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Who are Digital Citizens?

Identity, Responsibility and Citizenship in a Datafied Society

Abstract

Identity, responsibility and citizenship are seriously challenged by datafication, that is, the process by which subjects, objects, and practices are transformed into digital data. This leads to a progressive de-humanization of these dimensions, as their meaning is made in reference to an abstract and disembodied data subject. Connecting their meaning instead to an embodied subject of experience in a digital world makes it possible to reconstruct them so they can provide meaningful references that drive the development of the digital world. Identity, responsibility and digital citizenship will be discussed and connected within the context of the performative theory of digital citizenship proposed by Isin Engin and Evelyn Ruppert. This will then be put in dialogue with the reflections on identity and responsibility proposed by Paul Ricoeur and Herbert Hart.

Keywords: Identity, responsibility, digital citizenship, datafication; algorithmic society.

1. Introduction

The pervasive datafication of many aspects of our lives brings important implications. This is a process sustained by the “widespread belief in the objective quantification and potential tracking of all kinds of human behaviour and sociality through online media technologies”, also termed dataism¹. Its coupling with the increasing role played by Artificial Intelligence in crucial decision-making processes (Yeung), raises relevant concerns for the health of democratic citizenship. In such a landscape, reconsidering the idea of digital citizenship becomes a crucial task.

The emergence of ‘surveillance capitalism’² and the spread of ‘surveillance culture render’³ obsolete the traditional separation between the observer and the observed. Surveillance is interiorized in wider cultural attitudes as well as in personal habits, generating ‘surveillance imaginaries’ and, accordingly, ‘surveillance practices’. In a context in which the public and the private identity of individuals is increasingly built by algorithms and is based only partially on traditional social dynamics of identity construction⁴ the consequence is that “there is no single, static sense of us but rather an untold number of competing, modulating interpretations of data that make up who we are”⁵. In fact,

¹ Van Dijck (2014: 197–208); Southerton (2022: 358–61); Edmond et al. (2021).

² Zuboff (2019).

³ Lyon (2018).

⁴ De Hert (2008).

⁵ Cheney-Lippold (2017).

the identity of data subjects results from correlations that algorithms determine between data points which are individually insignificant, and which produce digital alter egos: “people are broken down into a series of discrete informational flows which are stabilized and captured according to pre-established classificatory criteria. They are then transported to centralized locations to be reassembled and combined in ways that serve institutional agendas. Cumulatively, such information constitutes our ‘data double’...”⁶. As a result of these algorithmic operations, “we are temporary members of different emergent categories”⁷ so that online citizenship is also assigned on the basis of a new *jus algorithmi*⁸.

At the end of these processes, we face an ‘interpolated subject’ open to multiple fluctuating interpretations, the *dividual* in Gilles Deleuze’s term, so that “without an embodied, always complete and unique identifier to call John, ‘John’ is an unstable inventory of potential meaning”⁹. Reduced to ‘data bodies’ we are therefore dispossessed of our identities and constituted radically as others-than-ourselves, since multiple and modular representations (‘identities’) are assigned to us. Data do not reflect our personal, social or political identity but, rather, they assign it as the outcome of continuous algorithmic processing, so that “any conclusion drawn from that perspective is an anticipation”¹⁰ which works not as a prediction but as a pre-emption. The increasing legal and social relevance of these processes has considerable impact on our contemporary philosophical, juridical and political anthropology. Fundamental categories like identity, agency¹¹ and citizenship are involved, up to the very idea of the human. A further problem is represented by the fact that this is not only a macroscopic societal phenomenon, but also represents an individual moral experience, namely that of a “mortification of the self”¹² so that “the effects of these advanced technologies should not be described in terms of weak or strong personalities, but in terms of their impact on identity-building, citizenship and democracy”¹³.

Since the digital world is also driven by ideas, it is urgent to clarify and reaffirm the meaning of those basic key ideas that are most relevant to the structuring of a democratic society. The following analysis will focus specifically on the interplay between the ideas of identity, responsibility and citizenship in an attempt to help delineate an ethical-political anthropology that is equipped to provide answers to some of the more acute problems posed by the ‘algorithmic society’.

2. Identity

In the face of problems flowing from datafication, some authors have invoked the need to reconsider the idea of personal identity, with the aim of reaffirming the incomputable nature of the Self. To this end, the distinction proposed by Ricœur between two different but interconnected ideas of identity,

⁶ Raley (2013: 126).

⁷ Cheney-Lippold (2017: 4).

⁸ Cheney-Lippold (2017: 172).

⁹ Cheney-Lippold (2017: 170-173), emphasis added.

¹⁰ Hildebrandt (2006).

