

# information & the state

---

concepts of information  
March 1

Paul Duguid  
School of Information  
University of California  
Berkeley

# information and the state

---

## **studying information**

*a need for social theory?*

**Giddens**, Anthony. 1981. "Surveillance and the Capitalist State," pp 169-176 in A. Giddens, *A Contemporary Critique of Historical Materialism*, vol 1 *Power, Property, and the State*. Berkeley: University of California Press.

**Scott**, James C., John Tehranian, & Jeremy Mathias. 2002. "The Production of Legal identities Proper to States: The Case of the Permanent Family Surname" *Comparative Studies in Society and History* 44(1): 4-44.

# the nature of information

---

## **like a fact?**

"An immense amount of physical and intellectual work is needed to create even the most simple statistical fact--indeed, the simpler a fact is, the more refinement, and therefore the more effort, is necessary. This aspect was noticed early on in the history of statistics, not least by Charles Babbage: facts have to be *manufactured*"

John Agar, *The Government Machine*, 2003

## **or a natural resources**

Information (like Foucault's state)

"behind our backs"?

Coflll\_State 3

# the nature of information

---

## **rival narratives?**

"information wants to be free"

"People just produce whatever they want;  
the good stuff spreads, and  
the bad gets ignored"

Paul Graham, 2005

"information needs to be controlled"

# information & the state

---

"origins of surveillance ... directly bound up with the formation of the *nation-state*.

... 'surveillance' ... **first** ... the accumulation of 'information' -- symbolic materials that can be stored by an agency or collectivity. **Second** ... the supervision of the activities of subordinates by their superiors within any collectivity."

Giddens, *Power, Property & the State*

# overview

---

## **thematic issues**

(roughly in this order)

*'gathering' information--'legible' state*

*distributing information-- 'legible' government*

*stabilizing information -- 'reliable' information*

*surveilling throughout*



# becoming 'papermongers'

---



**Roger of Sicily** 1095-1154

1145, ordered all charters on paper to be copied to parchment then destroyed

**Philip II** 1527-1598 *el rey papelero*

**Francis Bacon** 1561-1626 *New Atlantis*

**Jean-Baptiste Colbert** 1619-1683

*erudition d'état* [and bookkeeping skills]





"the permanent patronym would take its place beside ... other 'optical technologies" ... weights & measures ... legal code ... cadastral maps ...property registers .. tax code, a common currency ... standard dialect," Scott et al

## state mongering

### An act concerning...

1. public archive
2. state printer
3. pilots for SF
4. comptroller
5. treasurer
6. Sec. of state
8. translator
11. AG
14. Supreme Court
30. incorporation of cities
36. commissioner of deeds
41. notaries
49. lawful fences
48. incorporation of towns
53. weights & measures
55. limited partners
59. recorder's office
64. officers of health
67. surveyors
69. librarian
72. register of wills
89. marks & brands
90. reporter
93. conveyances
95. common law
117. incorp. of colleges
123. assayer

Statutes of California, 1849-50



# gathering

---

"And it came to pass in those days, that there went out a decree from Caesar Augustus that all the world should be taxed. . . . And Joseph also went up from Galilee, out of the City of Nazareth, into Judaea, unto the City of David, which is called Bethlehem; (because he was of the house of David:) to be taxed with his espoused wife, being great with child." Luke, 2:4-5

# still gathering

The screenshot shows the United States Census 2010 website. The top navigation bar includes links for "2010 Census Home", "Press & Media", and "Partners". A secondary navigation bar contains "ABOUT", "DATA", "BLOG", "CONNECT", and "MULTIMEDIA". A search bar is located on the right side of the navigation bar. The main content area features a featured article titled "The U.S. Census and the Amazing Apportionment Machine". The article text explains that apportionment is the process of dividing seats in the House of Representatives among the 50 states based on population figures collected during the decennial census. A "See More" button is located below the article text. To the right of the article is a large illustration of a mechanical clockwork machine with gears and two men in historical attire. The machine is labeled "THE U.S. CENSUS & THE AMAZING APPORTIONMENT MACHINE". Below the article text is a pagination control showing a sequence of numbers 1 through 5, with the number 3 highlighted.

United States  
**Census 2010**  
IT'S IN OUR HANDS

2010 Census Home Press & Media Partners

Students & Teachers Census

ABOUT DATA BLOG CONNECT MULTIMEDIA

Search Go

## The U.S. Census and the Amazing Apportionment Machine

Apportionment is the process of dividing the seats in the House of Representatives among the 50 states based on the population figures collected during the decennial census. But how does it actually work? Watch the video.

See More

< 1 2 3 4 5 >

THE U.S. CENSUS & THE AMAZING APPORTIONMENT MACHINE

# earlier counts

---

## **counting against the French**

"the greatness of kings measured by the number  
of their subjects" --Marshal Vauban

## **counting against 'declinists'**

"the ancient world had been more  
populated than the modern one  
-- Montesquieu, *Persian Letters*, 1721

"Where there is room for more people they will  
always arise, even without naturalization bills"

"On the Populousness of Ancient Nations"  
-- David Hume, 1742

# decline to abundance

AN  
ESSAY  
ON THE  
PRINCIPLE OF POPULATION,  
AS IT AFFECTS  
THE FUTURE IMPROVEMENT OF SOCIETY.  
WITH REMARKS  
ON THE SPECULATIONS OF MR. GODWIN,  
M. CONDORCET,  
AND OTHER WRITERS.  
LONDON:  
PRINTED FOR J. JOHNSON, IN ST. PAUL'S  
CHURCH-YARD.  
1798.

"In Britain, however, the first census was taken, not out of a constitutional requirement, but as a way of resolving the Malthusian population controversy ... The 1800 Census Act was designed principally to determine whether or not the population was actually increasing."

Martin Campbell-Kelly, "Change in the British Census," 1996

# becoming visible

---

## permanent patronym

"This boy must be put through a few preliminary paces.

Name, Jo. Nothing else he knows on. Don't know that everybody has two names. Never heerd of such a think. Don't know that Jo is short for a longer name. Thinks it long enough for *him*. ... Spell it? No. ... Never been to school. ... What's home?

" ... 'This won't do, gentlemen!' says the Coroner."

Charles Dickens, *Bleak House*, 1853

## João in the Douro

CofIII\_State 13

# making indelible

---

## Foucault's hero

"sailors ... trace their family .. .names upon the wrist ... If it were possible for such a practice to become universal ... Who are you? ... no room for prevarication in the answer ... men were thus held as it were by an invisible chain."

