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THE DIGITAL PANOPTICON: SURVEILLANCE, POWER AND COVID-19

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Abstract: This project considers the contributions of the panoptic conception by Jeremy Bentham, Michel Foucault and Byung-Chul Han, in order to analyse the dynamics and forms of control exercised throughout the COVID-19 pandemic, how these acted and what role individuals and new technologies played. While Bentham's original vision of the panopticon was rooted in its architectural application to prisons, our inquiry transcends the physical and transitions into the insights of Michel Foucault and Byung-Chul Han, focusing on their notion of power, biopolitics and psychopolitics. Moreover, in the digital era we find a tendency to conceive the space of communication as a space of freedom, but in this surveillance society, which exploits this freedom to the maximum, these spaces become spaces of control. The panopticon proposals give us a key conceptual framework to consider the actions, scenarios and responses to the COVID-19 health crisis. Thus, the conjunction of positions on the panopticon, power and surveillance, take on relevance when we talk about the past pandemic and its effects.

Keywords: panopticon, Foucault, biopolitics, Han, Covid19, surveillance, power, digital era, philosophy, control, societal responses.

PANOPTICONUL DIGITAL: SUPRAVEGHERE, PUTERE ȘI COVID-19

Rezumat: Acest proiect ia în considerare contribuțiile concepției panoptice ale lui Jeremy Bentham, Michel Foucault și Byung-Chul Han, pentru a analiza dinamica și formele de control exercitate de-a lungul pandemiei COVID-19 și modul în care acestea au acționat, alături de rolul pe care l-au jucat indivizii și noile tehnologii. În timp ce viziunea originală a lui Bentham asupra panopticonului era înrădăcinată în aplicarea sa arhitecturală la închisori, ancheta noastră transcende aspectul fizic și face tranziția către perspectivele lui Michel Foucault și Byung-Chul Han concentrându-se pe noțiunile acestora de putere, biopolitică și psihopolitică. În plus, în era digitală găsim o tendință de a concepe spațiul de comunicare ca un spațiu de libertate, dar în această societate a supravegherii, care exploatează această libertate la maximum, aceste spații devin spații de control. Propunerile panopticonului ne oferă un cadru conceptual cheie pentru a lua în considerare acțiunile, scenariile și răspunsurile la criza de sănătate din cadrul pandemiei COVID-19. Astfel, conjuncția pozițiilor pe panopticon, putere și supraveghere, capătă relevanță atunci când vorbim despre pandemia trecută și efectele ei.

Cuvinte-cheie: panopticon, Foucault, biopolitică, Han, Covid19, supraveghere, putere, era digitală, filosofie, control, răspunsuri societale.

1. Introduction

The COVID-19 pandemic, an unparalleled global crisis, has brought a complex web of control, surveillance, and governance problems across societies all over the world. In this essay, we embark on a critical exploration of the pandemic's dynamics, viewing it through the lens of the panoptic concept—a philosophical framework rooted in the works of Jeremy Bentham, elaborated by Michel Foucault, and contemporarily reimagined by Byung-Chul Han. This article is based on the thesis that the panoptic conception of control has shaped our understanding of power dynamics in modern societies. Moreover, the analysis of this concept can help us to understand a perspective of how power dynamics work in our societies.

Our inquiry seeks to unravel the ways in which power, surveillance, and control have manifested in the digital age amidst a global health emergency. This endeavour constitutes an interdisciplinary study, bridging the realms of philosophy and contemporary societal issues, to shed light on the multifaceted dimensions of the COVID-19 pandemic. Through an analysis of the ideas of these philosophers, we will consider the ways in which the pandemic has amplified issues of control and surveillance in our societies, and the implications of these developments for our future.

In addition, we will find the points in common and the points in disagreement of Foucault's notion of biopolitics and power with Han's notion of psychopolitics and power. Next, Han's critiques of the French philosopher will be evaluated, and we'll study whether these critiques are successful. The key goal is to see if the term biopolitics is still applicable today. For this reason, the great works of the two authors will be used, always bearing in mind that this is an introductory article to the problems presented by Han about Foucault's thought. Although these eminent thinkers were not contemporaries, we will see the influence among them.