¹¹ Sætra (2018); Rouvroy (2016); Hildebrandt and Vries (2013); Hildebrandt (2006a).

¹² Harcourt (2015).

¹³ Hildebrandt (2006: 13).

namely identity-idem and identity-ipse, has been engaged. The ipse is dynamic and immaterial while the idem is material and fixed. Whilst personal identity is built on a combination of these two dimensions, datafication and the operations it enables—data analytics, profiling, decision-making by algorithms—reifies personal identity. In this way identity is flattened into the idem category at the expense of the ipse dimension. To respond to this situation, this double articulation of identity and in particular the crucial role of the ipse, should remain at the core of the contemporary idea of privacy, which aims at ensuring the possibility of building autonomy and identity, subtracting it from the possibility of computation, of a complete translation in data:

[...] incomputability is not rooted in the translation from atoms to bits, or in the temporality that forms the abyss of unpredictability of the physical world. It is rooted in the double contingency that erupts whenever I am addressed by another human being who addresses me as a grammatical first person [...] this particular first-person perspective cannot be formalized or captured in terms of data or programs, because this would always result in a third-person (or idem) perspective [...]. 'Me' and 'I' thus form the incomputable self (the ipse) that cannot be represented other than via the bypass of an objectified (third-person, idem) perspective. What matters is that this bypass is necessarily ephemeral; it requires hard work to stabilize and—in the end—remains underdetermined. This is core to our non-essentialist essence. (Hildebrandt, 2019, p. 93)

The relevance of this theoretical proposal is manifest when we consider examples of the datafication of identity applied to policing (Redden, 2018), spanning from 'traditional' policing in crime management (Joh, 2016), up to the surveillance of emotional states (McStay, 2020). This approach has relevant implications since it aims at maintaining the unity of the subject, i.e., at preventing the separation of the digital subject from the embodied Self, rather than reducing digital identity to a data construct. This is, above all, a struggle around the meaning of some fundamental categories, specifically that of personal identity (Sætra, 2019). Given the algorithmic reconstruction of identity emerging from data analytics, ("the future of identity online is how we negotiate this emergence"¹⁴), this negotiation begins from the very language we use, starting from the ambiguity of the term 'data' itself, which is misleading since it points towards a reality presented as 'given', as the etymology of the word data suggests, whilst instead it is 'taken' (latin capta) as it is created and not found¹⁵.

In pursuing this theoretical research, Ricoeur's reflections on the identity of the self as a legal subject are of particular relevance in relation to these contemporary phenomena. For Ricoeur, the Self attains the highest level of capacity when constituted as a subject of rights. This is especially so when considering the dialectical relationship between an idea of responsibility and one of imputability through which the Self attains new capacities, in other words, "imputability as an aptitude for imputation"¹⁶. With imputation, the Self attains the highest level of capacity in that it conjugates the recognition of the other (horizontal dimension) and the recognition of the norm (vertical dimension). The inscription of identity within the legal sphere expands the capacities of the self since it combines the horizontal and vertical dimensions¹⁷. The formal legal identity of the subject of rights is an essential part of the identity of the Self and, vice versa, the legal self is not constituted exclusively within the legal

¹⁴ Cheney-Lippold (2017).

¹⁵ Kitchin (2014).

¹⁶ Ricoeur (2005: 107).

¹⁷ Ricoeur (2005: 106).

system since its identity also stands—crucially—on non-juridical grounds¹⁸. It is through their virtuous intertwining that the Self becomes a ‘full’ subject of rights.

Ricoeur highlights the crucial relevance of the dynamics of recognition for the constitution of the identity Self, including those involving the juridical sphere: “recognition introduces the dyad and plurality in the very constitution of the self. Reciprocity in friendship and proportional equality in justice, when they are reflected in self-consciousness, make self-esteem a figure of recognition”¹⁹. These forms of recognition on the juridical plane generate new capacities, since the formal enlargement of the plane of rights awarded by the legal system enriches the capacities that subjects recognise in themselves and, reciprocally, in others. As a consequence, the legal subject cannot be reduced to a purely abstract figure, since the triadic relation “I-you-third person” confers to the legal subject a “dialogical and institutional structure”²⁰.

