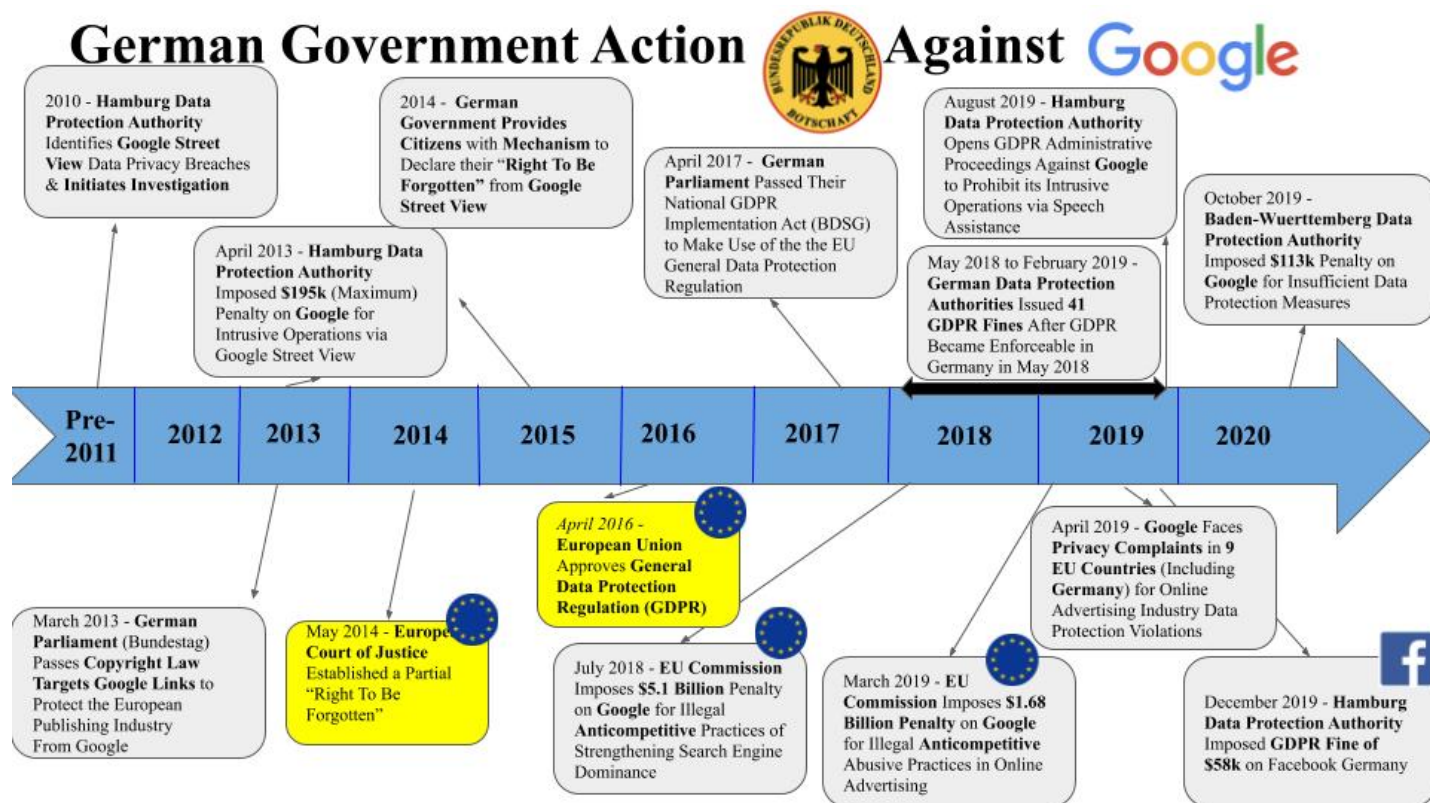
the government. The German government partnered with Apple and Google in 2020 to develop a contact-tracing app that launched in June that includes strong privacy measures (and has since launched a national privacy debate)⁴. The thesis calls for further research into documenting and analyzing these cases.

