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Proposed title: *Inoculation of data*

David Velleman, in the introduction to his paper *How we get along* (2007), quotes Blackburn on a limitation of analytical moral philosophy.   He quotes from *Ruling passions* as follows:

> Amongst its many other infirmities, most analytical moral philosophy proceeds without ever clearly focusing on the social as a determining feature of individual action and motivation. (*Ruling Passions*, 1998).

Now we can say that this limitation of analytical moral philosophy is in accordance with a general rule that a given position's supposed strengths are generally much the same as its supposed weaknesses. The characteristics which give a particular philosophical approach its identity, that which allows it to be effective, is some set of devices of limitation, of narrowing down. These devices allow something to be said, a position to be taken. This position is both an effect of the positing of the identity of a position, and the very positing of that position itself. Thus there is an intertwining of the question of identity and of the narrowing down into a particular position, a sort of reciprocal intervention of each in the other.

In this case, then, we can see with Velleman and Blackburn that to proceed in analytic fashion, in moral philosophy as elsewhere, is to focus on the particular, the dissolving or breaking-down of issues. This is indeed the meaning of the Greek term *analuein*, and we can derive the history of this analytical approach back to the Peripetetics and the method outlined in the opening paragraphs of the *Physics* of Aristotle:

> Now what is to us plain and obvious at first are rather confused masses, the elements and principles of which become known to us later by analysis. Thus we must advance from generalities to particulars; for it is a whole that is best known to sense-perception, and a generality is a kind of whole, comprehending many things within it, like parts. (184a23-184b1)

From this method we get modern day science and other powerful disciplines, such as those in the field of technology, and those human sciences which owe their provenance to the 19th century desire to emulate the success of the natural sciences. However, this strength on the part of analytic philosophical method tends, perforce, to discourage the question of the social. The discouragement is a subset, we could say, of its avoidance of *all* holistically-based questions, and also the avoidance of such phenomena (I avoid the term philosophy here) as existentialism, gestalt psychology, general systems theory, general economics, and other similarly-minded progeny of anti-analysis. This avoidance often takes the form of a territoriality, a delineation of boundaries which helps to ensure (and insure) the identity of disciplines, to validate activities, to validate discourses, to define parameters and thus to allow, in the end, discussion.

Insofar as the identity of the individual is essentially an analytical problem, a question not of the social, not of wholeness of a field but rather of the individuality of one of those parts into which the original sense-perception field is, for Aristotle, divided, we may consider that the question of the identity of the individual, particularly in respect of technology and new media, is not only one which lends itself effectively to an analytic approach (given the structural consonance between the particular and the individual), but that this question will only have become both possible and significant in the modern era, post-Aristotle and more particularly, post-Descartes. It is not the case that the consonance between an analytical approach and the problem of the individual is a coincidence. The problem of the individual only arises in the context of a discourse which breaks wholes down into their parts in analytical fashion. Thus a "problem" such as this arises within the context of the ongoing formation of the identity of a discourse as it works itself through (so to speak) in creating that very identity.

This is to posit in turn a feedback mechanism, a movement to-and-fro, operating through time, history and tradition, between philosophy, the possibilities it opens up, and the ways in which society "expresses" itself in politics, law, its institutions and indeed the technologies it uses. We could call this a reflexivity of discourse. Discourse does not simply reflect the concrete manifestations of society and the individuals which make it up, although it does do this; it also makes that society and those individuals what they are in a reflexive movement and effect. In other words, in considering the relationship between thought or discourse and the question of the individual in society, including questions of a moral nature, we must pay attention to the type of judgment we cast. In Kantian terms, we must be careful which of the judgments of relation we select from his table of judgments in the first critique. The logical function of hypothetical judgment relates to the categories of cause and effect; because of its linear nature, the simplicity of its concept and its position in the natural sciences, this type of judgment is most easily deployed. It will not, however, be effective in disclosing the relationships between identity, society and the discourses in which these occur, for which purpose the logical function of disjunctive relation is surely more appropriate. Disjunctive logic relates, Kant says, to the categories of community, ie that of reciprocity between agent and patient. He also acknowledges that it is difficult to grasp, makes specific reference to this difficulty, and spends time explicating its significance:

