NOTHING TO HIDE
BIOMETRICS, IDENTITY AND PRIVACY

EMILIO MORDINI, M.D.
DIRECTOR OF THE CENTRE FOR SCIENCE, SOCIETY AND CITIZENSHIP - ROME (IT)
NOTHING TO HIDE

Acknowledgements: This work has been funded by a grant from the European Commission - DG Research – Contract 2008- 217762 HIDE (HOMELAND SECURITY, BIOMETRICS AND PERSONAL IDENTIFICATION ETHICS).
As a psychoanalyst who has been working since early 1990s on ethical, political and social implications of emerging technologies, I have often found helpful to use materials coming from my clinical practice to unravel certain aspects remained relatively underexplored by theoretical research and by standard empirical studies.

Of course clinical observations can hardly “prove” any argument, there is no escape from strong elements of subjectivity in psychoanalytic reports but there is also a core of hard facts to work with.
Some years ago Kristine, a young lady suffering from anorexia, came to my observation. She was a tiny, pale, girl, with slender legs, slim hips, small waist, who looked no older than fifteen although she was almost twenty six.

She lived at home with her parents and her life was completely invaded by a complex system of psychopathological symptoms, included the typical starvation-induced physical and psychological signs.

In addition Kristine reported to suffer from the unpleasant sensation that people around her were not able to recognize her, that she was an “anonymous” person “lost in the crowd”.

Kristine 1
Kristine 2

She claimed that she would have been happy to eat only she did not feel sick.

Kristine was continuously fighting against unpleasant thoughts which prevented her eating, if she ate she felt immediately obliged to vomit by a violent revulsion of the stomach. She could eat only when she succeeded in blocking her thoughts.

When I asked her what kind of thoughts she felt unpleasant, she easily admitted that she was referring to thoughts with some sexual content. Kristine has never had a boy friend and her sexual experience was very limited, yet I discovered that she had no difficulty in being totally explicit when she speaks of sexual matters.
After some months of treatment, Kristine told me a bizarre story. She was around seven when she started having the odd impression that her parents were able to read her mind and to see her feelings. Such a conviction developed little by little.

At the beginning, when she started to suspect that her parents could understand her thoughts, she experienced a very pleasant and relaxing state because she felt that her wants could be always anticipated and met, and she was freed forever by the need to ask. But as time goes by, this experience became increasingly painful.
Kristine was slowly pervaded by a mounting sensation of restlessness and anxiety thinking that her thoughts were somehow public. She did not want that her parents discovered such an uneasiness, she didn’t want that they worried about her, but what could she do? They could read her mind!

Kristine therefore decided to ban any mental content when she was in the same room with her parents. From that moment on, all her efforts were focused on reaching a perfect mental emptiness. Like a child Zen master, the little Kristine developed a number of meditation techniques, which were totally private because no one ever suspected her uncanny and secret exercise.
With adolescence Kristine apparently recovered from her delusive belief and she felt free to think again also in the face of her parents. But when she was around twenty she started suffering from “unpleasant thoughts”, which prevent her to eat, and her “anorexia” began.

Any stupid psychoanalyst could realize that Kristine had turned her infantile fight against “public” thoughts into a fight against eating and that child mental emptiness has become a model for adult body emptiness. But the reason why Kristine was so afraid by her thoughts was still in the dark.
Psychoanalysts are obvious people and they always think of sexual fantasies or traumas but Kristine did not suffer from any sexual assault or seduction, and her child fantasies were the same of thousands of children.

Also the other card usually plaid by my colleagues – aggressive fantasies – led to nothing. Kristine stubbornly repeated that there was no reason why she should fear that her parents understand her thoughts because she had nothing to hide.
It took a long time before I understood that she was literally right, the problem was indeed the she had nothing to hide, not only in a more obvious Freudian sense (she had no penis to hide) but in a deeper sense. Kristine was suffering from a constitutive deficiency of her private sphere. She was truly transparent and her child effort to create mental emptiness was paradoxically her last resort to have something to hide.

