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Reflections on Floridi's »The Green and the Blue: A New Political Ontology for a Mature Information Society«

1. Introduction

The question of how morality and time interact with each other belongs to the fundamental questions of the ongoing philosophical and sociological discourse. Scholars ponder not only the extent to which normative concepts are valid across time and space, but also whether the normative instruments we inherited from the past are capable of guiding us in the present and future. Some scholars claim that our traditional instruments are insufficient for this task. In observing changing patterns of human interaction during the wake of modernity and striving to adapt ethical concepts to changing constellations of actors, the likes of Adam Smith, Immanuel Kant and Karl Marx have addressed technological advances and elaborated on how changes in the mode of human interaction translate into new forms of common institutions. In *Moral Time* (2011), American sociologist David Black described postmodernity as an extension of time, space and diversity, fundamentally altering the previously valid assumptions concerning human interaction. For Black, the advent of postmodernity is characterised by a shift from immediate and local relationships, revolving around intimate personal relations, to large and anonymous societies, which are largely disconnected from geographical and spatial constraints.

Floridi's essay takes the reader in a similar direction and addresses the changes that go along with the current societal and political transformations initiated by the recent wave of digitisation. His contribution is timely. Under the impression of a global crisis, which has put the global economy on hold for many months, and amidst fears of global disintegration, the quest for a new social

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contract or, as Floridi would call it, a new human project, is an urgent and highly practical matter. The quest should coincide with the development of new technologies and changing social patterns that are already transforming the world in which we live. Based on an observed paradigm shift from a structural to a relational understanding of our society, Floridi deduces that the Aristotelian approach to political analysis, which has dominated traditional thought on politics, ethics and economics, fails to decipher the tendencies of our current society or comprehend the relational nature of modern information societies. Floridi instead proposes placing the focus on the [136] social fabric that connects the intrapersonal relationships of our society and elaborating a new human project that directs and guides human cooperation. Although we sympathise entirely with this approach in general, Floridi's programmatic essay nevertheless begs several questions regarding the problem statement posed by the digital era, the normative concepts behind it and the implementation of the practical norms Floridi derives. For us, the quintessential questions are as follows:

- Does a digital society demand a new political ontology?
- Is the current human project capable of creating cohesion in a digital society?
- How can we implement ethical norms in a modern information society?

In the following, we present critical reflections on the questions raised and discuss the implications of Floridi's essay from an ethical perspective.

2. Floridi's Approach to Politics in the Digital Age

The reflection on the three guiding questions requires a finer review of the essay's content. Describing the current state of the world using the right terminology and deriving normative conclusions for prevailing problem structures appear to be the fundamental purposes of Floridi's analysis. In the beginning of his essay, Floridi states that he seeks to improve political thinking so that it fits into the conditions of a mature information society.

For this purpose, Floridi sets out by challenging the dictum that »there is no such thing as society«. According to the author, the

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view that social organisations purely revolve around the interests of individuals is rooted in the Aristotelian or Newtonian approach to social organisations. Floridi describes this model as a Lego-like structure because it comprehends social organisation as »units of bricks« connected to create complex structures. Floridi criticises the analysis tool or the ontological grammar employed by policy makers such as Margaret Thatcher for being incapable of reflecting the contemporary world. For Floridi, the transformation has already disrupted the traditional understanding of existence because people have disconnected »things« from the physical understanding of time and space. The presence of unperceivable worlds online has hence fundamentally altered the way we think about existence. For Floridi, this also applies to society. Apart from previously unimaginable events such as companies buying back shares or a policy of negative interest rates, the extension of social affairs and the dislocation from physical space depict the driving forces for a redefinition of the polit-ical vocabulary. These driving forces influence his approach, which has stressed the increasingly relational character of our world and has rendered the previous model on the setup of societies obsolete. Floridi summarises his insight in the way he defines society, namely as a »totality of the relations that constitute it« (327).