GERMAN GOVERNMENT UNDERMINING GOOGLE

It is not surprising that Germany and the EU have implemented robust protections for data privacy. Their sentiments on privacy exist because “the experience of a police state under Nazi Germany is at the root of contemporary European data privacy law”, as the Nazis’ “use of personal records to target Jews, Communists, and other undesirable groups is widely seen as the root of European privacy law” (Bloch-Wehba, 2014: 763). In the 1980’s “Comprehensive data protection law in Europe...[emerged] when the risks of computerized information collection, aggregation, and dissemination became much clearer” (Bloch-Wehba, 2014:764). National German attention to data privacy indeed rose as early as the 1970s when the German government began regulating the use of data on the Internet through its Federal Data Protection Act, or Bundesdatenschutzgesetz (Bloch-Wehba, 2014) (German BDSG, 2020). Afterward, the country began establishing state-level data protection authorities (Custers, 2018). German privacy rights are protected as constitutional rights (Custers, 2018). In 2017, the German parliament (Bundestag) passed the national implementation of the EU General Data Protection Regulation (GDPR) (Custers, 2018). Comparing across EU countries, research shows that Germany has more civil rights groups that focus on privacy and the German citizens care much more about human rights in the digital age, and its citizens value increased protections for privacy and personal data more than any other country (Custers, 2018). It is also one of the only countries where having designated data privacy officers is mandatory within companies with ten or more employees (Custers, 2018).

There are significant spillover effects between governance in Brussels and Germany in the political, judicial, and legal environments (Eichenhofer & Gusy, 2017) (Custers, 2018). Germany exerts substantial influence in the EU, and it has played a critical role in developing EU data protection (Eichenhofer & Gusy, 2017). It reacts to Google’s intrusive behavior through its national mechanisms, regional EU mechanisms and via German EU data privacy governance stakeholders that influence enforcing penalties and investigations (Custers, 2018). EU countries agreed to implement the GDPR that took effect in May 2018 to ensure data security, freedom of the individual and prevent unlawful data transfer (EU Commission, 2018). German policymakers and regulators (i.e., state-level data protection authorities) bring their issues with data privacy concerns to the European Union governing bodies and collaborate with fellow member states (Custers, 2018). It is important to recognize the cooperation between the German and French governments in imposing measures on Google, such as penalties and agreements for implementing a digital tax for big tech platforms (Custers, 2018) (Fuchs, 2019).

⁴ Germany Launches App to Track Covid-19 – Wall Street Journal (2020). Dow Jones Institutional News, Jun 17, 2020.



The timeline shows the numerous German (and EU) penalties, legislation, court cases, policies and monopoly/antitrust cases that concern Google ⁵.

The German Courts have demonstrated "great willingness to defend privacy and data protection against new threats posed in the digital environment" (Eichenhofer & Gusy, 2017:117). The federal constitutional court, or Bundesverfassungsgericht (BVerfG), has "put many efforts in transforming the fundamental rights present in the German Constitution into specific safeguards against the threats of the informational society" (Eichenhofer & Gusy, 2017:117). A prime example is Germany's reaction to the global Google Street View "Spy-Fi" case. Google invaded privacy by collecting images of physical environments (streets) and personal data by intruding into people's unsecured Wi-Fi networks (Zuboff, 2019). In 2013, Google was fined "145,000 euros by the Hamburg data-protection supervisor who had first discovered the Street View illicit data gathering" and later on the German government implemented policy that "allowed [German] residents to request that their homes be blurred in any Street View images" (Zuboff, 2019:149). The mechanism that citizens could use was declaring their "right to be forgotten" (RTBF) (Eichenhofer & Gusy, 2017).

Over the past decade, the visual reveals substantial German and EU efforts (i.e., penalties) to address the monopolistic power and antitrust practices as exercised by Google. Most of these fines have been for anticompetitive practices regarding its search engine and online advertising. Germany has also been fighting Google for how it undermines competition in the publishing industry with its monopolistic power (Kreiss & McGregor, 2018). Google and

⁵ Data Retrieved from Open-Source German & EU Government Websites.

Facebook can significantly leverage competition in publishing and media, and there are major “power asymmetries” because big tech “digital intermediaries can change their platforms on a whim to suit their own interests, forcing news media organizations to adapt to what can amount to a radically changed distribution environment. This fundamental dependence on digital intermediaries for distribution is an important source of the power of these technology firms to create structures of communication” (Kreiss & McGregor, 2018:157).

