

# Reflecting on Identity and Autonomy in a Datafied Society with Paul Ricœur

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## Abstract

As embodied subjects of experience in the physical world, we inhabit cyberspace as “dividuals” composed of fragmented and dispersed data as a result of operations performed by algorithms. Within the context of an “algorithmic society” (Balkin, 2017), the intersubjective process of identity building is replaced by algorithmic processes. This leads to a “mortification of the self” since this is not just a computational operation but also a moral experience. In order to react to this situation, some authors have invoked the fundamental incomputable nature of the self, explicitly relying on Ricœur’s distinction between identity-*idem* and identity-*ipse*, and further arguing that this shall represent the core understanding of privacy (Hildebrandt, 2019). Other authors have proposed a performative theory of digital citizenship centered on the idea of claiming rights: here, I argue that Ricœur’s reflection on the Self constituted as a subject of rights may complement this theory and that, in its turn, the latter may provide a valuable reference for reading and integrating Ricœur’s analysis.

*Keywords:* Paul Ricœur, legal subject, responsibility, autonomy, identity, digital citizenship.

The starting point of my contribution is a short reply given by Paul Ricœur during the debate following his speech (titled *Justice, virtue and institution*) at the colloquium *La sagesse pratique. Autour de l'œuvre de Paul Ricœur*, held in his honor in Amiens in June 1997 (Barash & Delbraccio, 1998). Asked what he thought about the inescapably increasing role of computers in decision-making in many fields (such as, in particular, the medical, the legal, and the political) and about the possible threat represented by a society in which decisions were to be taken by machines, Ricœur answered that he could not see any threat and that he was not afraid since “[...] computers do not think. Computers are used by people. They are communication instruments, but

neither do they create a message nor do they think. So what are we afraid of?" (Barash & Delbraccio, 1998, p. 92; own translation from French).

He then continued by asserting that machines are not substitutes for humans in decision-making, but that they will only provide more information to the decider(s); taking as an example the medical or the legal fields, computers—Ricœur added—do not alter the human relationship between the doctor and the patient based on the trust accorded by the latter to the former, just as, in the field of justice, the fundamental situation of a human being judging another human being will not be altered by the auxiliary function of machines. In both these situations, Ricœur says, computers only enlarge the chain of intermediation (*les intermédiaires de la parole*): "I do not see under which profile the material aspect of computers is going to alter the structure of the problem [...] we can multiply the sequence of intermediates but the fundamental structure will not be altered" (Barash and Delbraccio, 1998, p. 93; own translation from French).

25 years later, the rise of the contemporary "datafied society" or, to use Jack Balkin's terminology, the "algorithmic society", obliges us to reconsider this statement. The context in which computers are used to decide, and the ways they do it nowadays, unfortunately prove Ricœur's words wrong; nevertheless, they still retain their value if we recognize that their discursive status has changed: from descriptive as they were meant to be, they became normative. This happened not by virtue of their weakness but, on the contrary, as a consequence of the changed role technologies play in contemporary societies. Despite Ricœur's optimism (or myopia?) on this specific case, his thought can still provide fruitful elements for coping with some of the problems linked to the pervasive datafication of contemporary societies and the connected surveillance practices. In particular, I will focus here on the contributions of Ricœur's philosophy for appraising the impacts of algorithmic decision-making on the identity and the capacities of the Self, and therefore contributing to building the relationship between the Self and their digital others, in particular from the perspective of the Self as a subject of rights and as a digital citizen.

### *The Self in the Algorithmic Society*

*"Digital hybridity is the de facto mode of contemporary existence."*  
(Goriunova, 2019, p. 126)