Our methodology encompasses an historical, philosophical and sociological analysis, as well as real-world case studies. We commence our exploration with the analysis of the origins of the panoptic concept, with a particular focus on its architectural genesis in Jeremy Bentham's design for a prison. Building upon this historical foundation, we delve into the philosophical dimensions, placing emphasis on the contributions of Michel Foucault and Byung-Chul Han. Foucault's concept of biopolitics and Han's notion of psychopolitics serve as the theoretical framework that underpins our analysis, enabling us to discern the pandemic's impact on power dynamics.

To ground our examination in the contemporary landscape, we scrutinize real-world instances of the panoptic principles being applied during the COVID-19 pandemic. These examples are drawn from diverse global contexts, offering a comprehensive panorama of the various manifestations of surveillance, control, and governance in the face of a global health crisis. Be aware that the examples are just a representation of the issue.

2. The eye of power

The concept of panopticon or panopticum has gone through a process of popularization from the 18th and 19th centuries until today. Part of its relevance is due to the works of Michel Foucault (1926-1984), however, the concept—in its most primitive version—was proposed by Jeremy Bentham (1748-1832). The English thinker and father of utilitarianism proposed the panopticon as a mechanism applicable to the control of the behaviour of prisoners in prisons. As such, the panopticon is an architectural structure designed for prisons; this structure is characterized by a circular arrangement of each cell, all around a central point, without communication between them. At the central point of the structure we would find a surveillance tower where a single person could observe all the cells. These characteristics lead to the fact that a person can control the behaviour of all inmates. The fact that the prisoner could be seen from the outside is relevant,

but he could not know for sure if, in fact, he was being observed. This is because the central tower was built in such a way that from the outside it was seen as opaque; thus, the prisoner cannot know if the guard is watching him or, simply, know what the guard was doing¹.

We see that the main idea was that the inmates would never know when they were being watched, so they would assume that they were always being watched. This would create a sense of permanent visibility and control. This asymmetry of vision allowed for complete control over the prisoners' behaviour, as they could never be sure when they were being watched or not. The situation presented to us is based on an invisible surveillance; this means that the behaviour of each individual is controlled when they are not being monitored; since this subject could be observed, he will act following the rules imposed in order not to be sanctioned. Thus, the panopticon operates through unverifiability.

Moreover, Bentham's panopticon was a significant departure from previous models of power and control, which relied on overt coercion or violence. Instead, the panopticon relied on a subtle and pervasive form of surveillance that worked through the internalization of power. This idea was carried out in several prisons, one of the most influential one was the *Model* prison in Barcelona. The concept of the panopticon has been influential in a variety of fields, including architecture, urban planning, sociology, and political theory. It continues to be a useful tool for understanding contemporary forms of power and control, particularly in the digital age, where surveillance and monitoring have become even more massive.

3. Foucault and Han

With these bases established, Foucault presents his version of the panopticon. But before delving into this, it should be mentioned that this philosopher has significantly marked the thinking of the second half of the 20th century, as well as the present day². For this author we are in a disciplinary society, which controls the behaviour of its members by imposing surveillance to normalize certain values. Simply

put, power acts through surveillance, control, and correction of citizens' behaviour. According to Foucault, panopticism is established on being able to impose behaviours on the set of the population based on the idea that we are being watched³. We find behaviours considered "normal" that are generalized as "typical" behaviour; then, good behaviour—what conforms to normality—is rewarded and deviations of this normality are punished. Foucault understands contemporary power as "disciplining power". In other words, this kind of power is not a power of death, it is a power of life whose function is not to kill, but the complete imposition of life⁴.

This framework leads to the individual self-managing their behaviour—similar as the traditional conception of the panopticon –, censuring deviations in order to stay within this range established as correct. The important point is that the person feels watched, not that they actually are; if you are being watched it is unverifiable. The mechanisms of the panopticon, at the same time, allow that power does not have to be exercised and manifested continuously: "So it is not necessary to use force to constrain the convict to good behaviour, the madman to calm, the worker to work, the schoolboy to application, the patient to the observation of the regulations"⁵.