Jeremy Bentham,

*Principles of Penal Law* [1843]



# resisting registration

---

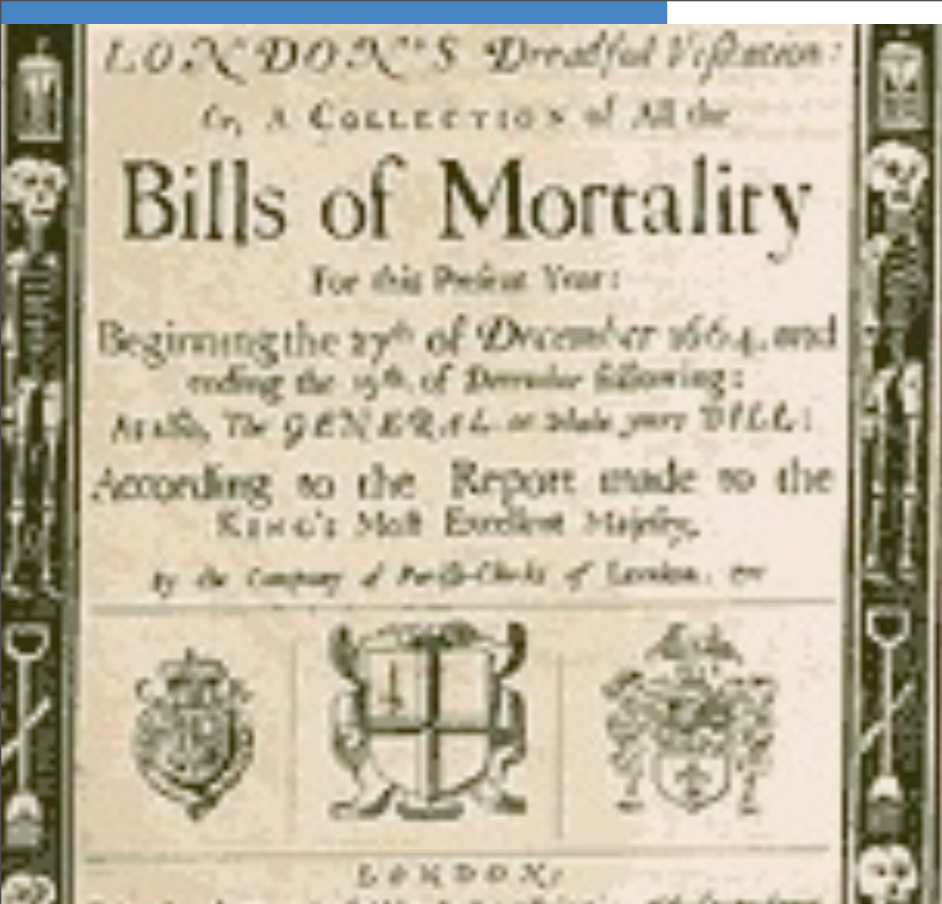
## the "civilizational project"

FLUELLEN

Captain Macmorris, I think, look you, under your correction, there is not many of your nation ...

MACMORRIS

Of my nation! What ish my nation? Ish a villain,  
and a bastard, and a knave, and a rascal. What  
ish my nation? Who talks of my nation?



# counting the dead before the living

**births, marriages, deaths**  
bills of mortality

**A general Bill for this present year, ending the 19 of December 1665, according to the Report made to the KING'S most Excellent Majesty. By the Company of Parish Clerks of London, &c.**

*The Diseases and Casualties this year.*

<b>A</b> Abortive and Stillborne — 617	Executed — 21	Pallie — 30
Aged — 1545	Flux and Small Pox — 655	Plague — 68576
Ague and Fever — 5237	Found dead in Streets, fields, &c. — 6	Planner — 6
Appoplex and Suddenly — 116	French Pox — 86	Plurisie — 19
Bedrick — 12	Frighted — 23	Possonis — 6
Blind — 9	Gout and Sciatica — 27	Quinse — 35
Bleeding — 16	Grief — 26	Rickets — 157
Bloody Flux, Scouring & Flux — 187	Gripping in the Guts — 1238	Killing of the Iaghts — 197
Burnt and Scalded — 8	Hanged & made away themselves — 7	Laprate — 34
Calenture — 3	Headmouldshot & Mouldfallen — 14	Scurvy — 107
Cancer, Gangrene, and Fistula — 56	Jaundies — 100	Shingles and Swine pox — 2
Canker, and Thrush — 121	Imposume — 227	Sores, Ulcers, broken and healed — 82
Childbed — 623	Kild by severall accidents — 46	Limbs — 82
Christomes and Infants — 1258	Kings Evil — 88	Spleen — 14
Cold and Cough — 63	Leprouse — 2	Spotted Fever and Purples — 1929
Collick and Winde — 134	Lethargy — 14	Scorping of the Stomack — 314
Consumption and Tiflick — 4838	Livergown — 21	Stone and Strangury — 38
Convulsion and Madnes — 1052	Meagrom and Headach — 81	Surel — 1017
Disseated — 5	Mealles — 7	Teeth and Worms — 1014
Devotic and Turpany — 1476	Murthered and Shot — 9	Vomiting — 51
Drowned — 3	Overjaud & Starved — 45	Vunn — 7
Collected		
Collected of Females — 4853	Collected of Males — 48569	Of the Plague — 68576
In all — 9567	In all — 9730	
Increased in the Burials in the 130 Parishes and at the Pest-houses this year — 79009		
Increased of the Plague in the 130 Parishes and at the Pest-houses this year — 68576		

**1603:** regular bills of mortality

**1611:** incorporation of parish clerks counting by "searchers"

**1629:** other deaths

**1728:** age of deceased





## slow progress

---

The plague is much in Amsterdam, and we in fears of it here.

