SORGNER ON FREEDOM, VIOLENCE, AND PRIVACY

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Abstract
In *We Have Always Been Cyborgs*, Stefan Lorenz Sorgner presents an entire philosophical system, blending Nietzschean scepticism with the transhumanist impulse to embrace technology. He integrates ideas that range from fundamental issues in epistemology, metaphysics, and metaethics to specific recommendations for new European institutions. Much of this is attractive and impressive, and Sorgner's growing body of work makes an important contribution to debates over regulatory policy arising from new technologies such as digital surveillance, pre-implantation genetic diagnosis, and techniques for genome editing. At the same time, there is room for concern at Sorgner's use of a cluster of ideas related to the politics of emerging technologies. Sorgner usefully invokes the concept of negative freedom, but this alone cannot settle the boundaries of freedom in a liberal democratic society. He appears to embrace an expansive concept of violence and is quick to find violent elements in ideas and opinions that he rejects. Again, he appears to underestimate and understate the importance of privacy. These criticisms are cautionary rather than definitive, and they may not provide adequate grounds to reject any of Sorgner's policy recommendations. Nonetheless, the analysis suggests a need for further philosophical work on key concepts in the politics of emerging technologies.

Keywords
Digital surveillance, freedom, harm, internet panopticon, negative freedom, privacy, Stefan Lorenz Sorgner, transhumanism, violence

1. The Promise and Problem of Freedom

In his prolific writings, Stefan Lorenz Sorgner has offered a rich examination of transhumanism as a contemporary cultural and philosophical movement, and as the culmination of previous traditions and schools of thought advocating enhancement of human capacities. His 2022 book *We Have Always Been Cyborgs*[1] constructs an entire

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[1] Subsequent (and numerous) references to this work—i.e. Sorgner (2022)—are included parenthetically in the text using the distinctive and slightly shorter form *Cyborgs*.

philosophical system, blending Nietzschean scepticism with the transhumanist impulse to embrace technology.

Sorgner pays little heed to such speculative ideas as mind uploading, threats to human life from artificial superintelligence, and the simulation argument (according to which we are probably living in a universe running on advanced computer hardware). Conversely, he allocates ample space to one of the main themes in his previous body of published work: the permissibility of human genetic engineering by analogy with choices about children's education. Much of this is attractive and even impressive, but there is room for concern at Sorgner's deployment of a cluster of ideas related to the politics of emerging technologies—ideas such as freedom, violence, privacy, and harm.

Early in *We Have Always Been Cyborgs*, Sorgner introduces the idea of negative freedom, which gradually becomes the book's key concept. He briefly defines this freedom as "the absence of coercion", and he refers to an imperative of striving for negative freedom "at the legal, social, and cultural levels" (Sorgner, 2022, p. 41).

Similar concepts of freedom are a recent development in history; as Sorgner would phrase it, they constitute a recent and "wonderful" (or "precious" or "amazing") *achievement* (e.g., Sorgner, 2022, pp. 15, 44, 97, 196). Such concepts emerged in early European modernity and the eighteenth-century Enlightenment, then took a more structured and explicit form in the writings of nineteenth-century liberal thinkers such as Benjamin Constant and John Stuart Mill. They also received attention from many twentieth-century thinkers.[2] Most prominently, Isaiah Berlin popularized the concept of negative liberty, or negative freedom,[3] in a series of lectures and other writings that most famously included his long essay *Two Concepts of Liberty* (originally a lecture delivered at Oxford University in 1958). For Berlin, this concept responds to the question: "What is the area within which the subject—a person or group of persons—is or should be left to do or be what he is able to do or be, without interference by other persons?" (2017, p. 169). Berlin (2017) views negative freedom[4] as an absence of coercive control by other human beings, and particularly those wielding governmental power:

> I am normally said to be free to the degree to which no man or body of men interferes with my activity. Political liberty in this sense is simply the area within which a man can act unobstructed by others. If I am prevented by others from doing what I could otherwise do, I am to that degree unfree; and if this area is contracted by other men

[2] Including Erich Fromm, Friedrich von Hayek, and numerous others with much else to disagree about among themselves.

[3] Berlin uses the terms "liberty" and "freedom" interchangeably. In keeping with Sorgner's terminology, I consistently refer in the text to "negative freedom" or simply to "freedom".

[4] It would take us far afield to review pre-modern concepts of freedom or modern concepts of *positive* freedom. However, it's worth noting Berlin's concern that positive freedom can become a "freedom" to follow the dictates of your supposed true self. These dictates might be quite different from your actual desires. Worse, they might all-too-conveniently coincide with what is demanded of you by a state-sponsored ideology.

> beyond a certain minimum, I can be described as being coerced, or, it may be, enslaved. (p. 169)

Importantly, the *concept* of negative freedom does not inform us *how much* negative freedom – if any – we should enjoy, or in what spheres of our activities. That is a question whose answer requires additional philosophical work. As Berlin explains, past thinkers who developed the idea did not necessarily argue for complete negative freedom, which might conflict with other important values and goals. Nonetheless, there is a tradition of thinkers who have sought at least a minimal area for such freedom to operate:

> But equally it is assumed, especially by such libertarians as Locke and Mill in England, and Constant and Tocqueville in France, that there ought to exist a certain minimum area of personal freedom which must on no account be violated; for if it is overstepped, the individual will find himself in an area too narrow for even that minimum development of his natural faculties which alone makes it possible to pursue, and even to conceive, the various ends which men hold good or right or sacred. It follows that a frontier must be drawn between the area of private life and that of public authority. Where it is to be drawn is a matter of argument, indeed of haggling. (Berlin, 2017, p. 171)

In practice, thinkers in this libertarian tradition—as Berlin labels it—have advocated a broad area for negative freedom: "[T]he fathers of liberalism – Mill and Constant – want more than this minimum: they demand the maximum degree of non-interference compatible with the minimum demands of social life" (Berlin, 2017, p. 207). Joining the tradition of Mill and Constant, Sorgner writes: "A person has the right to choose what she wants to do if it does not harm another person and if it does not violate the psychophysiology of another person" (Sorgner, 2022, p. 48).

