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A Swedish perspective on Chat Control 2.0

A socio-legal study of how Chat Control is perceived in a Swedish context

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Abstract

A voluntary EU law was implemented in 2022, which allowed communicative services to monitor all sent messages on their platforms in search of child sexual abuse material (CSAM) online. Its proposed successor, infamously called ‘Chat Control 2.0’, expanded these ideas further, demanding communicative services to monitor all sent messages and stored emails in search of CSAM. As the discussions of the proposed law primarily focused on its legal implications, this study aimed to explore its subjective implications, specifically examining how the law was perceived concerning feelings of personal integrity and freedom within a Swedish context.

By conducting six semi-structured interviews in Swedish, the results showed that the participants had very limited to no knowledge of the proposal. While all of them supported the aim to reduce CSAM online, the monitoring method was met with scepticism by most. Although it would function as a safety measure that could strengthen the welfare of children, it would also cause major privacy infringement. To some, this trade-off was justified, while others opposed it, perceiving the law as unjust with limited effectiveness. Even though many participants expressed similar answers, their varied perceptions of the law were colored by individual experiences, affecting how they positioned themselves to the law.

In the analysis, Foucauldian governmentality and Ewick and Silbey’s theory of legal consciousness were applied. It showed that Chat Control was, to some, perceived as a rational response to a societal risk, which produced governable subjects who often accepted such surveillance in exchange for security. Others indicated resistance to the law, viewing it as an oppressive tool with an aim to assert control over citizens, justified by its security rationale. Lastly, a normalization through anticipation was also identified when the interviewees unknowingly or knowingly accepted future use of surveillance measures. Thus, Chat Control can not simply be viewed as a policy, but also as a discursive mechanism that can reshape boundaries of liberal governance through the subtle production of consent.

Keywords: Chat Control, freedom, Foucauldian governmentality, integrity, law, legal consciousness, perception, self-governance, Swedish citizens.

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1. Introduction

Since the beginning of the 21st century, there has been a technological explosion and major advancements in how technology is used in everyday life. One aspect concerns the widespread utilization of online social networks. Such networks allow users, to some extent, to express freedom of speech and share individual opinions while retaining a somewhat anonymous role. Consequently, restrictions constructed both by the businesses themselves as well as by national or international organizations have been implemented as a response to the rise of illegal and harmful content online. The EU law, commonly referred to as ‘Chat Control’, is one example of legislation aimed at combating the spread of child sexual abuse material online (CSAM). The law was initially implemented in 2022 as a voluntary measure that allowed communication services to monitor online messages in search of CSAM. However, its proposed successor - more formally named ‘The Permanent CSAM Regulation’ but infamously called ‘Chat Control 2.0’, expands these regulations further by making compliance mandatory for online communication services, number-dependent communication services, and services that store information online to adhere to the demands of the regulation (Integritetsskyddsmyndigheten 2024A; Integritetsskyddsmyndigheten 2024B).

1.1 Description of thesis

The discussion of the proposed law has been extensive and widespread, presenting arguments for both sides of its implementation. Its purpose is clear and motivated, highlighting its aim of increasing the protection for children from online sexual abuse and the further spread of such illegal material (Integritetsskyddsmyndigheten 2024B). By utilizing modern technology, one could detect and act accordingly, preventing acts of sexual exploitation and the further spread of such material online. However, concerns have also been raised regarding the intrusiveness of the law itself. Often referring to the intrusion of personal privacy and overreach by the state and transnational organizations, possibly affecting public trust in digital services (Tuchtfeld 2022; Bering & Windweher 2024; Medium 2023). Critique has also been brought forth concerning its misalignment with the existing legal framework, contesting with universal human rights regulations regarding freedom of expression, the right to private life, and the individual right to privacy (e.g., Lomas 2024; Mullin 2024). Additionally, its main function to surveil messages could also be perceived to contradict

article 16 of the UN Convention on the Rights of the Child regarding the right to privacy and intrusion into one's private life (OHCHR n.d.).

Chat Control 2.0 has been discussed frequently in a legal sense in context with the existing legal framework, often highlighting its trade-off between security and privacy (e.g., Tuchteld 2022; Bering & Windweher 2024). Less frequent are the social implications of the law discussed. How is the law perceived, understood, and viewed, and how would the users of such communication services be subjectively affected by its implementation? The following study aims to explore these aspects and address the possible gap between the legal understanding and the social understanding of Chat Control and its successor. In a broader sense, the study should be viewed as a contribution to a broader understanding of how and why similar regulations are met with resistance or adhered to.

1.2 Research questions and aim

The aim of the study is to get an empirical and theoretical insight into how the proposed regulation called Chat Control 2.0 is perceived concerning personal integrity and freedom. To explore this, a qualitative interview study will be performed and the data analyzed applying a Foucauldian perspective of governmentality and the theory of legal consciousness. To limit the breadth of the inquiry, only six Swedish citizens between the ages of 25-33 will be included. The study seeks to answer the research question posed as:

- *How do Swedish citizens perceive and view the EU's proposed regulation of Chat Control concerning feelings of personal integrity and freedom?*

1.3 Disposition

An introduction and description of the thesis are provided in the first chapter. The purpose of the study is presented along with the constructed research question. In the second chapter, the literature review that was conducted is presented, highlighting the main themes of past research. The third chapter recounts the theoretical framework. The fourth chapter describes the methodology of the study, including how data was collected and handled, how the sample was chosen, and what ethical considerations were made when the study was carried out. In chapter five, the results are presented, highlighting common themes and noteworthy findings. In the seventh chapter, the findings are analyzed using theoretical frameworks. In the eighth chapter, the conclusions and future research are presented.

2. Past research

2.1 Method

A systematic literature review was conducted using the sequential steps presented by Hempel (2020). The research question was first constructed and its scope clarified to prepare for the upcoming literature search. The database Lubsearch was used to conduct the review, a comprehensive academic database including additional sources such as Scopus and Web of Science, offering access to a wide range of scientific research. A set of exclusions and inclusion criteria was applied as well (see Table 1). The applied filters were perceived as relevant and useful, modifying aspects such as the types of articles shown and the language used. When conducting the literature search, four separate search strings were progressively developed using the Boolean method, including the categories of (1) online surveillance, (2) perception and views, (3) freedom and privacy, and (4) a string specified for exclusions (see Appendix 1). The term ‘Chat Control’ was excluded because of an initial search where the singular term “Chat Control” was used with the applied filters. The results yielded two non-relevant results, which meant that the search had to be further broadened to instead encompass articles concerning perceptions of online surveillance concerning feelings of personal integrity and freedom. After applying the search strings and filters, 58 results were presented, which were then reduced to 29 after reading the abstracts, and lastly reduced to 16 after reviewing their contents more closely. These remaining 16 articles form the basis of the following thematic analysis.

