

# A PHILOSOPHER LOOKS AT DIGITAL COMMUNICATION

Communication is complicated, and so is the ethics of communication. We communicate about innumerable topics, to varied audiences, using a gamut of technologies. The ethics of communication, therefore, has to address a wide range of technical, ethical and epistemic requirements. In this book, Onora O'Neill shows how digital technologies have made communication more demanding: they can support communication with huge numbers of distant and dispersed recipients; they can amplify or suppress selected content; and they can target or ignore selected audiences. Often this is done anonymously, making it harder for readers and listeners, viewers and browsers, to assess which claims are true or false, reliable or misleading, flaky or fake. So how can we empower users to assess and evaluate digital communication, so that they can tell which standards it meets and which it flouts? That is the challenge which this book explores.

ONORA O'NEILL is Honorary Professor Emeritus at the University of Cambridge and a crossbench member of the House of Lords. She is the author of numerous books on Kant, ethics and political philosophy, including *Justice Across Boundaries* (Cambridge University Press, 2016).



# A Philosopher Looks at

In this series, philosophers offer a personal and philosophical exploration of a topic of general interest.

Books in the series

Raymond Geuss, A Philosopher Looks at Work
Paul Guyer, A Philosopher Looks at Architecture
Stephen Mumford, A Philosopher Looks at Sport
Onora O'Neill, A Philosopher Looks at Digital Communication
Michael Ruse, A Philosopher Looks at Human Beings



A PHILOSOPHER LOOKS AT

# DIGITAL COMMUNICATION

ONORA O'NEILL





# **CAMBRIDGE**UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

One Liberty Plaza, 20th Floor, New York, NY 10006, USA

477 Williamstown Road, Port Melbourne, VIC 3207, Australia

314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India

103 Penang Road, #05-06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org Information on this title: www.cambridge.org/9781108986816 DOI: 10.1017/9781108981583

© Onora O'Neill 2021

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2021

Printed in the United Kingdom by TJ Books Limited, Padstow Cornwall

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloging-in-Publication Data

NAMES: O'Neill, Onora, 1941- author.

TITLE: A philosopher looks at digital communication / Onora O'Neill.

DESCRIPTION: Cambridge, United Kingdom; New York, NY, USA: Cambridge University Press, 2021. | Series: A philosopher looks at | Includes bibliographical references and index.

IDENTIFIERS: LCCN 2021035337 (print) | LCCN 2021035338 (ebook) | ISBN 9781108986816 (paperback) | ISBN 9781108981583 (epub)

SUBJECTS: LCSH: Internet-Moral and ethical aspects. | Telecommunication-Philosophy. | Telecommunication-Social aspects. | BISAC: PHILOSOPHY / Ethics & Moral Philosophy

classification: LCC TK5105.878 .054 2021 (print) | LCC TK5105.878 (ebook) | DDC 175–dc23

LC record available at https://lccn.loc.gov/2021035337

LC ebook record available at https://lccn.loc.gov/2021035338

ISBN 978-1-108-98681-6 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.



# CONTENTS

Preface page xi

# Part I Complex Communication

- Presuppositions of Communication 3
  Accessibility, Intelligibility and Assessability 3
  Widening Accessibility: Spreading the Word 5
  Some Limits of Digital Communication 8
  The Wider Context 11
- 2 Acts and Content, Norms and Harms 15
  Speech Acts and Speech Content 15
  Norms or Harms? 17
  Private Harms 19
  Public Harms 21
  Norms and Standards for Communicating 24
- Communication and New Technologies 28
  Norms and Practical Judgement 28
  Ancient Norms for Communication 32
  Socrates' Warning 34
  Readers, Listeners and Viewers 37
  Traditional Intermediaries 41
- 4 Digital Hopes 44
  The Promise of Connectivity 44
  'Breaking' the Intermediaries 47

vii



#### CONTENTS

Misgivings and Criticisms 51 Intermediaries and Democracy 53

# Part II Norms and Standards in a Connected World 59

- Duties and Rights 1: Freedom of Expression 61
  Rights Before Duties: Historical Sketch 61
  The Turn to Rights: Freedom of Expression 64
  Communication or Expression? 67
  Circumstances Alter Cases 68
  Private and Public Harms 71
- 6 Duties and Rights 2: Rights to Privacy 75
  Privacy Overview 75
  The Point of Privacy 78
  Data Protection and 'Personal Information' 80
  Personal and Sensitive Information 82
  Informed Consent and Personal Data 84
  Privacy in Practice 86

# Part III Politics and Connectivity 89

Power and Anonymity 91
A Turning Point? 91
A Profusion of Proposals 94
Accountable Communication and Anonymity 96
States and Corporations, Customers and Users 99
Anonymity and Privacy 104
Anonymity and Democracy 106
Intermediaries Again: Old and New 108
Platforms and Publishers 110
Limiting Anonymity, Extending Accountability 113

viii



# CONTENTS

Notes 115 Some Suggestions for Further Reading 129 Index 132



## PREFACE

The ethics of communication is distinctive because communication includes a huge, complex and diverse range of activities that penetrate and shape every part of human life. All communication requires at least two parties – an originator and a recipient, or multiple originators and recipients – who must have specific and linkable capacities to satisfy and to recognise the many technical, ethical and epistemic standards that bear on communication.