Pepys, **Dec.** 31, 1663

The talk upon the 'Change is, that De Ruyter is dead, with fifty men  
of his own ship, of the plague, at Cales

**June** 30, 1664

We were told to-day of a Dutch ship ... where all the men were dead  
of the plague, and the ship cast ashore at Gottenburgh

**Sept.** 24, 1664

Thence to the Coffee-house ... where all the newes is of the  
Dutch ... and of the plague growing upon us in this towne

**May** 24, 1665

CofIII\_State 17



## slow progress

---

The towne grows very sickly, and people to be  
afeard of it; there dying this last week of  
the plague 112, from 43 the week before,.The  
Mortality Bill is come to 267; June 29th,  
1665 Above 700 died of the plague this  
week. **July 13, 1665**

The sickness is... almost every where, there  
dying 1089 of the plague this week.  
**July 19, 1665**

# political arithmetic

---

## politics and population

**William Petty, RS**

surveyor

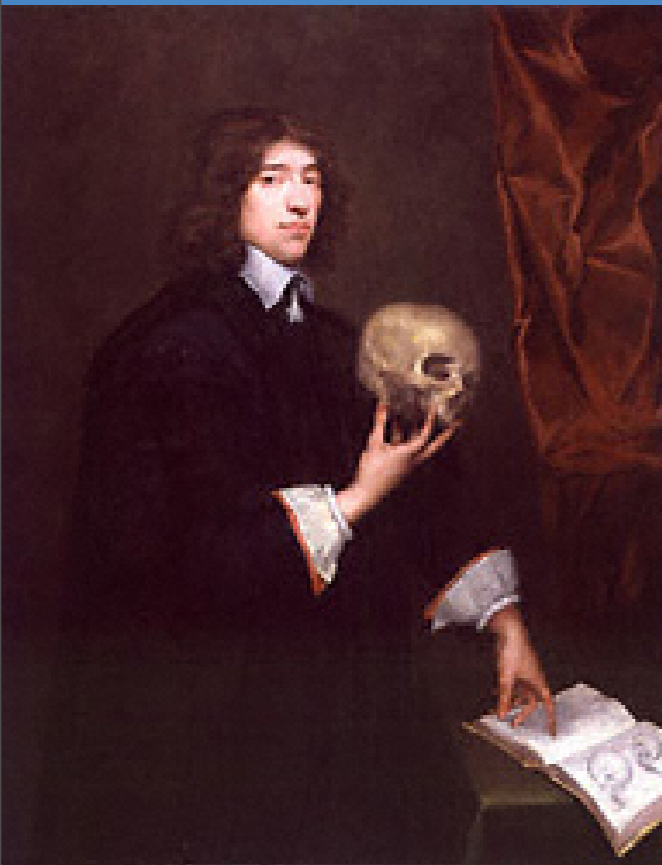
*Political Arithmetic of Ireland*

velocity of circulation

natural vs market price

economic surplus

population change



William Petty  
1623–1687

# headcounters

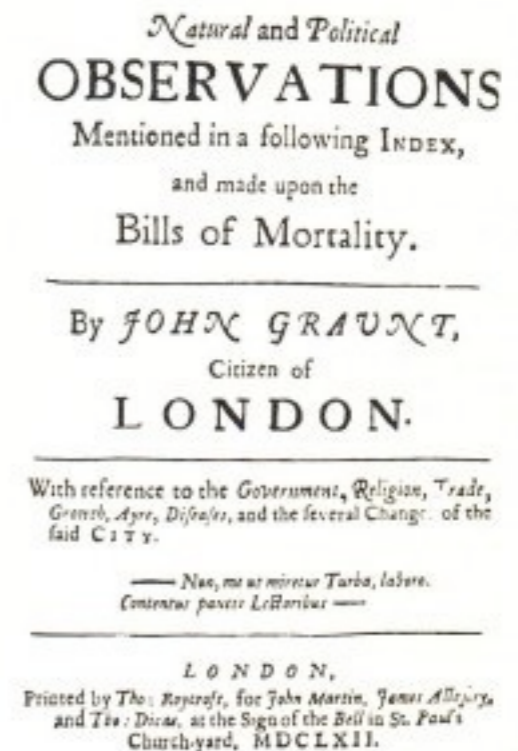


John Graunt  
1620–1674

"His Majesty gave this particular charge to His Society, that if they found any more such Tradesmen, they should be sure to admit them all, without any more ado."

--Pratt

**John Graunt, RS**  
*Natural and Political Observations ...  
upon the Bills of Mortality, 1662*



# other head counts

---

## **UK**

marriage act, 1754

births, deaths, and marriages, 1836

## **France**

prostitutes, 1816

aliens, deviants, criminals ...

# other head counts

**UK**

marriage act, 1754

births, deaths, and marriages, 1836

**France**

prostitutes, 1816

aliens, deviants, criminals ...

## Nevada Politicians Debate an Older Profession



Jim Wilson/The New York Times

"We're entrepreneurs," said Brooke Taylor, in her room at the Bunny Ranch.

By JENNIFER MEDINA  
Published: February 27, 2011

CARSON CITY, Nev. — Brooke Taylor voted for [Harry Reid](#) in his battle for re-election to the Senate last fall. But now she is incensed. Mr. Reid recently visited here and took a firm, if unexpected, stand: he called for an end to legal brothels.

