

The Ethics and Politics of Cyborg Embodiment: Citizenship as a Hypervalue

Chris Hables Gray
University of Great Falls

Cyborgs, extended and augmented by prosthetics, can be described as hyper-bodies. As human-based cyborgs proliferate in type and quantity what does this mean for ethics and politics in twenty-first century cyborg societies? The ontological instability of cyborgs warrants the use of political technologies such as manifestos and written constitutions in order to ameliorate the potential of cyborgization to fatally undermine political self-determination and the very idea of citizenship.

Cyborgs, cybernetic organisms, are systems combining natural and artificial elements in one working whole. Humans in particular are being cyborged at an incredible rate through the growing power of technoscience, especially in the realms of medicine, war, entertainment, and work. These alterations and augmentations range from simple prosthetics through genetic engineering to the intimate integration of humans into larger technical-mechanical systems such as the man-machine weapon systems of the postmodern military (Gray, Mentor and Figueroa-Sarriera, 1995; Gray, 1997).

Whether or not any particular creature is a cyborg, it is clear that we now live in a cyborg society where distinctions between natural-artificial and organic-machinic are subsumed by the ubiquity of systems that embrace both. While the incredible array of cyborg relations between humans and our constructions is clearly a continuation of the long history of human-tool and human-machine relations, it is also quantitatively, and qualitatively, a new relationship. As such it represents a drastic shifting of the ground on which our current democratic political systems are based. It is clearly necessary to think through the ethical and political implications of our increasingly cyborged society.

For the last few decades there have been some serious proposals for new approaches to thinking about these issues in the context of the changes that are rushing upon us. For example, David Channell sees the current situation as a coming together of the old Western meta-

discourses of the organic Chain-of-Being and the machinic Clockwork Universe in a new 'vital machine'. Channell has proposed a 'bionic' ethics which takes 'into consideration both the mechanical and the organic aspects of the cybernetic ecology in order to maintain the system's integrity, stability, diversity, and purposefulness. Neither the mechanical nor the organic can be allowed to bring about the extinction of the other' (Channell, 1991, p.154). As general principles this might sound balanced. Who can be against integrity, stability, diversity, and purposefulness? But the logic of Channell's bionic ethics would insist that the rights of a prosthetic pacemaker to maintain the heartbeat of a human being long after his or her brain had ceased to function be sustained over the right to die of the person concerned, with possibly ruinous financial implications for the next of kin.

Channell's approach is still too rigid and mechanistic; it remains caught up in the old modernistic dualities (Chain-of-Being vs. Clockwork Universe). To go beyond them takes more than a dialectical synthesis that leads to a 'vital machine' with equal value for thesis and antithesis. The cyborg epistemology of thesis, antithesis, synthesis, prosthesis accepts that the world is not so neatly coded as binary in process (Gray, Mentor and Figueroa-Sarriera, 1995). Reality is lumpy, knowledge is specific, 'situated' in Donna Haraway's term and that includes ethical and political knowledge as well (Haraway, 1993).

And it is dynamic. It is not produced just by the old thesis in the past, or rebellion against them. It is a matter of choice, conscious or otherwise. This is what Donna Haraway proclaimed in her 'Cyborg Manifesto', the founding document of cyborg ethics and politics. Since it was first promulgated in 1985, there has been an incredible proliferation of various cyber-manifestos. It almost seems as if most things written now about 'cyber-whatever' are in the style of a manifesto. But then manifestos are cyborgs, as Steven Mentor argues (see Mentor, 1996, p. 195). Among the more interesting cyber-manifestos are the Mutant Manifesto, Stelarc's 'Cyborg Manifesto', 'The Magna Carta for the Knowledge Age' and most of the publications of the Extropians. These, and dozens more, can be found while wandering on the World Wide Web. But manifestos are only one type of cyborg writing technology. Constitutions can be considered cyborg technologies just as manifestos are. A written constitution depends on a combination of writing technology, legal codes, and human interpretation.

The U.S. Constitution has proven to be a resilient and effective technology for preserving the structure of a democratic republic in the United States and for safeguarding many basic rights of citizens and others. Certain key amendments have even improved it, starting, of course, with the first ten, the Bill of Rights, and including most notably amendments abolishing slavery and enfranchising African-Americans and women. However, some of the interpretations by the Supreme

Court, such as giving corporations the status of individuals, allowing national security to always trump individual liberty, and the general dismantling of federalism have severely weakened the Constitution. Technoscientific changes have also raised new issues and, unfortunately, opened the door for new governmental impositions.