Apart from describing the need to redefine our instru-ments to comprehend contemporary societies, Floridi introduces the human project concept, which might be comparable to the Rankean »Leitidee« of the prevailing society. For Floridi, the hu[137]man project comprises the form of human life, which repres-ents society and all its fashions. Moreover, human projects tend to be universalist in nature, because they are regularly regarded as eternal, unique and universal and are claimed to represent absolute truths. By contrast, postmodernity is characterised by the absence of such human projects at the society level. Instead, the post-modern meta-project is solely defined by the norm of tolerance, which allows individuals to realise their own human projects, as long as they do not constitute breaches of the meta-idea of mutual respect and tolerance. For Floridi, the mere existence of a meta-project is not sufficient to guide societies. Although he acknowledges the importance of moral pluralism as a major pillar of contemporary social organisations, he argues that societies require a positive idea, which defines the »social sense of the way we live together as a community«. Here, he points to the failure of many streams of thought, when it comes to grasping the

recent success of populist movements, which are challenging previous political models.

Floridi attempts to fill the observed gap that the meta-project once filled by introducing the concept of »infraethics«, which refers to fostering the right sort of social interactions. According to the author, infraethics can be understood as the social »expectations, attitudes, [and] practices« that are implicit ingredients for the success of a complex society. Infraethics therefore has an instrumental character that aims to enable gains by cooperation and orient contemporary societies. For Floridi, ethical acts create an edifice in the same way »an arch is not only a pile of stones« (325). Based on the preceding arguments, Floridi finally formulates a catalogue of concrete normative suggestions for policymaking. Here, the author elaborates on the structural principles of the modern society such as representative democracy, tolerance, and political and economic competition. The notion of economic competition deserves more attention against the backdrop of an increasing debate on the break-up of ›big tech‹. According to Jean Tirole (2017), the dominance of tech giants does not confront us with an »unpalatable choice between laissez-faire and populist interventions« (1), but rather necessitates a combination of open barriers to market entry and stronger regulatory monitoring for potential monopolies. This perspective on regulating competition entails a more detailed view of political and economic competition in the digital age and of the relevant question of how to maintain a high degree of competition in our economic set-up (Lütge 2019).

3. Political Designs and Institutional Ethics

The approach we employ to examine Floridi's political ontology follows an order ethics design, which has been applied to approaching normative problems arising in the context of institutional ethics (Lütge 2019; Lütge, Armbrüster and Müller 2016). Moreover, order ethics connects normative concepts with the designs of political institutions (Lütge 2015). The order ethics approach defines not only the moral desiderata of human interaction, in the sense of realising mutually beneficial cooperation, but also the potential instruments for realising norms in globalised and [138] interconnected societies. Moreover, it also focuses on the societal level, making it an apt

instrument to analyse Floridi's approach, which places more focus on political institutions than on individual decisions.

Differing from first order approaches, which take a specific moral framework such as utilitarianism or deontology for granted, second order approaches – of which order ethics is one – are about solving conflicting statements on morality between first order approaches and solving situations in which conflicting normative expectations confront individuals. From the perspective of order ethics, the main purpose of ethics is to define the normative foundations of societies under the condition of moral pluralism and to elaborate principles and structures that overcome failures in cooperation. Different from virtue ethics or deontological approaches, norms derive here from the mutual consent of individuals, with the ultimate goal of reaching mutual improvements by cooperation. A situation, which, for all parties involved, is superior to the status quo, constitutes the moral desideratum of order ethics, because it is the only way to guarantee the hypothetical consent of all social actors to a new social arrangement. The idea of social organisation exemplifies the need for common institutions to pacify conflicts among individuals and protect individual rights: it therefore constitutes an improvement when contrasted with social disorganisation or a failed state. In reality, societal arrangements often fail to reach their optimum potential and malfunction if individual, group and collective interests conflict with each other. This applies to topics such as tax havens, trade wars and pollution, where individual actors reap profits by defecting from collective agreements. Traditional approaches to individual ethics would suggest individuals should sacrifice their interests for the sake of the community. However, this approach comes at the expense of the morally acting individuals and conflicts with empirically observable human behaviour, because individuals might even exploit the behaviour of morally acting individuals. By contrast, order ethics addresses these problems from the perspective of society. Changing the rules of the game, such as changing tax or environmental laws, means therefore changing individual behaviour, because the rules affect the moral calculus of human beings. Therefore, the model of self-interested actors, which describes the behaviour of the average person, follows the purpose of guaranteeing the consent of rationally acting individuals and realising implementation by subsequent measures to enforce moral values. Moral solutions have to pass the homo economicus test to be successfully implemented and to support the

