

# Human rights in the computer age

Vittorio Frosini

SUMMARY: 1. *The advent of the "new" man.* - 2. *Human nature as a conquest.* - 3. *Technological rebirth.* - 4. *Human rights in the computer age.* - 5. *The new ethics: situation and responsibility.* - 6. *Right to life, liberty and happiness.*

## 1. THE ADVENT OF THE "NEW" MAN

The image of the spiritual nature of man has been frequently modified in the course of history as it has undergone radical transformations due to changing conditions in natural and social life. Interest in it has, indeed, emerged so slowly that only today are we able to recognize it. Man has not always nor in all places been recognized to be a man by other men: the distinction between castes in India, between masters and slaves throughout the history of the Western World, and, more recently, between those belonging to the Arian race and the so-called inferior races during the Third Reich are the best known examples of a persisting division between men and subhumans which not even the universal religions have been capable of completely eradicating within the acceptable and established reality of social relationships. Only during the second half of this century has an anthropological mutation taken place. This is transition of man as the symbol for all of humanity, in its global dimension, which has created the image of a "new" man living in the computer age.

This has occurred because several different important events have merged together. Let me mention the following three without, in any way, wishing to place them in order of importance. Firstly, the advent of the computer or, in other words, of the new technologies of cybernetics, robotics, and informatics which have made dialogue between man and machine through so-called artificial intelligence possible. Secondly, the launching of artificial satellites into outer space which has enabled man to land on the moon and made projects for interplanetary exploration possible. Thirdly, the new kinds of remote transmission such as television and telematics which have abolished the restrictions imposed on information in time and space by distance thereby uniting people all over the world.

Man in the computer age is, therefore, different from all men of other gener-

ations throughout the ages, and not merely because he is able to perform deeds only dreamt of in the past but never believed possible (such as ubiquity, multiple teleconferencing, flight in outer space, automated thinking)<sup>1</sup>; but, above all, man has become the "new" man within his inner self because he is capable of communicating simultaneously with all the other human beings on earth, of detaching himself from life on earth and of acting within a world of computers created by his fellow man relying on them for giving him a precise determination.

## 2. HUMAN NATURE AS A CONQUEST

It was predicted that the computer age man would be the real "superman", described by some nineteenth century philosophers. He would be the new "hero" bestowed with superior power and would become the founder of the new civilization. It is, however, wiser to avoid the invention of a new mythology and simply recognize that modern man is different from his counterpart in the ancient world because a real metamorphosis has occurred whose impact has not as yet been completely understood because we are still involved in the process.

As mentioned earlier, man can live being totally detached from his terrestrial and, more generally, from his natural environment: just think of an astronaut who moves about inside his space ship and is able to fly about without restrictions ignoring the fundamental laws of gravity in the same way as supernatural beings were once believed capable of doing. And even for those who remain on earth, the new man is born, lives and dies in a different way from the men that lived before him. Thanks to artificial insemination, a woman who is still a virgin can give birth; thanks to organ transplants, a person can live with the heart belonging to a dead person; thanks to hibernation, a person can enter the kingdom of the dead by keeping his body intact for an indefinite period of time.

These are only some of the re-perturbing examples of the new human condition requiring us to reflect and reexamine the ethical questions involved. Although human civilization throughout its long history has proceeded progressively throughout in dominating nature, it has not done so in a coherent, uniform or linear fashion as far as human interrelationships are concerned or, in other words, as far as human nature is concerned.

"Human nature" as distinguished from the physical nature of animals and machines has sometimes been interpreted as an underlying assumption in

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1. It was J. W. Goethe who wrote in *Faust* the prophetic words: "Und so ein Hirn, das trefflich denken soll - Wird künftig auch ein Denken machen" ("And thus in the future there will be a thinker, who will construct a brain which will be capable of thinking precisely"), Act II, vv. 6869-6870.

man's varied history. It is, however, a very recent result, a discovery of the mind and a conquest of the will. Likewise, human nature, understood here in the universally accepted sense, whereby every individual identifies himself as part of humanity and, vice versa, all of humanity is epitomised in each individual is still an ideal, still a path to be followed. It is an hypothesis, an interpretation, a figurative and imaginary representation of man and his uncertain and difficult moral reality; even if this has already been proclaimed by the great preachers of religious or lay morality. Amongst these, let me mention, as symbols of hope, Giuseppe Mazzini in the last century and Mahatma Gandhi in this century.

### 3. TECHNOLOGICAL REBIRTH

The innovation which this conception represents in our times consists, however, in the following: it is in harmony with the technological world rather than with the idea of a genetic predestination. It is not merely of an emotional nor abstractly rational character: it can be called a "conception" but this is really an imprecise and conventional term used for defining a set of mentally homogeneous experiences and functions.

