

install surveillance devices in it. This is because in doing so they would access more information than they were morally permitted to access (e.g., they would find out information about his domestic habits and the interior of his home during the installation process) for the installation of such devices would have to occur *before* there were reasons to believe that the State was morally permitted to secure such information to detect and prosecute criminal activity. Indeed, it is likely that, with respect to the interiors of the homes of most of the State's citizens, such reasons will never be forthcoming.

This second clarification of the above pro-surveillance argument is important in three respects. First, it underscores the fact that this argument does not cede to the State any information-gathering powers that it does not already enjoy. Second, it emphasizes that the conclusion of this argument is a parsimonious one, insofar as it only supports the State's securing the *minimum* amount of information that it needs for its morally legitimate purposes. This argument will thus *not* support the use of any surveillance devices that enable the State to secure more information than is necessary for its morally legitimate purposes. As such, although this argument does show that the State is morally permitted to use surveillance devices to gather information about events that occur in private areas (such as private offices and houses) it restricts its use of such devices to those whose use does not necessitate the State's securing any more information than it is morally permitted to secure. Thus, as noted above, this argument will not support the installation of surveillance devices in, for example, persons' homes without their consent. Although it does support the use of any technology, such as, for example, infrared thermal imaging systems that record the movements of persons in their homes, which could secure information about the events that occurred to them, that would not entail the State's securing of information that it was not entitled to.¹⁶ Similarly, this argument will also support the use of future surveillance technology that can similarly be used to record events that occur in persons' homes without having to enter them. Finally, and in a related

vein, once it becomes possible for surveillance technology automatically to provide a written narrative of events, the use of any type of surveillance technology that provides *more* than this information, such as, for example, manned closed-circuit television monitors and videotapes, will *cease* to be morally justified by the above pro-surveillance argument. Rather than justifying the *expansion* of the State's powers of surveillance, then, the above pro-surveillance argument will instead eventually justify their *curtailment*.

THE ADVANTAGES OF UNIVERSAL STATE SURVEILLANCE

If the above pro-surveillance argument is sound, then it is morally permissible for a State to subject its citizens to constant surveillance. Given the horror with which the current proliferation of surveillance devices is usually greeted, this conclusion is not likely to be a popular one. However, before turning to rebut the objections that it will be faced with, some of its advantages should be outlined.

The most obvious advantages to the State's installing such a surveillance system would result from the fact that witnesses would no longer be needed in either criminal or civil cases, for their testimony would be supplanted by information supplied by surveillance devices. Unlike witness testimony, this information would be accurate. It would, for example, be unaffected by any biases (whether conscious or unconscious) that human witnesses might be subject to and which could taint their testimony. It would also be free from distortions, whether deliberate (e.g., the witness is lying, or omitting parts of the truth) or accidental (e.g., the witness has a faulty memory). Moreover, the juries and judges to whom the information taken from surveillance devices would be presented in a court could take it at its face value, rather than having subjectively to assess its accuracy in the light of the perceived reliability of the witness from whom it was taken. Furthermore, the fact that witnesses would no longer be needed under a system of constant and universal State surveillance would also benefit those who would otherwise have served in this capacity. Most obviously, they would no longer be burdened with the