Table 1: Inclusion and exclusion criteria

Inclusion criteria	Exclusion criteria
Peer-reviewed articles	Non-peer-reviewed articles
Articles written in English	Articles written in any other language
Articles published between 2022-01-01 and 2025-04-06	Articles published before 2022-01-01
Articles found with the applied search terms included in the search strings	Articles not relevant to the chosen subject

2.2 Thematic analysis

Based on the contents of the 16 remaining articles, three themes could be identified concerning how online surveillance is interpreted and what aspects could affect the perceived feelings of personal integrity and freedom: (1) Trust and legitimacy in governance, (2) cost-benefit calculations, and (3) contextual variations in the perception of surveillance. However, it is important to have in mind that the themes themselves should not be viewed as independent from each other, as they all intertwine and affect how reality is perceived. The articles themselves view each of these aspects as separate, but also highlight them as different features of how surveillance could be individually interpreted and collectively understood. As clarification of central words used in context of online activity: *'freedom'* is interpreted as “the condition or right of being able or allowed to do, say, think, etc. whatever you want to, without being controlled or limited.” (Cambridge University Press n.d.A), *'privacy'* as “someone's right to keep their personal matters and relationships secret” (Cambridge University Press n.d.B), and *'integrity'* as “the quality of being honest and having strong moral principles” (Cambridge University Press n.d.C).

2.2.1 Trust and legitimacy in governance

The first occurring theme among the articles concerns the aspects of trust, legitimacy, and transparency of the policy makers, in most cases referring to state-issued policies. In multiple journals, trust is perceived as an important factor that affect how new policies and regulations are perceived, internalized and adhered to (Adeyeye 2024; Huang, Hu & Chen 2022; Kalmus, Bolin & Figueiras 2024; Kovanič & Spáč 2022; Samuel, Roberts, Fiske, Lucivero, McLennan, Philips, Hayes & Johnson 2022). The amount of institutional trust is shown to be relevant when a heightened feeling of societal insecurity is present, amplifying the need for implementing regulation to secure societal security once again (Adeyeye 2024). Similarly, heightened trust in the government is also associated with how risks are perceived, affecting the acceptance of justified measures to address or combat them (Huang et al. 2022; Kalmus et. al. 2024). Correspondingly, governmental distrust is associated with an amplified perception of erosion of liberties, strengthening concerns of privacy infringement, governmental overreach, and restricting personal autonomy (Fletcher 2023; Kostka 2023; Samuel et al. 2022; Yüksel 2022).

Another similar aspect is the need for transparency when implementing regulations. One article highlights numerous historical instances where online surveillance was utilized in

an authoritarian way and implemented in liberal democracies without public consent (Codreanu 2022). It is stressed that implementation of governance models is, of course, preferred as trust, transparency, and public opinion go hand in hand (Kovanič & Spáč 2022). Trust and transparency are both important aspects of legitimacy and the perception of governmental control (Kovanič & Spáč 2022; Toch & Ayalon 2023). Additionally, the perception of governmental control and legitimacy is contextual and fluid, and dependent on the signals conveyed by the policymakers to societal groups and individuals (Huang et al. 2022; Kovanič & Spáč 2022). As presented in one article, voluntary governing techniques (health-tracing apps) signaled the government's confidence in citizens' responsibility to adhere to recommendations, upholding and preserving legitimization of the state (Toch & Ayalon 2023). On the contrary, the utilization of involuntary techniques (cellular surveillance technology) signaled distrust of the citizens, utilizing oppressive methods to ensure security and control. The involuntary techniques were met with more critique and scepticism, raising questions of misuse of gathered data, collecting sensitive data, and infringing on personal privacy (ibid.). Other articles reported similar critical observations concerning how gathered data is protected and used, highlighting how perceptions of freedom and personal integrity are dependent on trust, transparency, and legitimacy (Fletcher 2023; Kovanič & Spáč 2022; Samuel et al. 2022). Some even identified the protection and usage of gathered data as a deciding factor whether to adhere to or oppose specific types of surveillance (Fletcher 2023).

Several studies also emphasized the lack of public awareness and the importance of communicating or justifying the use of policies as an aspect of how policies are perceived (Adeyeye 2024; Fletcher 2023; Huang et al. 2022; Kikerpill & Siibak 2023; Samuel et al. 2022;). One study showed that more educated people tend to be more supportive of increased data regulations (Adeyeye 2024), although they simultaneously indicate greater opposition towards intrusive surveillance measures (Fletcher 2023). The degree to which 'security measures' are perceived as negative is shown to be partially based on what knowledge is circulated, constructing narratives of low legitimacy based on suspicion of future misuse or on partially faulty conveyance of their aim and purpose (Kikerpill & Siibak 2023; Samuel et al. 2022).

2.2.2 Cost-benefit calculations

The second identified theme concerns the existence of various cost-and-benefit calculations affecting how the use of online surveillance is interpreted and viewed. Among numerous articles, 'too much' surveillance is often described as invasive, referring to the degree to

which monitoring practices intrude into personal life and contest the boundary between personal and public. In this context, the trade-off between privacy and security is repeatedly referenced, describing the potential of how implementation of regulations can strengthen feelings of security at a cost of reducing individual autonomy (Oztig & Karluk 2025; Samuel et al. 2022; Toch & Ayalon 2023; Yüksel 2022; Chadha 2022). To justify the implementation of increased surveillance, the argument is, in many cases, based on the need to protect individuals from possible danger while allowing some individual autonomy (Yüksel 2022). However, the intrusiveness of some surveillance systems may exceed these acceptable boundaries, posing questions about their legitimacy and raising concerns of perceived privacy infringements (Lui, Lee & Yao 2024) and an “encroachment on liberties and freedoms” (Samuel et al. 2022 p.36).

In other studies, individual calculation was not solely based on the dichotomy of privacy and safety, but on perceived effectiveness and usefulness of the implemented policy (Trüdingerm & Ziller 2022; Kostka 2023). If a policy was perceived as sufficient in mitigating the intended threat, its legitimacy was strengthened, while the opposite could result in the rise of more so-called ‘digital doubters’, questioning the utilization of specific surveillance methods (Kostka 2023). Other studies highlighted self-interests and plain convenience as aspects constituting cost- and benefit calculations (Antoine 2023; Toch & Ayalon 2023; Huang et al. 2022). The collective impact of surveillance measures was in some cases identified to be overruled by potential individual consequences or benefits (Antoine 2023). However, when questioned to choose between following self-interests or upholding personal privacy, the latter option was more often preferred (ibid.). This highlights the constant cost and benefit calculations, including aspects such as how invasive monitoring practices are perceived and what associated risks can be identified, ultimately affecting how legitimate a policy is perceived.

2.2.3 Contextual variations in the perception of surveillance

The third and last theme of the literature review revolves around how surveillance is individually shaped and interpreted, emphasizing how context is crucial when investigating how surveillance is perceived. Most studies collectively show that individual differences play a major part in perceiving surveillance. By noting individual variations and identifying specific factors that can affect how monitoring is perceived, its contextual complexity is highlighted. Some studies directly discuss individual differences and emphasize the need to consider this complexity when conducting studies (Bolin & Figueiras 2024; Kostka 2023; Lui

et al. 2024; Samuel et al. 2022; Trüdingerm & Ziller 2022). Other studies implicitly describe how contextual factors can affect how happenings are interpreted. Some studies show that the amount of trust is a noteworthy aspect of how legislations are perceived (Adeyeye 2024; Huang et al. 2022; Kalmus et al. 2024; Kovanič & Spáč 2022; Samuel et al. 2022), while others present different results, instead presenting convenience or the perceived infringement of individual autonomy as another reason to oppose regulations (Antoine 2023; Toch & Ayalon 2023; Huang et al. 2022). The different results in the literature support the notion that some aspects are deemed as more important than others, possibly depending on where and how the studies were conducted and what groups or individuals were included.