> In the case of the category of community, its accordance with the form of a disjunctive judgment… is not as evident as in the case of the other judgments. To gain assurance that they do actually accord, we must observe that in all disjunctive judgments the sphere (that is, the multiplicity which is contained in any one judgment) is represented as a whole divided into parts, and that since no one of them can be contained under any other, they are thought as co-ordinated with, not subordinated to, each other, and so as determining each other, not in one direction only, as in a series, but reciprocally, as in an aggregate.… Now in a whole which is made up of things, a similar combination is being thought; for one thing is not subordinated, as effect, to another, as cause of its existence, but, simultaneously and reciprocally, is co-ordinated with it, as cause of the determination of the other.…… This is a quite different kind of connection from that which is found in the mere relation of cause to effect (of ground to consequence), for in the latter relation the consequence does not in its turn reciprocally determine the ground, and therefore does not constitute with it a whole – thus the world, for instance, does not with its Creator serve to constitute a whole.

Now, within any analytical philosophy which is part of this reciprocal movement of society and its discourse, the social does not, of course, disappear. Is it a question, rather, of the logical order in which it does appear. The analysis of society is generally and necessarily located *after* the positing and analysis of the individual and the particular. Thus the importance and position of disciplines such as psychology, that is, disciplines which, on the basis of the particular, look at connections *between* those particulars. For instance, David Shoemaker will state (in *Reductionist Contractualism* 2000), "I have very good reasons.… for cultivating… justifiability to all other selves with whom I am psychologically connected, given that they are, in a very real sense, extensions of *me*." Here, the self, the individual, comes first in the analysis, to be followed by the question of how this self becomes or is connected.

By contrast, avowedly holistic and anti-Cartesian discourses such as existentialism (most notoriously, Heidegger's starting-point of *Dasein*) will tend to avoid positing individuals prior to "the whole" (however this is characterised) and will therefore not include psychological issues within their ambit. Of course, in each case, the starting point will be in some way overturned; *Dasein* retains an inevitably individualistic tone; Shoemaker states elsewhere by means of modus tollens (in *The Irrelevance/incoherence of non-reductionism about personal identity* 2002) that "[i]t is not the case that questions of identity will always have determinate answers. Thus, we are not separately existing entities."

On the basis of these initial thoughts, I wish to briefly suggest in outline what we might term a systems approach, or a reflexive approach, to the question of ethics, the production of identity and the question of the "self" in respect of information technology. I wish to attempt to take seriously Kant's thought that the hypothetical logic of cause and effect is related less to a scientific way of thinking about society than to the thought of the Divine mover, the archetypal cause, who is entirely separate from our intra-mundane world; and instead try to think his idea of a disjunctive logic, a logic of communality, of reciprocal and simultaneous coordination and determination of one thing with another in the context of a whole.

This approach would then foreground the issue of the multiple feedbacks occurring between thought (in all its guises), the possibilities opened by it, technology, law and politics. It is now doubt the case that digital computers and their associated databases, as particular phenomena, could only have been created, and are only established, improved and in themselves (in their true nature and identity) correctly understood by means of analytical research. This is incontrovertible. However, from this it does not necessarily follow that such an analytical approach will say all that there is to say about the societal ecology within which such analytically characterised machines must operate. I use the term "ecology" here to echo again this idea of a systems approach, and to avoid here the idea of society as an object-like body or phenomenon the nature of which results from analysis.

We cannot, in other words, rule out a non-analytic approach in respect of the encompassing "ecology", even though a part of that ecology has been effectively roped off by analysis (and by "effectively" I mean both "in effect" and in a manner which is supremely effective). To put it in Kantian terms, we could say that there is a general environment in which relations of reciprocity and community obtain; and, as subsets of this, there are specific niches were we have in effect acted as a Godhead, as a cause divorced from its effects, and allowed within that niche or subset a realm of cause and effect to rule.

To wrench us elsewhere for a moment, this systems-approach to the ecology of databases has an eye to such post-Nietzschian thought as that of Deleuze (in *Difference and Repetition*) and Derrida (in *Différance* 1967), in the sense that both of these thinkers start from the idea and experience of *difference* from which any concept of identity or sameness will come to be derived. All identity is for them constructed, in an ecological and hyper-mobile system of thought, law, politics and information technology.

How, alongside (not *contra*) other approaches, might this inherently ambiguous mode of thought help clarify ethical issues? We will give two examples.