action of moral individuals, who would otherwise suffer losses by going the extra mile.

4. Evaluation of Floridi's Approach

We orient our evaluation of Floridi's essay on its structure and main programmatic points outlined above. This includes Floridi's observation of a paradigm shift necessitating a new political ontology, the role of human projects and infraethics as pillars of a new ethical infrastructure, and the question of implementing norms. [139]

4.1 Does the digital society demand a new political ontology?

As explained, Floridi based his essay on the idea that social organisation underwent a change from an Aristotelian model to a relational concept, which requires clarification, especially when we focus on the elements of change. One could argue it is not the *conditio humana* or the fundamental laws of social organisation that are changing, but rather the environment that constrains and incentivises human action. Although education and moral awareness might influence people's actions, dilemmatic situations will affect individuals in a similar fashion, leaving them unwilling and de facto unable to violate their interests constantly and systematically. In this context, new technologies may impose new restrictions, but also new possibilities for human action, and might alter the pay-off matrix of human interaction.

When we look examples of the ongoing societal tendencies, we observe that technological change is indeed reconfiguring these environments. The emergence of social media, for example, imposes different costs and constraints on human behaviour than pre-existing modes of human communication, which accompanies changing social role expectations. To capture the importance of this tendency for social organisations, we propose differentiating between *changes of degree* (e.g., increased or decreased anonymity, economic growth or globalisation) and *changes of type*, which describe the emergence of fundamentally new problems or phenomena.

Changes of degree have already accompanied us for quite a while, such as increased anonymity, the emergence of an increasingly

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individualistic society and sustained economic growth. Religious affiliation in Western countries has been in decline since the early 20th century, leaving room for the emergence of post-religious identities and contributing (along with growing migration) to the emergence of pluralistic societies.

Along these lines, the extension of space and the declining relevance of spatial constraints have accompanied sustained economic growth since the onset of the 16th century. The mere presence of long-term economic growth has allowed people to create an entirely new infrastructure for distributing and redistributing wealth created by human innovations and therefore constitutes one of the major transformations in human history. Of course, these tendencies were not linear in the sense of continuing progress, but were interrupted and sometimes even thrown back by economic shocks, wars and human errors. Starting from modest beginnings in the 18th century, we see a back and forth of economic globalisation with phases of increased global trade and times of severe global confrontation. In line with the tendencies, costs and constraints either reduce or expand the realm of human action. In the 19th century, it was possible to travel from Saint Petersburg to Paris, but it took much longer than today and was more expensive, meaning fewer people were able to do so. The ethical question is how to deal with these changes of costs and constraints and determine which implications they have for humankind.

However, changes of type also exist. The emergence of the digital space and the creation of virtual realities have generated unprecedented changes for human interaction, which have redefined social relationships. Similar aspects can be observed [140] when it comes to technologies such as artificial intelligence and machine learning. These technologies allow us to act in ways we could not have acted before, which leads to the expansion of human action. The concept of artificial intelligence as a brain extension is quite an illustrative picture that might require some examples. For instance, the trolley dilemma, which had been discussed in the past purely from an armchair philosopher point of view, suddenly became relevant in the context of autonomous driving, and the designers of autonomous cars have to ponder how to program cars to deal with situations of unavoidable crashes (Lütge 2017). The same applies to bioethics: probably, 100 years ago, organ transplantations would have been regarded as pure fantasy. However, the mere potential to transplant

organs from dead and living bodies has created a fundamentally new normative debate. The increase in the realm of human options due to technology is a fundamental change generated by technological progress. Thus, we need to find the right norm, and we may have to invent new ones.

