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Conscience in the datasphere

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Stephen Humphreys

Hobbes's bargain appears to be unravelling. In truth, we don't know who is supposed to protect us from whom.

Shutterstock/ patrice6000. All rights reserved. Deluged in data for more than a decade, our reflex has been to articulate our fears and anxieties in the language of privacy.

But it may be more appropriate – and useful – to think in terms of conscience. Etymologically, conscience is, of course, the “knowledge with” which we act, on which we are judged, and through which we achieve self-awareness. Today, this knowledge is produced in part through the steady streams of information we cede, emit and receive in the ceaseless data-flux that we now inhabit.

We might call this new reality “life in the datasphere”, extending the old ideal of a “public sphere” to capture how data immersion has become the fundamental condition of our lives as workers, public citizens and private persons.

The point is not that we now work, play and associate ‘online’ – it is that the distinction between on- and offline, real and virtual, is increasingly irrelevant. For many of us – not restricted by any means to the old west or middle classes – data technologies thread inextricably through our daily lives, through our health-records and tax-returns as much as our metadata and geolocations. The datasphere is our workplace, our play-space, our home.

If information is the datasphere's ecology, knowledge is its economy. Our own data-trail is subject to regular analysis and updating, mapping and recategorisation, finding its place in general statements about welfare, markets, security, sales.

We are ourselves increasingly called upon to select, parse, and restate in analytic form the data that surrounds. Social media is a space of knowledge creation in both these senses. And yet, the experience of data saturation is also marked by ignorance. We don't know how much data concerning ourselves is out there, where it is stored, who (if anyone) has access to it, how ‘secure’ it is. In the main, we don't even know in which jurisdiction(s) our data is held or what law(s) govern it. We don't know how the system works; we don't know *if* the system works; we don't know if there *is* a system.

Thirsting for voice

Life in the datasphere raises two questions of conscience. First, the conscience that niggles whenever we worry about the immense data-trail we leave behind, our extensive online record.

Even if we have done nothing wrong, we may worry about the detailed data-print we leave behind us as we go, like a transcript of our thoughts posted to the ether, or a confession before the tribunal of posterity. Who knows about us? What do they know? Do we ourselves have access to our own dataprint?

Second, the excess of data pokes and provokes a new kind of conscientiousness. There has been a recent spate of whistleblowers and a new kind of conscientious objector: Chelsea Manning, Edward Snowden, the veterans of the Israeli elite Unit 8200, who refused, in late 2014, to continue monitoring the everyday lives of ordinary Palestinians. Appalled by the extent of their own knowledge, they acted on conscience. There has been a resurgence in protest, and not just twitterstorms. There is a thirst for voice.

The return of conscience

In short, we are witnessing the return of both “bad conscience” and “good conscience”. Bad conscience: guilt, remorse, fear, paralysis – think Augustine, Dostoevsky, Freud. Good conscience: righteousness, autonomy, action – think Martin Luther, Roger Casement, Rosa Parks. These are, in fact, quite distinct ideas, with different protagonists, different moments in the historical limelight, and different rates of fading and renewal. Both have been immensely consequential in western thought. But both have become quite jaded of late: it has been fashionable for some time not to take conscience very seriously.

The demise of conscience as a serious political force has been taking place for hundreds of years – from its heyday in the tradition of radical conscience expounded in medieval Scholasticism. According to that tradition – developed through the writings of Philip the Chancellor of Paris, Bonaventure the Franciscan, and Thomas Aquinas – conscience provided a portal to the divine.

Conscience was conceived as a kind of judge or tribunal – capable of error like any other tribunal. But conscience was guided by something more reliable: the innate human knowledge of good, the ‘angelic part’ of the human. As Aquinas put it, “Human nature, insofar as it comes in contact with the angelic, must know truth without investigation.” This faculty, guiding conscience, was called *synderesis*.

Synderesis

Synderesis is an accidental word, starting out as a typo corrupting the Greek word for conscience (“*syneidesis*”) in a biblical commentary that spoke of the “spark of conscience”. It is a useful word, supplying something to guard against the passion and immediacy of ‘conscience’, something which ought to ‘ignite’ conscience. The Scholastics speak of *synderesis* as an unquenchable pilot light or beacon, an everlasting flame.

It is our natural capacity for reason, our inherent consonance with the Divine – but it may become obscured from us when clouded by passion. When *synderesis* is obscured, our conscience may be mistaken. We may have lost the word – but the undying flame of *synderesis* remains today as the symbol of human rights.

The Scholastics taught that we have a primary duty to follow conscience – even if it is mistaken and even (this is the interesting part) where it contradicts the law. We are obliged to clarify for ourselves the dictates of *synderesis* – but we must also obey conscience in the meantime. This is ‘radical’ conscience. It is a fine doctrine in a notionally universal community of the kind the Roman Catholic Church considered itself to be.