In fact, as Ricoeur explicitly states, in order to become a subject of rights in the full meaning of the word illustrated above, the capacities of the Self need to be actualised through a “continual mediation of interpersonal forms of otherness and of institutional forms of association in order to become real powers to which correspond real rights”²¹; this puts in question the distinction between the legal subject and the embodied Self. While the legal concept of a subject is considered to be essentially an abstraction²², Ricoeur rethinks it within the anthropology of the capable Self, speaking of a ‘veritable’ or a ‘real’ subject of rights²³ distinguished from its purely formal notion. Thus, the subject of rights is not reduced to a legal abstraction since, as far as narrative identity and recognition are concerned, this subject is and has to be an embodied one. For Ricoeur, the capacities of the subject of rights do not flow only from theory but are the product of concrete “struggles for recognition”; these are often motivated by misrecognition, which represents a call to action²⁴.

Reconsidering the subject of rights within this perspective implies a crucial theoretical shift, that of framing this subject not primarily in relation to a reactive and retrospective idea of responsibility, which engages a subject to which it is ascribed, but to a prospective and proactive one, which engages a subject capable of assuming it by virtue of a disposition to take responsibility for the other. The capacities characterizing the ‘veritable’ subject of rights are then represented by the idea of responsibility:

...the idea of responsibility draws one of its meanings from this passage from humiliation, felt as a blow to self-respect, passing through indignation as moral riposte to this hurt, to choosing to participate in the process of enlarging the sphere of personal rights. Responsibility can be taken in this regard as the capacity recognized by both society and oneself that ‘a subject is capable of acting autonomously on the basis of rational insight. Responsibility as a capacity to take responsibility for oneself is inseparable from responsibility as the capacity to participate in a rational discussion concerning the enlarging of the sphere of rights, whether they are civil,

¹⁸ Michel (2006: 424).

¹⁹ Ricoeur (1992: 296).

²⁰ Ricoeur (2000: 5).

²¹ Ricoeur (2000: 5).

²² Thomas (1998); Druet and Ganty (1999).

²³ Ricoeur (2000).

²⁴ Ricoeur (2005: 152–53).

political, or social'. The term responsibility therefore covers self-assertion and the recognition of the equal right of others to contribute to advances in the rule of law and of rights²⁵.

So, the capacity to recognise the vulnerable other as an object or recipient of responsibility is an essential attribute of the constitution of the Self as a subject of rights²⁶. The crucial role of responsiveness as an attribute of the subject of rights gives responsibility a connotation that is more constructive rather than reactive, as the motivation to take care of the other is part of the idea of being responsible²⁷.

Considered as the form of capacity that qualifies the subject of rights, responsibility is engaged in a proactive manner, in contrast with liability or accountability. Prospective responsibility implies behaviour and practice that may also extend over and above legal requirements, as happens when claiming rights. Prospective responsibility takes responsibility far from the logic of responding to a charge to action—linked to legal duties and obligations—motivated by responsiveness or care for the other.

3. Responsibility

In continental legal positivism, paradigmatically Hans Kelsen's Pure Theory of Law, both the idea of the legal subject and that of responsibility are conceived as purely formal constructions. In Kelsen, legal responsibility is intentionally completely disconnected from moral imputation, so that responsibility loses any naturalistic reference to the agent, and is instead conceived as a purely normative concept:

Imputation, which expresses itself in the concept of responsibility, is therefore not the connection between a certain behavior and an individual who thus behaves. [. . .] Imputation, implied in the concept of responsibility, is the connection between a certain behavior, namely a delict, with a sanction"²⁸.

Accordingly, Kelsen maintains that the idea of a 'legal subject' is a purely artificial notion²⁹, and that ultimately a 'legal person' is a metaphor referring to a complex of rights and obligations:

The physical or juristic person who 'has' obligations and rights as their holder, is these obligations and rights—a complex of legal obligations and rights whose totality is expressed figuratively in the concept of 'person.' 'Person' is merely the personification of this totality³⁰.

This approach is in line with the formalization of the subject at play when it is constructed as a data subject, and indeed may involuntarily be its dangerous ally, since in both cases we are confronted with the reduction of the subject to a purely abstract concept, legal in one case, a data body in the other.

²⁵ Ricoeur (2005: 114).

²⁶ Ricoeur (2005: 72–90).

²⁷ Dierckxsens (2017: 589).

²⁸ Kelsen (2009: 81).

²⁹ Kelsen (2009: 169).

³⁰ Kelsen (2009: 173).

Whilst the legal formalization of subjectivity has its own rationality and advantages, nevertheless this shift in the meaning of the concepts may occur at the expense of other meanings and may lead to the transformation of the very meaning attached to notions such as identity and responsibility, which still retain—and indeed primarily evoke—a meaningful connection with the figure of a concrete agent.