Following Jack Balkin, the current society can be defined as an "algorithmic society," that is as "a society organized around social and economic decision-making by algorithms, robots, and AI agents, who not only make the decisions but also, in some cases, carry them out" (Balkin, 2017). This

is made possible by the pervasive *datafication* of many aspects of our life, that is, by putting (personal) information “in a quantified format so it can be tabulated and analyzed” (Mai, 2016, p. 193), a process accompanied and sustained by “the ideology of *dataism*” intended as “a widespread belief in the objective quantification and potential tracking of all kinds of human behavior and sociality through online media technologies” (Van Dijck, 2014). Within this context, marked by the emergence of a “surveillance capitalism” (Zuboff, 2019) as well as by the diffusion of a generalized “surveillance culture” (Lyon, 2018), the identity of the Self is no longer constructed only through intersubjective processes involving confrontation and reciprocal recognition; instead, it is accompanied by processes of algorithmic profiling based on (personal) data processing (De Hert, 2007). The ways in which reality is translated into data and those through which data are used for categorization and profiling are presented by Cheney-Lippold in *We are Data*, showing 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” (Cheney-Lippold, 2017, p. 35). As stated in an opinion of the Article 29 Working Party, “the widespread availability of personal data [...] and the ability to find correlations and create links, can allow aspects of an individual’s personality or behavior, interests and habits to be determined, analyzed and predicted” (Article 29 Working Party, 2017). As a consequence, the online identity of the person is formed only in part on information voluntarily provided, or on other explicit indicators such as feedbacks, which are digital versions of identity-building dynamics belonging to the social construction of identity; instead, it also includes information that can be inferred by algorithms from data associated to someone.

The identity emerging out of algorithmic processes can be defined as that of an “interpolated subject,” as “this form of divided individuality reconceptualizes much of identity into an aggregation of membership in different modulating measurable types [...]. Without an embodied, always complete and unique identifier to call John, ‘John’ is an unstable inventory of potential meaning” (Cheney-Lippold, 2017, pp. 170–173). Two aspects are crucial for characterizing an identity computationally determined by algorithms: a) the datafication of identity, and b) the modularity and temporariness of the digital identity reconstructed this way as a result of the pervasive and continuous activities of data processing. In short, data do not *reflect* the identity of the Self: rather, they *assign* it as a provisional and ongoing result of algorithmic operations, so that “[...] you are rarely “you” online [...]. Rather, we are temporary members of different emergent categories [...]. The future of identity online is how we negotiate this emergence” (Cheney-Lippold, 2017, pp. 4–5).

Gilles Deleuze proposed the term *dividual* to designate the subject in the context of the “control society”: “[in contrast with the individuated self,]

dividuals are rather fragmented and dispersed data bodies” (Raley, 2013, p. 127). This represents a *moral experience* which leads to a “mortification of the self” (Harcourt, 2015), given that “overdependence on computational decision-systems may result in a shrinking of the inner self, as we learn to internalize the logic of computational feedback to better adapt to our new environment. The elasticity, ex-centricity and ecological nature of the inner mind are what makes us human, but thereby also vulnerable to being hacked by an environment that is conducive to cognitive automation” (Hildebrandt, 2019, p. 105). The impacts of these processes on the contemporary philosophical, juridical and political anthropology are radical, as they are not confined merely to sub-disciplinary theoretical issues, but rather involve the very idea of the human as well as that of identity (Sætra, 2019; Rouvroy, 2016; Hildebrandt & Rouvroy, 2013).

This situation asks for reflection and for a reinterpretation, in the context of these new social digital territories, of the two concepts proposed by Paul Ricœur: “the *idem* identity (i.e., the third-person view of identity) and the *ipse* identity (the first-person view)” (Hildebrandt, Koops, & de Vries, 2008, p. 26). In the following, I wish to briefly discuss how we can make sense of this moral and political panorama within the philosophy of Paul Ricœur, in particular in connection with recent theorizations of digital citizenship, which seek to react to this state of affairs by giving an active and proactive role to digital citizens.

### *Privacy and the Incomputable Nature of the Self*

*“When our embodied individualities get ignored, we increasingly lose control not just over life but over how life itself is defined”*  
(Cheney-Lippold, 2017, p. 20)