Some authors highlight past societal experiences as a noteworthy factor in how surveillance or monitoring systems are viewed, correlating specific results with historical events and past experiences (Bolin & Figueiras 2024; Kalmus et al. 2024; Kostka 2023; Lui et al. 2024; Samuel et al. 2022; Trüdingerm & Ziller 2022; Kovanič & Spáč 2022). In three studies, a significant scepticism towards data-gathering and public monitoring is reported specifically in Germany when comparing the attitudes to other countries (Antoine 2023; Kostka 2023; Trüdingerm & Ziller 2022). A possible explanation for these findings is then further explored, highlighting the historical integrity problems present during the Nazi-rule. Similarly, Kovanič & Spáč (2022) also highlight the social context in which the study was performed (in Slovakia), correlating the respondents' higher acceptance of crime-preventative techniques to their past communist history. As a third example, Kalmus et al. (2024) also correlate past experiences with contemporary attitudes, emphasizing that Portugal's history of authoritarian regime, Sweden's long history of democracy, and Estonia's history of soviet occupation affect the modern attitudes of data surveillance. A possible explanation for the findings is based on a theory of the manifestation of attitudes and a generational reproduction of attitudes, views, and values, affecting modern attitudes (Kostka 2023).

2.3 Conclusions of the literature review

Among the 16 articles gathered from the literature search, seven used a quantitative approach, four used a qualitative approach, two used a triangulation of methods, another two performed literature reviews, and one performed a legal analysis. The studies were performed in different geographical places, most commonly in Europe (mainly in Germany and the UK) and Asia (mainly China), one in Africa (34 different countries), and one in North America (USA). All together, the literature review presents a broad and somewhat general

understanding of how surveillance can be viewed and understood. It presents a wide variation of cultural and individual perspectives, highlighting both similarities and differences. Concerning the research question of this study, the review indicates that governmental trust, individual differences, and social structures are key aspects to consider when studying individual perception of surveillance concerning freedom and individual integrity. It highlights the need to approach the concept of surveillance on an individual and social level, further strengthening the argument of applying an interpretive methodology, thereby viewing reality as a social construct consisting of meaningful understandings. Although numerous studies have been conducted concerning how online surveillance is perceived (e.g., data monitoring and tracing techniques), along with how Chat Control can be legally understood, few studies have examined how Chat Control is socially perceived, especially in a Swedish context. The study will thereby serve as a further extension of research concerning the role of governmental surveillance and how individuals perceive it in a modern context.

3. Theoretical framework

3.1 The interpretive ontology and epistemology

As the main objective of this study is to get an insight into how the included participants individually perceive Chat Control 2.0 and similar surveillance measures, an interpretive ontological and epistemological perspective will be used. By adapting this philosophical approach, subjective meaning and objective knowledge are viewed as deeply intertwined (Della Porta & Keating 2008, p.24). The existence of an objective reality is not rejected per se, but knowledge and its meaning are understood as something subjectively constructed. Objectivity itself is thereby redefined into a context of social inquiry. As individual perceptions are fluid and continuously change, the perceptions themselves affect how reality is perceived, varying either drastically or minimally between individuals (ibid. pp.23-25). Regardless of how reality is perceived, individuals construct *their own* reality that they are a part of. Following the interpretive ontology, an interpretive epistemology will be adapted as well, viewing knowledge as a product of individually and socially constructed experiences and values (ibid.). As the foundation of the study, the supposed varying perceptions of online surveillance (which constitutes the respondents' view of reality) will be interpreted as equally valid, as these will reflect the participants' 'true' reality. Additionally, as in-depth interviews will be conducted, it would also acknowledge and factor in every participant's view of a

specific concept. Thus, moving beyond a broad and generalized understanding, performing an in-depth analysis focusing on the *process* of forming interpretations, and not solely on what these interpretations manifest.

3.2 Legal consciousness

3.2.1 The cultural turn in socio-legal research

During the 1980s, the field of sociology experienced a paradigm shift. Research leaned towards a broader understanding of how law was a part of social life. Moving from the understanding of how formal legal institutions intersect with social life, visible in concepts such as legal pluralism and legal culture, to focusing more on individual perception (Seron & Silbey 2004 see Chua & Engel 2019 p.337). This shift in focus encompassed a broader focus on subjectivity, cognition, and social construction, further exploring how individuals make sense of their reality and what role law has in it (Chua & Engel 2021 p.187). This change in focus resulted in a greater effort to not only understand how legal rules are viewed (visible in concepts such as legal awareness), but to further understand how people interact with laws and how they give meaning to everyday experiences involving the law (ibid.).

Although the theoretical development of legal consciousness has not been linear *per se*, the study of legal consciousness has generally revolved around three different interconnected aspects of individual subjectivity. All affecting how law is viewed and how one's behaviour is colored by it (Chua & Engel 2019 pp.336-337). The first element, '*worldview*', can be interpreted as the individual understanding of the society which one is part of, their position and place in it, and how they should perform their given role. '*Perception*' is the second element, encompassing how individuals interpret the identified happenings. If events are perceived either as fair or unfair, necessary or unnecessary, and harmful or beneficial. Lastly, '*decision*', incorporates the individual responses to events, affected by their worldviews and perceptions. These decisions can be viewed as a collection of interpretations, which in turn affect how life is lived and how individuals choose to live with the law. Even though these elements are portrayed as fixed categories, one has to have in mind that subjectivity is fluid and such a categorization is used to make the complex reality more comprehensible. The categorization of the elements is therefore interpreted more as a general understanding of how legal consciousness is constructed, and not as a list of aspects to focus on in the study itself.

3.2.2 Schools of legal consciousness

As the changing field gained momentum during the 1980s, different conceptualizations of legal consciousness emerged, approaching the research differently. Over time, these became the schools of identity, hegemony, and mobilization (Chua & Engel 2019 pp.337-341). The school of identity focuses on the individual construction of legal consciousness, placing attitudes and individual perception as the core elements. The main focus is on how law interacts and shapes people's sense of identity, affecting behaviour, perceptions, and overall view of society. The hegemonic school, on the other hand, views law as a powerful tool for asserting state control over its inhabitants. Its approach is centered around the assumption that the law, though invisible in many ways, but always present, shaping people's worldviews, perceptions, and decisions. Through the reproduction and production of its values, a sense of unknowing control is asserted over its citizens, thereby upholding a hegemonic relation between the two parties. The mobilization school instead focuses on the transformative potential of law in society. Although law itself is viewed as a powerful tool of power, the distinction lies in the ability to use laws to protect societal or individual interests in the pursuit of change. The approach is centered around the potential to change society, particularly to achieve justice among disadvantaged groups (Chua & Engel 2021 p.188).

3.2.1 Before the law, with the law, and against the law

Building on these different analytical frameworks for understanding the dynamics of legal consciousness, research sought to describe how patterns and narratives reflect the everyday lives of ordinary people. One such contribution comes from Ewick and Silbey by exploring how people make sense of legality and what perceptions of law they hold. To cite Sibley, “legality is different and distinct from everyday life, yet commonly present” (Silbey 2005 p.11). By incorporating the elements of worldview, perceptions, and decisions, they present three interwoven narratives, reflecting how law is understood, experienced, and talked about. Their theoretical approach consists of three schemas: (1) before the law, (2) with the law, and (3) against the law. Each category describes where people place themselves to the law and its legality, either as a follower, as a player, or as a resistor of law (Silbey 2005 p.338).