Subsequent constitutions borrow from the U.S. version and in some cases improve on it. The current wave of new constitutions, such as the South African one that guarantees electronic privacy, are particularly good examples of this. But more must be done, hence the proposed **Cyborg Bill of Rights**, below. While this particular Bill of Rights is designed to be amended into the U.S. Constitution, the idea is relevant to all contemporary democracies. All cyborg citizens need their rights defended.

The Cyborg Bill of Rights

The ten amendments are as follows; all amendments must be taken together:

1. **Freedom of Travel.** Unless the United States of America is in a declared State of War with another political entity then citizens shall have the right to travel to these entities, virtually or in the flesh, at their own risk and expense.
2. **Freedom of Electronic Speech.** Electronic and other nonphysical forms of transmitting information are protected by the Constitution's First Amendment.
3. **The Right of Electronic Privacy.** Electronic and other nonmaterial forms of property and personhood shall be accorded the protection of the Fourth Amendment.
4. **Freedom of Consciousness.** The consciousness of the citizen shall be protected by the First, Fourth, and Eighth Amendments. Unreasonable search and seizure in this, the most sacred and private part of an individual citizen, shall be absolutely prohibited. **Individuals shall retain all rights to modify their consciousness** through psychopharmacological, medical, genetic, spiritual and other practices in so far as they do not threaten the fundamental rights of other individuals and citizens and if they do so at their own risk and expense.
5. **Right to Life.** The body of the citizen shall be protected by the First, Fourth, and Eighth Amendments. Unreasonable search and seizure of this sacred and private part of an individual citizen shall be absolutely prohibited. **Individuals shall retain all rights to modify their bodies**, at their own risk and expense, through psychopharmacological, medical, genetic, spiritual and other practices in so far as they do not threaten the fundamental rights of other individuals and citizens.

6. **Right to Death.** Every citizen and individual shall have the right to end their life, at their own risk and expense, in the manner of their own choice as long as it does not infringe upon the fundamental rights of other citizens and individuals.

7. **Right to Political Equality.** The political power of every citizen should be determined by the quality of their arguments, example, energy, and single vote, not based on their economic holdings or social standing. Congress shall permit no electoral system that favors wealth, coercion, or criminal behavior to the detriment of political equality.

8. **Freedom of Information.** Citizens shall have access to all information held on them by governments or other bureaucracies. Citizens shall have the right to correct all information held on them by governments and other bureaucracies at the expense of these bureaucracies. Institutional and corporate use of information to coerce or otherwise illegally manipulate or act upon citizens shall be absolutely forbidden.

9. **Freedom of Family, Sexuality and Gender.** Citizens and individuals have the right to determine their own sexual and gender orientations, at their own risk and expense, including matrimonial and other forms of alliance. Congress shall make no law arbitrarily restricting the definition of the family, of marriage, or of parenthood based on religious or other subjective criteria. **Consent** of the participants as well as real psychological, sexual, physiological, and genetic relationships shall be the basis of any governmental interference in family choices of citizens and individuals unless the fundamental rights of other citizens and individuals are being severely threatened.

10. **Right to Peace.** Citizens and individuals have a right to freedom from war and violence. War shall be a last resort and must be declared by a two thirds vote of Congress when proposed by the president. The Third Amendment shall not be construed as permitting citizens and individuals to own all types of weapons. Freedom from governmental tyranny will not be safeguarded through local militia or individual violence. Only solidarity, tolerance, sacrifice and an equitable political system will guarantee freedom. None the less, citizens and individuals shall have the right to defend themselves with deadly force, at their own risk and expense, if their fundamental rights are being abridged.

These amendments are important. We need new political technologies to protect our rights from the relentless changes the march of cyborgian technoscience produces. But these changes are not only destabilizing the rights of citizens, they are destabilizing the very idea of the citizen itself. Perhaps the most important question we have to ask is: who, or what, is a Citizen?

Citizenship Defined

This is the hard one. How old the human must be, and how mentally competent to be a citizen, is an old debate. Cyborg technologies will complexify this confusion incredibly. Now it just isn't how mature the human but how human the cyborg? How machinic can a citizen be? How many voters in a cyborg pod of multiple bodies? How bright the AI? How bright the dog? Whether or not one is mentally competent isn't just an issue applying to injured humans, it covers machines, posthumans, and enhanced beasts. Any aliens that ever visit as well, if you get down to it, although it doesn't seem to be as pressing an issue as cyborg citizenship is, in my opinion. The solution, in case of challenge, as I argue below, is for a double-blind Turing test, aimed at seeing who can participate in the discourse community and who not.

What has to be stressed at this point is that, despite some strange rulings in the past by the U.S. Supreme Court, it must be explicitly stated in this new Bill of Rights that: business corporations and other bureaucracies are not citizens, or individuals, nor shall they ever be.