In contrast with the formal legal-positivistic approach, Ricoeur proposes to recover the idea of imputation as the primary root of the idea of responsibility, so that “it is outside the semantic field of the verb ‘to respond,’ whether it be a question of answering for or responding to, that we have to seek the founding concept; in fact, we must look in the semantic field of the verb ‘to impute’”³¹. In this way, the idea of imputation is articulated along the connection between the action and the agent, which for Ricoeur represents the most fundamental meaning of responsibility. Indeed, it precedes any idea of retribution due as an answer to a request coming from the law.

Here another shift in perspective is necessary, one with a more deliberate orientation of responsibility towards the future for Ricoeur: “For the retrospective orientation that the moral idea of responsibility has in common with the juridical idea, an orientation thanks to which we are eminently responsible for what we have done, must be substituted an orientation that is more deliberately prospective, as a function of which the idea of prevention of future harm will be added to that of reparation for harm already done”³². In order to fully deploy the potentialities of this shift in perspective it is therefore necessary to consider the differences between retrospective and prospective responsibility. In the traditional legal perspective, these are considered symmetrical, with prospective responsibility being merely a synonym for the retrospective one, a shortcut for the imputation of rights and duties:

In a temporal sense, responsibility looks in two directions. Ideas such as accountability, answerability and liability look backwards to conduct and events in the past. They form the core of what I shall call ‘historic responsibility’. By contrast, the ideas of roles and tasks look to the future, and establish obligations and duties—‘prospective responsibilities,’ as I shall call them. Accounts of legal responsibility tend to focus on historic responsibility at the expense of prospective responsibility³³.

In order to disentangle these concepts, it may be useful to align these different dimensions of responsibility to two different semantic poles: a passive one, that of imputation and sanction, typical of the traditional moral-legal concept, and an active one, that in which the first person assumes responsibility.

Retrospective responsibility is backward-looking and is linked to the idea of an ex post facto evaluation of a situation and a subsequent judgment conceived in terms of imputation of consequences. It is built around the ideas of sanction (liability), compensation (damage), and justification (accountability), which essentially shape responsibility as a reaction to a certain state of affairs.

Prospective responsibility, in contrast, is forward-looking and is connected to the idea of first-person assumption of responsibility, not only in the sense of complying with some pre-established duties, but also in that of proactively assuming responsibilities for a certain state of affairs even when specific legal duties are not (or cannot) be codified in advance. Therefore, prospective responsibility is

³¹ Ricoeur (2000: 13).

³² Ricoeur (2000: 31).

³³ Cane (2002: 31).

more freely assumed by the subject than imputed as an obligation³⁴. It is in this respect that it is intimately related to the fundamental anthropology of the Self, unlike its legal-positivistic concept which is primarily aligned with its retrospective articulation.

Therefore, to fully grasp the relevance of prospective responsibility, Ricoeur's reflections on the subject of rights and responsibility will be cross-read with H.L.A. Hart's analysis of responsibility³⁵, often taken as a reference point in legal theoretical analysis³⁶. Whilst on one side, Ricoeur offers a way to detach Hart's analysis of responsibility from a (still prevailing) essentially retrospective account, on the other, Hart's analysis offers a theoretical grid that helps to characterise prospective responsibility³⁷.

Amongst the different meanings of responsibility retained by Hart (e.g., responsibility as role, responsibility as capacity, responsibility as cause, responsibility as liability), it is useful to closely consider the idea of role-responsibility, characterised in these terms: "the duties of a relatively complex or extensive kind, defining a 'sphere of responsibility' requiring care and attention over a protracted period of time"³⁸. What is interesting here is that Hart explicitly links the idea of role-responsibility to that of a 'responsible person', that is, "one who is disposed to take his duties seriously; to think about them and to make serious efforts to fulfil them"³⁹. From this characterisation it emerges that this type of responsibility implies an element of personal commitment that goes beyond the idea of strictly complying with the law⁴⁰. We might call this 'virtue-responsibility' or capacity as it indicates it as⁴¹, 'disposition, which therefore essentially points towards some personal quality of the agent'⁴². Indeed, Hart speaks of "taking role-responsibility seriously"⁴³, explicitly characterizing it within an ethics of excellence, not limited to the "morality of duty"⁴⁴, since it implies a proactive engagement that extends beyond simple compliance with an obligation.

These two analyses of responsibility converge: the prospective idea of responsibility evoked by Ricoeur fits within the idea of role-responsibility developed by Hart, since both connect legal and non-legal elements, and notably turn around the idea of a personal element characterising them. To be responsible, in this sense, is not simply to be able to designate oneself as the agent of an action already accomplished but to be in charge of a certain 'zone of efficacy'. Ricoeur's analysis of responsibility, then, finds an echo in these elements of role-responsibility; in its turn, it acquires a more definite meaning when reconnected to a prospective form of responsibility.