f RECOMMEND

t TWITTER

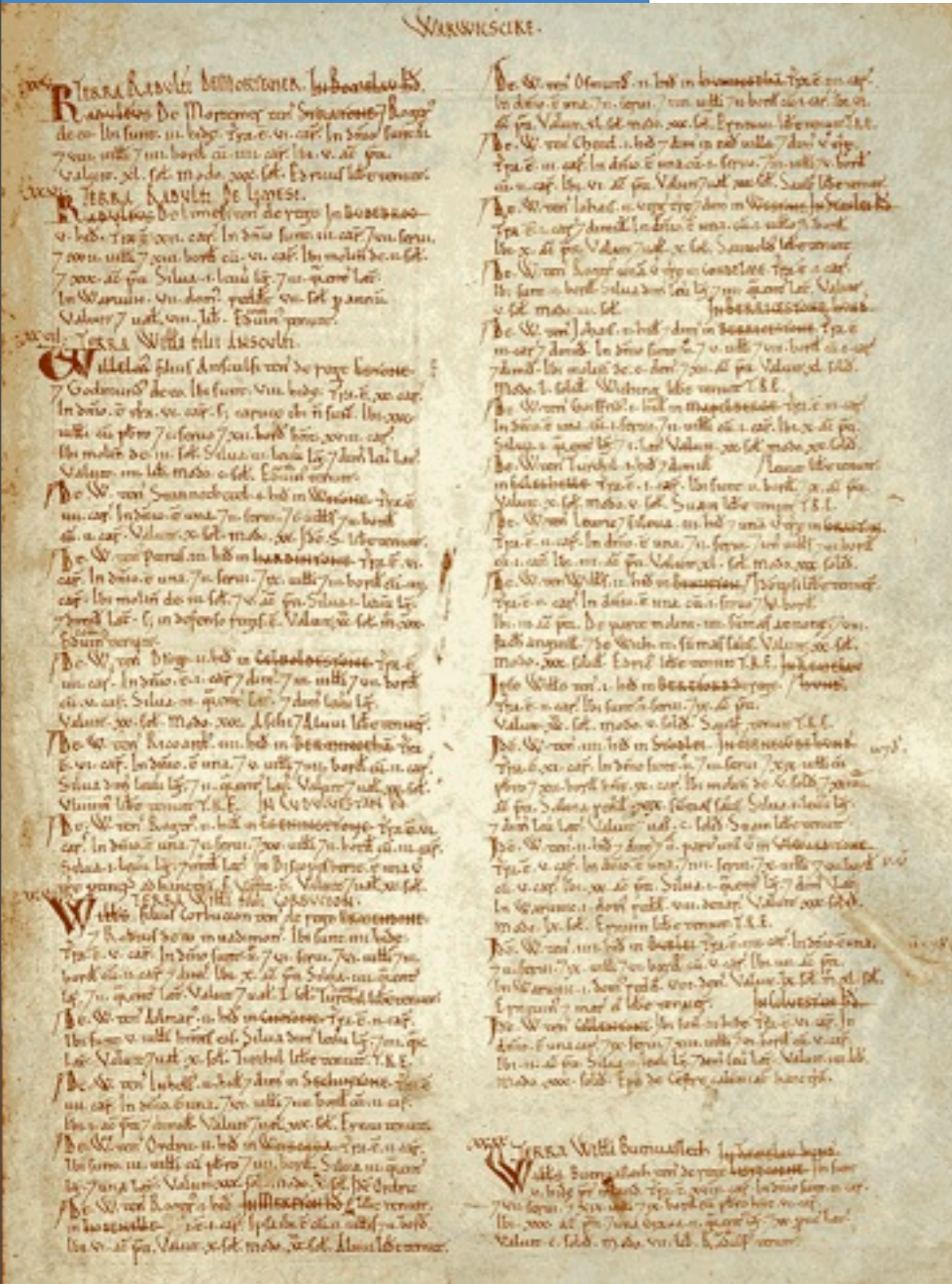
# more gathering

**tax rolls:  
Domesday 1086**

**maps/addresses**

*national, naval, transnational*

**becoming more visible**



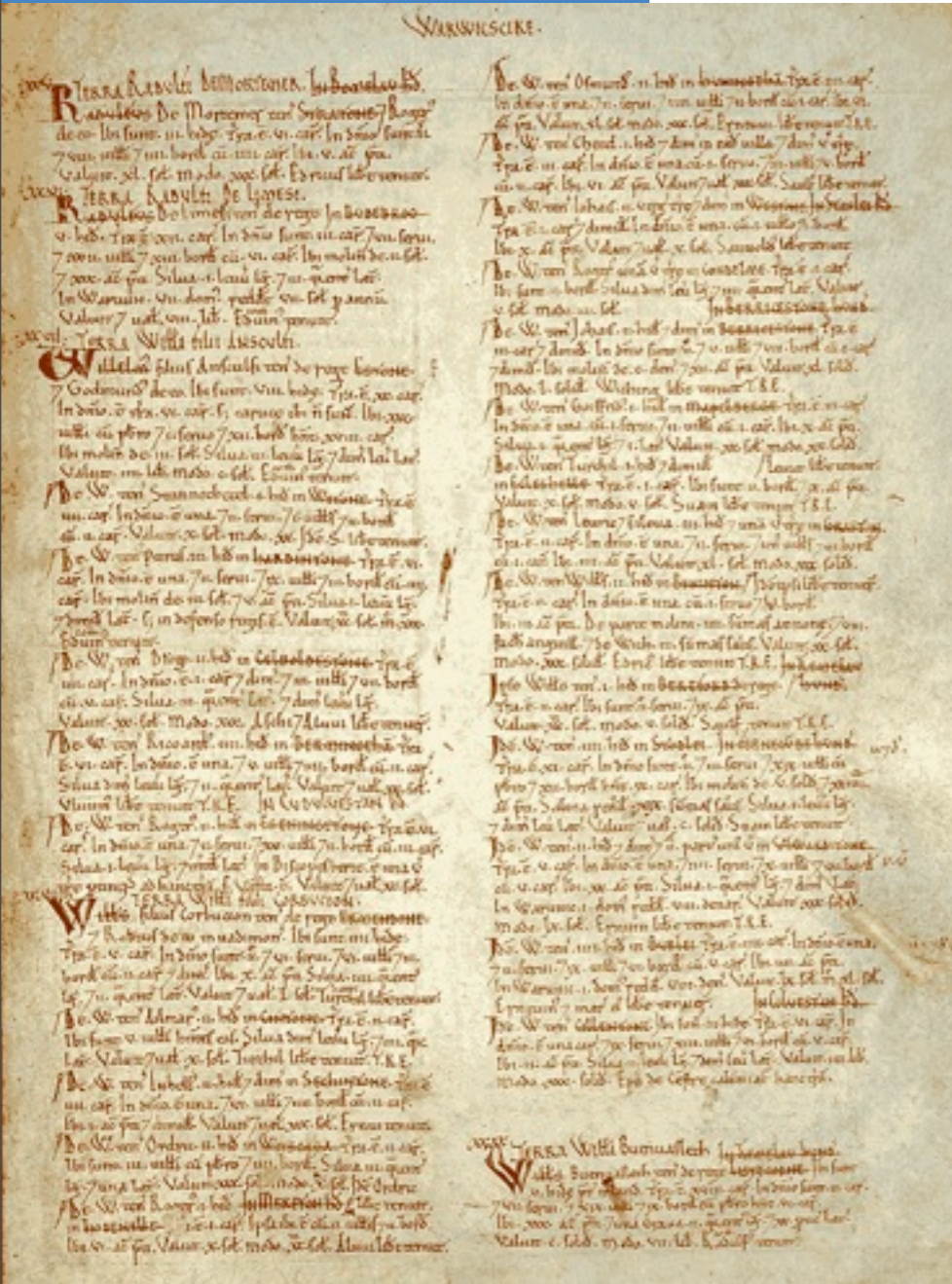
# more gathering

**tax rolls:  
Domesday 1086**

**maps/addresses**

*national, naval, transnational*

**becoming more visible**





CLASS I. AGRICULTURE, INCLUDING INSTRUMENTS AND OPERATIONS.