The concept of psychophysiology recurs throughout *We Have Always Been Cyborgs*, such as when Sorgner (2022) affirms that "life is about recognizing and holding on to one's own psychophysiological drives, affirming them, and living in accordance with them" (p. 48). He continues:

> Cultural norms tell you that you have to behave in a certain way. Your psychophysiological drives have different requirements. You must recognize them and stand up for them. This is the tricky challenge that has to be mastered. It is an extremely difficult task that is a challenge for everyone. (Sorgner, 2022, pp. 48–49)

For Sorgner, negative freedom specifically includes reproductive (or procreative) freedom, morphological freedom, and educational freedom (2022, pp. 19, 54, 156, 190, 196). Thus, he elaborates his conception of negative freedom as follows:

> Any person should have the right of acting freely as long as no other person is harmed, as each person has idiosyncratic needs for realizing a fulfilled life. The right of acting freely includes many other rights such as morphological freedom, procreative freedom, or educational freedom. This judgement considers the relevance of acknowledging a

> permanently greater plurality of legitimate lifestyles, while at the same time it takes seriously the goal of reducing violence done against people. (Sorgner, 2022, p. 156)

Sorgner offers inclusive definitions of reproductive freedom and educational freedom which make clear that they extend far beyond the freedom to have children when, but only when, we please, and beyond freedom in how we educate our children and ourselves:

> Educational freedom includes people's parental right to genetically modify their offspring, as traditional parental education and genetic enhancement by modification are structurally analogous procedures. Reproductive freedom includes the right to select children for implantation after IVF and PGD, as selecting a partner for procreative purposes and selecting a fertilized egg for implantation purposes are structurally analogous procedures, too. (Sorgner, 2022, p. 19)

In turn, he explains morphological freedom—one of the key demands of the transhumanist movement—as a person's "right to choose what form she wants to take, develop, and establish" (Sorgner, 2022, p. 48). It is, in other words, a right to modify ourselves, including by direct technological alterations to our bodies.

We may note, then, that Sorgner advocates a very wide area of freedom from coercion in order to permit a vast plurality of modes of human flourishing. Writing in an age of emerging technologies, he expressly includes technological self-modification and the use of genetic technology for selecting and modifying our children. This is his promise of freedom. At the same time, there remains the problem of where to draw lines—*how much* negative freedom we should enjoy—and to repeat, the solution does not follow from the concept of negative freedom itself.

2. Creeping Concepts

Permit me go back a step. In a widely cited 2016 paper, University of Melbourne psychologist Nicholas Haslam identified an ongoing trend over the previous decades—beginning, perhaps, around the 1980s. This was an expansion of meaning for terms that referred to "undesirable, harmful, or pathological aspects of human experience and behavior" (Haslam, 2016, p. 2). As a label for this trend, Haslam introduced the term *concept creep*. He specifically examined the trend as it appeared in the behavioural and social sciences, but it appears to have spread from there or to have developed in parallel in wider social domains.

In his original article, Haslam focused on an expansion of meaning for the words *abuse*, *bullying*, *trauma*, *mental disorder*, *addiction*, and *prejudice*, and hence for the concepts that those words signify. He observed that their meanings had extended since, say, the 1970s both horizontally (to new kinds of speech and conduct) and vertically (to less dramatic or severe levels of apparent nastiness or psychological impact). Such an expansion has an attractive aspect in that it shows concern for the welfare of others, and some specific expansions of meaning are probably justified. Thus, we now recognize a broader range of phenomena as mental illness, child abuse, or bullying.

Some kinds of physical and other punishments, harshly judgemental language, and sheer neglect are now viewed as unacceptable ways of treating children, though they might once have seemed unremarkable. But there can also be a downside as the meanings of these various words expand, and as many other concepts—in addition to Haslam's original six—also extend horizontally and vertically.

Haslam and his collaborators continue to research the phenomenon of concept creep and to publish their findings. But even without formal data, we can observe a comparable expansion of politically charged words and concepts such as *violence*, *hate*, and *harm* itself. In traditional liberal thought, these words establish a high threshold before speech and action can become candidates for legal restrictions or serious social disapproval. As their meanings expand, however, they capture much speech and conduct that commonly provoke nothing more than disagreement, annoyance, transient and low-impact offence, or frustration of certain desires. As this trend continues, there is a risk of going too far in stigmatizing much everyday behaviour and pathologizing the experience of everyday challenges.

At one point in *We Have Always Been Cyborgs*, Sorgner (2022) asks a pertinent questions: "What is violence and harm?" (p. 156). He immediately acknowledges the difficulty of formulating definitions and states: "My main task is to indicate some reflections which ought to be taken into consideration, rather than a definite answer" (Sorgner, 2022, p. 156). But even if completely uncontroversial definitions are ultimately not possible, this issue is worth further examination. It affects what kinds of speech and action fall within or beyond the pale of toleration in liberal democratic societies.

Consider the word *violence*, which Sorgner uses frequently. One difficulty is that it has various extended or metaphorical meanings—for example, we can speak of the violence of a film that merely *portrays*, and certainly cannot *commit*, acts of violence. Likewise, we can speak of one philosopher "violently attacking" another's ideas, but no actual violence is involved.[5] Sometimes the word *violent* means little more than *forceful*, but this also has extended and metaphorical meanings.

In its primary sense, however, *violence* signifies the damaging infliction of physical force against people, other living creatures, or non-living things (usually, but not always, property). Most centrally and significantly, violence is deliberate infliction of physical force against another person with an intention to cause injury, death, or significant pain. Violent behaviour in this sense attracts such fear, and potentially causes such serious and unequivocal harm, that it is viewed as socially intolerable in most contexts[6] and is typically prohibited by the core criminal law. Against that background, to stigmatize actions, speech, or in some cases even concepts, theories, and opinions, as "violent" is tantamount to demanding their legal or social suppression, whether or not that is the subjective intent.

[5] A more accurate word than *violent* in the case discussed might be *vehement*. But let me be clear that there is nothing wrong with metaphorical or extended uses of words as long as we're clear that that's what they are.

[6] This is a generalization that admits of exceptions, including the limited and regulated use of violence in certain sports.

By contrast with *violence*, the word *harm* is difficult to define without resorting to synonyms that are no more helpful. Thus, the primary definition in the *Oxford English Dictionary* is: "Evil (physical or otherwise) as done to or suffered by some person or thing; hurt, injury, damage, mischief." This is notably broad and rather vague, and it leaves room for trivial physical or mental discomforts to count as harm of a sort. However, liberal thinkers such as John Stuart Mill have generally sought to restrict the classes of harm that justify punishment or serious social disapproval.

Stepping back, we can observe an historical movement, beginning in early European modernity, from confessional governments committed to enforcing religious doctrine to secular governments. As this process unfolded, it tended toward more liberal forms of law-making and eventually encouraged liberalized moral norms as well. In the government sphere in particular, today's liberal democracies often shy away from issues to do with spiritual salvation, holiness or purity from sin, or "rightness" with God. In the absence of such concepts from democratic politics, even the political imposition of traditional morality becomes more difficult to justify. As I've expressed the point elsewhere, the logical outcome is a society in which individuals have great freedom "to develop their own potentials as they see fit and to pursue their own values or visions of the good" (Blackford, 2012, p. 73). To whatever extent this tendency can be sustained, and keeping in mind that it encounters persistent opposition, it supports Sorgner's overall vision of a maximally tolerant society.