When considered as a capacity of the subject of rights, the idea of responsibility is engaged in an active or even pro-active manner, more than being invoked as the result of a retroactive ascription. The prospective articulation of responsibility takes the idea of responsibility far from the logic of responding to a charge—linked to legal duties and obligations—and towards action motivated by engagement,

³⁴ Cane (2002: 48).

³⁵ Hart (1968).

³⁶ Van de Poel (2011); Vincent (2011).

³⁷ Cane (2002: 34).

³⁸ Hart (1968: 213).

³⁹ Hart (1968: 212).

⁴⁰ Fuller (1969).

⁴¹ Haydon (1978).

⁴² Haydon (1978: 46).

⁴³ Cane (2002: 32).

⁴⁴ Fuller (1969).

anticipation, and care; it points towards the play of dynamics of recognition more than towards those of retrospective ascription. For Ricoeur, this capacity for recognizing the other as an object of responsibility is an essential attribute of the constitution of the embodied experiencing self as a subject of rights⁴⁵. This essentially personal element may be termed responsiveness and is what gives to responsibility more of a constructive rather than a reactive connotation, as the motivation to engage responsibility with and for others is itself part of the idea of being responsible⁴⁶.

The distinction between retrospective and prospective responsibility is not merely a matter of shifting a temporal perspective that moves reciprocally backward and forward. Contrary to what is often maintained within legal theory⁴⁷, the two dimensions are not fully symmetrical. There are indeed crucial differences between them. Where the central dimension of retrospective responsibility is that of imputation, prospective responsibility must be read not simply in terms of an anticipated ascription (as is sometimes suggested in theoretical legal analysis⁴⁸) but as linked to the capacity of the self when implicated as a subject of rights in a concrete situation. Thinking of responsibility as a reflexive and intersubjective capacity implies—contrary to Kelsen’s stance—that the connection with the subject is an essential element of prospective responsibility, and in this way disconnects the semantic roots of responsibility from the exclusive reference to the idea of obligation.

Re-centring the semantics of responsibility on the role of the agent opens two parallel but interconnected streams of reflection, namely, that of the redefinition of the agent as a subject of rights and that of the temporal articulation of responsibility. Within this perspective, framing responsibility prospectively does not simply alter the conditions for its ascription, but more radically revisits its fundamental semantics. Once reconnected to the revised idea of the legal subject more than to the idea of obligation, responsibility is connected to the ideas of care and responsiveness, both of which characterise responsibility more in prospective and proactive terms rather than in reactive ones. These features make the idea of prospective responsibility far more complex than one that can be identified as symmetrical to the idea of obligation.

The prospective idea of responsibility is not a reaction to a certain state of affairs but rather a projection ahead which requires that a capable subject recognise its responsibility towards the other. The dimension of prospective responsibility, thus, links the abstract subject of rights and the responsive embodied self. The interrelation between Ricoeur’s concept of responsibility and his revised fundamental anthropology of the subject of rights deepens the meaning of both; the subject of responsibility is now the ‘veritable’ subject of rights, a subject assumed in its embodied dimension and not confined to a pure legal abstraction. The connection between the embodied legal subject and the digital citizen now remains to be explored.

⁴⁵ Ricoeur (2007).

⁴⁶ Dierckxsens (2017: 589).

⁴⁷ Garzón Valdés (1996); Feinberg (1988) Hart (1968); Villey (1977).

⁴⁸ Feinberg (1988).

4. Digital Citizenship

The concept of digital citizenship originally emerged to describe the condition characterising contemporary datafied societies, where political engagement, access to services and more in general a considerable part of social and economic activities pass through online interactions, so that “we increasingly enter the sphere of civic activity—and develop agency—through digital media”⁴⁹. The most acknowledged meaning of digital citizenship defines it as “the ability to participate in society online”, so that ‘digital citizens’ can be defined as “those who use the internet regularly and effectively, that is on a daily basis”, reflecting how online participation today represents a crucial element of democratic societies⁵⁰.

An increasing number of contemporary theories of (digital) citizenship depart from the traditional approach to citizenship intended as membership, typically that of a nation-state, whilst most of them focus on the figure of the digital citizen intended as the subject of his or her own self-creation or self-assertion through digital acts⁵¹. Along these lines, for instance, some authors propose reading digital citizenship as the ability to produce a ‘civic culture’ built through digitally supported processes of narrative exchange: “it is unhelpful to approach ‘digital citizenship’ simply by asking what digital tools can add to stereotypical acts of citizenship (voting, joining a party, reading a manifesto). It is more helpful to ask how digital infrastructures can support a wider ‘civic culture’”⁵².