According to Foucault, the panopticon expresses extremely well the typology of dominance found in the contemporary age: surveillance mechanisms are introduced into the terrain of bodies, forming part of a type of violence that is articulated through expectations and meanings conveyed by spaces and institutions. This type of power, characteristic of the time, will be called "biopower"⁶, which refers to the ways in which power operates on the level of the individual's body and life. For Foucault, power is not something that is possessed by individuals or institutions but rather something that is diffused throughout society. This mutation of power is largely due to the concentration and centralization of the media in the government and in the apparatus of the State; these would guide societies towards their only end: to continue perpetuating their own power. In addition, these mechanisms are not limited solely to the area of prisons, as Bentham points out. In fact, according to the French author, all current institutions have this type of organization in one form or another. As

Foucault firmly announces: “The Panopticon, on the other hand, must be understood as a generalizable model of functioning; a way of defining power relations in terms of the everyday life of men”⁷. Bearing this in mind, the notion of panopticon should be detached from any specific or physical use, as he points it out: “But the Panopticon must not be understood as a dream building: it is the diagram of a mechanism of power reduced to its ideal form; its functioning, abstracted from any obstacle, resistance or friction, must be represented as a pure architectural and optical system: it is in fact a figure of political technology that may and must be detached from any specific use”⁸.

Foucault, then, uses this concept as a metaphor for the disciplinary system of contemporaneity; this has moved the focus of the spectacle to surveillance. At the beginning of the 19th century, we can find the disappearing of the physical punishment’ spectacle. We don’t see as much the characteristic tortured body: the theatrical apparatus of suffering is excluded as we enter to a sobriety punishment. In his words: “In short, it reverses the principle of the dungeon; or rather of its three functions—to enclose, to deprive of light and to hide—it preserves only the first and eliminates the other two. Full lighting and the eye of a supervisor capture better than darkness, which ultimately protected. Visibility is a trap”⁹.

This way of repression leads to improved abilities and performance, as well as to having a better external image. We can even say that it’s a pretty or nice repression. Thus, disciplinary bodies and institutions multiply them, but following this trend of deinstitutionalization and depersonalization: anyone and everyone is following and reproducing the domination. We’re left with a scenario where the individual is seen, but the individual cannot see: “it is the object of information, never a subject in communication”¹⁰. Furthermore, it seems that the power is blurred but that does not mean it loses its strength; subtlety seems to be one of his best weapons. Power ends up functioning in a polyvalent and diffuse way throughout the social body, it is not concentrated in an individual or in precise and closed places; it crosses the whole society. In ancient times there was a person who exercised power and watched, now any

person or object can be a representative of this power. It should be pointed out that Foucault does not say in any case that this model appeared suddenly, it is a process of sedimentation of historical processes.

As we can acknowledge, Foucault's concept of power differs from traditional notions of power as something that one person or group holds over another. Instead, power is viewed as a pervasive force that operates throughout society, shaping the thoughts, behaviours, and relationships of individuals. He argues that power is not necessarily repressive or negative, but rather is productive, creating and shaping social relationships and structures. Foucault's analysis of power relationships also includes the concept of knowledge. He argues that knowledge is not neutral or objective but is rather produced and shaped by power relations. This means that those in power have the ability to shape what is considered knowledge and what is not, and therefore shape how individuals understand and interact with the world around them. "Thanks to its mechanisms of observation, it gains in efficiency and in the ability to penetrate into men's behaviour, knowledge follows the advances of power, discovering new objects of knowledge over all the surfaces on which power is exercised"¹¹.

It enables the perfect exercise of power: it reduces those who exercise it while increasing the people to whom it is exercised. Act before actions that could be punished. It acts in a constant way and without making noise and without any physical element. "It is polyvalent in its applications; it serves to reform prisoners, but also to treat patients, to instruct schoolchildren, to confine the insane, to supervise workers, to put beggars and idlers to work"¹².

Overall, Foucault's ideas on the panopticon and power have been highly influential in social and political theory, particularly in the areas of surveillance studies and critical theory: "The panoptic arrangement provides the formula for this generalization. It programs, at the level of an elementary and easily transferable mechanism, the basic functioning of a society penetrated through and through with disciplinary mechanisms"¹³.