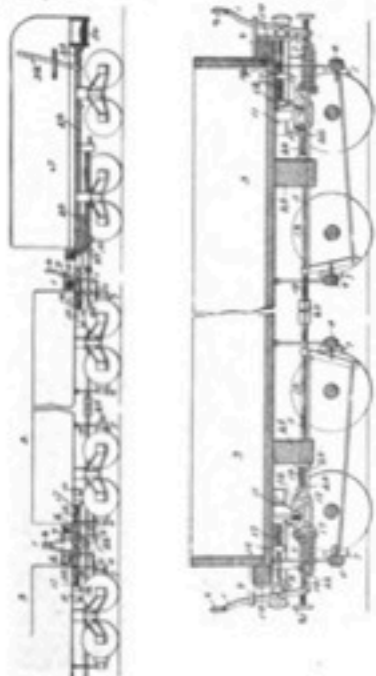
Inventions or discoveries.	Patentees.	Residence.	When issued.
Bee-hives	Samuel C. Myers	Mount Pleasant, Pa.	July 22
Bee-hives	John Sholl	New York	November 29
		Wallingford, Ct.	December 27
		Putney, Vt.	July 17

PATENTS

GRANTED SEPTEMBER 3. 1838.

gathering

O-4, 5 18. CAR-BRAKE WILLIAM B. ANDERSON and GEORGE L. DACHENHART, Elizabethtown, Ky. assignors of one-third to R. F. Daugherty, same place. Filed Mar. 7. 1838. Serial No. 454,943. (No model.)



whereby when the push-rod is moved in either direction the latch-lever will be lifted out of engagement with the fulcrum bar, substantially as described.

5. The combination of a car, a brake having a brake-rod, a longitudinally movable fulcrum bar mounted on the car, an operating lever pivoted to the fulcrum bar and connected with the brake-rod, a pivoted latch lever arranged to engage the fulcrum bar, a push-rod extending beneath the car and provided with a head to engage the head of a similar push-rod and provided with beveled lugs arranged at each side of the latch lever, substantially as described.

6. The combination of a car, a brake having a brake-rod, a movable fulcrum bar mounted on the car, an operating lever pivoted to the fulcrum bar and connected with the brake-rod, a pivoted latch lever arranged to engage the fulcrum bar to hold the same against movement, and a push-rod extending beneath the car and provided at each end with a head to engage a similar head of another push-rod and provided with oppositely disposed beveled lugs arranged on each side of the latch lever, and a spiral spring disposed on the push-rod to return the same to its normal position, substantially as described.

7. The combination of a car, a brake having a brake-rod, a movable fulcrum bar mounted on the car, an operating lever pivoted to the fulcrum bar and connected with the brake-rod, a casing having a way and receiving the inner end of the fulcrum bar and provided with an opening communicating with said way, a pivoted latch lever having one end bent upward and arranged at said opening, and a push-rod for lifting the latch lever out of engagement with the fulcrum bar, substantially as described.

8. The combination with a train of cars, brakes arranged on the cars and having brake-rods, fulcrum bars mounted for movement on the cars, operating levers pivoted to the fulcrum bars and connected with the brake rods and provided with engaging heads, latch levers for holding the fulcrum bars against movement, push-rods extending beneath the cars and provided at the ends of the same with engaging heads and having oppositely beveled lugs for engaging the latch levers, and means for actuating the push-rods, substantially as described.

9. The combination with a push-rod section 20 having a head, a main push-rod 21, a lever connecting the rear end of the main push-rod 21 with the push-rod section, and a cylinder having a piston connected with the main push-rod, of a brake having a brake-rod, a loc-

property: IP

patents

copyrights

trade marks

Senators to Debate Patent Bill

By EDWARD WYATT  
Published: February 27, 2011

WASHINGTON — The Senate on Monday will begin debating a bill that critics say will undermine American strength abroad, plunder the United States economy and exceed the government's constitutional authority.

Add to Portfolio

The subject: patent reform.

Clignet. Constantin (75)	sig <sup>to</sup> au 1845	Revised	24 September	1845
Clignet. Constantin (75)	sig <sup>to</sup> au 1845	Revised	24 Mars	1845
Clignet (Lugues)	sig <sup>to</sup> au 1845	Revised	71 avril	1845
Clignet (Lugues)	sig <sup>to</sup> au 1845	Revised	22 Mars	1845
Clignet (Lugues)	sig <sup>to</sup> au 1845	Revised	24 juillet	1850
Clignet et C <sup>ie</sup> (Frany)	sig <sup>to</sup> au 1845	Revised	20 September	1850
Clignet et C <sup>ie</sup> (Frany)	sig <sup>to</sup> au 1845	Revised	23 September	1850
Clignet et C <sup>ie</sup> (Frany)	sig <sup>to</sup> au 1845	Revised	15 octobre	1850
Clignet (Lugues)	sig <sup>to</sup> au 1845	Revised	14 avril	1851

International Business Machines Corporation

General Electric Co

» your Portfolio »

world — from its current “first to invent” system.

s bill would be death to innovation in America,” said Phyllis Schlafly, the conservative er and activist who has rallied opposition to the bill among conservative groups like the Owners of America and the [Christian Coalition](#).

THE *mu* *Q*  
**BRITISH**  
**MERCHANT;**  
 OR,  
**Commerce Preserv'd.**  
 IN THREE VOLUMES.  
 By Mr. CHARLES KING,  
*Chamber-keeper to the Treasury, and late of*  
*London Merchant.*  
 LONDON:

# tracing trade

## customs & excise

### the search for statistical proof

"apprehension of the wrong balance of trade, appears of such a nature, that it discovers itself wherever one is out of humour with the ministry, or is in low spirits."

--David Hume,

"Of the balance of trade," 1758

Cofl I I\_State 24

To sum up all, if we pay to <i>France</i> yearly,	
For their Wines	450000
For their Brandies	70000
For their Linen	600000
For their Paper	30000
For their Silks	500000
	<hr/>
	1650000
And they take from us in } Lead, Tin, Leather, Allum, Copperas, Coals, Horn-Plates, &c. and Plantation-Goods, to } the Value of	200000
	<hr/>
<i>Great Britain</i> loses by the } Balance of that Trade yearly }	1450000
	<hr/>



# internationalization

## SEVRES JOURNAL Missing Micrograms Set a Standard on Edge

By SARAH LYALL  
Published: February 12, 2011

SEVRES, France — No one knows exactly why the international prototype of the kilogram, as pampered a hunk of platinum and iridium as ever existed, appears to weigh less than it did when it was manufactured in the late 19th century.

[Enlarge This Image](#)



Bureau International des Poids et Mesures  
The international prototype of the kilogram resides in Sèvres, France. Its vault can be opened only with three different keys.

"Your guess is as good as mine," said Dr. Terry Quinn, emeritus director of the International Bureau of Weights and Measures in this town on the fringes of Paris.

It is here that the kilogram — the universal standard against which all other kilograms are measured — resides in controlled conditions set out in 1889, in an underground vault that can be opened only with three different keys possessed by three different people.

The change, discovered when the prototype was compared to a copy, amounts only to some 50 micrograms, equal to the mass of a grain of sand. But it shows that the prototype has fallen down a bit from its beacon of stability in a world of uncertainty.