The main question is whether Floridi's claim that the changes observed contribute to a paradigm shift for the comprehension of contemporary societies and whether our old instruments are enough for deciphering contemporary societies. One might argue that the shift from a structural to a relational society is not entirely new and that societies could always have been understood as relational. To illustrate this, we refer to Floridi's example of the »structural« Westphalian model, which has influenced international politics over the centuries. However, the »structural« understanding of nation states situated next to each other as billiard balls did not meet reality, but was rather a mental model. Most historians argue that even in the 17th and 18th centuries, states were subjected to restrictions in their exercise of sovereignty and pointed to the complicated setup of many European states such as the Holy Roman Empire, described as a ›monstrum‹ by Pufendorf, which would challenge this claim. The same applies to the multinational elites who largely governed Europe in the 18th and 19th century. In fact, international politics constitutes rather a continuum rather than a sharp delineation in terms of structure and relation.

One might therefore conclude that our current models are capable of reflecting the main tendencies observed. The »relational« character of societies has been acknowledged by recent writers such as David Black or Alexander Wendt (and in fact much earlier by Confucian scholars), who put relations at the focus of their considerations. The theoretical question of whether the digital society requires a new ontology might therefore not be the foremost question, but rather the practical question of how the tendencies encompassing the transformation to a digital society interact with our current forms and modes of political organisation may be more imperative.

4.2 How do human projects interact with the norms of modern information societies?

Based upon the observed tendencies, digitisation poses fundamental challenges to our inherited understanding of politics and ethics

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because it changes some con[141]ditions by degree, in the sense of more anonymity or more diversity, but also by type in the sense of opening up fundamentally new questions. In the next part of our reflection, we discuss the ramifications of human projects on the norms of modern societies.

Floridi identified that the human meta-project depicts a fundamental quest of modern societies that is inextricably linked to the question of the extent to which societies should define their ideals and norms. Classical liberalism, as characterised by the void of a positive conception of what to do, rather focuses on the external restrictions on the human choice of values as limitations of liberty. Accordingly, autonomy is characterised by the self-legislation of moral values, as long as they are compatible with the interests and rights of other individuals (Mill 2003). It is important to note here that classical liberalism has been influenced by historical experiences. It reflects the dissent on traditional values and the diversity of moral conceptions, as well as the increasing anonymisation in large societies. The Rawlsian conception of a veil of ignorance deliberately excludes »values« that exist prior to establishing a society, and it can be regarded as providing a rather mechanical understanding of the society. Based on the historical experiences of the failure of all major ideologies of the 20th century, the Western human meta-project aimed to reduce the role of utopian thinking, instead focusing on the checks and balances to contain the dominance of one particular ideological system. From a normative viewpoint, the alleged »voidness« has a normative purpose, because it creates a neutral room for the individual pursuit of human projects and solves the prisoner's dilemma of competing human projects by introducing tolerance as a guiding principle for institutional design. Political radicalisation or the prioritisation of a particular human project above all others therefore constitutes an imminent threat to the human meta-project, which is balanced by the existence of concurring human projects. Instead of chasing a dream, the human meta-project seeks to prevent the nightmare and maintain a plurality of individual dreams. Here, the human meta-project reflects changes by degree, because it bases its assumptions on the increase of social anonymity, diversity and pluralism, overall tendencies that still confront us today. In this regard, the concept of human autonomy influences not only the theoretical debate, but also practical legislation, ranging from working conditions, the programming of algorithms in autonomous driving