The first pattern conceptualized as ‘before the law’, envisions an understanding of law as a system of objectivity, consisting of rigid rules and principles that aspires to function as fair and as just as possible (Silbey 2005 p.336). The social and legal sphere is viewed as separate systems, where law is perceived as a rational and ordered hierarchical system, and

the social sphere as the reality. As portrayed by Silbey (2005 p.339), this dichotomous distinction between ‘the ideal’ and ‘the reality’ could be described in a Durkheimian perspective as what law *should* be, reflecting a sense of aspiration towards a more ordered reality. People who hold this understanding would often feel an obligation to adhere to the higher placed hierarchical order and the authority of the law.

The second pattern, defined as ‘with the law’ interprets the legal and social sphere as an intertwined system where law is practiced in a social arena (Silbey 2005 p.339). Instead of following the law out of respect for legitimacy, the effectiveness and the potential to reach a desired outcome are central. As opposed to focusing on the law’s inherent power, greater emphasis is placed on how the law is used and how individuals engage with the law, thus promoting agency. As Silbey (2005 pp.339-340) describes, the legality is viewed as a game, where existing rules are viewed both as boundaries and as means that can be used to overcome the acknowledged inequality within the legal system. Thus, self-interest is the motivator, and normativity is instrumental through law as a tool to maneuver in the social arena (ibid.).

The third and last pattern, portrayed as ‘against the law’ is based on the perception of unequal power (Silbey 2005 pp.340-341). Compared to the previously mentioned patterns, individuals do not view law as an objective system of fairness, nor perceive themselves to navigate in a fair game guided by interests. Instead, law is viewed as an interest-seeking, unpredictable, and unjust force, knowingly and unknowingly embedded in social structures (Ewick & Silbey 1998 pp.181-188). The normative experiences are based on feelings of imposed power and an erosion of justice and morality, which requires tactical maneuvers to overcome (Silbey 2005. p.342). Such tactics could be to actively resist laws, though such action would require the accumulation of resources and a mobilization of these (Ewick and Silbey 2003 p.1336-1337; Ewick & Silbey 1992 pp.743-744).

This categorization is once again a simplification of how the complex reality can be interpreted. Although it presents a conceptualized framework on how individuals can view attitudes and the legality of law, the fixed categories should instead be viewed as a spectrum, where ‘before the law’ and ‘against the law’ are contradicting absolutes, and ‘with the law’ inherits a more neutral position. By applying legal consciousness in this study, it provides a useful tool to position the participants on the spectrum of how they make sense of, and where they position themselves to the law in their daily lives. Additionally, it explores where they locate themselves to the legal authority. Thus, the study can capture how people justify, resist, or normalize digital surveillance, particularly concerning individual freedom and integrity.

Even though the theory of legal consciousness can be criticised to overemphasise individual experiences and narratives, it provides a stable base for the theoretical framework.

Applied with the additional framework of Foucauldian governmentality, which broadens its focus to societal dynamics, both structural, social, and individual aspects can be highlighted and interpreted.

3.3 Foucauldian Governmentality

Governmentality was first presented in the late 1970s by Michel Foucault and combines the two concepts of *government* and *mentality*. It incorporates an understanding of how governments seek to govern their citizens, though not by using laws or exerting force, but by shaping how people think, act, and understand themselves in relation to the law (O'Malley 2021 p.31; Walters 2012 pp.9-10). Through the perspective of governmentality, citizens are not viewed as passengers of conduct, but instead as active participants in their own governance. Governed by aligning one's attitudes to shared environmental norms and objectives. (O'Malley 2021 ff.31; Walters 2012 pp.25-27). Foucault called this form of governance 'the conduct of conduct'. A subtle management of people's values, interpretations, and normative behaviour to produce law-abiding and responsible citizens in a liberal governmental context (O'Malley 2021 p.31). However, if governments moved beyond using subtle measures, the self-governing capabilities would instead be contested, possibly disrupting their citizen-governing abilities (Walters 2012 p.19). A well-balanced approach was therefore advocated, highlighting its potential to influence citizens while still maintaining its internal structure.

Although the state seeks to assert this form of indirect (and somewhat total) control, its power of influence is not monopolized by the state apparatus (Walters 2012 p.19, 70). Instead, non-state agencies and institutions are other influential sources which color both the individual and social perceptions to reach a desired goal (O'Malley 2021 p.35). By using governmental techniques and tactics that encourage certain behaviours to become socially desirable, the mentality of the rule can be altered. This can affect the governmental rationality, referring to the mentality of the government and how it is viewed (ibid. pp.33-35). In this context, Foucault brings up the term 'discipline' in the sense of being the source of habit and can somewhat be understood as the force on which governmentality relies (ibid. p.32). While the strategy of conduct is governmentality, discipline is the mechanism that works within it, focusing on producing docile individual subjects through the guidance of

conduct. Additionally, the second form of power, called ‘security,’ further complements discipline and functions as a tool of managing risks and shaping normalized behaviour (O’Malley 2021 p.32; Walters 2012 pp.32-33). In itself, security is a way of exercising power, but unlike discipline, it focuses on broader populations (viewed as collective entities) rather than individually shaping docile subjects.

What social behaviour is deemed as normal and what is viewed as deviant is dependent on what conduct is constructed as desired (cf. O’Malley 2021 pp.31-33). Through social- and self-governing, identified deviancy is punished, though not through external measures such as laws and regulations, but by operating in a normative environment where social sanctions enforce conformity (ibid. p.33). Take the COVID-19 pandemic in Sweden, for example. Few formal laws were implemented to reduce its spread, instead, formal recommendations were communicated to the public through health campaigns, initially presented by the public health agency (Andersson & Norberg 2023 p.1-2). These campaigns encouraged people to frequently wash their hands, wear masks in public, and maintain a safe distance from other inhabitants, promoting individual safety but also highlighting the collectively positive effects (cf. ibid.). People were therefore governed through appeals to individual responsibility, collective solidarity, and anticipation, and legitimized by scientific rationality. Behaviour that deviated from this normative behaviour was socially sanctioned, promoting behavioural change. As O’Malley (2021 p.33) notes, similar normative governance can also be visible when viewed as a ‘safe driver’ or ‘healthy individual’, normalizing the behavior of citizens.

While governmentality can be viewed as the broader framework, focusing on the rationalities and techniques of conduct, biopolitics is one specific form of this governmentality (Nilsson & Wallenstein 2013 pp.11-12). It refers to ways that a modern liberal state regulates and controls human life through macro-level management, especially by using political and legal means. Its governance stems from its focus on the management of the population and its health, highlighting risks and implementing preventative actions (ibid.). One clear example of biopolitics in action is the promoted public health campaigns during the COVID-19 pandemic. To ensure the well-being of the citizens, governments promoted vaccination and the use of face masks to control the spread of the disease, thereby intervening in individual bodies to benefit the greater population. In the context of this study, its biopolitical rationality can be interpreted as valuable, both when justifying the use of legal means and to highlight its broader impact on populations.

It is worth mentioning that governmentality should not be viewed as a description of a historical shift, nor a theoretical perspective, but rather as an analytical toolbox for understanding how power operates in a liberal society (Walters 2012 p.2; O'Malley 2021 p.36). As a consequence, it can be argued that it simply explains how power operates in such a society, offering less in terms of explaining the dynamics of social change. However, its set of analytical concepts is viewed as a flexible addition to the theory of legal consciousness, focusing more on structural dynamics, while legal consciousness evaluates individual differences. Additionally, Foucault's governmentality has a critical dimension, allowing the researcher to understand reality by focusing on power relations and state interference in private life (O'Malley 2021 p.36). It can therefore be applied as a nuanced lens for understanding how Swedish citizens are encouraged to relate to the proposed Chat Control regulation. Furthermore, it helps to explain how the participants might internalize online surveillance as a moral responsibility and a collective safety measure. Thus, assesses how risks are socially constructed, to understand how liberal states seek to govern through controlled freedom, and how responsibility and solidarity may affect the individual perceptions of Chat Control.