In a pun, she was desperately hiding that she had nothing to hide.
We need something to hide

In order to develop as autonomous subjects, we need something to hide, say, we need to realise that we are the master of our mental processes and that they can or cannot be communicated externally.
The inner space

The basic human experience that generates the notion of a private realm is likely to be the experience that our mental life is not immediately understood by the others.

Metaphors which describe the mind as an inner space, like a container or a box or a room, are ubiquitous and pervasive.

According to these metaphors we have an “inside”, which includes all our mental contents, distinct from an “outside”, which include the whole external world, other humans included.
Dependence

Humans are inherently social creatures, they live together with other humans and they develop in a social environment as all other primates.

Since infancy - with the basic experience of being plunged into a linguistic network without being able of speaking - human beings face the acute awareness of their dependence on other human beings.

Such a dependence is destined to last quite a long time beyond the standard mother-newborn dependence in other species. Anthropologists call neoteny the tendency of mammals to remain dependent on other individuals and to exhibit juvenile characteristics. Human beings present a higher level of neoteny.
Autonomy

This is probably humans’ greatest resource, yet it is also an important reason for tension, conflict and stress.

Dependence in the sense of having one’s wants correctly anticipated and met may be a pleasant state for a short period of life. But sooner or later frustrations and obligations entailed by dependence become too burdensome.

Humans develop awareness of the conflict between their dependence needs and the individual nature of their personal desires, which require a certain degree of liberty and autonomy to be fulfilled.
The unpleasant discovery that our want can be misunderstood or frustrated has a positive side as well. We realize that our thoughts are “private”, they cannot be immediately get by others if we don’t shape and articulate them into an intelligible, shared, scheme. These schemes are usually called a “language” (bodily, verbal, visual, musical, artistic, etc.).

Any language is then made up by a whole of symbols (say, tokens which link the mental content to an externally defined object, fact, act, event, etc.).
Privacy and languages ...

are but the two sides of the same coin. We discover the private sphere when we discover that we can control the flow of information that we generate, say, that we may control our languages and that we can “hide” something in our mind.
Some languages are highly structured and formalized schemes, others are just elementary and fluid sets of tokens. Different languages overlap each others and cannot be rigidly separated. E.g., we use gestures to emphasize, mitigate, or contradict, verbal communication.
Languages may “speak” independently from our conscious will. In other words languages are:

**Redundant**, say, they always transmit more information than we expect.

**Over determined**, say, they always convey some extra meanings and have different intentions.

**Independent**, say, we control our languages only in very limited sense.
We are “spoken “by our languages

As though there were something in us speaking on our behalf and of which we are hardly aware.

“IT SPEAKS” as J.Lacan describes it.
Languages need receivers, say, someone who is able to link the token with the meaning.

Of course a language can be non-understandable for many different contextual reasons (e.g., we don’t understand the Greek linear A) but when we call something a “language” we are implicitly assuming that anyone, anytime, anywhere, was able to understand it. In other words, any language must have a potential receiver (be God, a martian, a dog, an expert of criptography, etc.)
Receivers can be recognised

This implies that any language somehow identifies its receivers, say, if anyone here easily understood Linear A, she would probably be an Ancient Greek living in 1200 BC, and those who understand whether I’m happy or sad from my odor are likely to be dogs.
Languages are identifiers

Don’t forget this point. We shall back to it soon.
Body Narratives

Human beings continuously speaks.

Biological and behavioural characteristic of an individual such as height, weight, hair, skin color, gender, odors, gestures, posture, prosody and so, send nonverbal messages during interaction.