5. CONCLUSION

The analysis of the cases between the United States and Germany reveals how two democratic governments have dealt with Google and how many stakeholders in their governance have identified numerous problematic issues with Google's behavior and surveillance capitalism. Although the previous chapter points out many interactions between both governments and Google, this thesis calls for future research to develop more in-depth analyses of such cases because there are limitations to this study. However, from these cases, it is possible to posit some conclusions. From nearly every different type of case brought up against Google's misbehavior identified, Germany (or the EU) initiated action first, and the US often followed. German history is a significant cultural factor in not wanting to return to a surveillance state and respecting human rights, particularly in the digital age (Custers, 2018) (Bloch-Wehba, 2014). Significant factors in why America has lagged behind Germany in addressing Google include American history and the cultural influences of capitalism, neoliberal politics and protecting its most powerful domestic economic actors. Furthermore, national security, defense and intelligence interests of the US government have played a critical role in shaping government relations and cooperation with big tech corporations (especially after 9/11). The US government has had a complicated history with Google, playing a significant role in its creation, and the study has examined a considerable amount of government collaboration with Google. Germany naturally displays much less inclination towards supporting foreign corporations. Google exhibited substantial power and influence in lobbying governments, especially the US. US government officials have trusted and cooperated with Google much more than Germany. The executive branches of US administrations appear to have exhibited more significant power, influence and different styles of approaching Google than that of the German Chancellorship. They resemble an especially stark contrast between Merkel and Trump. German action against Google appears to carry more weight when considering the influence of regional EU institutions, market, partner countries and enforcement mechanisms for protecting digital rights.

For governance to produce good policy against big tech that advances the interests of democracy, they must first understand the severity of the structural problems that exist by examining the historical conditions that have allowed big tech to accumulate and abuse the significant amount of power they have. Surveillance capitalists like Google have become transnational economic and political superpowers, that play the role of a “private administrative agency with quasi-lawmaking, quasi-adjudicative, and quasi-enforcement powers” (Lee, 2016:61). Alarming, Google has shown how a corporation can operate “in a quasi-governmental, regulatory capacity in administering public rights on a global scale.” (Lee, 2016:61). The historical conditions distinctly revealed many of the problems that previous forms of market, political, societal and cultural issues failed to manage well. Governments should work

with other stakeholders in their societies to examine their histories and what they can do to address the problems they have caused. Individually and collectively, countries should construct their own understandings of these historical problems created by aspects of capitalism, surveillance, privacy, and self-determination in the digital age. They should then implement those solutions with constant re-evaluations of their effectiveness.

In conclusion, the thesis provides suggestions that future policy, activism and research should focus on when building a brighter future where the protection of human rights is respected online and offline, and not under the control of surveillance capitalists.

To develop more equitable societies online and offline in the future, we must build "as many democratic inroads as we can into the so-called economic sphere and that means aiming as much as possible to detach social life from market dependence... striving for the decommodification of as many spheres of life as possible and their democratization" (Meiksins-Wood, 1995:16). Moving these spheres out of the direct control of capital and its market imperatives require shaping existing or building new emancipatory movements, policies, institutions and mechanisms that implement these kinds of change. Stakeholders must resist any business or government policy that "upholds the logic of the commodification of humanity" and should instead incorporate conceptions of governance that respect a collective "humanity that includes everyone as equal, indispensable, and non-tradeable" (Regilme 2019:164). Formulating more collectivized notions of privacy should contribute to understandings that allow us to perceive better the societal and individual values and benefits derived from privacy. One way to do that is by following French and EU proposals to impose a digital tax on big tech corporations (see EU Commission "Fair Taxation of the Digital Economy"). Future research, government law and policy should be centered around notions of digital human rights that include human dignity, especially in individual privacy rights definitions (Floridi, 2016).