4. Methodology

4.1 Data collection

A qualitative case study was conducted to answer the posed research question, focusing on Sweden in a national context where citizens' perceptions of Chat Control regulations are explored. Because the study aimed to deepen the understanding of how a specific event or concept could be interpreted, a qualitative approach was deemed appropriate to use. By applying such an approach, one can get an insight into how reality is perceived and what meaning is applied to their experiences (Merriam 2009 p.5). The methodological approach further aligned with the interpretative ontological and epistemological understanding of constructing meaning and knowledge in the study, viewing individual perceptions of a phenomenon as one of many realities.

Concerning the method of data collection, six semi-structured interviews were conducted. The choice of method was perceived as optimal as it allowed for a 'deep-dive' into the participants' perceptions of reality while still allowing for some flexibility (Banakar

2019 p.11). The study thus prioritized the exploration of personal meaning over a generalized assumption of the findings. Given the aim of the study focusing on individual in-depth perceptions, one-on-one interviews were chosen over focus groups. Though focus groups can naturally develop and foster more dynamic discussions, interviews were preferred because of its potential to perform a deep dive into an individual's raw perception of reality. Being less affected by surrounding values and expectations that are assumed to be more present in focus groups, the answers would more accurately reflect the individual's perceptions and minimizing risks of external influence. During the interviews, the discussion was guided by several predefined questions (see Appendix 2), while still allowing the interviewees to talk freely. After the interviews were concluded, relevant answers were extracted and analyzed. Although shared themes were identified and explained through theoretical analyses, individual differences were highlighted as well, signaling variations in how Chat Control and other online surveillance measures could be differently perceived among the participants.

4.2 Sampling

The sampling methods used in the study were non-probability ones, specifically convenience and snowball sampling. The convenience sampling means that the participants were chosen consciously based on their relative ease of access, and snowball sampling by involving the first participant to refer to one or more acquaintances (Merriam 2009 p.79). The study was shared among friends and family, through which participants were recruited for interviews. Because of the restricted time limit, non-probability methods were used even if it would affect the possibility to generalize the findings to the targeted population. However, since the aim of this qualitative research study was to include information-rich cases, the potential for collecting generalizable data was not the main objective (cf. *ibid.* p.77). A criterion-based selection was applied when determining the study participants, only including individuals between the ages of 25-33 who resided in Sweden. An age span between 20 and 30 was initially constructed as the collected data could somewhat reflect a certain group based on age. Furthermore, the overall group needed to consist of an equal number of females and males to get a somewhat representative sample and to be able to highlight possible gender-based variations (*ibid.* p.78). The number of participants included in the study was also affected by the limited time available. It was sought to gather an appropriate amount of data to answer the research question, while still being feasible to conduct. The number of

participants was therefore limited to six people, to highlight both identified patterns and individual differences.

4.3 Handling the data

When the interviews had been conducted, the recorded audio was extracted and then transcribed through the AI program Notebook LM. As the recordings were conducted in Swedish, it was a struggle to find a suitable program that could perform such a task. However, Notebook LM proved to support the language spoken and provided a relatively accurate transcription and translation of the audio. Once the transcripts had been translated, the empirical data were inserted into a Microsoft Word document where sensitive information was removed, and each participant was given a pseudonym to hide their identity. The coding was approached by following the process presented by Merriam (2009 pp.170-192). This involved repeatedly reading the transcript thoroughly, highlighting keywords and key concepts, and writing down thoughts and interpretations of statements. Including both explicit answers and interpretations from the text, these notes were then categorized into eight main themes: knowledge of Chat Control, security and freedom, rights and safety, fairness, effectiveness, trust, individual impact, and future trajectories. As the study used an inductive approach, the theoretical framework was applied after the data had been collected, using theoretical concepts and analytical tools to build new concepts (Merriam 2009 pp.15-16).

4.4 Ethical considerations

Following the risk assessments presented by Etikprövningsmyndigheten (2021 pp.20-24), ethical considerations were made in preparation for the study and during the time the study was conducted. Before the study was conducted, aspects such as how the data would be securely gathered, stored, and used were taken into account. Before conducting the interviews, a participant information sheet (see Appendix 3) was presented, informing each participant of necessary information while forming a dynamic agreement between the researcher and the participant (cf. Bos pp.246-248). The information sheet included the purpose of the study, their anonymous participation, their right to discontinue the interview regardless of reason, the researcher's contact information, information on how the data would be used, and information that the recording would be transcribed by using an AI program. Even if perceptions of surveillance as a category do not explicitly qualify as a sensitive category of personal data according to Etikprövningsmyndigheten (2021 p.86), it can still be

individually perceived so. To minimize potential psychological or emotional distress, the interview questions were posed as neutrally as possible, the interviews themselves were performed in a safe place, and potential administrative risks were conveyed before the interviews were conducted. Along with an anonymization of the participants' names by applying pseudonyms, additional information that would contest their anonymous position was excluded (Bos 2020 p.154, 234). As for the recording of audio, an external sound recorder was used to ensure that the audio was stored appropriately (Etikprövningsmyndigheten 2021 p.52). An ethical consideration was made when choosing Notebook LM. As it followed GDPR and ensured that uploaded data would not be saved after it was deleted, nor that it would be used in any way, the material was removed after the transcription and translation had been performed.

5. Results

The following results represent the data gathered from the six separate semi-structured interviews. The participants were between 25 and 33 years old; three identified as male and three as female. All participants held a college degree. *Anna* was currently studying nursing, *Bob* was studying IT, while the remaining four were employed in sectors including education (*Sarah* and *Mike*), IT (*Fred*), and social welfare and security (*Olivia*). The results from the study are presented in the form of a thematic analysis, highlighting three main areas of interest concerning (1) knowledge of Chat Control and use of communication services, (2) perceptions and individual impact of Chat Control and online surveillance, and (3) societal implications and future trajectories.

5.1 Knowledge of Chat Control

The overall knowledge of Chat Control among the participants was very limited or non-existent. Although some of the respondents had heard of the proposal itself and its purpose to reduce the spread of child sexual abuse material online, they lacked knowledge of how Chat Control would be applied in society. Two interviewees had some knowledge of the proposition, referring both to its aim to combat pedophilia and their personal experiences concerning its widespread discussion and its controversial nature. One of these two interviewees, given the name Fred, mentioned that some personal research had been made in preparation for the interview, showing relatively high understanding compared to the other

five participants. All participants were allowed to present their initial understandings of the proposition before a general presentation of Chat Control and its predecessor, Chat Control 2.0, was performed. The participants were informed of the aim, purpose, and how the monitoring would be performed if the law were adopted. All participants stated that they regularly use communication services and use a mix of different services depending on the context. A few preferred common texting (SMS), while others used a mix of services popular among friends, colleagues, or family.

5.2 Individual perceptions and impact of Chat Control

The respondents' perceptions of the EU proposal varied to some degree. Sarah, a middle school teacher, viewed the proposal from two different angles, highlighting how the law would not negatively affect a law-abiding individual like herself. However, it could also be viewed as unnecessary if no suspicion of crime is present:

“You can in one way think: what is the problem with that [Chat Control] if I am doing the right thing anyway? But you can also turn it around and say, well, maybe I am a law abiding citizen, you know, a proper citizen in Sweden. But then you can also wonder why should there be any type of surveillance on me in that case?”