Each body speaks, we are words made flesh.
Mother’s face

Nonverbal communication is always mixed with identification processes as it is vividly illustrated by infant research that shows how, even moments after birth, the newborn seeks out the mother's eyes and face not only for recognizing her but also as his initial source of information about the world.
Apart from any conscious intention and awareness, our countless languages unavoidably speak of ourselves, they tell what we are.
Aliveness details:

One is alive and physically present now and here, this is the first piece of information that one gives to the other by nonverbal communication.
Human details:

One also communicate that she is a human being. This is evident when one tries to communicate with other species and sometime is obliged to mitigate signals about her belonging to the human species (e.g., body odor, posture, skin color, etc).

If we everhappen to live in a Blade Runner-like world, where biometrics is used to distinguish between humans and androids, the function of nonverbal language to communicate species details could become still more evident.
Another group of details communicated by using nonverbal languages concern gender identity.

Human beings are a species with a low dimorphism.

Our “social” gender is more a result of what we communicate to others than the effect of our genes.
Nonverbal languages also transmit most information on culture, ethnicity, age, social groups to which the individual belongs. Nonverbal languages are probably the most powerful instrument the one has to inform others about the various real and virtual communities (networks and category of people) in which she has grown up and lives.
Finally nonverbal languages may also inform about individual personal identity. Scars, wrinkles, body posture, voice prosody, idiosyncratic behaviours, memories, all these elements tell about that particular person, her biography and then her oneness and specific identity.
Languages are a two ways identifier

But languages do not only tell a lot on your identity (e.g., your prosody may reveal your geographical origin more faithfully than your passport) but also tell about receiver identity, as we have just illustrated (e.g., if one were able to get some light north Italian intonations in my prosody, she is likely to be an Italian native speaker).
Recognizing is negotiating

Personal recognition processes are generated by the interplay between all these communicational levels.

Any identification process is an ongoing negotiation between:

- what one wants to communicate to others,
- what one actually communicates beyond her voluntary control,
- what the other(s) – the receiver(s) – are able to understand and interpret both at conscious and unconscious level,
- identifying information about the receiver (i.e., if you understand X, you are Y or you belong to the set of Zs)
Identification in the real world

We are all used to thinking of recognition as a process in which an (active) subject recognises a (passive) individual by searching for some identifiers.

This model is hardly tenable. In real world, inter-humans recognition is closer to a conversation rather than an investigation.
Automatic Identification Systems

Systems for automated recognition of individuals cannot adopt such a sophisticated scheme and they need to decrease variables. Most automated systems reach this objective by using electronic labels (e.g., smart tags, RFIDs, etc) which includes only those pieces of information required by the system to work.

Biometric identification is based on the assumption that human beings can be automatically recognised by using a scheme which is rather close to human interaction. This makes biometrics scientifically challenging and practically highly effective but this also the reason why biometrics can become troublesome.
Zoe and Bios

Biometrics try to simplify the complex web of bodily languages by focusing only on those details which can allow to recognise an individual. In the last analysis, biometric technologies try to crystallize the human body and to remove from it any biographical dimension which is not relevant to recognition.

Ideally biometrics aims to turn persons into mere living beings, biographical life into pure biological existence, which can be measured and matched with other biological objects. This leads to the dramatic distinction between zoe and bios, natural life and political life.
Agamben’s point

At this point one can also understand (NOT NECESSARILY SHARE, OF COURSE) the strong opposition against biometrics raised by political philosophers such as Giorgio Agamben.

Agamben draws our attention on “bare life,” a state of existence which might be defined as life no longer cohering, no longer invested in any form but the very basic component of being alive.

This zombie-like condition is the extreme condition of people in Nazi concentration camps, or in the Guantanamo Bay prison, but it is also the potential condition of any electronic citizen, says Agamben.
Why Agamben is wrong?

Agamben is wrong because he confuses dreams (or nightmare) with reality. As a matter of fact no biometric system is actually able to elicit only identifying information (which would turn persons into bare bodies, as Agaben states).

This is not due to imperfect technologies, or to procedures which still need to be refined, but it depends on the very nature of the human body.

“Clean” biometrics cannot not exist because of the very “linguistic”, communicational, nature of human bodies.
Biometrics are closer to human recognition

Moreover, as biometrics become closer to interhuman recognition, as they are going to produce extra information.