So how do we decide what entities are entitled to citizenship? Today it depends on the 'soft police,' the psychologists, the social workers, and the judges. Science and justice are supposed to enter into it, of course, but instead of experiment and a trial by one's peers actual decisions are based on the opinions and prejudices of experts, nothing more. Better it should be a process of replicable experiment and common sense than another game played by elites with momentous effects on the judged. Is there such a test that can directly evaluate, without experts, who can operate as a citizen, who can take part in the discourse, who can be part of the ongoing conversation we call politics?

The best solution, it seems to me, is a **Cyborg Citizen Turing Test** to see which entities can actually operate in our discourse community, and which cannot.

The Turing test has long been a major theme of scientists and writers trying to figure out how to determine if a computer is intelligent. It is a very pragmatic sort of exercise. The test was first proposed by Alan Turing, the English computer scientist who played a fundamental role in inventing the computer as we now know it while he was developing code-breaking machines during World War Two. Turing based his test on a party game he had apparently witnessed (Turing, 1950).

It was called the imitation game, and it actually can be great fun and quite revealing. In the original 'party' version two people, a man and a woman, go off into a room and questions are passed to them via a piece of paper or a telephone. One of them replies on a typed sheet and the party guests try and guess if it is the man or the woman who replies.

Turing proposed that a machine be substituted for one of the humans, and then argued that **since intelligence was a pragmatic idea,**

not an absolute, the best way to judge it was by seeing if the entity in question could carry on an intelligent conversation with an intelligent human for a serious length of time. If it could, then even if it was a machine, we could say that the entity was intelligent, at least as intelligent as many humans. Now there are many problems with the Turing test. It depends on deception, and it offers the chance that the human subjects in the test won't pass themselves, which has actually happened in some of the modified tests conducted annually by the Boston Computer Museum. These tests, by the way, indicate that the chances of a machine passing Turing's actual test (of five minutes) anytime soon are actually very small.

But the value of Turing's test, and its use for determining cyborg citizenship, is his insight that intelligence, like citizenship, is a working idea, not an abstract universal value. The idea of citizenship, which has been expanding for two hundred years to include more genders, races, and people in general, is based on assumptions about the consent of the governed, the relationship between responsibility and rights, and the autonomy of individuals. Tests for citizenship have ranged from gender and class, through literacy, to the current situation where birthright assumes eventual citizenship unless it is abrogated through misdeeds. But beneath these shifting systems one can discern that the idea of a discourse community has always been the basic ground. Now this community may have been determined in earlier days by political exclusions on the basis of racial, gender, or class domination but among the citizens the ideal was equal discourse. The *polis* is a discourse community, after all, and every historical expansion of it has been predicated on arguments about the participation of new individuals in that discourse. Now, as we are faced with a whole range of complex and difficult decisions about who should be, and who can be, citizens it seems wise to stay within this framework.

Currently, judgments about the suitability of individual humans and cyborgs being citizens are made on the grounds of their ability to take part in the discourse of the *polis*, either by assumptions about age or by the use of experts to determine if the entity can participate. Many of the more difficult cases are of actual cyborgs, humans linked to machines that keep them alive or of humans maintaining autonomy only through drugs and other techno-interventions. But instead of a jury of one's peers, the decision usually comes down to a negotiation between doctors, social workers, and lawyers/judges.

It is time to take such power away from the 'soft' police and return it to the *polis* at large, in the form of juries of peers conducting their own rough Turing tests. If the entity can convince a majority of twelve other citizens that it can be part of their discourse, well and good. The beauty of the Turing test is that it escapes the straitjacket of arbitrary standards and static definitions. It is an operational standard, nothing more or less.

Flexible though it is, it doesn't cast out all values, instead it focuses in on the core of politics, communication, and enshrines that as the ultimate hypervalue. Also it implies strongly that citizenship is embodied, whether the body is hyper or not, ambiguous or not, constructed or not.

If autonomy is to avoid becoming automaton we must make citizenship a hypervalue and defend it, and expand it, in every way we can. Hence my ironic, but serious, proposals for a Cyborg Bill of Rights and a Turing test for citizenship. Food for thought, sites for struggle.

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Chris Hables Gray is an Associate Professor of Cultural Studies of Science and Technology and of Computer Science at the University of Great Falls, Great Falls, Montana, USA. He is editor of *The Cyborg Handbook* (Routledge, 1995) and of *Technohistory* (Krieger, 1996). His book, *Postmodern War: the New Politics of Conflict*, on how technoscience, especially computers, have created a crisis in contemporary war has just been published (Guilford, 1997) in North America and Routledge in the United Kingdom. The Cyborg Bill of Rights is part of his next book, *Cyborg Citizen*, due out from Routledge in 1999.