And it means, scientists say, that it is time to find a new kilogram, which currently enjoys a delightfully frustratingly frustrating mass equal to the mass of the international prototype

## government conventions

*time*

Greenwich 1852; Meridian, 1884

*distance*

*IP*

Paris, 1883; Berne, 1886; Madrid, 1891

*weather*

"Brussels convention [1853] on naval meteorology had created a widely used standard meteorological logbook for ships at sea ..

the oldest continuous quasi-global meteorological record"

-- Paul Edwards, "Meteorology as Infrastructure"

Conf1\_State 25

# from gathering to distributing

---

## **thematic issues**

(roughly in this order)

*'gathering' information--'legible' state*

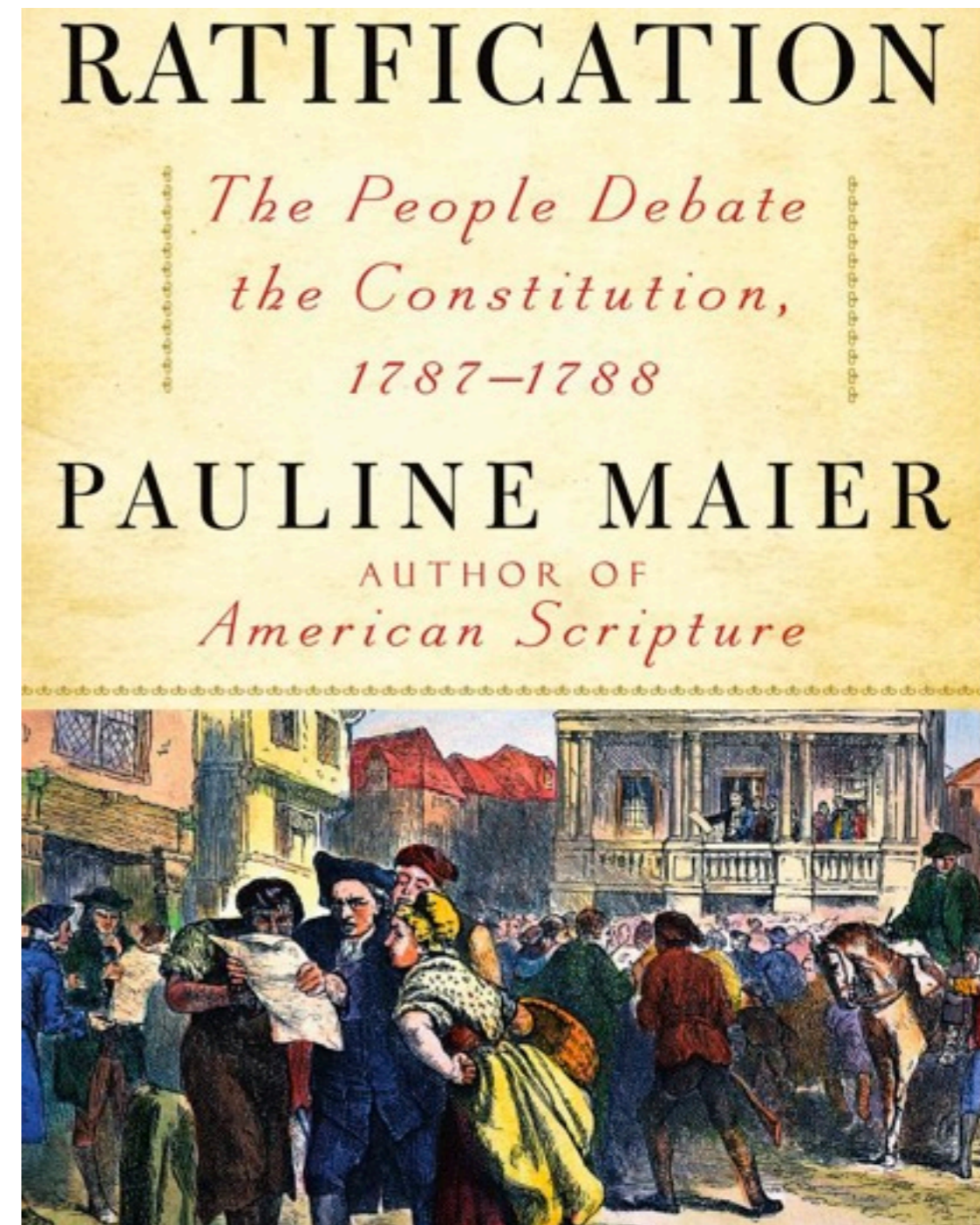
*distributing information-- 'legible' government*

*stabilizing information -- 'reliable' information*

*surveilling throughout*

# a democratic imperative

---



# from government ...

---

## **parliamentary information**

"Mr Burke reprobated the Ministry for having refused to lay before the House the papers which had been required; and objected to Major Scott, a gentleman in the army, giving any official information to that House, which, he thought, would have been more proper for the Chairman of the Committee, or from some of the Directors themselves" 1785

**gathering to distributing** (and stabilising)

Hansard, monopoly

# the report

---

"Nothing important was ever brought before  
the government without a minister saying ...

'I have called for a report.'"

Balzac, *Bureaucracy, or A Civil Service*

*Reformer, 1824*

# ... to civil society

## beginning the century of statistics

"useful knowledge"