We are, in fact, witnessing a new birth, a "rebirth" of man's inner self in our times. In some ways, some already well known physiognomical features are taken up and developed such as those relating to man as an artificial being or, in other words, as an uninterrupted creation of himself and as an unfinished being, that is, open to modifications and improvements in the search for his individual humanity. Being reborn in this way, however, also produces effects which radically transform how a man thinks or behaves and once again pose the problem of the analysis of human experience as experience which is common to all men.

Man's rebirth in the technological era, therefore, forces us to develop a problematic conception of man himself and to reflect on, to question and to decide on the new enigmas arising out of his new condition when compared with traditional solutions. This volume is a complex and articulated, although not a systematic, reflection on the reasons for the various experiences that have been proposed or imposed by events occurring in society in our times; the new parties in and contents of social relationships; the new perspectives opened up by information technology; experimentation in medicine and in the production of energy; and still many more. Each of these, however, must be understood in its own context and must be examined by referring explicitly or implicitly, but with attention, to its individual or social ethical evaluation.

This evaluation, due to its genetic causality, is problematic: that is, it proposes to set up a relationship on each occasion between a concrete situation and an inspiration originating in an analysis without resorting to subterfuge

in facing the reality appearing on the horizon of our times. However, this requires that the reader not only listens to the judgment but that he cooperates and, indeed, takes part in it, or in other words, that he actively consents to it in a similar way to be who takes part in a dialectic debate.

#### 4. HUMAN RIGHTS IN THE COMPUTER AGE

Technological progress has been extremely beneficial to humanity: we need only think of the progress made in the medical field, and, more generally, in health. Epidemics which were the unavoidable scourge of earlier epochs have been eliminated; the infant mortality rate which was also considered the inevitable toll to pay to the evil forces of nature has greatly diminished; life expectancy has lengthened considerably; the inner nature of a man's body and psyche have been explored thereby eliminating antique prejudices which stood in the way of curing disease; physical pain has been overcome through the use of anaesthetics and the psychic suffering of mental patients has also been greatly reduced. These advances could never have been made without the methodology, the instruments and the organization produced by the technological revolution. It is, however, also true that technological progress through genetic engineering and biochemistry with experiments on embryo transplant and with the invention of new psychotrope drugs seems to assail that which, in the ordinary meaning of the term, is considered to be human dignity.

An analogy can be drawn with the other fields of contemporary science. The use of atomic energy has been experimented and has led to the deaths of hundreds of thousands of human beings in a flash of lightning whilst the launching of artificial satellites has gone hand in hand with the development of missiles as catastrophically destructive weapons. Informatics and its applications can, therefore, threaten the life of the individual menacing it in the most jealously guarded sphere of its privacy. This occurs because man himself confers a positive or negative valency of progress, in good or in evil, on all it produces: discoveries made for improving the quality of life have also served to make man's spiritual life poorer.

It is for this reason that a critical review of the new philosophy and new behavioural models emerging out of the computer age cannot assume the tone of an apology but must be problematic and aimed at arousing and not appearing moral tension. This ambiguity of modern times linked to innovation which seems to break with and substitute ancient philosophies has already been described by other scholars such as Sergio Cotta in his formula regarding "the technological challenge"<sup>2</sup>.

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2. The book by S. Cotta with this emblematic title was published in 1968 (Il Mulino Publishing House, Bologna). I wrote an article, *La rinascita tecnologica*, about this published in the "Corriere della Sera" on 2nd May, 1968.

Up until now the problem of the relationship between the new ethics and the computer age has, nevertheless, has mainly been discussed in relation to the admissibility of and the consequences arising out of the use of the atomic bomb and has provoked a serious philosophical debate<sup>3</sup>. More recently, however, the need for ethics responsive to these new events and choices has become more evident in relation to a renewed interest in "human rights". Although this theme is specifically dealt with in one of the essays in this book, the initiative of the Asociación pro Derechos Humanos which dedicated a Conference to the relationship between "human rights and informatics", held in Madrid on 9 October 1984, also deserves mentioning<sup>4</sup>.