In the face of the novel problems posed by digitalization, some authors have explicitly invoked, among others, Ricœur’s analysis of personal identity in order to reaffirm the fundamentally *incomputable* nature of the Self, in particular by explicitly relying on the analysis of the distinction, proposed by Ricœur in *Oneself as Another*, between identity-*idem* and identity-*ipse*. Subsequently, they argue that this shall represent the meaning of the contemporary privacy idea, which grants the self the possibility to build autonomy and identity in its being simultaneously in the datafied and in the material world: “[...] 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 implications of this way of approaching the question of personal identity in a datafied society are relevant but cannot be fully discussed here. The relevance of this theoretical proposal is nonetheless manifest when we consider examples of this datafication of identity applied to policing (Redden, 2018), spanning from “traditional” policing in crime management (Joh, 2016), to the surveillance of emotional states (McStay, 2020). I now wish to turn to the implications of this approach maintaining the unity between the digital and the embodied Self, instead of reducing digital identity to a data construct, in particular when dealing with some of those more recent approaches to digital citizenship that are equally committed to reacting to the negative consequences of a pervasive datafication. Here I just wish to stress—as if this was necessary—that this is, above all, a struggle around the meaning of some fundamental categories, in particular personal identity (Sætra, 2019).

### *The Self as a Digital Citizen*

*“When individuals are replaced by dividuals, the categories of identity that we normally think of as politically owned by us, like gender, race, and citizenship (...) become nonlinearly connected to an endless array of algorithmic meaning, like web use and behavior data”*  
(Cheney-Lippold, 2017, p. 42).

Recent theories of digital citizenship, instead of focusing on the inclusive nature of the internet as an enabler of citizenship through participation, as the first theorizations did, focus on readings of citizenship as being based on a self-enactment by individuals. The focus of citizenship is no longer dependent on an attribution by a (supra)national legal order, but rather the emphasis is on the figure of the citizen as an active political subject: “while this may include being a subject to an authority, such as the state, most accounts of digital citizenship have been interested in the digital citizen as a subject of his or her own making. They have thus departed from classic understandings of the citizen as defined through membership of a nation-state and have focused instead on the self-creation and self-assertion of citizens as active participants in society through digital acts” (Hintz et al., 2018, p. 19).

Here, in particular, the discussion focuses on a proposed *performative* theory of digital citizenship, which claims the fundamental unity of the subject acting online and offline, as well as the unity and continuity of the physical space and the cyberspace, so that “who we become as political subjects—or subjects of any kind, for that matter—is neither given nor determined but enacted by what we do in relation to others and things. If so, being digital and being citizens are simultaneously the objects and subjects of political struggle” (Isin & Ruppert, 2020, p. 26). Pushing the idea of digital citizenship beyond its more common sense, that is, “the ability to participate in society online” (Mossberger et al., 2008), the two authors state that it is by *claiming rights* that we constitute ourselves as digital citizens, at the same time ensuring the unity of the claimant subject and that of the (cyber)space of action: “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.)” (Isin & Ruppert, 2020, pp. 13–14). Accordingly, these authors speak of cyberspace as “a space of relations between and among bodies acting through the Internet,” affirming both the unity of the online and offline space and that of the subject inhabiting it. The emerging figure of the digital citizen as a political subject is thus of an eminently collective and relational nature, so that “the citizen is a collective political subject that requires being and acting with others in the enactment of rights” (Isin & Ruppert, 2020, p. 14).

This performative theory of citizenship implies that citizenship is more than a legal status conferred by the law, emerging instead also from an imaginary of citizenship mobilized by those who claim rights. “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 contradictions” (Isin & Ruppert, 2020, p. 37). Indeed, I think that a crucial switch of perspective is at play here, from that of the third person of the “body acting” to that of the first person of the “I, we claim rights.” If “our performativity always involves relations between ourselves and others” so that “conducting ourselves means to act with others as we place ourselves and take up and carve out social positions” and if “making rights claims are specific to our definition of citizens as not sovereign rights-bearing but performative rights-claiming subjects” (Isin & Ruppert, 2020, p. 27), then what does claiming rights imply from the first person perspective?

It is this aspect of the theory, indeed a crucial one, on which Ricœur’s philosophy might help shed light.