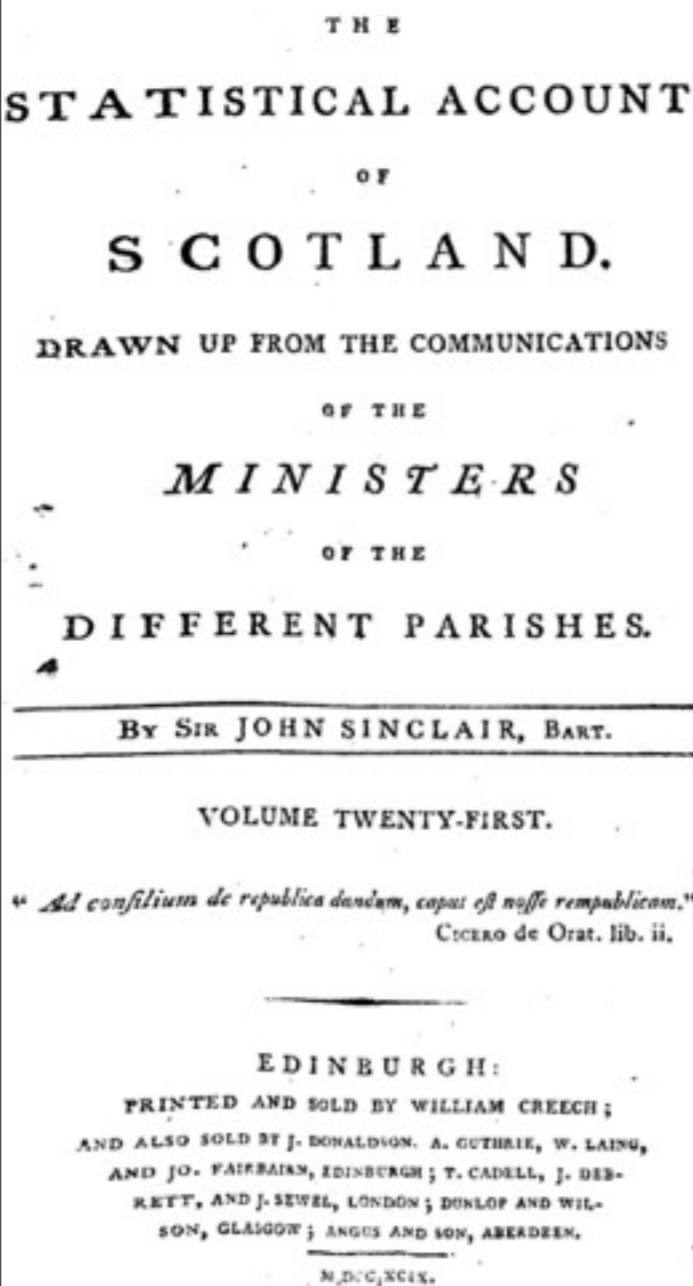
agricultural improvement:

"May commons be uncommon"

-- John Sinclair,

*The Statistical Account of Scotland, 1791-99*

**a coasean endeavour?**





# official competition

---

## **the "incontinent printer"**

Parliamentary Commissions  
& "Blue Books"

**wars, colonies, trade**

## **"moral statistics"**

poor law  
child labour  
factories acts  
mines  
sanitary conditions  
Welsh education ...

# faith in facts

---

## **what the matter with Britain?**

"If the parties who act contrary to their interest had a proper knowledge of that interest, they would act well."

-- James Mill,

*Encyclopaedia Britannica*, 1824

# faith in facts

---

"A more general diffusion of accurate knowledge regarding the state of public affairs would tend to check that excitement and party spirit which has often been created by misrepresentation or exaggeration, and has produced an annoyance to the government and at least a temporary disaffection of the public mind."

-- William Jacob,  
"Observations and Suggestions," 1832

# faith in fact gatherers

---

## **Social Science Association, 1857**

"volunteer legislators of Great Britain ..  
brings together persons of all opinions  
consistent with the profession of a desire for  
social improvement" --J.S. Mill

"to take up the raw materials of social  
legislation, and by the help of statistics ...  
to reduce the 'hard facts'  
to the condition of manageable matter"

*Telegraph*  
Coflll\_State 34

# loss of faith?

---

"the public at large remain without information and without interest on all great matters of practice; or if they have any knowledge of them, it is but a *dilettante* knowledge, like that which people have of the mechanical arts who have never handled a tool."

John Stuart Mill

*Considerations on Representative Government,*

1862

# rival gatherings

---

## **Royal Statistical Society, 1833**

"the first and most essential rule of its  
conduct to exclude all *opinions*"

-- Richard Jones, 1833

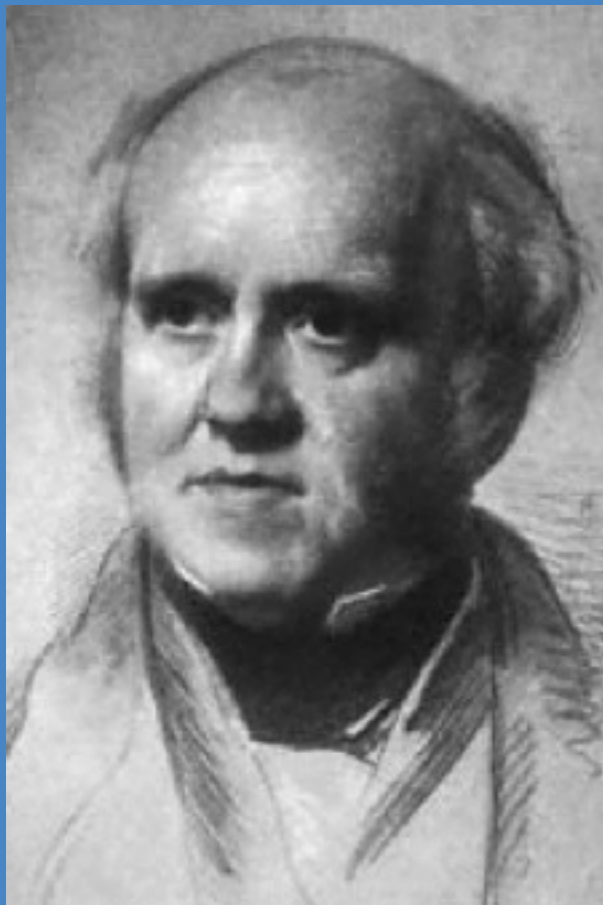
## **battling opinions**

London SS v Manchester SS  
urbanization v industrialization

*The Moral and Physical Condition  
of the Working Classes*

# unintended consequences?

---



"Leonard Horner was one of the Factory Inquiry Commissioners in 1833, and Inspector, or rather Censor of Factories till 1859. He rendered undying service to the English working class. He carried on a life-long contest, not only with the embittered manufacturers, but also with the Cabinet, to whom the number of votes given by the masters in the Lower House, was a matter of far greater importance than the number of hours worked by the 'hands' in the mills."

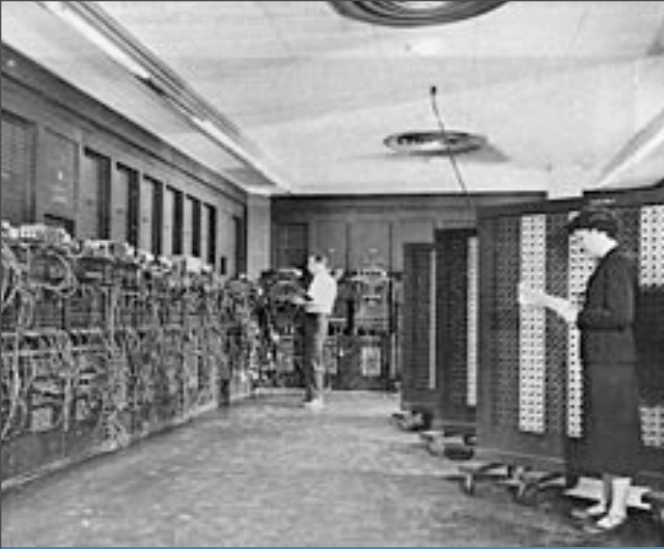
Karl Marx, *Capital*

# more of the same?

---

"the arrival of the computer ... most recent important development in the expansion of surveillance as information control. ... But the computer is not as disjunctive from the early history of industrial capitalism as one might imagine ... common view that a 'post industrial society,' based upon the coding of information, has replaced ... the old 'industrial society' associated with the sweat of the factory ... a much more integral and continuous connection."