In reshaping the ideas that drive our world, we can make sense of this ethical, legal and political panorama following the performative theory of digital citizenship proposed by Engin Isin and Evelyn Ruppert⁵³, combined with the previous analysis of identity and responsibility. This approach to digital citizenship is of particular interest for reacting to this landscape because it gives an active and proactive role to citizen-subjects in enacting themselves as digital citizens, departing from the idea of conforming to a predefined idea of citizenship. Another reason this approach is interesting is that it connects citizenship with rights in an interesting manner, given that it is by claiming rights that we become citizens, be it through words or actions⁵⁴. Reading this theory in conjunction with Ricoeur’s reflections on the subject of rights and the issue of responsibility may provide resources for the construction of an ethical-legal anthropology which effectively complements this theory of digital citizenship. From this perspective, being digital citizens is not simply the ability to be online⁵⁵, but rather focuses on the figure of the citizen as a self-enacting political subject. From this view “we cannot simply assume that being a citizen online already means something (whether it is the ability to participate or the ability to stay safe) and then look for those whose conduct conforms to this meaning”⁵⁶. Following a performative theory of (digital) citizenship, it is by making digital rights claims that digital citizens are self-constituted as

⁴⁹ Hintz, Dencik and Wahl-Jorgensen (2019: 19).

⁵⁰ Mossberger, Tolbert and McNeal (2008).

⁵¹ Hintz, Dencik, and Wahl-Jorgensen (2019).

⁵² Couldry et al. (2014).

⁵³ Isin and Ruppert, (2020).

⁵⁴ Isin (2019).

⁵⁵ Isin and Ruppert (2020: 83).

⁵⁶ Isin and Ruppert (2020: 33).

political subjects. Moreover, by making rights claims we constitute ourselves as digital citizens not only as individuals but as collective political subjects⁵⁷.

The figure of the digital citizen emerging here is that of a political subject with a relational and a collective nature, so that “the citizen is a collective political subject that requires being and acting with others in the enactment of rights”⁵⁸. Digital citizenship and digital citizens are the products of “acts of citizenship”⁵⁹ which may consist in words and discourses, as well as in material acts which have the capacity to ‘speak’. These acts are in turn fed by an imaginary of citizenship which is mobilized by those who claim rights, thus, “making rights claims involves not only performative but also legal and imaginary forces”⁶⁰. Citizenship is therefore constituted through the productive tension between the imaginary forces, which project the claims beyond the current status of the law (be it by claiming rights not enshrined in positive law, or by claiming the effectiveness of rights formally recognized but not yet fully implemented in practice), whilst at the same time invoking the force of the law. This situation can be expressed as a tension between submission and subversion:

If rights of citizenship come into being in law, the citizen comes into being through the performance of that law or performance of the right to claim rights. If the citizen comes into being performatively through rights, the imaginary of citizenship mobilizes this figure of the citizen as a subversive subject. He or she is a subject of power whose acts of citizenship are simultaneously of submission and subversion. Acts of citizenship embody these two contradictions⁶¹.

I will focus on a crucial aspect of this theory that must necessarily be taken into account, especially because of the philosophical anthropology it implies. The analysis will address in detail the transition between two ideas. First, the idea of “bodies acting through the internet” and second that of subjects who constitute themselves as digital citizens by making rights claims. Between the two, a crucial switch of perspectives is at play, namely that from the third-person stance of “bodies acting through the internet” to the first-person stance of the “I, who claims rights”.

In the theory under consideration, these two perspectives remain somehow disjointed, whilst they should be more closely bound to each other. If we agree that citizenship cannot be entirely presupposed, and that citizens enact themselves through claiming rights in the cyberspace by mobilizing an underlying ethical, legal and political imaginary, then defining who the claimants are, what kind of human beings they are, becomes of paramount relevance. The authors speak of “bodies acting through the internet” with an explicit Foucauldian reference to the idea of subjects both to and of power⁶². However, the performativity of these acts of citizenship from the first-person perspective of the rights-claiming subjects (I, we) is harder to understand from this point of view, since it needs to give an account of the claimants’ own perspective.

⁵⁷ Isin and Ruppert (2020: 11).

⁵⁸ Isin and Ruppert (2020: 149), emphasis added.

⁵⁹ Isin and Nielsen (2013).

⁶⁰ Isin and Ruppert (2020: 28).

⁶¹ Isin and Ruppert (2020: 37).

⁶² Isin and Ruppert (2020: 27).

Whereas it is clear how the interplay between dynamics of submission and of subversion constitute individuals as subjects to and of power, instead the philosophical anthropological implications of subjects enacting themselves as citizens by claiming rights are not fully accounted for by this theory. In fact, claiming rights implies representing oneself and recognising others as subjects of rights and responsibilities more than as “bodies acting through the internet”.