Even though Sarah stated that it would feel strange to be supervised, she expressed that if the law were implemented, it would not be a concern because she has nothing to hide. Mike, a leisure-time pedagogue, and Bob, studying information architecture, shared similar feelings. Mike expressed:

“I'm a bit of the principle that uh if you have nothing to hide, I don't think it's a concern. Uh there's nothing I write or send that would, I mean, for me personally, it wouldn't be a problem”

Although Fred expressed that the aim and purpose of the law was valid, he strongly opposed the monitoring method itself, highlighting how an individual's privacy and freedom would be highly contested:

“[...] I mean, it's a good uh good purpose, but giving up uh one's private life for that purpose is too much. I mean, it's just, I mean, I don't really trust that they will only use it in one way, it opens up several doors to use it in other ways too”

Anna, working in social welfare and security, and Olivia, a nursing student, shared similar perceptions of Chat Control. A dichotomous distinction was constructed between protection and privacy concerning Chat Control.

“It it is a uh fine line between protecting and uh invading privacy. And absolutely, the state has a role in protecting children. From many things. But the solution cannot be that we monitor everyone all the time.”

When posed the question of whether the proposal was viewed as fair, the respondents showed mixed results, focusing on different aspects of how the word fair was interpreted. Among those who answered yes, the fairness was based on the understanding that rules should be applied universally among citizens. As explained by Anna: “If it applies to everyone, then it applies to everyone, then it's fair”. She then further questioned the morality of the total monitoring, raising questions of its fairness concerning the act itself, but ended with the statement that she ‘did not know’. During the interviews, the word ‘justice’ was used frequently in the context of a universally applied law, identifying the guilty individuals and bringing them to justice for committed crimes. Among those who did not view it as fair, the focus was instead on the *act* of total monitoring. As mentioned by three interviewees, the proposed law of Chat Control was viewed as unfair as the law would be applied universally, but only target a certain group. As two interviewees stated, the vast majority of the population are law-abiding citizens, while an estimated 0.01% is thought to be the intended suspects. The fact that a law of such scale and great coverage was meant to target such a small group was interpreted as unnecessary and unfair.

When asked if they would change their communicative behaviour online if the proposition were implemented, several participants stated that they would not do so. They felt there was no need to do so since it would not result in any legal wrongdoing. However, both Fred and Bob expressed that some adaptations would be made. They both expressed that even though they would not be charged with anything criminal, they would still feel hesitant to write and send certain things. As Fred expressed, he would apply “a filter to conversations that would not be present in face-to-face conversations”. Fred explicitly brought up the

example of making jokes in close friend groups. Jokes that could be interpreted as provocative or sensitive to some. While not illegal to express, the fact that these sensitive subjects could be monitored would affect his online behaviour.

Although Sarah stated that she would not affect her online communicative behaviour, she expressed feelings of uncertainty towards the companies themselves concerning how sensitive and private data would be safely gathered and stored.

“I will not change my way of writing, or being, or thinking, or talking, or whatever it is. But perhaps feeling an increased awareness that I might possibly be listened to or monitored in some way. But again, I have nothing to hide. Rather feeling some kind of fear of what could possibly be leaked, maybe something very private or personal. Ehm but it hasn't often been authorities that have made mistakes, but rather perhaps companies. That something has been hacked because security hasn't been very strong.”

This distrust was noticed during some interviews, highlighting a greater scepticism towards companies forced to collect potentially criminal activity. As mentioned in one interview, even if these companies did not have malicious intent to sell or distribute the gathered data, it was interpreted that their security measures were less effective compared to the security standard of state agencies. Additionally, opinions on the Swedish state's trustworthiness regarding digital integrity varied. Four respondents expressed high confidence, citing the democratic nature in Sweden, the generally welfare-centered and transparent government, and the lack of a known history of governmental misuse or data leaks of personal data. The remaining two expressed beliefs that contradicted these perceptions, indicating a low level of trust. Their concerns centered on the notion that their digital integrity was not adequately protected when stored, possibly allowing it to be accessible by external actors. One interviewee even suspected that unethical surveillance was already being conducted by the state or organizations as a means of controlling citizens.

Similarly to what the previously conducted literature review indicated, a trade-off between perceived privacy and ensuring the safety of the citizens was also made by the participants in the study, both explicitly and implicitly. Chat Control was primarily viewed as a safety measure that could strengthen the overall welfare of children, but would lead to major privacy infringement. Its positive aspects were, in most cases, not as prevalent as the negative effects, often resulting in a more critical view of the law. However, a few viewed the

proposal more favourably, highlighting a willingness to accept it if it would help to protect vulnerable individuals, particularly children. As Sarah stated:

“I see it as a protection, or rather help perhaps. I mean if it can help us to catch these people who commit crimes and actually make [them] face the consequences they should’ve really had for years. Then i think we are helping many young people, uh and children out there. So in that way, the purpose and its intentions, I think there are only advantages.”

Similarly, Mike also highlighted the welfare of children, but was more sceptical of its controlling features. He also stated that if he had children, he would probably be more supportive of the implementation of Chat Control:

“[...] If there are laws that can help if I have a child, if there are laws that can help me or help my child be protected online, then I would absolutely have seen that as a positive thing, you know. I mean, if my child had been monitored online and there had been messages and emails coming into my child's chat apps, though SMS, and emails and everything. Then I would have wanted it to be flagged immediately and wanted it to be taken care of, you know. If it can protect my child. So then, then it is more like protection. But as of now, maybe more like control.”

The more prevalent negative aspects included a perceived overreach by the state into an individual's private life, contesting one's digital integrity through constant surveillance. This total monitoring was perceived by some as a violation of individual freedom, described by Olivia as “a start of a dystopian film”, and by Fred as a “surveillance state”. Privacy was interpreted as a fundamental right, which, according to Fred, was highly valuable as the “interpersonal trust and the security of private conversations would be contested through total monitoring”. Throughout the interviews, the respondents recognized and supported the aim of Chat Control, but criticized the specific use of the surveillance method. As Fred expressed, the proposal seemed heavily skewed towards control rather than protection, qualifying it as “90% control and 10% protection”.

5.3 Societal implications and future trajectories

Viewing the proposal in a broader societal context, the perceived effectiveness of the proposal, the role of citizens, and the likelihood of a future surveillance expansion could be highlighted. Concerning Chat Controls' effectiveness, the majority of the interviewees viewed mass surveillance as a somewhat useful tool to combat the further spread of child sexual abuse material online, but at the same time as a justification to monitor all citizens. Some even stated that the proposal would not function as a final solution to the problem. As Anna explains, Chat Control could be viewed as a form of situational and temporary solution, but a preventative action for committing such crimes in other ways and through other means:

“If you want to target criminality and illegal activities, you should target specific apps where you know the prevalence is higher than others, and, and perhaps focus on the root of the problem instead of controlling everyone to stop the spread, because it will still, like, exist there. I mean, I think it could have reduced the everyday spread uh but not, not reduced the creation. [...]. When new laws have been implemented, they have still found a way around. So I think they will find a way around this as well. It's a good alternative, but but as I said, it's not a solution for the root problem.”