and the question of how to deal with dilemmatic situations. The changes of type, in the sense of new possibilities for human beings, do not fall into a normative void, but rather into a space already determined by the norms originating from human autonomy and tolerance, including human dignity, negative liberty and equality before the law. Nevertheless, even human meta-projects face limitations when applied beyond their home societies. Not all societies share the norms incorporated in the Western human meta-project and some might be influenced by a distinct human project such as socialism or religious doctrines. Therefore, the fundamental question appears to be how to bridge the tensions arising from the co-existence of the human meta-project based on human autonomy and other concepts in international relations. This applies especially to conflicts arising against the backdrop of a more interconnected world, where individuals might have to choose between different human projects. [142]

Apart from the universality debate of human values, the lack of a positive concept of what to do has characterised political philosophy, which in turn is characterised by numerous attempts to fill this void. This includes the works of A. MacIntyre and proponents of communitarianism, who distanced themselves from the Rawlsian understanding of social organisation. The conception of »infraethics«, proposed by Floridi, which aims to establish common procedures and norms for society appears to be a similar attempt. From the perspective of institutional ethics, the need for morality in this context is important, because formal institutions alone are not sufficient for running a society. Human behaviour cannot and should not be entirely regulated by the state and by the regulator that breaks constitutional norms down to actual cases of application, but it also requires informal codes and norms that regulate the everyday lives of employees, consumers, etc. In some cases, individuals have an interest in complying with social standards. Citing Adam Smith, it is indeed »not from the benevolence of the butcher, the brewer, or the baker that we expect our dinner, but from their regard to their own self-interest«. The question of morality, however, is not only instrumental in the sense of coordination and trust, but also for fostering cohesion in social organisations. On the one hand, the difficulty that arises in the latter context is that we are faced with more dissent on absolute truths, but on the other hand, we need to agree on common principles. Here, we observe an increasing importance of self-legislated standards and purposes that fill the void

created by the absence of normative principles outside of law and statute. One such example would be codes of conduct in multinational enterprises, which contain their interpretations of human projects to which companies seek to contribute. The same applies to the debate concerning »purpose«, which allows the realisation of a human project within economic organisations. Studies have found that »purpose«, but also business ethics (Lütge/Uhl 2021), plays an enormous role in attracting and keeping employees. From this point of view, one might argue that companies compete not only for economic gains, but also to offer different human projects in which individuals would like to participate. Company projects can vary, from striving to eliminate child labour to investing in clean energy to reduce CO_2 emissions.

Based on the outlined challenges, we conclude that the human meta-project needs to maintain itself and guarantee the laicism of social organisation so that human projects are able to compete with each other. Politics needs to sort out the right division of labour between the human meta-project and its derivatives on the systemic and individual human rights levels, which compete in the society for influence and attention.

4.3 How can ethical norms in modern information societies be implemented?

Floridi set out to redefine the problem statement of politics on the basis of the tendencies and changes elaborated by the author. From an institutional ethics perspective, normative concepts are inextricably linked to norm implementation. Some indicators show Floridi leans towards an institutional approach rather than an individual approach to ethics. For example, Floridi criticises Max Weber for concen[143]trating »on forming and directing behaviours by focusing only on actions and their effects as the entry points for any policy«. Instead, Floridi defines infraethics as expectations, attitudes, rules and norms that coordinate human behaviour on a systematic level. The difference between institutional and individual approaches to ethics requires more explanation.