Implementing these identified measures requires building robust legal and political frameworks that resemble the EU's GDPR and national frameworks that enforce determining which sorts of data can or cannot be collected and processed in particular ways (especially with advanced technological applications like AI). Furthermore, governments should provide citizens the protection of the right to be forgotten (RTBF) and develop better mechanisms to implement such measures (by following steps taken by Germany and the EU) (Lee, 2016). Governments should protect their citizens by legalizing their individual digital rights by implementing forms of "a digital bill of rights that would assign possession to its true owner, which is, of course, the user and generator of that data, not the company that made off with it" (Feroz, 2016:277). Since surveillance capitalist corporations like Google are private market actors with quasi-governmental operations, then governments should plan "the creation of a hybrid agency (consisting of industry, government, and democratically elected representatives) to provide greater oversight to the entire process" (Lee, 2016:60). This kind of oversight agency would represent "a form of public-private partnership and global governance, designed to increase democratic accountability and transparency in Google's implementation of the right to be forgotten" (Lee, 2016:60). Establishing robust transnational data privacy laws and institutions would be of great value by building more consensus between states and making collective enforcement easier to achieve.

The thesis has shown in many ways how power is very unequally distributed in society and how surveillance capitalists exacerbate inequalities. Laissez-faire governance of economic actors grants too much influence and control to surveillance capitalist corporations as they can easily undermine human rights, democracy, equality, weaken competition and exhibit powerful anticompetitive practices (Foroohar, 2019) Khan, 2019). Hence, we must create “Neo-Brandeis” antitrust legal frameworks similar to those utilized by American Supreme Court Justice Louis Brandeis a century ago against the mighty industrial capitalist steel and railroad corporations (Khan, 2017).

Transnational civil society groups have exhibited their critical role in protecting rights and equality in the digital age against the dominion of surveillance capitalists. They should be supported in their activities by giving more influence to their voices (i.e., decision-making influence) and mechanisms that demand and implement change. Especially whistleblowers, because they uncovered cases of many powerful and complex surveillance organizations like the NSA, Cambridge Analytica (including Facebook's involvement), and numerous Facebook and Google employees (Olesen, 2019). Perhaps we could follow academic David Carrol and whistleblower Cambridge Analytica in their campaigns to #Own Your Data and demand change from big tech platforms (Amer & Noujaim, 2019).

Bibliography:

1. Amer, K. & Noujaim, J. (2019). “The Great Hack”. Documentary retrieved from <https://www.thegreathack.com/>
2. Arendt, H. (1951). *The Origins of Totalitarianism*. New York.
3. Arewa, O. (2019). Investment Funds, Inequality, and Scarcity of Opportunity. *Boston University Law Review*, 99(3), 1023-1055.
4. Bundesdatenschutzgesetz (BDSG) (Federal Data Protection Act), (2020). www.gesetze-im-internet.de/englisch_bdsdg/.
5. Bundesregierung (German Federal Government). (2020) www.bundesregierung.de/breg-de.
6. Campaign for Accountability. (2020), campaignforaccountability.org/.
7. Custers, B., et al. (2018). A comparison of data protection legislation and policies across the EU. *Computer Law & Security Review: The International Journal of Technology Law and Practice*, 34(2), 234-243.
8. Duzgun, E. (2020) 'Ecology, Democracy and Development: Capitalist Crises and Covid-19', *New Politics*. <https://newpol.org/ecology-democracy-and-development-capitalist-crises-and-covid-19/>
9. Eichenhofer, J. & Gusy, C. (2017). Courts, privacy and data protection in Germany: Informational self-determination in the digital environment. In *Courts, Privacy and Data Protection in the Digital Environment* (pp. 101-119). Edward Elgar Publishing.
10. European Commission, Official Website. (2020). ec.europa.eu/info/index_en. FTC
11. Federal Communications Commission (FCC), (2020). www.fcc.gov/.
12. Federal Trade Commission (FTC). (2020). www.ftc.gov/.

