

Paolo Cirio. *Street Ghosts*,
2012. Colored ink on paper
and wheatpaste, life-size.
4 Spring Street, New York.
© Paolo Cirio. Photograph
courtesy the artist.



Extralegal Portraiture: Surveillance, between Privacy and Expression

MONICA STEINBERG

Paolo Cirio, *Street Ghosts*

In late-summer 2012, pixelated, full-body portraits appropriated from Google Street View began appearing on sidewalks and buildings around the world. In New York, a man dressed in a dark jacket pushed a stroller toward the Bowery, while around the corner a woman with long dark hair, sunglasses, and a tote bag talked on the phone; and a few blocks north, a man in a green polo shirt leaned against a large window, cigarette dangling from his right hand.¹ In Berlin, a woman dressed in pink dangled her purse just above the ground; in Toulouse, a man dressed in black and sitting on a stone bench dug through his backpack; in Hong Kong, pedestrians walked across the plaza of the Design Institute; and in Mexico City, a window within the Centro Nacional de las Artes complex displayed the reflected image of a man operating a Google View Trolley.² News reports quickly followed, and photographs of the images were shared across social media platforms, art-focused websites and publications, and conventional news streams.³

The Street-View-images-turned-street-art, as well as the conspicuously manufactured viral news story, were part of *Street Ghosts* (begun 2012), a project initiated by Paolo Cirio and realized with the help of volunteers around the world. The portraits were specters, glimpses of people going about their lives, unaware that their image was being recorded and preserved. The paper citizens of *Street Ghosts* remained largely anonymous to a global audience but were likely recognizable to friends, family, and neighbors. Each portrait was installed in the same location where the original image was captured, thus reintegrating the surveillance record back into the physical site where it had been generated, and digital photographs of the street art portraits themselves were recirculated online. The (un)lucky citizens of *Street Ghosts* were surveilled and resurveilled multiple times and in multiple formats—this article adding to that circulation. *Street Ghosts* and its afterlife is a byproduct of the twenty-first century's panoptical

architecture of surveillance. Herein, the terms and conditions of one's participation in society—standing on a sidewalk, crossing a street—are premised on a kind of voluntary servitude, a willingness to be recorded by the technological infrastructure of both private corporations and government entities. Consent is assumed by the mere act of being in public.

Street Ghosts was both insidious and invasive in its appropriating and recirculating of surveillance imagery. In its mobilizing of surveillance capitalism—the commodifying of personal data derived from mass surveillance—the project conspicuously called attention to the very thing it exploited.⁴ In the mainstream and art presses, discussions largely considered the waning scope of privacy in the digital age, and to a lesser extent, the legal transgressions of the project.⁵ Indeed, *Street Ghosts* arguably transgressed the protections afforded to private property: it involved a form of vandalism (the unauthorized altering of another's real property) and copyright infringement (the unauthorized use of photographs owned by Google). Yet, these offenses were minor (and likely self-correcting): the real property alterations were only temporary, and Cirio's use of Google's photographs was likely defensible as fair use.

The real accomplishment of *Street Ghosts* was neither its visualizing of pervasive surveillance through a headline-grabbing premise, nor was it the project's minor infractions. One of the most substantial things about the work was the way it drew attention to an arena of law that the project did *not* transgress: privacy. That is, the project electrified the legal space, or rather the *not illegal* space in which such surveillance takes place. It generated a conversation around the lack of privacy protections afforded to average people in an era of surveillance capitalism increasingly shaped by corporate actors.⁶ As Cirio's artist statement makes clear, technology has far outpaced the law, and the pixelated portraits populating the artwork are collateral damage within a power struggle between corporations and governments, individuals and algorithms.⁷ *Street Ghosts* demonstrated a

method of working within the tacit legal space facilitating contemporary data collection, storage, and analysis, and it sketched a conceptual profile of this space of legal exception, a site of both governmental non-interference and of largely unregulated corporate surveillance.

To discuss projects such as Cirio's that electrify a silhouette of the space of exception facilitating the surveillance of private

