

up patenting a system that would so dramatically strip users of their agency (Ibid). Tim Cook (CEO of Apple) did make a statement in the former case, indicating in a [“Message to Our Customers”](#) that what the U.S. government was asking (when they asked Apple to help them unlock the phone of one of the San Bernardino shooters) was an “overreach,” asserting that

[t]he implications of the government’s demands are chilling. If the government can use the All Writs Act to make it easier to unlock your iPhone, it would have *the power to reach into anyone’s device* to capture their data. The government could extend this breach of privacy and demand that Apple build surveillance software to intercept your messages, access your health records or financial data, track your location, *or even access your phone’s microphone or camera without your knowledge.* (Cook, emphasis added).

The parallels between the concerns Tim Cook expresses in this message and those expressed by writers investigating the new Apple patent are salient ones: the infrared signals have “the power to reach into anyone’s [Apple] device” and to “access your phone’s camera.” If this power is limited to preventing concertgoers from live streaming Adele concerts or aggravating Benedict Cumberbatch while he is trying to play Hamlet⁵ (and thus preventing copyright violations), then the concern might be much ado about nothing. But, like the fear expressed by Tim Cook about the implications of circumventing the encryption on an iPhone, the concerns about the Apple patent center on the “extension” of such power:

Once it becomes possible to remotely deactivate all cell phone cameras in an area, it is not a stretch to imagine governments and police forces leveraging the technology. Today social movements like Black Lives Matter use social media to broadcast police interactions and live stream their protests. If Apple’s technology becomes mainstream, one could imagine police forces equipping every officer and squad car with the device set to block all citizen recording of police activity. One could imagine repressive governments repositioning the devices to blanket every public square and major roadway across the nation and activating the network during times of public unrest to instantly silence the iconic citizen imagery that has come to define modern uprisings...if the government just has to point a transmitter at a public square to instantly cut off all social media use or all mobile data use in the

San Bernardino, California. When Apple refused, the FBI sought and received a court order, mandating Apple to comply. Apple continued to fight the order, with Tim Cook (Apple’s CEO) issuing an online “Message to Customers,” in which he indicates that Apple “opposes the order [because it] has implications far beyond the legal case at hand” and that “this moment calls for public discussion...to understand what is at stake.” Ultimately, the FBI received help from a third-party to open the phone.

⁵ These incidents are reported in a [snopes.com](#) article (2016) in which it is reported that “Artists like Adele, Jack White and Zooey Deschanel have publicly expressed frustration with the throng of phones at concerts. Meanwhile Benedict Cumberbatch broke character during a performance of *Hamlet* to tell audience members in London to stop recording him with their phones [this moment was, of course, recorded].” Source is noted in works cited.

area, it is hard to envision that technology not becoming widely deployed.
(Leetaru)

Jessica Goldstein, Culture Editor at thinkprogress.org, reiterates this concern noting that “the most important issue isn’t about what, theoretically, this technology could be used for now, [i]t’s how this technology could be abused going forward.” For example, “are we really game to sacrifice civil liberties on the altar of a less annoying experience at the theater?” (Ibid) Do we really want to accept that an Apple patent might preemptively decide what we can do on (and share with) our phones?

So far, there is no indication that the camera blocking technology will be implemented in upcoming iPhone models. What the recent “leaks” about the new iPhone 8 *have* revealed is that there will likely be significant updates to the camera feature, specifically the incorporation of a “3D sensing, front-facing camera” that will be able to “capture a 3D image of the user, which will have multiple uses, including biometric security and AR gaming” (McGregor). Additionally, the “mac rumor” is that this 3D capability will “replace TouchID with facial recognition capability,” ostensibly for greater security, but that this capability is likely to be “opened to developers, who could use it to do ‘everything from determining your shoe size for online orders to helping make sure you are properly fitted on your bike’” (Rossignol).

Whether or not Apple’s patent ever materializes, the 3D capability of their new cameras is likely to cause both concern and delight (and for similar reasons). Are these concerns merely “unfounded hysteria” or the “dark glimmers of [a] dystopia to come?” (Leetaru) The only thing that is certain is the reality that what lies ahead is not as easily seen as what remains behind. Perhaps the choice was already articulated for us, decades ago, in a dystopian novel about the future: *The choice for mankind lies between freedom and happiness and for the great bulk of mankind, happiness is better.* (George Orwell, 1984)

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