This analysis implies that liberal democratic societies should permit a substantial area of negative freedom, but it does not define precisely what area of freedom is justified. Recall Isaiah Berlin's point that the concept of negative freedom does not, in itself, tell us *how much* negative freedom we should have—something more needs to be said to answer that question. As we've seen, Sorgner's view is that we should be free to act on our psychophysiological drives, but what might this mean in practice? He provides some examples of how these "drives" might manifest themselves, such as wanting to die, wanting to have a healthy leg removed, wanting to eat parts of your own body, and not wanting to be cured of manic depression. For Sorgner, it is important that none of these should be regarded as pathological. If we conclude that they "represent insane states of minds" we thereby treat the persons who harbour these desires not only "paternalistically" but "in a violent manner" because: "their wishes are not recognized as theirs, but [it] is claimed by others that they know better than oneself what is in one's interest" (Sorgner, 2022, p. 136).

There is, indeed, something paternalistic whenever we claim to know other people's interests better than they do themselves. Whether or not this is an *objectionable* form of paternalism is, however, another issue. We usually accept paternalism toward children and others who, for one reason or another, seem incompetent to make some of their own decisions (elderly patients suffering from serious dementia, for example). The sting of paternalism is its application to individuals who are, in fact, competent at looking after their own affairs, and who have a reason to resent interference. When we consider Sorgner's examples, there is at least a question about

the competence of individuals who have what might be framed as persistent self-destructive impulses rather than alternative modes of human flourishing.[7]

At the least, it's not clear that these desires, when experienced strongly and persistently, should be placed on the same level as a liking for cucumbers, honey, or white bread—compare (Sorgner, 2022, p. 137)—or for one or another form of consensual but unusual sexual experience. Even if we take a narrow view of what constitutes harm—or what counts as harm for certain political and moral purposes—an example such as wanting to have a healthy limb removed would normally be viewed as a desire, or a compulsion, for self-harm. Should someone with this desire act successfully upon it, she may experience satisfaction, but she will also be hindered thereafter in meeting the physical demands of everyday life—and we'd normally interpret that as harm of a kind.

Sorgner's approach has the advantage of not trying to distinguish between a person's empirical self, with certain desires, and her *true self*, which others might claim to understand better than she does. In a large class of cases, we might wisely resist such talk of a true self, or talk of freedom from our desires as if they are an outside force.[8] But it's not clear that this scruple should apply to every case whatsoever, no matter how extreme. Sorgner's approach to these cases is not the only one available, and nor is it necessarily the most plausible.

For example, Bernard Gert states, "Some people have serious mental disorders that do not involve having false beliefs" (2004, p. 96)—and at least some of Sorgner's examples would fall within this category. On a conception of rationality and irrationality such as Gert's, there is nothing rational about an impulse to eat parts of your own body or to have a healthy leg removed (at least without some adequate reason that goes beyond the desire to do this for its own sake). Gert's view is embedded within a larger moral theory whose truth or usefulness I cannot settle here. However, it is likely to be shared by many health professionals, as well as many laypersons relying on common sense. From numerous viewpoints that seem worthy of respect in a liberal democratic society, we might hesitate to regard someone's persistent and strong desire to eat her own body, or to have a healthy leg removed, as no more than her personal plan for human flourishing. Accordingly, there is at least legitimate doubt as to whether such cases fall within the proper area for negative freedom.

Sorgner, however, denies the legitimacy of any adverse judgment in repect of the desires that he lists. That is, he claims that any judgement that they are "insane states of mind" is not only objectionably paternalistic but constitutes treating the individuals concerned "in a violent manner". Admittedly, a judgement of insanity or mental incompetence might lead to efforts that such individuals would resist, and that could potentially *lead to* violence. But this does not seem to be Sorgner's point.

[7] We might be able to split hairs about Sorgner's examples, some of which are arguably more extreme than others. For example, some individuals might experience instrumental advantages from manic depression, such as heightened creativity during manic phases. By contrast, there is no obvious advantage to having a healthy leg removed apart from the intrinsic satisfaction of the relevant desire or perhaps the resolution of a body-image issue.

[8] Again, Berlin is suspicious of concepts of positive freedom precisely because—he thinks—they often incorporate these kinds of talk.

He claims that merely making the judgement that someone's apparently self-destructive desires are, in a sense, not hers—or are desires for harm rather than flourishing—is an act of violence. But this is simply untrue.[9] At best, it implies a worryingly broad conception of violence.

3. The "Violence" of Procreative Benevolence

Unfortunately, Sorgner slides easily and often into the process of concept creep, especially when he discusses the *principle of procreative benevolence* (PB), associated with the research of Julian Savulescu, a leading Oxford-based bioethicist. It is not my intention to settle the merits of PB as a moral principle—that would be the topic of a separate paper—but we at least need some understanding of what the idea amounts to.

Savulescu first enunciated PB in an article published in the journal *Bioethics* over two decades ago (Savulescu, 2001). As he explains, it is the principle that

> couples (or single reproducers) should select the child, of the possible children they could have, who is expected to have the best life, or at least as good a life as the others, based on the relevant, available information. (Savulescu, 2001, p. 415)

This would include, where other things are equal and adequate information is available, the selection of genes for beneficial non-disease traits such as the potential to develop high intelligence. Though little turns on this for current purposes, Savulescu slightly modified his original definition in a later (2009) article co-authored with Guy Kahane:

> If couples (or single reproducers) have decided to have a child, and selection is possible, then they have a significant moral reason to select the child, of the possible children they could have, whose life can be expected, in light of the relevant available information, to go best or at least not worse than any of the others. (Savulescu & Kahane, 2009, p. 274)

The original article relies on an intuition that, other things being equal, it is *better* if a child with more, rather than less, opportunity to flourish comes into the world. To prime us to accept more specific conclusions, Savulescu begins with cases where we would, he thinks, decide not to implant an early human embryo in a woman's uterus. The obvious case is where the embryo carries a gene associated with a serious disease. Once we reach that point, we can be led by steps to endorse the selection of a child with positively beneficial genes—again, other things being equal.