If we focus on the second thinker that we mentioned, Byung-Chul Han is a contemporary South Korean philosopher who has written extensively on themes of surveillance and control. Han's thought is clearly marked by Foucault, and he introduces the concept of "psychopolitics"¹⁴, which he defines as the ways in which power operates by shaping and controlling individual psychology. In Han's view, power is not just about physical control, but it also operates at the level of the mind, shaping individual desires and aspirations. Han criticizes Foucault's concept of biopolitics for being too focused on external control and not taking into account the ways in which individuals can be manipulated into compliance. Although, being fair, we've seen that Foucault takes it into consideration, maybe not as much as Han would like.

In contrast to Foucault's ideas on power, Han proposes the concept of "achievement society" which is a system of control based on self-exploitation and self-monitoring (Han, 2017). Han argues that modern societies are characterized by an "excess of positivity" which means that there is a constant pressure to be productive and successful, leading individuals to internalize a desire to work, to create, and to consume. In such societies, people willingly submit themselves to monitoring and control mechanisms because they believe that success is achieved through self-discipline and self-exploitation¹⁵. In his words: "Today's society is no longer Foucault's disciplinary world of hospitals, madhouses, prisons, barracks, and factories. It has long been replaced by another regime, namely a society of fitness studios, office towers, banks, airports, shopping malls, and genetic laboratories"¹⁶.

He argues that individuals have become their own wardens and that this form of self-surveillance has become normalized in contemporary society¹⁷. The achievement society, then, is not imposed from above by a repressive state apparatus, but is rather internalized by individuals who seek to succeed within the system. We will see that this form of self-monitoring and self-exploitation is particularly relevant in the context of the COVID-19 pandemic, as individuals have been asked to self-isolate, self-monitor their health, and participate in contact tracing programs. In this sense, the pandemic has revealed the

ways in which individuals have internalized the need for self-surveillance and self-control.

The Korean philosopher shows us that, in certain aspects, our society is no longer characterized by the terms of a disciplinary society, but is characterized more by being a mass information society. We could claim that we are currently under the tyranny of data; everything that is done must be quantified and dated. Thus, Han suggests the thesis according to which we have moved from a biopolitics or biopower to a psychopolitics¹⁸. We see a mass-elimination of prohibitions and barriers typical of the disciplinary society. According to Han, neoliberalism does not focus on bodies but directly targets the psyche as a productive force. It should be pointed out that it is not that Han stated that the disciplinary power did not also attack the mind, on the contrary, it attacks it but not as the main objective. He points out that the body as a productive force is no longer as central; in order to increase productivity physical and mental processes are optimized.

Positivity ends up being characteristic of psychopolitics, that is to say, it operates through positive stimuli such as the "like". In a few words, neoliberal psychopolitics is an intelligent power that seeks to please rather than subjugate¹⁹. The psychopolitics of the neoliberal system exploits everything, even pain and fear, and acts in increasingly refined ways. Thus, we understand the digital panopticon as a transparency and hyperconnectivity that turns each individual into a panopticon, de-interiorizing the individual leaving him exposed to the outside gaze. Now we are also being watched over the things we use every day.

Byung-Chul Han refers to the concept of the "digital panopticon" as a contemporary version of the panoptic surveillance system. According to Han, the digital panopticon represents a new form of control and domination that operates through the massive use of digital technologies and the internet. In his view, the digital panopticon relies on the collection and analysis of vast amounts of data from individuals, including their online behaviour, preferences, and personal information. This information is then used to create highly personalized profiles that allow for targeted advertising and the

delivery of customized content. The result, according to Han, is a system that operates not through overt coercion or physical control, but rather through the subtle manipulation of individuals' desires and behaviour. He argues that the digital panopticon represents a new kind of power that is more insidious and difficult to resist than traditional forms of control.