To communicate successfully, recipients must be accessible to originators (while two-way communication requires two-way accessibility); they must share an intelligible language; and they must see communication as open to assessment or interpretation of various types. Intelligibility, accessibility and assessability are needed for all communication, whether or not it is either ethically or epistemically adequate. They are needed not only for honest and accurate communication, but also for deceptive and manipulative communication. They are prerequisites for routine shopping and effective business transactions, for daily chatter and technical exchanges, but also for misleading claims and defamatory accusations, and for endless varieties of deception and fraud, including propaganda and disinformation campaigning.

Digital technologies have transformed communication across the last thirty or more years. There are vast and

χi



#### PREFACE

sprawling literatures on these transformations, and on the advantages and problems produced by specific uses of digital technologies. A lot of discussions focus on specific technologies, or uses of technologies, and the benefits and problems to which they give rise. However, rather less has been written about the bearing of long-standing accounts of the ethics of communication on digital communication. That is what I shall explore in this short book.

The most obvious, and the most important, change is that digital technologies have transformed accessibility by providing hugely expanded connectivity. This expansion has produced both amazing benefits and serious difficulties. It enables almost instantaneous communication across the globe, yet can leave recipients unable to identify the provenance or assess the credentials of the communication they receive, and leaves originators unsure whom their recipients include.

At first many claimed optimistically that greater connectivity would support, or even ensure, more and better communication, and that this would benefit many activities, and in particular public life and democratic politics. The actual results have been mixed. Ramifying connectivity allows wider communication. But in practice it may leave recipients less able to identify originators, and originators less sure whom their audiences include. This can make it harder for recipients to assess whether what is communicated is reliable or adequately evidenced, ethically acceptable or unacceptable. When provenance is unclear or hidden, it can be hard to tell whether the content communicated is true or false, honest or dishonest, reliable or flaky. Digital

xii



### PREFACE

communication can also make it harder for originators to tell whom their communication will reach, fuelling doubts about privacy and other aspects of communication. Increased connectivity indeed supports *wider* communication, but does not always secure *better* communication that meets important ethical and epistemic norms and standards.

This could, perhaps, have been foreseen. This is not the first time that communication has been seriously disrupted by technological change. Earlier innovations in communication technologies – among them writing, printing and broadcasting – all led to problems. Many of these were resolved by changes in the organisation and cultures of communication. The ways in which the difficulties arising from past innovations were addressed may offer clues for dealing with some of the disruptions and challenges that digital technologies are currently raising for online communication.

It is clear enough that the issues raised by digital communication are complicated. Many contemporary discussions of the ethical issues, and particularly of those that matter for communicating with wider audiences, including for democratic politics, take strikingly narrow views of the ethical and epistemic standards that matter for communication. Some approaches focus largely on requirements to respect human rights, so give great weight to the two human rights that mainly bear on communication: freedom of expression and rights to privacy. These are indeed important ethical requirements, and I shall discuss them.¹ But many other familiar norms and standards for communication – including some that have been taken seriously for centuries,

xiii



#### PREFACE

and a few that have mattered for millennia – are now quite often treated as matters that can be trumped by requirements to protect freedom of expression and privacy, and are taken seriously only if mandated by specific legal or institutional requirements.

In effect, we now find ourselves inhabiting a digital world in which connectivity has widened the channels and the range of communication, yet often relying on a narrower range of ethical standards than used to be taken seriously, and assuming that they will be sufficient for the ethics of digital communication. This discrepancy is, I think, one reason why discussion of the ethics of digital communication has become difficult, fragmented and controversial. It may also offer clues to some ways in which problems might be addressed and reduced.

I shall not, however, discuss or endorse detailed proposals for legal and regulatory change, or try to describe or assess the merits and deficiencies of the many complex proposals currently under discussion in many jurisdictions. Doing so would require an enormously long book on the feasibility and effectiveness of complex ranges of legal and regulatory measures in and across many jurisdictions, and would date rapidly. This book is about the ethics, not the regulation, of digital communication, so I shall first try to get a handle on some of the underlying sources of ethical problems. If that proves feasible, it may bear on formulating, selecting and discarding proposals for legal and regulatory reform.

So, I shall comment on technical, ethical and epistemic standards and norms that matter for ethically

xiv



#### PREFACE

acceptable and epistemically robust communication, including digital communication. I shall stress the importance of taking account of a wide range of norms and standards, and bringing them to bear on the distinctive ways in which digital technologies can be used to shape communication. Formulating an adequate approach to the ethics of digital communication and identifying effective ways of securing the range of relevant ethical and epistemic standards will not be easy, but it may be possible to identify some of the steps that are needed.