One case where other things appear equal could involve two embryos—call them *Embryo A* and *Embryo B*—that have been produced by *in vitro* fertilization and are

[9] Elsewhere, Sorgner even claims that violence "is connected to any strong concept of truth as correspondence to the world" (2022, p. 189). Really? There might be a connection between violence and certain *attitudes* to our beliefs—such as dogmatism or zealotry. But connecting violence to an abstract theory of the concept of truth—of how the concept *truth* should best be understood by philosophers—is ahistorical and rhetorically excessive.

now available for implantation. On the most reliable information available, the two embryos are genetically equal in all respects except that one of them, and only one—let's stipulate that it's Embryo A—possesses a combination of genes that is known to code for the potential to develop high intelligence. Daranted all this, Savulescu argues, the parents should choose Embryo A. Here (we're informed) the word *should* conveys that persuasion to a course of action is justified but coercion is not—this is unlike a situation where coercion is justified to protect someone from (whatever counts as) serious harm.

The 2009 follow-up article by Savulescu and Kahane analyzes PB's relationship to various theories of normative ethics and human welfare. The authors emphasize that PB is intended to be neutral between well-known conceptions of welfare, such as subjective happiness, satisfaction of desires, and a list of objective characteristics of a flourishing life. Thus, the guidance PB provides in any specific situation might depend on what theory of welfare is held in conjunction with it. Furthermore, PB is not intended to outweigh other considerations, such as the costs (in terms of inconvenience, time, monetary expense, and so on) of obtaining genetic information. Indeed, PB is presented as identifying a strictly *pro tanto* obligation that can be outweighed by many other considerations, including the welfare of the parents.

Although PB is meant to articulate one consideration in our moral thinking, there might be few situations where it is not swamped by countervailing considerations or frustrated by limits to our knowledge. In that sense, it is a rather undemanding principle. It can, however, *become* demanding, and give unequivocal guidance, in sufficiently pure cases with little in the way of extraneous features that might be morally relevant.

One problem for PB is that it seems to be an exception to the harm principle famously associated with John Stuart Mill and strongly asserted in *On Liberty* (1859/1974). That is, PB can tell us that a particular choice merits disapproval even though we can identify no individual who has been made worse off than she would otherwise have been. Consider the choice to implant Embryo B even though Embryo A has a better genetic potential (and all else is equal). Here, there is never a person who grows from Embryo A and who can claim to have been harmed by her non-selection. At the same time, the person who grows from Embryo B cannot claim to have been harmed by being brought into existence—except in the extreme and unlikely case that her life has turned out to be so appalling that she'd have been better off not being born.

Such problems are well known in the philosophical literature, with Derek Parfit's book *Reasons and Persons* constituting the *locus classicus* (see Parfit, 1984, pp. 351–379). Attempts to locate a ground for legal prohibition, or even social disapproval, in the absence of an identifiable person who has been harmed are always philosophically controversial.[10] But again, my aim is to give a feel for PB as a moral principle, not to settle the controversy over its truth or usefulness.

Sorgner's criticisms of PB include the difficulty in providing a coherent and universally plausible or acceptable account of what is a "good" or "best" life, but as

[10] Savulescu (2001, p. 418) and later Savulescu and Kahane (2009, p. 277) attempt to address the problem, but it is questionable whether they succeed.

we've seen, Savulescu and Kahane acknowledge this difficulty, including the existence of conflicting, though academically respectable, theories of human welfare. Likewise, they acknowledge that it's always possible to imagine circumstances where *anything* just might turn out to be beneficial, or where anything just might turn out to be detrimental. You never know. They offer a good historical example:

> Conditions that count as disabilities in our sense are only instrumentally bad, and have harmful effects only in a given context. In some possible world, with different social institutions, a condition which in our world is a disability might be neutral or even advantageous. Indeed, in some contexts, having perfect health can be a disadvantage. In Russia in the 1800s, having good health in men meant 15 years' service in the army, with a significant chance of being killed. (Savulescu & Kahane, 2009, pp. 287)

Despite such examples, it seems arguable that there are genetic potentials that it is reasonable to regard as beneficial even though they are not guaranteed to be instrumentally good for every human being in any conceivable situation. Strictly speaking, perhaps there are no truly general-purpose benefits, but there can be characteristics, such as genetic susceptibility to a debilitating and life-shortening disease, that can be detrimental to a great diversity of different lifestyles or life plans. Conversely, there can be characteristics that tend to improve individuals' prospects for pursuing a wide range of lifestyles or life plans, while also assisting them to contribute to overall social productivity and to the well-being of those immediately around them. But again, I cannot settle this issue to anyone's satisfaction here.[11]

Sorgner (2022) claims that if we support PB we are logically committed to a further principle that human beings are under a "moral duty to select the partner for having offspring such that there is the greatest likelihood that a child with the best chance of the best life can be realized" (p. 107)—which seems an absurd and oppressive requirement. However, this does not obviously follow from the descriptions of PB offered by Savulescu and Kahane in their articles. Since PB is supposed to be outweighed by other considerations, including the welfare of the parents, it does not displace the usual assumption that we're morally entitled to select partners whom we love, admire, find sexually attractive, and so on, without consciously comparing their genetic or other quality as potential parents of our children.[12]

But in any event, these arguments can go back and forth indefinitely, and Sorgner is undoubtedly entitled to criticize PB and to argue that its widespread acceptance would lead to a narrowing of individual liberty. My own concern is his predominant approach of claiming that PB is somehow *violent*. He tells us: "I will show that the principle […] violently attacks human beings who disagree with it, which is the reason

[11] For more, see Blackford (2014, pp. 32–44) and the texts referenced there.

[12] Sorgner might respond that there could, theoretically, be "pure" cases where PB would guide even the choice of sexual partners. It is, however, difficult to imagine such cases without positing strange science-fictional scenarios. Savulescu could bite the bullet and affirm that PB does, in fact, govern in *those* cases.

why I regard it as an immoral principle" (Sorgner, 2022, p. 100); "Savulescu's principle is inconsistent and immoral, as it implies a cruelty and violence against minority groups which do not agree" (Sorgner, 2022, p. 101); "PB is […] an immoral principle because it acts violently against individuals and interest groups who do not agree with PB and the associated theory of the good, or should I say, the corresponding theories of the good" (Sorgner, 2022, pp. 104–105); PB "is violent, and hence immoral" because it tells us who to choose as our sexual partners (Sorgner, 2022, p. 107); and a move in the direction of PB "has the effect that [paternalistic moral] structures violently intrude in the private realm of individuals and violently attack the precious achievement that it is widely recognized that a radical multiplicity of concepts of the good can be appropriate" (Sorgner, 2022, pp. 107–108). At one point, he elaborates:

> PB acts violently because it implies that parents who do not subscribe to the theory of the good life as Savulescu proposes it act immorally. The principle demands to tell these parents that they ought not to have acted the way they did, and that thereby they have acted falsely. In this way, the principle intrudes paternalistically in the lives of other people and acts violently against their concept of the good life. (Sorgner, 2022, p. 105)

But PB is merely a principle that Savulescu and Kahane have put forward for discussion, debate, acceptance, rejection, or otherwise. It is an entirely abstract entity that cannot literally attack anybody or anything. Human beings and some other living things are capable of violence, but PB has no physical body, let alone fists, claws, hooves, knives, firearms, and the like. It has no ability of its own to exert damaging levels of force. Admittedly, the principles, beliefs, ideologies, and so on, that people and groups adhere to can sometimes *motivate* them to perpetrate acts of violence. Some ideologies have led to massacres, genocides, and persecutions on a huge scale, or at least to oppressive restrictions on individual liberty. Some jurisprudential principles might, in a sense, be regarded as socially dangerous or even monstrous—as Mill famously said of a particular extreme approach to indirect harm (Mill, 1859/1974, p. 158)—even if they are not literally capable of violence. However, this does not seem to be Sorgner's meaning: he claims that PB is violent merely because it offers guidance that some individuals, couples, and groups will not welcome.

PB provides a standard against which certain courses of action (or inaction) can be assessed as morally wrong—at least in what I have called pure cases—but the same applies to any principle that purports to give moral guidance. If we tell parents that they acted wrongly in a particular set of circumstances, this not a violent act—it might be officious, insensitive, unhelpful, or many other things, but it is not an example of acting violently. Nor is it even paternalistic: it does not require that the individuals concerned, that is, the parents, act *for their own good* against their own desires and judgement.

PB may be inconsistent with the full scope of negative freedom that Sorgner advocates. This gives him a reason to reject it. But it does not, in itself, entail that PB is violent, cruel, paternalistic, or even—since Sorgner's own account of freedom and

its proper extent is controversial—*false*. Most importantly, however, violence is regarded within liberal democratic societies as immoral and intolerable. Stigmatizing the formation and expression of certain opinions as *violent* is a means of placing them beyond the pale of liberal toleration or democratic legitimacy. It is close to a demand for suppression of heretical viewpoints. In *On Liberty*, Mill states in passing that he "altogether condemns[s]" the idea that an opinion can be immoral or impious (Mill, 1859/1974, p. 84). Something of the kind applies to the idea that an opinion—or its formation or expression—can itself be violent.

4. An Internet Panopticon

While *We Have Always Been Cyborgs* touches on numerous issues of morality and regulatory policy, Sorgner appears to single out one of these as currently the most urgent. Central to this issue, in turn, is another important concept relating to the politics of emerging technologies: *privacy*.

Like many other thinkers disturbed by trends toward massive farming of personal data, Sorgner foresees even greater, and more frightening, levels of digital surveillance. He writes of a coming "internet panopticon": a condition "in which all of our digital traces could be connected with each other and could be under permanent surveillance" (Sorgner, 2022, p. 30). This regime will collect extensive data on our physical locations at all times, our physical and online activities (sufficient for powerful interpretations of our psychological characteristics), and our physiological properties (including continually updated biometric information).

In response to this looming threat to privacy, Europe has already introduced legislation aimed at thwarting, or at least hindering, the emergence of such total surveillance. By contrast, the government of China appears headed in the opposite direction, embracing the enlarged possibilities for social control. Perhaps surprisingly, Sorgner warns against what he portrays as a naïve contrast between freedom (associated with Europe) and security (or control—associated with China). Indeed, he argues that there are personal and political reasons for the most massive achievable collection of personal data, sufficient for deep analysis of the relationships between genetics, lifestyle choices, ageing, and well-being.

One of his recurrent themes is "the prolongation of the human health span" (Sorgner, 2022, 6), which does not mean the total number of years of expected or actual life but the number of years of *healthy* life. Sorgner (2022) claims—plausibly enough—that most human beings identify increased health span as increasing the likelihood of a good life or of human flourishing, or as providing one component of a good life (pp. 6, 20, 51).[13] He then argues that this can be achieved by mining and analyzing massive data collections. The results will enlarge our scientific understanding of the ageing process and how it might be counteracted. "Based on this research," Sorgner (2022) writes, "diseases can be treated, ageing can be dealt with and human flourishing can be promoted" (p. 33).

[13] For Sorgner, extended health span is the nearest thing to a general-purpose benefit, but he would not concede that it is *objectively* beneficial, i.e. beneficial in a way that transcends human desires and institutions or what he would call human psychophysiological drives.

At this point, let me acknowledge that I lack any expertise to assess the likely effectiveness of Sorgner's suggested research program. I'll assume for currrent purposes that sophisticated analysis of a vast and complete data collection covering hundreds of millions of people would, indeed, yield important insights to help us understand ageing and increase the span of human health. It could also, I'll assume along with Sorgner, yield insights that would factor into political and economic deliberations. As Sorgner continues this thought, it follows that the current European mood of resistance to massive or total surveillance has a downside. Europe will find itself disadvantaged compared to China (and perhaps some other countries) in not possessing similar comprehensive data on its citizens.

Accordingly, Sorgner (2022) tells us, the nations of Europe will face an irresistible imperative for total surveillance:

> [W]e need data for economic well-being, for scientific research, for the promotion of well-being, and for the elimination of ageing. The achievement of all these objectives is so important that not collecting data is not a realistic option in practice" (p. 52).

Here, the most important goal is to prolong the human health span through a "technique of predictive maintenance" (Sorgner, 2022, p. 9), for which the necessary data will be obtained, in part, by implanting radio-frequency identification (RFID) chips in our bodies to convey extensive information to a central repository under government control.

Sorgner predicts, therefore, that all nations will eventually embrace the internet panopticon. Yet, this will greatly strengthen illiberal regimes and bring enormous dangers to liberal democracy and pluralism: "There is the risk of the coming about of a totalitarian surveillance society of unprecedented scale, which would be devastating to the great plurality of human flourishing" (Sorgner, 2022, p. 38). In short, we're confronted by the challenge of an emerging internet panopticon that Sorgner (2022) views as inevitable—and indeed, desirable—but which could usher in "a retotalization of society on an unprecedented scale" (p. 40).

This leads Sorgner to examine what it is about privacy that makes it so important to us. On one approach, information about ourselves is our intellectual property, giving us a right to exclude others from possessing it—but Sorgner appears to grant this idea little weight, and here I believe he is correct. Such an approach prompts sceptical questions about the nature and basis of property itself—especially of intellectual property, which is intangible, non-rivalrous (in the sense that it can be enjoyed by one person without precluding its enjoyment by others), and historically recent. Indeed, we might wonder how deeply grounded the idea of intellectual property really is. Is intellectual property more than a pragmatic system of legal rights established for policy reasons—essentially to encourage creativity and innovation? It even seems a matter for debate how effectively these rights achieve their purpose and how far they should extend.