If the constitution of the digital citizen is a function of rights claiming⁶³, then we shall turn to what it implies to claim rights from the first-person perspective of the claimant subjects and not only from that of the acts. More explicitly: the prospect of establishing oneself as a digital citizen by claiming one's rights must include a theory of the claimant that can account for the ethical and philosophical foundations on which individuals establish themselves as citizens through acts of claiming rights.

This is a crucial issue to address, given that, according to the theory under consideration, citizen-subjects must be committed to claiming specific rights, particularly those that respond to democratic, non-racist, non-homophobic, and non-discriminatory values. Since this is an essential feature of the theory, it renders more acute the necessity of outlining an ethical-philosophical anthropology that is consistent with these premises and capable of supporting them.

In fact, we know why and how digital citizens come performatively into existence, but one more question needs to be examined: who are digital citizens? The same question is asked by the authors: “who is the subject of these digital rights? [...] ‘who’ does not correspond to an already formed political subject but a figure: How is a political subject being constituted as a claimant of digital rights?”⁶⁴.

Despite the numerous examples provided of outstanding figures of prototypical digital citizens—so to speak—the authors point at the more general figure of an incipient subject, “a new figure of a citizen yet to come as the subject of digital rights”⁶⁵. It is thanks to their ability to stage scenes of dissent through words or actions that digital citizens enact themselves, since, following Rancière, “staging dissensus brings into play the imaginary, performative, and legality of rights all at once and constitutes subjects as citizen subjects of power”⁶⁶.

Yet, if digital citizens performatively enact themselves through the act of claiming rights, and if “it is by making and responding to callings (and the various actions that these mobilize) that subject positions as ways of acting come into being” so that “the citizen subject is not merely an intentional agent of conduct but also a product of callings that mobilize that conduct”⁶⁷, then the theory must integrate a philosophical anthropology of the digital citizen. Such a theory cannot be understood only from the acts and their contents but must also account for their meaning from a first-person perspective. If citizens enact themselves in response to a calling, then on which grounds shall we explain the motivation of the agent to take up the calling and act? Even closely following the idea that subjects are constituted as “citizen subjects of power” through the “play of obedience, submission, and subversion [...] a play configured by the forces of legality, performativity, and imaginary which call on subjects to

⁶³ Isin and Ruppert (2020: 28).

⁶⁴ Isin and Ruppert (2020: 166).

⁶⁵ Isin and Ruppert (2020: 166).

⁶⁶ Isin and Ruppert (2020: 171–72).

⁶⁷ Isin and Ruppert (2020: 85).

be open and responsible”⁶⁸, it is still necessary to give an account of their responsiveness, intended as a capacity or disposition to respond to callings.

So, what characteristics should an ideal candidate possess to become a digital citizen in this sense? In my view, Ricoeur’s reflections on the identity of the Self as a subject of rights as well as on responsibility meaningfully complement this approach to digital citizenship because they provide the missing traits towards defining a fundamental anthropology for the self-enacting digital citizen.

I think Ricoeur’s theory is particularly relevant here, given the crucial importance played by the legal dimension in his theory of recognition. Indeed, for Ricoeur the Self attains the highest level of capacity when constituted as a ‘full’ subject of rights. It is precisely within the dialectical relationship between the idea of responsibility and that of imputability that the Self attains new capacities, namely “imputability as an aptitude for imputation”⁶⁹. With imputation the Self attains the highest level of capacity in that it conjugates the recognition of the other (horizontal dimension) and the recognition of the norm (vertical dimension). Ricoeur stresses the crucial relevance of the dynamics of recognition for the constitution of the Self in the juridical sphere: “Recognition introduces the dyad and plurality in the very constitution of the self. Reciprocity in friendship and proportional equality in justice, when they are reflected in self-consciousness, make self-esteem a figure of recognition”⁷⁰.

A link can be established with acts of rights claiming as these are not an abstract idea but the product of concrete historical processes⁷¹ which resonate with the concrete historical perspective on digital citizenship embraced by Isin and Ruppert. Clearly here recognition has to be intended not in its purely legalistic sense, but in a wider ethical and political perspective. Indeed, the recognition of rights to citizens does not proceed exclusively from the level of legality, but also—recalling the terminology proposed by Isin and Ruppert—from performativity and an imaginary that goes beyond positive law, both mobilized by rights claiming. What else then makes possible the prospective projection of rights and responsibilities if not the imaginary underlying and sustaining the rights themselves?