13. Floridi, Luciano. "On Human Dignity as a Foundation for the Right to Privacy." *Philosophy & Technology* 29.4 (2016): 307-312.
14. Foroohar, R. (2019) *Don't Be Evil: How Big Tech Betrayed Its Founding Principles - and All of Us*. Allen Lane Publishing,
15. Franks, M.A. (2017). Democratic surveillance. *Harvard Journal of Law & Technology*, 30(2), 425.
16. Frischmann, B., & Selinger, E. (2018). *Re-Engineering Humanity*. Cambridge: Cambridge University Press.
17. Fuchs, C. (2018). The online advertising tax: A digital policy innovation (CAMRI policy briefs;1).
18. Gonzalez-Vicente, R. & Carroll, T. (2017) Politics after National Development: Explaining the Populist Rise under Late Capitalism, *Globalizations*, 14:6, 991-1013
19. Gopnik, A. (2019). *A thousand small sanities : The moral adventure of liberalism* (First ed.).
20. Greenwald, G. (2014). *No place to hide : Edward Snowden, the NSA, and the Surveillance State*. London: Penguin Books.
21. Harvey, D., (2007). *A Brief History of Neoliberalism*. Oxford University Press, USA.
22. Kasser, T., & Kanner, A. (2004). *Psychology and consumer culture: The struggle for a good life in a materialistic world*. Washington, DC: American Psychological Association.
23. Khan, L. (2017). Amazon's Antitrust Paradox. *Yale Law Journal*, 126(3), 1.
24. Kreiss, D., & McGregor, S. (2018). Technology Firms Shape Political Communication: The Work of Microsoft, Facebook, Twitter, and Google With Campaigns During the 2016 U.S. Presidential Cycle. *Political Communication*, 35(2), 155-177.
25. Leibold, J. (2020). Surveillance in China's Xinjiang Region: Ethnic Sorting, Coercion, and Inducement. *Journal of Contemporary China*, 29(121), 46-60.
26. Maier, C.S. (1977) 'The Politics of Productivity: Foundations of American International Economic Policy after World War II', *International Organization* 31, 4 , pp. 607-34.
27. Martin, G., & McCrain, J. (2019). Local News and National Politics. *The American Political Science Review*, 113(2), 372-384.
28. McNamee, R. (2019). *Zucked : Waking up to the Facebook catastrophe*.
29. Meiksins-Wood, E. (1995). *Democracy against capitalism : Renewing historical materialism*. Cambridge University Press.
30. Mukherjee, A. (2018). The Internet trap : Five costs of living online.
31. Piketty, T. (2014) *Capital in the Twenty-First Century* (Cambridge, MA:Belknap Press)
32. Polanyi, K. (1944). *The Great Transformation*.
33. Polanyi, K. (1946). *Origins of Our Time: The Great Transformation*. London: V. Gollancz, Print.
34. Regilme, S. S.F Jr. (2014). Bringing the Global Political Economy Back in: Neoliberalism, Globalization, and Democratic Consolidation. *International Studies Perspectives* 15(3): 277–96.
35. Regilme, S.S.F.D., 2019. The decline of American power and Donald Trump: Reflections on human rights, neoliberalism, and the world order. *Geoforum*, 102, pp.157-166.
36. Schwab, K. (2016) *The Fourth Industrial Revolution*. World Economic Forum. Crown Publishing Group. First U.S. ed., 2016.
37. Srnicek, N. & Williams, A. (2016) *Inventing the Future: Postcapitalism and a World Without Work*. London.

38. Streeck, W. (2016). *How will capitalism end? : Essays on a failing system.*
39. Taylor, M.A. (2018) *The Creepy Line - Documentary*, www.thecreepyline.com/.
40. Tech Transparency Project. (2020), www.techtransparencyproject.org/data.
41. Tsutsui, K. & Smith, J. (2017). *Human Rights and Social Movements: From the Boomerang Pattern to a Sandwich Effect.* The Wiley Blackwell Companion to Social Movements, Edited by Snow, Soule, Hanspeter, & McCammon. Wiley Blackwell.
42. USAGov. "State Attorneys General Official Website." (2020). www.usa.gov/state-attorney-general.
43. Vaidhyanathan, S. (2018). *Antisocial Media: How Facebook Disconnects Us and Undermines Democracy.* Oxford University Press.
44. Williams, S. (2020). *CCPA Tipping the Scales: Balancing Individual Privacy with Corporate Innovation for a Comprehensive Federal Data Protection Law.* *Indiana Law Review*, 53(1), 217-243.
45. Wingfield, R. (2020). *Seeing what's around the corner: Facial recognition technology may be used to create immunity "passports" and other ways of tracking our health status. Are we watching?* *Index on Censorship*, 49(2), 28-30.
46. Zuboff, S. (2015). "Big Other: Surveillance Capitalism and the Prospects of an Information Civilization." *Journal of Information Technology* 30: 75–89.
47. Zuboff, S. (2019). *The Age of Surveillance Capitalism : The fight for a human future at the new frontier of power* (First ed.) Public Affairs. New York.