Meanwhile, we have good reasons to control information about ourselves that are unlike those which prompted the enactment of, say, patent, trademark, and copyright

laws. Privacy protections are more plausibly based on something like the sanctions theory, which Sorgner (2022) explains as follows:

> We value privacy because we fear being sanctioned for the information associated with private data; for example, when we privately do something that is either legally, institutionally, or morally reprehensible, such as consuming strong drugs, supporting euthanasia, living and loving in a polyamorous way. (p. 40)

In context, this passage does not seem to express a view that polyamorous lifestyles, recreational drug use, and approval of euthanasia are morally wrong. Sorgner's point, rather, is that each of these might attract one or another form of unjustified punishment or disapproval. This quickly takes us into deeper territory. Sorgner (2022) asks "How many sanctions should we have to fear?" (p. 40), and the implication is that current societies punish many actions, courses of conduct, and ways of life that should, in fact, be regarded as legally and otherwise acceptable. No one, including Sorgner, objects to sanctions against more obviously harmful and anti-social acts such as rape, armed robbery, and murder. There is, however, a long history of legal and social punishments for dissent, unorthodoxy, and eccentricity that cause little or no harm to others, and a significant element of this intolerance remains in current legal codes and moral sentiment.

For Sorgner, therefore, there is an imperative to reduce the fear of sanctions, and with it the need for privacy. Thus, "The political norm of freedom is particularly important in a system of total surveillance, as it reduces the likelihood of inappropriate sanctions", or more positively, "The political norm of freedom is particularly important in a system of total surveillance, as it also increases the probability of enabling a great diversity of good lives" (Sorgner, 2022, p. 41). In short, the problem is the combined necessity and danger of an internet panopticon. Its solution is more aggressive promotion of the concept of negative freedom. But how practical is this?

5. Why Privacy?

Writing in 2007, at an earlier stage of the development of the internet and especially social media, the legal scholar Daniel J. Solove described our reputations as being among our most cherished assets—for good reputation is essential to our freedom. Without the good opinion of others in the society where we live, and on which we depend economically and psychologically, "our freedom can become empty" (Solove, 2007, p. 30). Whatever freedom we retain is of little value to us:

> We depend upon others to engage in transactions with us, to befriend us, and to listen to us. Without the cooperation of others in society, we often are unable to do what we want to do. Without the respect of others, our actions and accomplishments can lose their purpose and meaning. Without the appropriate reputation, our speech, though free, may fall on deaf ears. (Solove, 2007, p. 31)

Solove argues that privacy serves many of the same interests as freedom of speech. For example, invasions of our privacy, with subsequent publicity given to our private behaviour, can harm our autonomy or self-actualization by intimidating us into avoiding socially taboo activities and keeping quiet, even in private, about our grievances and unpopular ideas. Importantly, we needn't have done anything that attracts legal punishments, or even social condemnation for perceived immorality, to be harmed by release of personal and private information. As Solove states, there are other facts that can be stigmatizing. For example facts about "addiction, alcoholism, suicide attempts, mental disorders, unemployment, and illiteracy" (Solove, 2007, p. 70) can be stimatizing, leading to a person being shunned or not fully accepted despite having done nothing illegal or necessarily immoral. Likewise, he adds, for certain diseases such as AIDS, and, in a different way, cancer. In fact, an endless array of facts about our lives behind the curtain of privacy may place us in a false light. It can be safest to filter what we reveal about ourselves, depending on the circumstances and on which information can shared with which risks with which people.

At one point, Solove refers to Milan Kundera's book of linked essays *Testaments Betrayed*, in which the great Czech author vividly discusses the difference between our various public and other personas, and how we act in relaxed, private settings with people whom we trust. Kundera highlights the damage that is done when our zone of privacy is invaded. He describes how the Czech authorities attempted to discredit two dissident authors, Jan Procházka and Václav Černý, following the Russian invasion in 1968. The police secretly recorded conversations between the two friends and began to broadcast them in about 1970 or 1971 in an effort to discredit Procházka. The immediate effect was, indeed, to damage his reputation:

> For the police, it was an audacious, unprecedented act. And surprisingly: it nearly succeeded; instantly Prochazka *was* discredited: because in private, a person says all sorts of things, slurs friends, uses coarse language, acts silly, tells dirty jokes, repeats himself, makes a companion laugh by shocking him with outrageous talk, floats heretical ideas he'd never admit in public, and so forth. (Kundera, 1995, p. 260)

However, the people of Czechoslovakia gradually came to see things differently: they came to sense that the real scandal was the brutal intrusion on Procházka's pivacy, the way his private life was exposed to public view by a repressive and hated regime. They realized, as Kundera (1995) puts it,

> that private and public are two essentially different worlds and that respect for that difference is the indispensable condition, the sine qua non, for a man to live free; that the curtain separating these two worlds is not to be tampered with, and that curtain-rippers are criminals. (p. 261)

In *The Age of Surveillance Capitalism*, a massive, elegaic, often personal book written in protest against the nascent internet panopticon that currently exists in the hands of private corporations, the Harvard-based social psychologist Shoshana Zuboff writes of her yearning for a place of withdrawal and seclusion from the outer world.

She compares this with historical ideas of sanctuary—sacred and inviolable sites that provided a retreat from the power of rulers and their laws. For Zuboff, ubiquitous digital surveillance increasingly violates our most intimate spaces of retreat, intimacy, and emotional renewal. We experience "the intolerability of glass life" (Zuboff, 2019, p. 489), which may push us in a direction of resistance to constant and total surveillance. At one point, Zuboff (2019) responds succinctly to the old canard that you have nothing to fear if you have nothing to hide: "The real psychological truth is: *If you've got nothing to hide, you are nothing*" (p. 479)—Zuboff's emphasis.

As it happens, much of Zuboff's language and argument throughout *The Age of Surveillance Capitalism* strikes me as overblown, apocalyptic, and emotionally manipulative—and hence leaves me unpersuaded. But Zuboff's talk of places of "sanctuary" within our lives—with a sense of their violation by increasingly powerful technologies and practices of surveillance—rings true. Solove expresses a similar idea: that privacy fosters a civil and tolerable society by providing an area in our lives outside of social control. It offers a reprieve from the potentially suffocating judgements of others (Solove, 2007, p. 72).