In order to increase precision and to avoid being spoofed, applications are increasingly eliciting physiological responses (as aliveness detection) and collecting soft biometrics.

This makes biometrics far from Agaben’s nightmare, but also much more dangerous.
As biometrics systems become closer to interhuman recognition, and more sophisticated, they become also more ethically and politically troublesome.
Two aspects of recognition

When philosophers such as Agamben, argue that biometrics are akin to Nazi tattoos, they fail to appreciate that there are two different aspects involved in personal recognition, 1) distinguishing between individuals, and 2) distinguishing between sets of people. The latter is likely to be the real issue.
Humans use sets for thinking.

Identification results from crossing different sets till the point we recognise an individual.
Ideal biometrics use unique identifiers

Ideal biometrics would target only elements which can allow to recognise the single individual.

Alive, Human, Male

Italian, middle age, MD, bold, fat

Here in this conference hall, now

Emilio Mordini?
In reality...

Actually, biometrics can elicit also other details and they are increasingly do it. Say, biometrics can be used to categorise people, to include them into pre-definite sets.
Biometrics for individual recognition

General public and privacy advocates are often worried that large scale biometric systems can turn democratic states into states of police by creating the perfect unique identifier. This is a urban myth.

It is certainly true that biometric applications can be misused and I have illustrated why biometric systems tend to collect extra details that may infringe privacy. Yet till when biometric applications are used for individual recognition they are still rather save.
Identity and Rights

Certainly, any process of personal identification implies that individual are recognized subjects of rights and obligations, and this could be seen as a limitation of individual liberty.

Yet there would be no right, no liberty, without personal identities. One can claim her rights, included the right to be left alone, and all privacy rights, only if she is an identifiable subject, if she has a public identity.
The virtuous circle

You are an individual because you can hide something, and you can hide something because you are recognised as a single individual. This is the lesson we have learned from the clinical case.
Personal Recognition

Personal recognition always implies a certain respect for the law (of course a law can be horrible, but this is a different issue) because it implicitly affirms the principle of personal responsibility.

Even if one is recognised only for being unjustly arrested, this still means that there are some rules.
“The chief principle of a well-regulated police state is this: That each citizen shall be at all times and places ... recognized as this or that particular person. No one must remain unknown to the police. This can be attained with certainty only in the following manner: Each one must always carry a pass with him, signed by his immediate government official, in which his person is accurately described. There must be no exception to this rule.”

Johann G. Fichte, THE SCIENCE OF RIGHTS.
Very rarely individual recognition has been used to mass surveillance because - apart from any other consideration - it would be too expensive and ineffective.

When rulers want their subjects to humiliate themselves or their fellows, they create, or exploit the existence of, different sets of people.
Anonymous masses

Concentration camps, mass deportations and executions, which have caused the most horrible manslaughters, require the creation of anonymous sets of individuals, classified according to some simple, shared, attributes (e.g., skin color, cultural or religious belonging, nationality, physical disabilities, social class, location, and so).
Biometrics can become an effective tool for ascribing individuals to sets of people.

In 1929 Hitler saw the “great thing” of his movement in the fact that sixty thousand men “have outwardly become almost a unit, that actually these members are uniform not only in ideas, but that even the facial expression is almost the same. Look at these laughing eyes, this fanatical enthusiasm and you will discover ... how a hundred thousand men in a movement become a single type”.
There is then a certain irony in the fact that ethical and political concerns surrounding biometrics are partly justified, but in a sense completely different from what privacy advocates usually think.
16.15 Panel: the HIDE Project

- Structure of the Projects
- HIDE Focus Groups
- HIDE Policy Forum
- HIDE Workshops
- The PLATFORM
- Getting involved in HIDE
Thank you for your attention.

Emilio Mordini – Centre for Science, Society and Citizenship
emilio.mordini@cssc.eu