With all the above, we see that the effectiveness of the digital panopticon is due to the fact that we no longer need to be closed in order to exercise this type of social control; it accompanies us even where we feel most free. Moreover, neoliberalism has created the illusion that the subject can be emancipated when, in reality, the subject himself builds his prison without being aware of it. In this way, the subject submits voluntarily way to this framework of power, consuming and communicating everything, even one's own emotions. We note that the effectiveness of digital panopticons resides in the manipulation of emotions in order to increase productivity. This power related by Han would end up conditioning especially mental acts, behaviours and preferences. And all this only requires an internet connection. The digital panopticon allows a 360-degree view of its inmates²⁰. In the society of transparency, we feel freer the more information about our lives we relate to the networks. Individuals believe they are free, they communicate freely, but this freedom ends up being control. It is ensured that this panoptic life is voluntarily decided upon and that one becomes a victim and perpetrator of this panopticon. Freedom becomes its opposite: control. We can affirm, then, that surveillance seems to have been democratized.

We must say that one of the limitations of Han's analysis is that it tends to overlook the ways in which individuals are constrained by external factors such as economic and political structures. While Han acknowledges that the achievement society is a product of neoliberalism and consumer culture, his analysis tends to focus on the individual level rather than the systemic level.

Despite this limitation, Han's critique of the achievement society provides an important counterpoint to Foucault's analysis of power. By emphasizing the ways in which individuals are complicit in their own subjugation. Moreover, his analysis sheds light on the ways in

which contemporary societies are characterized by a normalization of self-surveillance and self-exploitation, providing important insights into the current moment of the COVID-19 pandemic.

4. COVID-19 health crisis

The panopticon proposals give us a key conceptual framework to consider the actions, scenarios, and responses to the COVID-19 health crisis. This crisis has led to unprecedented forms of control and surveillance, with governments using new technologies to monitor and control individual behaviour. In this sense, the panopticon is not just a metaphor but also a reality. The COVID-19 pandemic has provided a particularly striking example of the ways in which these dynamics play out in our society. These technologies raise important questions about the relationship between individual freedom and public health.

We are all aware of the local implementations of such techniques as GPS control and contact tracing; as well as the role of the public surveillance through our phones. We find that in the United States, Australia and the United Kingdom applications have been used to trace symptoms, in Singapore we find a tool to trace contacts, in Israel we find measures that have been implemented to access information from phones in order to see movements of infected people, in Taiwan geolocation is allowed to notify the police if the quarantine is broken, etc²¹.

In the case of hospitals, COVID-19 had an added difficulty: in order to avoid the spread, the contacts, the proximity and the large meetings had to be avoided in order to control the circulation of air. In addition, they had to present a global but at the same time individualizing way of surveillance. As the article by Couch, Komesaroff, & Robinson from 2020 shows us, we have been told that the Coronavirus has been something unprecedented, but in certain aspects this is not the case. Throughout history, pandemics have occurred and even have come to the end of certain civilizations. What seems unprecedented is the answer we have given: tracking of contacts, quarantines, the use of the location of phones and drones.

It seems clear that a few medical techniques that have been used were applied before, but we also see the birth or the popularization of other techniques. As an example, we find the creation of applications for mobile devices to improve the flow of information among the population, to help track close contacts or ask issues related to symptomatology. These examples highlight the extent to which the COVID-19 pandemic has amplified issues of control and surveillance in our societies. It is clear that the panoptic conception of control, as developed by Bentham, Foucault, and Han, is still relevant today, and that their ideas can help us to understand the dynamics of power and surveillance in the digital age.

5. Conclusions

This article was aimed to bring a critical analysis of the status of digital power in our hyperconnected societies and its effects after the pandemic. By examining the ideas of Bentham, Foucault, and Han, we can see the evolution of the concept of the panopticon and its continuing relevance in contemporary society. We've seen that their ideas provide a critical framework for understanding the dynamics and forms of control that have been exercised during this crisis, as well as the role that individuals and new technologies play in these processes.

Despite these differences, both Foucault and Han recognize the importance of surveillance and control in shaping society. Foucault sees the panopticon as a mechanism of power that operates through visibility and discipline, while Han sees the digital panopticon as a way of maintaining control over individuals through the collection and analysis of personal data. Furthermore, both Foucault and Han understand that the panopticon serves to create and reinforce societal norms and standards. By constantly monitoring and disciplining individuals, the panopticon enforces conformity to these norms and marginalizes those who do not fit within them. Overall, the relation between Foucault's and Han's ideas with the panopticon highlights the continued relevance of Bentham's concept in understanding contemporary forms of power and control.