1 We note that questions of ethics and technology are inherently related to the specifics of individual countries and cultures. It is not possible, generally, to posit universally valid moral laws or rules for action in relation to these issues, since they occur only within a more or less specific ecology within which they gain their meaning. Currently, for instance, the UK government is proceeding with the development of a universal database of its residents, linked to an identity card supposedly guaranteed by biometric data (fingerprints, iris scans and so forth). In a country with no tradition of identity cards - the very suggestion has only been possible in an atmosphere of "war on terror" - this endeavour has an ethical and political meaning entirely different to other European states. The ecology and discourse within which this debate arises, and the resultant possibilities for the development and deployment of the technology, will therefore be most specific to the UK. On the on hand, this provides an example of how politicians can, by manipulating terminology - in this case, that of "war", since the only precedent in the UK for identity cards was the second world war - achieve technical results. On the other hand we know that the limitations of justificatory political UK-based discourse (in parliament and elsewhere) will in turn effect what it is possible to achieve in technical terms.

2 Similarly, the project of a universal UK health-care database, accessible in principle at all health-service locations and potentially by hundreds of thousands of individuals (including non-health-case professionals) is justified on broad technical grounds – that is, the more efficient

use of state healthcare funds and the better care of patients. It is becoming increasingly clear that any digital database is *per se* vulnerable to inappropriate revelation. An example of this is the recent loss of CD-ROMs with financial and identity details of 7 million children and their families from the UK tax authorities, data which could be used by criminals to commit fraudulent bank transactions. Politicians claim incorrectly that this vulnerability is a purely technical question amenable to technical (that is, information technology security) solutions. In other words, there is the promise that in an unspecified future it will be possible, in essence, to make these databases secure enough by means of a combination of managerial and computer-related decision.   In fact, the question of data security of this type is an ecological, and thus properly *political*, question relating to the human-centred environment in which the data is used. It is such to the extent that we can posit an absolute rule of non-security; it is *per se* not possible to protect against such security breaches by means of a technical solution. That is, to generalize, it is not possible to apply a non-disjunctive logic to this problem. It is not possible to pretend that the deployment of a computer database within society is amenable to the merely hypothetical logic of cause and effect. It is not possible to claim that the relationship of society as a whole to these databases is the relationship of Godhead to its creation. God remains unaffected by his creations – that is the concept of God, whether she exists or not; we, on the contrary, do not. I am not arguing that this inherent non-security, these inherent security lapses, rule out the idea of a national healthcare database. Rather it should be acknowledged in respect of health-care information, that the status of, say, the press, the privacy laws governing what it can reveal (and therefore how it can make its money) vary from state to state (compare the UK with France) and thus the ethical import of the necessary possibility of such security breaches will tend to vary according to the ecology within which it occurs. Similarly in the interaction with other fields such as insurance.

Taking one step further the theme of a feedback mechanism alternating to and fro between society, its discourses and the technological ecological niches being deployed within it, there is, I hypothesise, a structural - arguably ethical and political - law in respect of the issue of putatively private information storage in public-sector databases. This law states that in order for the development of technologically-driven databases relating to citizens to proceed, the data collected must necessarily be or become "inoculated", that is, made *relatively* innocuous compared to the data's previous status in a particular society. Since, as we have seen and contrary to the simplistic assurances of politicians, IT security is no defense against data release, there will inevitably be a tendency for the data to become or be made "worthless". This will in effect be a structural, not-get-roundable defense to the release of information; security by the back door, if you like. It is not that information will not be released, it is that the ethical import of this information will be toned down. This movement is already inherent and effective in the project of transparency, freedom of information, secularisation and emancipation of western social structures. For instance, it is only possible for a doctor's surgery to ask a patient their religion and record it in their database (as happens in the UK) if this information is relatively innocuous and does not lead to, say, persecution or prejudice against the individual. This goes in turn for all data. In reciprocal fashion, the very asking of a question and its recording in a national database presupposes that this question is *relatively* innocuous. In turn, the possibilities for release of the data into the public realm, for the purposes of blackmail, journalistic sensation, shaming or suchlike, and the inevitability of such release, will effect how relatively innocuous this data is by means of a ratchet moving in the direction of a reduction of prejudice and persecution of the individual. Thus we can say that an effect of the recording information in the name of technological efficiency has the inevitable effect of also emancipating the individual in relation to that information.

To conclude, what might be, then, the possible consequences of this "law" of inoculation or innocuation for politics, ethics and the status of the individual?

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