Sorgner hopes that a maximally tolerant society would have little need for privacy. But this is probably unrealistic. Solove, too, has considered the possibility of a future where people are uninhibited and honest: "When everyone's warts are exposed, maybe people will stop readily condemning others, and the social norms that people enforce yet secretly transgress will gradually fade away" (Solove, 2007, p. 49). But he fears a more likely outcome of oppressive surveillance where reputations are "destroyed in an instant" and past mistakes thwart future opportunity (Solove, 2007, p. 49). This is all too plausible, and here we should keep in mind the sheer pace of technological change.

Developments over just the past two to three decades suggest that new technology can appear suddenly, attract attention quickly, and soon become ubiquitous. That being so, and considering the degree of surveillance that we already experience from private organizations such as Google and Facebook (and hence their respective parent companies), a full-scale internet panopticon might be upon us sooner rather than later. By contrast, there is little sign of progress toward the maximal degree of legal, social, institutional, and cultural toleration that Sorgner favours. Its arrival is likely to be slow and uneven, if it happens at all. If the total surveillance he envisages is going to arrive any time soon, it is difficult to see how we are going to set a principle of radical pluralism and toleration in place first.

Sorgner himself repeatedly acknowledges that a system of maximal freedom is not something whose value he can demonstrate to all comers: "Rather, it is an individual judgement on my part that, fortunately, today is widely shared" (Sorgner, 2022, p. 41). But *how* widely shared is it? It takes little familiarity with the laws of Western liberal democracies, or with the pervasively judgemental legacy media and social media operating in those same countries, to conclude that we are still a long way from reaching consensus on broad freedom from legal sanctions and moral disapproval, and—short of these—from numerous kinds of social stigma. We currently live in societies with populations that subscribe to multiple moral traditions, often persistently antagonistic to each other. With the decline of confessional states, these

traditions have lost much influence on law-makers, but daily events show that considerable political and social influence remains. This is exemplified by the long-running culture war in the United States and some other countries over abortion—leading, most recently, to a US Supreme Court decision to abolish longstanding constitutional protection of abortion rights.[14] Traditional moralities are not going away any time soon, and they typically condemn or stigmatize speech and action whose effects lie well outside the zone of serious, direct harm to others.

In recent years, the emergence of phenomena such as "call-out culture" and "cancel culture", whereby individuals are subjected to public shaming—and to campaigns for other punishments such as censorship of their publications or termination from their employment—suggests a social current in the opposite direction to one of radical toleration.[15] Even if this could be reversed, we have every reason to doubt that it could happen in the urgent timeframe required to come to terms with a fully emerged internet panopticon.

6. Saved by the Algorithms?

Sorgner is more pragmatic when he suggests that access to massive data collections be restricted as far as possible to algorithms designed to analyze them. That is, the data should be protected as far as possible from availability to humans:

> Only in exceptional circumstances, and in emergencies, should humans have the right to access the data. It is relevant to the preservation of the free rule of law that primary monitoring is carried out using algorithms and that human access must be strictly regulated, since the potential for abuse is undoubtedly enormous. (Sorgner, 2022, p. 46)

If this were workable, it might, indeed, overcome some problems. The kind of surveillance already carried out by Google and Facebook has prompted much concern. But a possible reason why it is has not produced greater revulsion to date is that aggregated data on individuals does not routinely fall into the hands of individual employees. Nor is it (with rare exceptions) made available to the public via the news media or otherwise. Instead, it is algorithmically processed and used for marketing purposes such as personally targeted advertising. While this can be experienced as intrusive and manipulative, reputations are not usually at stake. At this point of their evolution, Google and Facebook do not routinely tear away the curtain across out private lives in quite the way described and denounced by Milan Kundera. If the massive data collections of the future are similar in this respect, they will seem more tolerable.

In this regard, Sorgner cites a 2019 paper by Jennifer M. Logg, Julia Minson, and Dan A. Moore, published in the journal *Organizational Behavior and Human Decision Processes*. This suggests that people place greater trust in the judgements of computational algorithms than those of humans: "Across our experiments, we find that people consistently give more weight to equivalent advice when it is labeled as

[14] *Dobbs v. Jackson Women's Health Organization* (decided 24 June 2022).
[15] See generally Blackford (2019, Chapters 7–8).

coming from an algorithmic versus human source" (Logg, Minson, & Moore, 2019, p. 92). For Sorgner (2022), this outcome "seems to imply that humans are also less afraid of being monitored by algorithms than by other people" (p. 52), but with all respect that is not clear. It is one thing to be impressed by the accuracy of an algorithm's "reasoning"; it's another to entrust it with sensitive information about yourself. Indeed, an algorithm might be all the more frightening if it can draw surprising but accurate inferences about you.

Nonetheless, Sorgner's general point appears independently plausible. An algorithm is not a entity with phenomenal consciousness, let alone a capacity for conscious moral or aesthetic judgements. It makes no sense to feel pride or shame before its gaze. Moreover, it is devised to function in a relatively specific and narrow way. Unless it is especially designed for the purpose, or perhaps tampered with maliciously, it will have nothing like a motivation to cause embarrassment or reputational damage to individuals. All of this might give us some basis to trust an algorithm with our data where we would not trust a human being. The question is how far we can believe that such protections will continue to work, especially if, as Sorgner wishes, the internet panopticon is not owned by the likes of Google but by a government agency with a mandate to use it in response to the wishes of democratic electorates.

These electorates might demand that massive data collections be restricted to scientific research with strong protections of individual privacy. What, however, if the data is mined by law enforcement agencies, *perhaps* only to identify individuals who have committed unquestionably serious crimes—but perhaps also to monitor individuals who are under suspicion for certain attitudes or sympathies, or for connections with certain associates? There is no obvious limit to the uses of such data collections for surveillance and control, even if, as Sorgner advocates, their main rationale and central use is biomedical research that does not require disclosures about individuals. All of this suggests that there is no convincing answer to the conundrum that Sorgner has posited: what he sees as the irresistible imperative to build an internet panopticon, combined with its obvious dangers. Sorgner himself acknowledges that there is no clear solution, though he hopes to reconcile a regime of total surveillance with a social practice of maximal freedom:

> I merely wished to show that embracing total digital surveillance, and the loss of privacy which goes along with it, can be in tune with affirmation of the norm of negative freedom, and that it is in our interest to implement such structures, as this seems to be the most promising way of using digital data in a democratic manner and not in a way that it primarily serves the interests of governments or private companies. In a way, this would be a European social credit system which included a democratic usage of our digital data. (Sorgner, 2022, p. 46)