## 5. THE NEW ETHICS: SITUATION AND RESPONSIBILITY

Immersed in this human landscape which has been thrown into confusion by the technological revolution where old beliefs have been set aside and deep rooted prejudices eradicated, modern man must, nevertheless, if he is to overcome the inner perplexities involved in his decisions, have a criterion on which to base his judgments and a principle for regulating his individual and social behaviour. The new ethics must be in harmony with the times in which he is living, as ethics built on a different foundation forcing him to ignore the moral significance of the new experiences surrounding him or to catalogue them according to unsuitable schemata, would be useless. These ethics must accept, as their underlying assumption, the criticism of all prior ethics, the open and coragious evaluation of moral attitudes which can be saved or ought to be saved of those which have been adopted up until now. It would, undoubtedly, be comforting, for lazy souls, to rest on ancient admonishments, which have become comfortable to live with but which have also become worn with use. Whoever really wants to live in our times and not merely to let himself exist in them, must face this radical revision of the moral rules and schemata which previous generations have handed down and entrusted to us not merely to act as guardians of them but, rather, to compare them with reality and to put them to the test.

Any general review of ethics cannot help but take as a compulsory point of reference and starting point for its voyage into man's conscience, the situation where we find there are those who seek an answer to the common conscience in which they are a part. We cannot think, decide and conse-

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3. With regard to the contributions made to this debate, let me mention the dialogue between the famous physicist, Mario Silvestri and myself, published in the "Il Giornale Nuovo" on 2nd May, 1974 in an article entitled *Vivere con la bomba* ("Living with the Bomb").

4. The Conference was organized by Clara Lopez de Latona on behalf of A.P.D.H. with the participation of Spanish, German and Italian experts. An important study on the theme of the Conference had already been published by A.-E. PEREZ LUÑO, *Derechos humanos, Estado de derecho y Constitución*, Tecnos, Madrid, 1984.

quently take action by pretending to be in an abstract or imaginary and, therefore, different situation from the one in which we actually live with its spring of emotivity and sometimes with its contradictory complexity but always with its strict adherence to us. And it is from this awareness of reality, from putting into focus the conflict between desire and difficulty, from placing ourselves in life's animated context that we must begin and not from the search for and ossified rule. Likewise, no ethical rule, regulatory principle or criterion for judgement exists which ought not to be compared in a concrete sense with the present, *hic et nunc*, thereby ceasing to be merely empty words to become an element for evaluation, namely, to be obeyed or revolted against.

This statement contains an explosive charge for all the old ethics conceived in a legalistic manner, that is, as a set of rules and sanctions of a legal kind to be interpreted, adapted and applied for repressing free will even in harsh contrast with the situation with its vitality of impulses, aspirations of the need to expand in a spontaneous community of human feeling for a stronger reason than apparent ethical rationality. The true morality is not a mosaic of fragments of rules but is a glittering constellation. Morality founded on contempt for man, on his subjection to prearranged commands and imposed like the cracks of the horse tamer's whip in a circus is not admissible.

This book refers sometimes to the "ethics of the situation" and at other times to the "ethics of responsibility". These are, however, two formulae which can be converted one into the other by a continual comparison and adaptation. Both mean that man himself must, in each particular situation, answer the question which perturbs him, solve his own problem in that particular situation by applying his sense of responsibility without delegating the decision that must be taken to other people, to self-seeking tutors, to those who repeat magic formulae or to strangers who knock on the door of his conscience.

## 6. RIGHT TO LIFE, LIBERTY AND HAPPINESS

Basic elements making up the spiritual life of an individual are the right to life (understood in the broader sense of physical integrity and well being and not merely as survival), the right to liberty (which can be defined as a person's moral integrity) and the right to happiness (which also corresponds to a basic need of humanity and along with the other two rights is not to be crushed under foot but is to be proclaimed and defended).

The right to life would, in fact, be senseless should life be deprived of happiness because living would, therefore, be a sentence to be served without our being guilty of ever wanting it. The right to liberty would be without value if this liberty did not give us the possibility of choosing and deciding

on the best way to be happy, that richness in being where life and liberty are one. The only restriction on the right to happiness is that it must not be gained at the expense of the happiness of others thereby causing their unhappiness. Likewise, the right to life does not allow for the right to suppress the life of others (except for self defence) and the right to liberty does not permit the right to subject others to servitude. Indeed, the right to happiness increases in intensity with the participation of other people, all of whom believe in its objectives, just as in any love relationship. Technological progress has meant greater development in the essentially erotic aspect of such a relationship than in any previous epoch when couples were subject to the law of natural fertilization.

This deep vital instinct for happiness could not be fulfilled in the form of mere cohabitation where it was not acknowledged and, indeed, created by the collectivity. Even the primary aim of seeking "public happiness" must, therefore, consider social organization to be important. The formula for "public happiness" was coined and debated in 18th century philosophy (amongst others, by L. A. Muratori) and is arousing interest again today. It involves the State in creating a process for the production, circulation and consumption of material and cultural assets, which is becoming increasingly wide-spread amongst those who actively participate in social life.