### *The Digital Citizen as a Responsible Self*

*“When we look at the knowledge construction that takes place after our personal data have been collected, stored and aggregated we will find our selves represented as correlated data subjects”*  
(Hildebrandt, 2006, p. 10)

Indeed, as “data bodies,” or data doubles, we are not constituted as selves but radically as *others*, since *multiple* and *modular representations* are *assigned* to us, which we could also term “identities,” or *data narratives*, without the possibility of having a say. Here I argue that, just like Ricœur’s theory crucially complements the proposed approach to digital citizenship, this latter reciprocally helps make the implications of the former more explicit. In particular, I argue that the capable self constituted as a “full” responsible subject of rights is a good candidate for the figure of the digital citizen emerging from the proposed theory of digital citizenship, and that, reciprocally, the Self constituted as a “true” subject of rights exceeds the figure of the individual legal subject and involves the reference to the collective dimension of citizenship taken in its political sense, which has to be articulated collectively along the language of rights and the political imaginary of equality and democracy.

If the constitution of the digital citizen is a function of claiming rights, then we shall turn to what it does imply to claim rights from the first-person perspective; in other words, we shall consider what claiming rights implies from the perspective of the claimant. Phrased differently, the act of claiming rights shall be considered from the perspective of an ethical and legal theory of the claimant subject. I think Ricœur’s theory of the subject of rights, as developed both in *The Just* and in *The Course of Recognition*, is of particular relevance, since making the right claims implies recognizing oneself, as well as others, as subjects of rights. Ricœur’s theory is particularly relevant given the crucial importance played by the legal dimension in his theory of recognition (this distinguishes Ricœur’s approach from Honneth’s). Indeed, in Ricœur, the Self attains the highest level of capacity when constituted as a “full” subject of rights, so that imputation recaps all the previous forms of capacity since, “with imputability the notion of a capable subject reaches its highest meaning, and the form of self-designation it implies includes and in a way recapitulates the preceding forms of self reference” (Ricœur, 2005, p. 106).

It is within the dialectical relationship between the idea of responsibility and that of imputability that the Self attains a new capacity, and “it is left to phenomenological and hermeneutic philosophy to take up the question (...) about the self-designation attaching to the idea of imputability as an aptitude for imputation” (Ricœur, 2005, p. 107). Ultimately, the “full” subject

of rights in Ricœur has to be understood in the terms of an actively and prospectively responsible self (Gorgoni, 2022), and the inscription within the language of rights is therefore of crucial importance both for the constitution of the identity of the self and for the figure of the (performative) digital citizen. Since struggles for recognition are located within contexts marked by contestation and struggle—even though not exclusively, as Ricœur states, taking some distance on this point from Honneth—it is often going to be articulated in the form of claims. This may include either invoking existing rights (an act of “submission” to conventions or “inscription”) or projecting the claim beyond or even against the black letter of the law (an act of “subversion” of conventions).

If digital citizens *performatively enact themselves* by acts of *claiming* rights, the theory has to integrate the consideration of the “internal point of view” (to borrow an expression of legal philosopher Herbert Hart) of the legal subject/digital citizen, which cannot be understood only through its outputs (the acts of claiming and even their contents), but has also to integrate its meaning from a first-person perspective. Indeed, it is not the mere fact of taking the stance of claiming rights which counts as an authentic act of citizenship; instead, the content, the substance, of the claim is of crucial importance here, as the content cannot be separated from the attitudes and intentions of the claimant(s) (e.g., instrumental, formal or purely rhetoric claims are not authentic claims as they do not aim at the substance they formally/apparently bear/convey) since “[it] is necessary to distinguish between making rights claims against injustice, repression, and domination and making claims that are racist, misogynous, xenophobic, ethnocentric, nativist, and sexist that perform and enact such injustices and domination” (Isin & Ruppert, 2020, p. 15).

It is precisely on this point that it becomes possible to connect the two theoretical perspectives under scrutiny: on the one hand, rights claimants shall be *authentically committed* to what they claim, whilst at the same time, they shall inscribe these claims in the shared values and language of rights in order to articulate it in a universal form and not in a partisan and partial one. In other words, the need for *qualified claims* implies both the *recognition of the other* as an equal subject of rights and an *authentic engagement towards the rights that are claimed*. What emerges in both these perspectives are subjects *committed* to their claims and, at the same time, committed to articulating their claims in the universal, and therefore reciprocal, language of rights: “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” (Isin & Ruppert, 2020, p. 54).