Similar reasoning was also brought up in two other interviews, stating that adaptations would be made by the criminals if the law were passed. One can expect that the criminals will utilize more secure channels when communicating, using codewords when texting, and spreading material in less monitored environments. Another aspect that was brought up in a few instances was how the data would be collected and stored, raising questions of how cost- and resource-efficient such a method would be while potentially yielding limited results.

When asked if the respondents believed that they had any influence over how legislations such as Chat Control are discussed and implemented, they consistently expressed that they lacked such influence, especially on a transnational level. A few believed that the implementation of laws is made by politicians, informing the affected citizens after such laws have been implemented. As Mike explained: “I think if the state wants to monitor us, they will do it. They might tell us that they're going to do it, but I don't think we have much to say to them”. However, one interviewee acknowledged that public debate, especially in democratic countries, can affect what societal problems are identified and consequently addressed by politicians, resulting in some citizen influence. The currently ongoing legal

debate of Chat Control was brought up as a specific example of this form of societal influence. Nonetheless, a significant barrier to meaningful citizen influence or organized protest is the concern that people are not sufficiently aware of the law itself.

Finally, when asked if similar surveillance measures will be expected to come, the unanimous answer was yes. It was described by Mike as “opening Pandora’s box”, suggesting that accepting one level of monitoring could make it easier to justify similar and more extensive forms. As another participant explained, humans tend to focus on what threats are present. When a solution to the identified threats is presented, people will be more likely to accept it to secure their safety and keep societal order. As Sweden is viewed as a society where social care and individual security are central, it is expected that control over its citizens will be sought after. Additionally, as technology is becoming more incorporated into private life, it would be easier for tracking and surveillance systems to cover all aspects of individual activity.

6. Analysis and discussion

In the following chapter, an analysis and discussion will be performed of the previously mentioned results, applying the Foucauldian concept of governmentality and Ewick and Silbey's theory of legal consciousness. The chapter is divided into multiple categories, highlighting relevant aspects that answer the constructed research question: *How do Swedish citizens perceive and view the EU's proposed regulation of Chat Control concerning feelings of personal integrity and freedom?*

6.1 Chat Control as a tool of governance

Drawing on the Foucauldian concept of governmentality, Chat Control can be viewed as a tool of governance in itself. Even though specific laws are implemented to actualize its usage, its effects move beyond the dichotomous divide between legal and illegal. As the content in the following analysis will support, it also allows for a more indirect approach of governing citizens through its self-governing capacities, by employing specific rationalities and techniques of rule. These techniques and rationalities are visible in Chat Control through its practical methods used to shape behaviour and manage its population, and through its reasoning that justifies its use. It could even be argued that Chat Control itself can be viewed as an expression of biopolitical governmental rationality, as it perceives a logic where

increased surveillance and digital monitoring are reasonable and necessary responses to managing the risk of spreading CSAM online. By doing so, it also frames the inhabitants as a potential risk to safety, promoting total monitoring as the solution. Its biopolitical control is thus legitimized by referring to its preventative logic, as shown by Sarah and Mike's statements:

"I see it as a protection, or rather help perhaps. [...]. I think there are only advantages." (Sarah)

"[...] If there are laws that can help me or help my child be protected online, then I would absolutely have seen that as a positive thing, you know. [...]" (Mike)

The responses from Sarah and Mike also indicated an internalization of this rationality of security. Visible through their justification of increased surveillance that Chat Control promotes: "if you have nothing to hide, I don't think it's a concern". This shows how self-regulation has manifested in individual perceptions under the impression of being monitored. Through subtle management of discipline, conduct is normatively guided towards being a docile and law-abiding subject, reinforced by surrounding social structures. During the interview, Sarah even states that she views herself as a law-abiding citizen, further aligning with the internalization of such norms. A few participants illustrated similar self-regulation, though with how their behaviour would be affected in their everyday life. Both Fred and Bob indicated some fear of writing something too sensitive or provocative online. They would feel an obligation to behave, even though the law would not encompass this specific regulation of behaviour. Thus indicating a similar self-censorship or self-regulation rooted in the normative rationality to act as a docile subject in society.

6.2 Rights and freedom vs. safety and security

The recurrent theme of balancing privacy rights and safety shows how legal consciousness is contextual and varies among individuals. Both Mike and Sarah, who worked in the educational field, viewed the proposition of Chat Control relatively positively. Their stance towards the proposition often highlighted its positive effect of increasing the security of children, over its potentially privacy-infringing consequences. Working in the educational field, their relation to the law is perceived differently, both compared to the other participants

and each other. Colored by their worldview, perception, and decisions in the educational environment they act in, their interpretation of Chat Control is focused on the well-being of children, as they both highlighted during the interviews. Once again, it is visible through the perspective of governmentality that an internalization of the security rationality has manifested itself in the perception of both Mike and Sarah. Reflecting their focus on the well-being of children that Chat Control poses, while neglecting its potential individual and social infringement.

The remaining four respondents shared somewhat similar perceptions of the EU proposition, although Fred and Bob expressed more often concerns about privacy infringement. While both were active in the IT field, privacy infringement and the violation of individual freedom online were more frequently discussed. Discussions concerning its feasibility were also addressed, focusing on how the data would be securely stored and if there would be some kind of guarantee of privacy. Compared to the previously mentioned interviews, the well-being of children was not as focused on. Given their profession and education in the IT field, one could argue that their environment has shaped how they view such regulations. Not saying that they did not acknowledge the well-being of children, but when balancing individual and social effects, the privacy infringement was given more priority. Their interpretation of the law and its legitimacy was therefore shaped by whether they primarily perceived themselves or others as being at risk.

This contextual and contingent aspect of legal consciousness was further identified when Mike showed a shift in stance when he added the aspect of whether he had children or not. As he stated, his perspective on the law would most certainly change to even more positive if he perceived that he had an obligation to protect his children. Thus, indicating that support for legal measures fluctuates depending on what personal stakes are perceived in the moment. At the same time, it supports the claim that legality is fluid, which Ewick and Silbey promote when presenting the three schemas of legality.

6.3 Legality and future of Chat Control

The majority of the participants perceive themselves as passive legal subjects, associating ‘before the law’. They feel that laws are created ‘top-down’ with minimal input from the affected citizens, indicated by “we don’t have much to say to them”. Sarah, however, stated that citizens can assert some influence from a ‘bottom-up’ perspective by shaping the topics that are discussed by politicians and legislators. Rather than viewing the law as a detached

and static authority, separate from the societal sphere, she expressed views that aligned with the ‘with the law’ orientation. Thus, viewing the legal and social sphere as intertwined and law as a negotiable and strategic tool of influence. Despite noting its potentially unjust application, she did not resist a future implementation of the proposal as long as the law was universally applied among citizens.

Continuing the discussion of fairness, the statement presented by many, “if it applies to everyone [...]” illustrates a formal legal consciousness visible in ‘before the law’, where the law is perceived as neutral, impersonal, and legitimate if applied universally. However, this belief is challenged when the effect of the law is seen as targeting a small portion of the population, making the posed neutrality feel unjust in practice. Similar resistance to Chat Control is illustrated among numerous participants. Fred questioned the surveillance method used and described it as an emerging “surveillance state”, Olivia viewed the proposition as “a start of a dystopian film”, Anna saw it as a temporary and situational solution that did not fix the root problem, while Mike viewed it as a tool of control. Aligning with Ewick and Silbey’s typology of ‘against the law’, the respondents viewed the law as unfair and generally negative concerning the individual perception of freedom and privacy. However, as most did not feel they had any influence in the legislative process, they still view the law as a passive legal subject, separate from the social sphere. Incorporating both their perception of law as a force of authority and their expressions of resistance, it can be argued that a form of non-confrontational resistance to the law becomes visible. This can further be interpreted within the context of being a Swedish citizen, where historically high levels of trust in the state and its institutions are mutually perceived, particularly in their role as protectors of public welfare. As such, the participants appear to partly support the underlying aim of ensuring public welfare, even if Chat Control itself remains somewhat controversial to some.