To sum up, the COVID-19 pandemic has brought a global health crisis that has required governments worldwide to take swift and extensive measures in an attempt to contain its spread. While these measures have been necessary to mitigate in some way the impact of the pandemic, they have also brought about unprecedented levels of surveillance and control. It's not my intention to negate the importance of governmental actions in managing the pandemic. It's difficult to judge the implementation of these methods when a situation like this surfaces; we could be all dead without these methods. But not for this reason we should leave our critical thinking aside.

The notion of the digital panopticon is an important concept to consider in this regard, as well as the ideas of Bentham and Foucault: while each of these thinkers has their own unique perspective on the issue, they all recognize the potential for power to be used in oppressive ways. By considering their ideas in relation to the COVID-19 pandemic, we can gain a better understanding of the challenges that we face in the contemporary world. As we see, the dynamics used in the pandemic had the bodies and the minds right in the center. The COVID-19 pandemic has further highlighted the need to critically examine the power dynamics and mechanisms of control in our society, as well as the importance of individual agency and autonomy. This analysis also invites us to reflect on the posthuman condition and the ways in which technology is shaping our relationship with power and control. As the boundaries between human and machine continue to blur, we must consider how the digital panopticon is transforming our understanding of agency and subjectivity.

Overall, it is clear that the pandemic has had a profound impact on our lives and our societies. While it is very important to take steps to protect public health, we must also be vigilant against the potential for power to be used to oppress us. The concept of the digital panopticon highlights the need for us to be aware of the ways in which technology is being used to monitor and control our lives. By remaining vigilant and informed, we can work towards building a more just and equitable society for all.

Notes:

¹ Jeremy Bentham, Michel Foucault, & María Jesús Miranda, 1979, *El panóptico*, (Madrid: Las Ediciones de La Piqueta).

² Foucault stands out mainly for the analysis of knowledge systems and power.

³ Michel Foucault, 1995, *Discipline and punish: The Birth of the Prison*, (New York: Vintage Books).

⁴ Michel Foucault, 2006, *Historia de la sexualidad I. La voluntad de saber*, (U. Guiñazú, Trad.), (Madrid: Siglo XXI).

⁵ Michel Foucault, 1995, *Discipline and punish: The Birth of the Prison*, (New York: Vintage Books): 202.

⁶ Michel Foucault, 2006, *Historia de la sexualidad I. La voluntad de saber*, (U. Guiñazú, Trad.), (Madrid: Siglo XXI).

⁷ Michel Foucault, 1995, *Discipline and punish: The Birth of the Prison*, (New York: Vintage Books): 205.

⁸ Ibid., p. 205.

⁹ Ibid., p. 200.

¹⁰ Ibid., p. 200.

¹¹ Ibid., p. 204.

¹² Ibid., 1995, p. 205.

¹³ Ibid., 1995, p. 209.

¹⁴ Byung-Chul Han, 2014, *Psicopolítica: Neoliberalismo y nuevas técnicas de poder*, (Barcelona: Herder Editorial).

¹⁵ Byung-Chul Han, 2015, *The burnout society*, (Stanford, California: Stanford Briefs).

¹⁶ Byung-Chul Han, 2015, *The burnout society*, (Stanford, California: Stanford Briefs): 8.

¹⁷ Byung-Chul Han, 2017, *Psychopolitics: Neoliberalism and New Technologies of Power*, (London: Verso Books).

¹⁸ Byung-Chul Han, 2017, *Psychopolitics: Neoliberalism and New Technologies of Power*, (London: Verso Books).

¹⁹ Byung-Chul Han, 2014, *Psicopolítica: Neoliberalismo y nuevas técnicas de poder*, (Barcelona: Herder Editorial).

²⁰ Byung-Chul Han, 2014, *Psicopolítica: Neoliberalismo y nuevas técnicas de poder*, (Barcelona: Herder Editorial).

²¹ Danielle Couch, Priscilla Robinson, & Paul Komesaroff, "COVID-19-Extending Surveillance and the Panopticon". *Journal of bioethical inquiry*, 17(4): 809–814.

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