Reciprocally, the Self constituted as a subject of rights and prospective responsibility exceeds the bounds of the individual legal subject and involves reference to the collective dimension of citizenship taken in its political sense. This dimension must be articulated collectively, leveraging the language of rights and the political imaginary of equality and democracy. Therefore, if Ricoeur’s philosophical anthropology of the Self offers a resource that can nourish the performative theory of digital citizenship, it receives in turn an important complement from it.

5. Conclusions

One of the merits of the proposed theory of digital citizenship is its refusal to consider the digital citizen metaphorically as a digital alter ego of the embodied citizen; instead, the authors explicitly defend the unity of the subject acting both online and offline, as well as the continuity between the physical and

⁶⁸ Isin and Ruppert (2020: 85).

⁶⁹ Ricoeur (2005: 107).

⁷⁰ Ricoeur (1992: 296).

⁷¹ Ricoeur (2005: 197).

the digital dimension: “making rights claims inescapably involves a continuous relation between non-digital rights (i.e., civil, political, social, cultural, economic, sexual, etc.) and digital rights (i.e., ownership, access, privacy, anonymity, etc.)”⁷². Cyberspace here is not a parallel reality but instead represents “a space of relations between and among bodies acting through the Internet”⁷³.

Ricoeur’s theory of the subject of rights as an embodied Self coupled with his parallel revision of the semantics of responsibility offered in the original idea of imputation give a contribution of paramount relevance to the theoretical struggle for preserving a human character in the structures mediating relations between ourselves and others. It may therefore represent a sound reference for constructing the philosophical anthropology of the digital citizen proposed by Isin and Ruppert. In fact, also within the theory under consideration, digital citizens are subjects of both rights and responsibilities in that they enact themselves as citizens through acts of citizenship: “If people invest themselves in claiming rights, we are told, they are producing not only new ways of being subjects with rights but also new ways of becoming subjects with responsibilities, since claiming rights certainly involves ‘responsibilizing’ selves”⁷⁴. Indeed, the inscription of claims within both the language of rights and of responsibilities are of crucial importance for the constitution of the performative (digital) citizen, just as they are crucial elements for the constitution of the identity of the Self in Ricoeur’s philosophy.

Central to both these perspectives are subjects committed to their claims and towards others, and committed at the same time to translate these claims in the language of rights, be it that of rights that already exist or that of rights that ought to, both cases requiring an imaginary that sustains the corresponding narrative identity built on it: “if we constitute ourselves as digital citizens, we have become subjects of power in cyberspace. This involves the inscription of rights in law (legality), claiming rights through performance (performativity), and responding to callings (imaginary) that, taken together, resignify the digital citizen or its enactment”⁷⁵.

Both approaches consider the embodied and concrete historical nature of the self/citizen as an essential feature. The figure of the digital citizen emerging in the performative theory of (digital) citizenship overlaps with Ricoeur’s subject of rights, which is intended as more than a persona distinguished from the actual self. At the opposite end, it acquires a deep meaning as an embodied Self engaged towards others in a sense very similar to that of the (digital) citizen depicted by Isin and Ruppert; it is a Self that can relate towards the other with engagement, proactiveness, motivation, responsiveness or care. Indeed, in Ricoeur’s own words, the enlargement of rights and the parallel enlargement of capacities are strictly interrelated, so that the passage from the abstract subject of rights to the concrete one leads precisely to the ‘real citizen’:

Without institutional mediation, individuals are only the initial drafts of human persons. Their belonging to a political body is necessary to their flourishing as human beings, and in this sense, this mediation cannot be revoked. On the contrary, the citizens who issue from this institutional mediation can only wish that every human being should, like them, enjoy such political mediation, which when added to the necessary

⁷² Isin and Ruppert (2020: 13–14).

⁷³ Isin and Ruppert (2020: 23).

⁷⁴ Isin and Nielsen (2013: 14).

⁷⁵ Isin and Ruppert (2020: 54).

conditions stemming from a philosophical anthropology becomes a sufficient condition for the transition from the capable human being to the real citizen⁷⁶.

Both these approaches make an appeal for the uniting of embodied subjects and their 'digital doubles'; both reject the dichotomy between digital space and physical space and attribute central value to the embodied subject. The focus of digital citizenship on embodied subjects with prospective responsibilities is of even greater relevance today in the context of algorithmic societies, given the pervasive role of technology in mediating both our face-to-face and institutional relations. Such mediation may have a crucial effect on the autonomy of the individual (representing a new form of vulnerability), on the construction of individual identity, and on the theoretical and practical articulation of responsibility and citizenship.

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⁷⁶ Ricoeur (2000: 32).

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Published online on June 20, 2025