The discussion of fairness can also be correlated to the discourse of protection in the sense of liberal governmentality. While its consequences were acknowledged, a balancing act was made between the reduction of personal integrity and privacy, and its possibility of reducing child exploitation. Only one interviewee (Sarah) supported the implementation of the proposition, mainly by referring to its potential to secure the well-being of children. The majority of the participants, however, view it differently. Rather than emphasizing potential benefits, they focused on the proposal's negative impact on personal autonomy, which they perceived to outweigh its hypothesized outcomes. This generated a view of the proposal as one of securitization and control, rather than enhanced security. It was especially evident in Fred's and Anna's reasoning, where they both supported the aim of Chat Control but opposed

the specific method used, highlighting its intrusive nature. By failing to rely on subtle forms of governance, the proposition therefore disrupts the very self-regulating capacities that liberal governmentality seeks to construct and preserve. Resulting in an interpretation focusing on control rather than ensuring safety.

Nevertheless, if such a disruption has been made, which challenges existing norms of liberal governance, it can still contribute to a normalization of similar measures. Visible through statements that Chat Control could “open Pandora’s box”, viewing it as “a *start* of a dystopian film” and “*becoming* a surveillance state”, a form of normalization of expectations has already been established. Once a specific surveillance method is accepted and perceived as standard, more intrusive measures are expected, facilitating the expansion of surveillance practices. It reflects a mentality of expected advancement that social life *will* be further monitored in the future, causing a form of embedded expectation and governance through anticipation. This anticipation can further shape how inhabitants situate themselves with future surveillance measures, possibly raising the threshold for what is viewed as acceptable and a justifiable measure to ensure safety.

7. Conclusions and future research

The study showed that there was no unanimous experience of how the proposal of Chat Control was perceived concerning feelings of personal integrity and freedom. As the study did not seek to generalize the findings, assumptions concerning the population can not be made, although a more in-depth understanding can be presented. The analysis showed that individual experiences color how reality is interpreted, affecting how individuals position themselves to the law. To some, Chat Control was framed as a rational response to a perceived risk, which produced governable subjects who often accepted the surveillance in exchange for security. Others viewed it as an oppressive measure and a tool of control, causing infringement of personal freedom while justifying its use by highlighting its security rationale. Although individuals showed signs of resistance towards its implementation, no actual resistance was made, indicating that state law was still viewed as the higher authority.

The analysis also showed that the participants oscillated between acceptance, skepticism, and non-confrontational resistance, showing no consistent signs of where they positioned themselves to the law. Their view was shaped by personal identity, trust in institutions, interpretations of fairness, and many other aspects. By applying governmentality and the theory of legal consciousness, an internalization of Chat Control’s security rationality

was also identified. A few positioned themselves ‘before the law’, drawing on its potential to further ensure safety for children. Furthermore, by using biopolitics as an extension of governmentality, Chat Control was understood as a tool of managing the population through individually targeted surveillance. Thus, indirectly controlling the subjects and justifying its use by highlighting its possibility to optimize life and security. In the concluding part of the analysis, a normalization through anticipation was also identified, indicating that the participants were unknowingly or knowingly accepting future use of surveillance measures. By doing so, it could pave the way for the implementation of more intrusive policies. Thus, Chat Control can be viewed both as a preventative policy as well as a discursive mechanism that can reshape individual boundaries of liberal governance through subtle production of consent.

Because Chat Control has not yet been implemented, the participants’ responses are primarily shaped by speculation of future consequences, making the study more a reflection of shared cultural and legal meanings, rather than on what behaviour *will* be visible. It is therefore necessary to further study Chat Control after (and if) the proposition is accepted and the law is implemented. Possibly by conducting a comparative study where its speculated and actual outcomes can be compared, explaining its differences or similarities using a socio-legal perspective.

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9. Appendix

Appendix 1: Search strings for literature review

Online surveillance	“chat monitoring” OR “online surveillance” OR "mass surveillance" OR “digital surveillance” OR “data monitoring” OR “online surveillance” OR "state surveillance" OR "mass surveillance" OR “internet surveillance” OR “dataveillance”
Perception and views	"perception" OR "public response" OR “attitudes” OR “view*” OR “perceive*” OR “reaction”
Freedom and privacy	“Privacy” OR “freedom” OR “integrity”
Exclusions	"economic" AND "math*" AND "medicine"

Appendix 2: Predefined interview questions

RQ: How do Swedish citizens perceive and view the EU's proposed regulation of Chat Control concerning feelings of personal integrity and freedom?

Demographics:

- Age
- Gender
- Education level and current education
- Occupation
- Usage of communication apps and common texting (sms) (subjectively)

Understanding and perception of chat control:

- Have you ever heard about chat control?
 - Yes: What do you know about chat control? How did you first hear about it? How would you describe its purpose?
 - No: Neutrally inform them.
- Do you think it aligns with the state's role in protecting society? Why/why not?

Perception of chat control as surveillance:

- How do you feel about the government indirectly monitoring digital communication?
- Do you think chat control would influence the way you communicate online? How?
- Do you believe this kind of surveillance is necessary? (Sufficient, excessive, or inevitable)?

Their relation to the law:

- Do you feel that chat control is fair and just?
- Do you think citizens have a say in how surveillance laws are made and enforced?

Definition of freedom and integrity concerning online surveillance

- How would you define freedom and integrity in relation to online surveillance? What aspects are noteworthy to highlight?

Feelings of personal integrity and freedom

- Do you feel that your online privacy and personal integrity are protected in Sweden?
- Has chat control changed your sense of personal freedom? If so, how?
- Would you adjust your behavior in any way if the law was passed?

General views on state power and governmental control

- How much trust do you have in the Swedish government regarding digital privacy?
- Do you see chat control as a form of protection?
- Do you think surveillance like this could expand in the future? Why and how?

Appendix 3: Participant information sheet.

Interview Study of Chat Control 2.0

This study constitutes a part of my one-year master's study in sociology of law at Lund University. The general topic is how online surveillance is understood, and the specific aim is to examine how Swedish people understand and make sense of the relatively new EU proposal of a law called Chat Control 2.0. To gather the data, I will be conducting one-on-one interviews in Swedish, where you, as an interviewee, will be asked questions concerning Chat Control and online monitoring in general. My specific research question I strive to answer is: *How do Swedish citizens perceive and view the EU's proposed regulation of Chat Control concerning feelings of personal integrity and freedom?*

Your participation in this study is anonymous and voluntary, and you are free to cancel the interview at any time. If you wish to cancel after the interview has taken place, the answers you have given will be deleted. Sensitive information will either be anonymized or not included in the final product, and you, as a participant, will be given a false name to secure your anonymity. The recordings of the interviews will only be used within the limits of this study and will be stored safely where only I, as a researcher, have access. The recordings will be transformed into text by using the AI program Notebook LM.

The final paper will be available to the public on **LUB Student Papers** once the study has been examined and approved.

If you are interested in participating or if you have any questions, please send an email!

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