It seems to me that the figure of the digital citizen emerging from this performative theory of (digital) citizenship rejoins Ricœur's idea of a "full" subject of rights, which in its turn—at least in my proposed reading—deploys its full meaning in relation to an active and prospective idea of responsibility, in contrast to the "static" perspective of the ascription of rights and duties to a legal subject conceived in formalistic legal terms. Indeed, in Ricœur, the figure of the subject of rights is clearly more than an abstract or formal legal subject as it shows *attitudes* such as engagement, proaction, motivation, responsiveness, or care. The legal terminology—despite having been enriched by Ricœur with adjectives characterizing it in terms that are alien to the legal language—cannot fully express its nature: this linguistic uneasiness precisely indicates that the idea of the Self constituted as a "full" subject of rights is better framed in terms of the performative and responsible (digital) "citizen." Indeed, when dealing with the struggle for recognition on the juridical plane, Ricœur considers the role of recognition for the constitution of the self as a subject of rights: "[R]ecognition intends two things: the other person and the norm. As regards the norm, it signifies, in the lexical sense of the word, to take as valid, to assert validity; as regards the person, recognition means identifying each person as free and equal to every other person. Thus juridical recognition adds to self-recognition in terms of capacities [...] new capacities stemming from the conjunction between the universal validity of the norm and the singularity of persons. These two dimensions of juridical recognition thus consist in the connection between the enlarging of the sphere of rights recognized as belonging to persons and the enriching of the capacities that these subjects recognize in themselves. This enlarging and enriching are the product of struggles that mark the inscription in history of these two associated processes" (Ricœur, 2005, p. 197).

Recognition at the juridical level therefore clearly has to be intended here not in its purely legalistic sense, but also—and even mainly—in its wider ethical one; this means that recognition does not proceed exclusively from the level of legality, but also—recalling the terminology proposed by Isin and Ruppert—from both performativity and imaginary going beyond positive law. Ricœur writes that "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 rights" (Ricœur 2005, p. 114). In my view, this implies recognizing that the figure Ricœur is pointing to—without explicitly naming it—when depicting the self as a "full" subject of rights, is the figure of the citizen intended in its active, performative and subversive sense by the performative theory of digital citizenship considered here. The apparently problematic figure of the "full" subject of rights recalled by Ricœur is well captured by the idea of the "citizen claiming rights": and indeed, in Ricœur's own words, the enlargement of rights and the parallel enlargement of capacities are strictly interrelated.

What, then, makes possible the prospective projection of rights and responsibilities, if not the imaginary underlying and sustaining the rights themselves?

### Conclusions

The identification of Ricœur's legal subject as being the subject of a prospective responsibility and as a self-affirming citizen may be of great relevance today in connection with the pervasive role of technology in mediating both our face-to-face and institutional relations, where "humans are confronted with *computational 'others'*" (Hildebrandt, 2019), which also encompass their own data doubles or *dividuals*. Data and algorithms are part of wider societal (or socio-technical) arrangements without which they would not produce, alone, the same effects; they are both and at the same time the *products* and the *enablers* of such arrangements, so that they express, reiterate and enable power relations on which historical dynamics of *power over somebody*, as Ricœur would term these, are at play, producing harm, suffering, and misrecognition.

Ricœur's reconstruction of the identity of the Self also helps us also in acknowledging the abusive displacement of the discourse on the pole of *idem* at the expenses of the *ipse*, doubled by the fact that data are all but "given," instead they are "taken" — *capta* (Gitelman, 2013). It also helps to properly address what Jack Balkin metaphorically names "the homunculus fallacy," i.e., the fact that algorithms *are enabled to speak by (and for) somebody*. In other words, there are human projects, choices, decisions, and organizations behind their operation: they have not fallen among us like meteorites. Instead, they stand between us as buildings do, and we can, or better said have to, have a say on it. The responsibility for this state of affairs sits well beyond individual agents, but it does not exempt individuals from engaging with it. Institutional arrangements, intended not only in the legal and political sense, but also involving the socio-economic sphere, represent crucial crossroads for intervening in this context; nevertheless, we shall acknowledge that individual citizens (sometimes even "exemplary" citizens such as Julian Assange, or Edward Snowden, to name a few) de facto have the role of leading the struggle for recognition generated by the pervasive datafication of our life, sustained rather than countered by the institutional complex characterizing our contemporary societies.

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