



Biometric identification:

*Of lies, proof, spoofing, and
spooof-proofing*

Glen Newey, Rome, 11.5.12



Overview

- Consider the rationale for the ethical taboo or prohibition on lying
- Argue that most plausible view of the basis for this rationale lies in the conditions needed for agreement – the terms individuals need to reach in order to combine their agency.
- This rationale does not motivate a blanket prohibition on deception, since there can be tacit or express agreement that lying is acceptable in certain defined contexts
- Deception in the political sphere can be adaptive. This goes for lying but also *a fortiori* for deception generically
- Civil disobedience against biometric intrusions into personal life can be justifiable

Prelude: of identity

- Not obvious what “personal identity is”;
cf. Locke
- Problems e.g. with “bundle of molecules” view
- Spatiotemporal continuity a better bet, but still disputed
- Supervenience and functionalist theses
- Pragmatic approach: we (think we) know what we mean



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Constructivism

On one current view, personal identity is *constructed*. The constructors may include the subject him/herself (cf. virtual identities).

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That poses problems for
biometric systems premised
on a single-continuer view of
identity (person as single thing
persisting through time)

The news about lying ...

- It's *bad*. Or at least wrong *pro tanto* ... most philosophers agree on this. Areas of dispute: how bad (or wrong) it is, and *why*.
- Evolutionary naturalism seems to give few pointers. While truth-sensitivity has obvious adaptive advantages, so does the capacity to deceive e.g. predators or competitor species.
- Simple utilitarianism gives no rationale for a blanket prohibition on lying. Rule utilitarianism *may* do so but at the cost of begging the question.

Kant

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- K's 2 arguments against lying:
universalisability and *humanity*.
- With universalisation it's hard to get a non-circular case for the universal prohibition. The humanity formula either has exceptions or gives the green light to lying in some forms.
- Note these are arguments about *lying*. Most writers accept that deception in some circumstances is permissible, e.g. because the curbs on lying apply specifically to *assertion*, and deception can be induced *non-assertorically*.

The truth about truthfulness...

- My view: adapted from humanity notion. Liars attempt to use others' agency, and the others *cannot* agree to this (insofar as they are deceived).
- Hence the argument rests on the possibility of merging agency. Sometimes one can make allowance for deception by prior agreement.
- Examples: *poker*, *collective responsibility*
- BUT! Philosophical treatises on deception focus on lying qua the abuse of the practice (speech-act) of *assertion*, and the normative expectations it creates
- Roughly speaking: if I assert something to you, that creates a right in you that I at least *believe* it, i.e. I have sufficient *warrant* for saying it.

From lying to deception

- The laxer rules on deception apply, particularly, when there is no pre-established *right* to the truth on the other person's part.
- But this is true with most non-mendacious (because non-assertoric) forms of deception
- This proves important when considering citizens' relation to the state ...

More news

- There is no contract between citizen & state
- There *could* be no contract that laid down contractual terms in general, without circularity
- Aside from that, there would be nothing to stop the insertion of a ‘spoofing clause’ in any such contract, invokable e.g. if the state fails to honour certain rights/guarantees (e.g. Emilio’s WWII example)
- Problematic to think software used in creating and operating databases could build in ‘autospoof’ algorithms to protect civil liberties, but this is a technical not a normative issue

Slick Willy/ Phony Tony

Also politics as a profession selects for “economists with the truth”

Institutional features of politics (such as party competition) militate against truthfulness since telling unwelcome truths may prove electorally ill-advised

This creates a climate of mistrust, scepticism, etc., towards the political class

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The life and times of political spoofing


- Current vogue for political transparency rests on need for accountability (e.g. FoI laws) and duties of citizenship
- **But some political goods *demand* withholding of info by government (security etc.) or by citizens (e.g. secret ballot)**
- More obviously, liberal politics engineers a split between public (citizen) and private (domestic or civil) personae

The epistemic republic

- DNA database ownership: who collates/ encrypts and grants access to data? The state? citizens? Private corps?
- That raises an obvious privacy issue; and
- If private corps, threat of discrimination based on BM variables
- If held by the state, information may be used for persecution (eg Rwanda), or authorities may be tempted to sell off data to private corps

Public life as spoofathon

- The basic position: there's no right not to be deceived (spoofed) unless such a right is created (e.g. assertorically)
- Liberal citizens do not, simply as citizens, abrogate the right to spoof in respect of public (or private) corps
- Popomo societies are spoofs-in-progress, with a shifting cast of would-be spoofers and spoofees (includes the state)
- In some ways this recalls earlier societies (cf. Jörg's presentation, coming soon)



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That's all for now folks

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