

The retreat of the "Big Brother State" coincides with the advancement of new technology – paradoxically, a key tool in any state's surveillance toolbox. Money-flows are decentred. Networking has become a new paradigm. Meanwhile, state power has been "displaced" to the private sector and to society. *This displacement has meant that "coercion" – the traditional tool of social compliance, has shifted to a new form – "consent."* Increasingly we can see the use of positive inducement, with exclusion as a punishment, to generate consent. This "voluntary complicity" gives the emerging system a degree of resiliency higher than that afforded by the coercion-based system.

The displacement of state power has also contributed to a new, rather disconcerting, trend: *People are treated more as consumers than citizens, their consumer preferences and behaviour are closely monitored and profiled by governments themselves, by private companies, or by private companies hired by governments.* In a sense, capital has contributed to the elimination of public and personal space.

There are three categories of responses to protect privacy in the context of the emerging social structures. All of these categories treat personal information as a commodity. As a result, questions of ownership, control, and use are all defined in consumer terms. They include:

1. Do it yourself – requires the adoption of technology to fight threats posed by technology.
2. Industrial self-regulation – the private sector sets rules it voluntarily accepts to play by (under the threat of litigation if the established rules are violated). Microsoft, for instance, has adopted this approach. It plays a gate-keeper role, not only to protect its system, but to head-off a potential threat of government regulation. This approach is common in the U.S.
3. Government regulation – an approach more common in Europe and in Canada.

Privacy, perceived as "me against the state or society," ignores the safety and the well being of a community. *The good of the community (i.e., Internet free of child pornography) needs to be balanced with an individual's right to privacy.* In order to build a healthy community, individuals have to forfeit some of their rights.

The control states commanded over capital flows, the licit economy (i.e., fiscal and monetary policy), the illicit economy, service standards and delivery (i.e., national standards), migration, ideas and images, have all diminished significantly. The ability of the state to censor has also declined. No single state is capable of managing the range of borderless threats that exists today. However, there are five key global strategies to cope:

1. enhanced cooperation among states (while international cooperation may be difficult to achieve, states with large markets *can* impose decisions),
2. resource pooling,
3. information sharing,
4. enforcement mobilisation,
5. shifting partnerships with non-state actors.