But there is plenty of room to wonder about this. Importantly, Sorgner envisages that participation in the internet panopticon will be compulsory. He sees difficulties with both opt-in and opt-out schemes, which means that individual citizens will have

no legal option but to be implanted with RFID chips designed to report "personalized health data on each person […] in a comprehensive manner" (Sorgner, 2020, p. 160). This already seems difficult to reconcile with a regime of maximal negative freedom. Nonetheless, Sorgner (2022) suggests that compulsory participation can be viewed as analogous to compulsory vaccinations:

> In both cases, we have a legal obligation whereby the bodily integrity of a person is challenged. However, in both cases it can be a legal obligation only if the risks associated with the procedure are minimal and the social benefits significant. This is the case. At the moment, this seems to be a radical step. Once the procedure has become the norm, it can be expected that it will be of no significant concern to us. (p. 43)

Indeed, there is a long history of acceptance by philosophers with relatively libertarian impulses that there can be positive acts that we may rightly be compelled to perform for the benefit of others. John Stuart Mill (1859/1974), makes this point in a passage from *On Liberty*, where he offers several examples:

> such as to give evidence in a court of justice, to bear his fair share in the common defence or in any other joint work necessary to the interest of the society of which he enjoys the protection, and to perform certain acts of individual beneficence, such as saving a fellow creature's life or interposing to protect the defenceless against ill usage – things which whenever it is obviously a man's duty to do he may rightfully be made responsible to society for not doing. (p. 70)

In addition to all these examples, including Sorgner's example of vaccinations, there is ample precedent for the idea of positive duties to which we submit even in a highly liberal society. The most obvious of these is the duty to pay our taxes. Perhaps, then, Sorgner is correct that participation in the internet panopticon could become a legitimate and accepted duty, provided that its dangers could be minimized by firm and effective regulation. Careful thought would need to be given to the latter, since there is no identifiable limit to the extent that such comprehensive information on its citizens could be used in oppressive ways.

But even the most effective regulation leaves a problem. What would Sorgner say of somebody rather unusual whose psychophysiological drives manifest as a strong, persistent desire *not* to be implanted with an RFID chip sending total information on her location, activities, and bodily state to a huge government-run data collection?[16] This seems no more bizarre than Sorgner's examples of an individual who desires the removal of a healthy leg or who wants to eat parts of her own body. He might respond that she is nonetheless required to comply: the implanted chip must be compulsory because it is not serving just the individual's own health (which would be a paternalistic justification). It is, rather, part of a scheme for the common benefit of society.

[16] Alternatively her desire, as a child or an adult, might be be to remove a chip that was implanted in her at birth. That seems a logical scenario if we follow Sorgner's line of thinking.

But this leaves in place a potential clash between upholding the social scheme and deferring to the individual's psychophysiological drives. If the latter must give way in this case, and if a compulsory internet panopticon really is inevitable, we'd better hope that the algorithms will save us from the worst invasions of privacy and that the benefits emerge as advertised.

7. Concluding Remarks

Throughout this paper, my responses to Sorgner are intended to be cautionary rather than definitive, and they may not provide adequate grounds to reject his hierarchy of values or any of his specific policy recommendations. Moreover, my notes of caution do not detract from Sorgner's achievement in developing a comprehensive version of transhumanism whose scope extends from fundamental issues in epistemology, metaphysics, and metaethics to specific proposals for new European institutions.

Sorgner appears to underestimate the importance of privacy, but for all that I've said about this—despite my fears and reservations—perhaps he is wise and right that we should embrace a version of the internet panopticon. Perhaps, that is, there is merit in geopolitically regional (e.g. European) panopticons that harness comprehensive data from implanted RFID chips. If such a system can extend health spans, and if extending health spans is posited as an overriding policy goal, citizens of the future might even, in principle, have a positive duty to contribute to its operation. But this would require careful and extensive regulation in an effort to minimize abuses. It's unlikely that the problems could be solved, in practice, by a surge toward maximal toleration of heretical ideas and idiosyncratic behaviour, however independently desirable this might be. As digital surveillance technology becomes more ubiquitous and powerful, governments and electorates will face large and complex decisions on issues such as this, and they'll be forced to clarify their fundamental political values.

Sorgner also appears too quick to accuse intellectual opponents of holding ideas that he regards as violent rather than merely unwarranted or incorrect. At one level, this criticism may seem pedantic and even trivial—a matter of semantics and rhetoric—but that would be mistaken. Twenty-first-century political discussion is marked by contests over the meaning, importance, and sociopolitical implications of words such as *freedom*, *privacy*, *violence*—and of course, *harm*—and it matters just what conceptions of these are in play. We might, for example, stipulate that *freedom* in the context of our current discussions signifies the negative freedom described by Isaiah Berlin, which is the product of a prominent tradition of European thought traceable to the early centuries of modernity. But this still leaves the philosophical task of settling just *how large* an area of negative freedom is justified, how its boundaries should be defined, and in accordance with what principles, and whether it should be construed as freedom only from legal punishments or also from various kinds of social disapproval or stigma.

This is a challenging task, and perhaps it cannot be completed in a way that satisfies all comers, irrespective of their starting points. Nonetheless, there is a persistent and nagging problem of defining the extent and structure of negative freedom, attempting to answer the question that Berlin (2017) identified: again,

"What is the area within which the subject—a person or group of persons—is or should be left to do or be what he is able to do or be, without interference by other persons?" (p. 169).

Here, we might hope to find useful concepts, principles, and structures of ideas that will be accepted by many people from a variety of intellectual traditions. In particular, we can aim for structured, salient, and widely accepted understandings of what constitute harm and violence. This is crucial for our political discussions that shape the boundaries of tolerable action and especially of free speech. To his credit, Sorgner has not explicitly called for any censorship of ideas, but his frequent accusations that mere ideas or opinions are violent—or can act violently—contribute to a worrying trend in contemporary public discussion. Successfully branding some kinds of speech or conduct as "violent" tends to push them beyond the pale of social toleration. While I doubt that this is Sorgner's intent in his discussion of various ideas that he repudiates (such as Savulescu's principle of procreative benevolence), I must insist that the corollary of wide negative freedom is a narrow understanding of harm and violence.

Democratic politics currently struggles to find a consensus on the issues and challenges arising from new technologies. Even within a geopolitical region where many liberal and democratic values are held in common—such as Western Europe, Australasia, or the Anglophone nations of North America—consensus is elusive on the regulation of innovations such as digital surveillance, preimplantation genetic diagnosis, and CRISPR-Cas9 genome editing. Nonetheless, my analysis suggests a need for further philosophical work on key concepts employed in the politics of emerging technologies. In that respect Sorgner's growing body of work makes an important contribution.

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