# government machines

---

**Babbage, Kelvin, Hollerith, Burroughs**

**telegraphs**

"Telegraphs are machines for conveying information ... generally been established for the purpose of transmitting information during war"

Charles Babbage, *On the economy of machinery and manufactures*, 1832

**typewriters, telephones, punch cards,  
ENIAC ...**

# to standardizing

---

## **thematic issues**

(roughly in this order)

*'gathering' information--'legible' state*

*distributing information-- 'legible' government*

*stabilizing information -- 'reliable' information*

*surveilling throughout*

# need for restraint

---

"Our most practical check upon existing abuses;  
and small is the error of giving too much  
information, in comparison of the guilt of  
withholding any." --*Times*, 1828

"The public cannot have too much information."  
--*Times*, 1882

"It was not wise to give too much information with  
regard to the business they had in hand, as it might  
not be to the advantage of the company."  
--*Times*, 1867

# not an open market for information

---

"the provincial editor is in some sort a schoolmaster; granted: but who will guarantee his capacity? It is idle to say that in the competition of the market he who supplies the best information on national affairs will have the most customers. Experience proves the contrary: the statistics of journalism show the fact to be other wise. A thorough knowledge .. can only be obtained through a study of the opinions held, and of the facts collected, by those who have given them time and thought. These facts and opinions are only to be found .. in ... those fifty or sixty annual volumes of **Parliamentary Blue Books**. A writer may doubtless pick up a good deal of general information ... but a full and accurate comprehension .. is not to be gathered at second-hand"

Lord Stanley, *What Shall We Do with Our Blue Books?*

*Or Parliament, the National Schoolmaster*, 1854

# on the blue books

---

"Information of the most important kind  
rendered doubly valuable by the circumstances  
under which it has been collected."

Babbage, *On the Economy of Machinery and  
Manufactures*, 1835

# IP and stability

---

"The law would also put a Stop to a certain sort of Thieving which is now in full practice in England, and which no Law extends to punish, viz, some Printers and Booksellers printing Copies not their own. ... This is really a most injurious piece of Violence, and Grievance to all Mankind ... robs Men of the due Reward of Industry ... robs the Reader, by printing Copies of other Men **uncorrect and imperfect**, making surreptitious and spurious collections ... the printing of other Mens Copies...as unjust as lying with their Wives."

--Defoe, *Essay on the Regulation of the Press*, 1704

# control v supervision

---

"origins of surveillance ... directly bound up with the formation of the *nation-state*.

... 'surveillance' ... first ... the accumulation of 'information' -- symbolic materials that can be stored by an agency or collectivity. **Second** ... the supervision of the activities of subordinates by their superiors within any collectivity."

Giddens, *Power, Property & the State*

**market or hierarchy?**



# from market to hierarchy

---

"It has long been considered a practicable scheme for any barrister and bookseller who unite together with a view to notoriety or profit, to add to the existing list of law reports".

"... indiscriminately reporting cases ... the enormous mass of constantly accumulating materials ... these evils .. attributable to .. the multiplication of contemporaneous Reports .. has arisen from applying the principle of competition to correct the evils of prolixity, delay, and expense incident to the system of authorized reporting. ... new evils created .. confusion and uncertainty in the law producing perplexity in the administration of justice.

-- W.T.S. Daniel, *History and Origin of Law Reports*, 1884



# self-evident fun?



# revolutionary thoughts

---

## **new science**

"plea for liberty in science and equity for  
unrecognized genius"

--Gachet

"popular medicine infinitely preferable to, and  
more certain than, all the often erroneous  
practices of our physicians."

*Nouveau Plan... pour la Médecine en France, 1790*

## **popular medicine**

Andre Jackson & the Thomsonian revolution

# delegating control

---

**tax farmers**

**monopoly companies: the stationers**

"By the early 1680s, monopolists had begun to turn to the Court of Chancery seeking injunctions to restrain interference with rights conferred... The first case, in 1681, related to ... Stationers for the sole right to print statutes .... LC [Nottingham] granted injunction ... "the printing of the laws was a matter of state" in which accuracy was essential, but as far as concerned any other books .. he refused an injunction."

Norma Dawson, "English Trade Mark Law," 2003

CofIII\_State 49



# current concerns



## How the case against the MMR vaccine was fixed

Brian Deer, journalist

+ Author Affiliations

[briandeer.com](http://briandeer.com)

*In the first part of a special BMJ series, Brian Deer exposes the bogus data behind claims that launched a worldwide scare over the measles, mumps, and rubella vaccine, and reveals how the appearance of a link with autism was manufactured at a London medical school*

When I broke the news to the father of child 11, at first he did not believe me. "Wakefield told us my son was the 13th child they saw," he said, gazing for the first time at the now infamous research paper which linked a purported new syndrome with the measles, mumps, and rubella (MMR) vaccine. <sup>1</sup> "There's only 12 in this."

That paper was published in the *Lancet* on 28 February 1998. It was retracted on 2 February 2010. <sup>2</sup> Authored by Andrew Wakefield, John Walker-Smith, and 11 others from the Royal Free medical school, London, it reported on 12 developmentally challenged children, <sup>3</sup> and triggered a decade long public health scare.



# the new technology

---

"One great advantage which we may derive from machinery is from the check which it affords against the inattention, the idleness, or the dishonesty of human agents."

Babbage, *On the Economy of Machinery and Manufactures*, 1835

# the enduring question

---

## **surveillance and the state** a trade-off?

"Liberalism is not the same as despotism ... the creation of universal principles of law, behind which lies an ethos of rational justice, has the same double-edged character as prisons and their reform ... everyday life of capitalism organized via commodified time is smoothed of those interruptions that once provided the very marrow of the experience of temporality... sequestration is only a rather pronounced version of the time-space regionalization of activities distinctive of capitalist society ... For the public activities of presence in traditional urban life is substituted the 'absent' public of the mass media. ... I do ... want to emphasise the importance of the concept of surveillance to the analysis of the institutions of capitalism." --Giddens

# conclusion

---

**the state and information**  
an interdependency?

**information and legitimacy**