Unlike individual ethics, institutional ethics considers the expected results of human beings, which can be explained by game theory (Binmore 1994). The prisoner's dilemma describes a situation in which two individuals acting in their self-interest do not produce

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the optimal outcome. The typical prisoner's dilemma is set up in such a way that both parties choose to protect themselves and try to gain the individual optimum at the expense of the other. Because both players will act rationally and try to maximise their benefit at the expense of the other, they end up not realising the optimum of collaboration. A practical example to illustrate this would be the arms race between the United States and the Soviet Union during the Cold War. Both countries were interested in realising gains in national security, and nuclear weapons were the ultimate guarantee of gaining the upper hand. Both parties therefore had a strong incentive to invest in nuclear capacities, especially if the counterparty possessed a relatively small nuclear arsenal. Not opting for nuclear build-up would have allowed the other side to dominate world politics. Because of this structure, both nations participated in nuclear build-up, which resulted in an unstoppable arms race that came at the expense of economic and international security interests. The mutual lack of trust in the counterparty therefore contributed to an aggravation of the situation, because the most preferable scenario — reducing nuclear weapons — would have involved an assurance that the counterparty was doing the same. The consequences of the prisoner's dilemma for the design of ethics have been discussed widely in literature. The main implication is that changes of the behaviour of a single actor — whether a state or individual — are not sufficient for realising the optimum, because neither party has a reason to trust the counterparty. The role of institutions in changing the design of the game by allowing control over the situation and fostering mutual trust is therefore the pre-condition of incentivising human cooperation. In the case depicted, the arms race between the Soviet Union and the United States was finally solved by international treaties, which solved the prisoner's dilemma.

The question of implementing norms is not only relevant for international relations, but also for governing modern and postmodern societies with a high degree of anonymity (Lütge 2019, 2015). The extension of human relations and the loss of peer control as a means for incentivising individual compliance to general norms therefore require a focus on abstract rules. Thus, good policymaking is about finding the right rules to steer human cooperation in such a way that it realises the optimum of human interaction. However, good policy also involves looking at the bigger picture, namely the constitutional ramifications of our society. Individuals and organisations who seek

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to undermine the essential competitive order of the economic and political framework might exploit the existent formal and informal rules, which aim at guaranteeing individual freedom. The market and competition can only survive in the end if the political actors are aware that defection leads to a [144] race to the bottom and if a political constitution guarantees prohibition of power concentrated at the economic and political levels.

These guarantees need to be active even during a moment of crisis, when individuals tend to call for a »strong state« and »personal leadership«. Calibrating institutions to shocks posed by digitization or more imminent crises might therefore be the quintessential task of good politics for the future.

5. Concluding Remarks

The essay of Floridi sheds light on relevant questions of the contemporary ethics discourse. His argument that digitisation requires new approaches to political science, but also to institutional ethics, is entirely legitimate. However, we propose a distinction between changes of degree and changes of type. Changes of degree reflect already ongoing tendencies that might be accelerated by digital technologies, such as the dissolution of the face-to-face society, which is facilitated by the extension of social space, the increase in anonymity and globalisation. Changes of type reflect changes of previously unknown ethical questions and refers to technological breakthroughs that expand the realm of human possibility and produce new dilemmatic situations and cases of norm derogation. The examples of the trolley dilemma and organ transplantation, but also genetic technologies show the differences between the different ethical approaches and the ongoing ideological discussions surrounding these topics. Whether these changes require a new focus or a new political vocabulary as an instrument to grasp these tendencies depends on the observer. The reflections on human projects and the role of the human meta-project are important. However, the constitutional frameworks in the West are largely based on the idea that different human projects can coexist, as long as they do not conflict with the general idea of mutual tolerance and peaceful co-existence. On the international level, however, even the human meta-projects are disputed, and finding a consensus on common

values will remain the task of future generations of ethicists. The final question is how to maintain the human meta-project of the Western civilisation. Here, we argue that Floridi's approach needs to be enriched by an institutional understanding of ethics, which appears to be implicitly taken for granted by the author. Institutions, which foster trust that is essential for human interaction, need to aim at giving room to individuals' human projects and pursuit of happiness. Nevertheless, they also need to sustain themselves in the moment of crisis and in the face of the transformations discussed before. Here lie, in our eyes, the fundamental tasks of politics in the digital age. [145]

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