But as that unity broke down during the Reformation, radical conscience came to inform the truth-claims of the hundreds of fissiparous factions that flourished during Europe’s wars of the seventeenth century, also in England. Everyone – Diggers, Levellers, Ranters – claimed to be acting on the authority of conscience.

Hobbes targets conscience

Writing to end the tumult of that time, Thomas Hobbes made radical conscience a target in *Leviathan*. Clearly the idea that each individual is a potential source of moral and lawmaking authority was a recipe for political instability.

Hobbes’s solution was to distinguish sharply between “public” and “private” conscience. We are free in our private conscience, he said, to believe anything we like. But the public conscience belongs to the state and is expressed in law. We must obey the law, even if doing so runs against (private) conscience. We may object, but if we do, we must do so lawfully. That is what it means to consent to be governed.

So Hobbes proposed a bargain: we leave public conscience to the state and the state leaves our private conscience alone. Our secrets are our own and we may believe what we like, as long as we obey the law.

Good conscience is tamed in this scenario: where there had been *synderesis*, there is now the law. Bad conscience, by contrast, presumably thrives – the repository not only of misgivings over private misdeeds, but also

of our repressed public preferences.

And thrive it did. Few themes animated the modern literary imagination like bad conscience, from the great Victorian novelists through the high moderns, with Dostoevsky at the apex. That is, until Sigmund Freud debunked the whole notion of conscience as irrational and cruel.

In his account of the superego, Freud makes conscience the shrill voice of the repressed id, focusing its frustration into punishment of the ego. The superego adopts the voice of authority: God, the father, the state, the law. But because the superego is omniscient, guilt is inescapable. We are not guilty merely for things we have done, Freud said, we are also guilty for sins we wish we'd committed, laws we've considered breaking, desires we'd like to have acted out. Bad conscience is simply the internalisation of prohibition, of social code, a source of fear and paralysis.

Of course, in cracking the code, Freud arguably broke the spell: the history of the twentieth century is, on many accounts, one of gradual disinhibition.

Who's who?

Today, three changed circumstances seem to herald the return of conscience. First, Hobbes's bargain appears to be unravelling. It's not just the rise – let's say the ubiquity – of state surveillance. It is the more insidious dissolution of the boundary between public knowledge and private secrets. The datasphere is a free for all. And the state, we now know, far from policing the boundary, is actively plundering this new commodity, our data.

In truth, we don't know who is supposed to protect us from whom. Will the state shield our privacy from exploitative companies? Or, vice versa, do we expect Google and co. to guard our data from the state?

The cloud

Second, the datasphere, like the superego, knows a lot about us. It presumably knows more than we know it knows, more than we can remember. Our trail of digital detritus consists not just of emails, texts, status updates and voicemails, but of draft and deleted documents, search histories, reading habits, contacts, all stored, transferred, parsed, put to use, becoming searchable, trackable, hackable, actionable.

The data is 'there', for sure, but we don't know 'where', or who can access it. It is certainly more often subjected to algorithmic authority (to use Clay Shirky's term) than human eyes. In practice, 'the cloud' simply refers to other people's computers: we are relieved of the need to know whose. As a metaphor, though, the cloud is a lot like God – omniscient, nebulous, indifferent. We don't know. But we have every reason to worry – about mistaken identity, unsympathetic monitoring, overzealous policing.

Third, we-the-people don't seem to be holding up our side of the Hobbesian bargain too well either. Manning and Snowden broke the law, but we are more interested in their conscience than their obedience: Manning's failure to shield innocents, Snowden's conscientiousness on the same score. Both are heroes.

Ditching state authority

To reach back before the Hobbesian bargain is, presumably, also to reach back for something like synderesis. Here, for example, is Snowden: "I want to make it very clear that I did not do this to be safe. I did this to do what was right".

But to do what is right is also to ditch the state as highest authority. Snowden again: "individuals have international duties which transcend the national obligations of obedience. Therefore individual citizens [sometimes] have the duty to violate domestic laws." This feels like reaching for something, an appropriate source of 'duty' for a globalized self.

And so, in the datasphere, conscience, both good and bad, appears destined to return. On one hand, the paralysing realisation that our thoughts are naked and legible before an omniscient authority, whose knowledge and motives remain inscrutable to us.

On the other, a slow awakening into a capacity to act autonomously on the vast stores of information available to us. “There is still hope”, Snowden said, “because the power of individuals has also been increased by technology. I am living proof that an individual can go head to head against the most powerful adversaries and the most powerful agencies around the world and win.”

Conscientious, certainly – but is he right?