

Are philosophical questions open? Some thoughts about Luciano Floridi's conception of philosophy as conceptual design and his new political ontology¹

1. Introduction

Luciano Floridi is pursuing an ambitious project with his »philosophy of information«. His aim is not only to present a philosophical theory of information. In the sense of the Hegelian dictum of philosophy as its time apprehended in thoughts, he claims to develop a, or better, *the* philosophy for our time – the information age. Furthermore, he is of the opinion that, within the framework of his philosophy of information, he will also be able to solve long-standing philosophical problems, on which many philosophers before him have gritted their teeth, such as the Gettier-cases or skepticism. Brought to a slogan, he therefore demands to *reboot* philosophy, as he expresses it in the epilogue of his latest book (LoI, 207).

Floridi is tackling this project in a tetralogy of which three volumes have been published to date: *The Philosophy of Information* (2011), *The Ethics of Information* (2013), and the most recently published work *The Logic of Information* (2019). This latest book of Floridi's four-volume *Principia Philosophia Informationis* is the focus of this article. One should not be misled by the term »logic« in the title, because Floridi is not concerned with a formal elaboration of the philosophy of information. The term »logic« is rather to be understood as it was used before the development of modern mathematical logic, as an investigation of the structural properties of a phenomenon or subject area.

¹ Translation by Jörg Noller.

At its core, this book is the elaboration of a philosophical metatheory, which deals with the purpose and methods of philosophy and applies them to some central questions of traditional philosophy. Following these two aims, the book is divided into two parts. The first part is entitled »Philosophy's open questions«, because Floridi explains his conception of philosophy by means of the characteristics of philosophical questions. The second part with the title »philosophy as conceptual design«, consists in the application of the method of conceptual design to selected philosophical problems.

This philosophical method is also deployed in Floridi's essay on a *New Political* [147] *Ontology for a Mature Information Society* at the outset of this volume.² The following contribution to the controversy on Floridi's work focusses on his concept of the openness of philosophical question by discussing and reinforcing four fundamental objections that Floridi takes into consideration. Subsequently, we will briefly discuss the highly controversial ethical and political consequences of the philosophical view that Floridi develops in his initiative essay for this Journal.

2. The openness of philosophical questions

For Floridi, philosophical questions are by their very nature open questions that do not allow a definite answer, even when all the empirically relevant facts as well as logico-mathematical aspects are on the table. Therefore, there is a non-eliminable rational dissent with regard to philosophical questions, even if all parties involved have a sincere interest in the correct answer:

Philosophical questions are questions not answerable empirically or mathematically, with observations or calculations. They are open questions, that is, questions that remain in principle open to informed, rational, and honest disagreement, even after all the relevant observations and calculations have become available and the answers have been formulated. (LoI, S. 9)

As a result, for Floridi, the task of philosophy is not to describe the world, but to design the world. Design takes the place of theory. He therefore calls the method of philosophy »conceptual design«. Floridi

² Floridi (2020), 311.

anticipates four objections to the thesis that philosophical questions are by their nature open. I will now present this discussion and push some of the objections further.

2.1 Discussion of the first objection

The first objection is that these open questions are either based on conceptual confusion or are pointless. In the first case, a resolution of the confusion leads to the questions being made accessible to an empirically or logico-mathematically sound unambiguous answer. Philosophical questions are thus reduced to scientifically answerable, closed questions. In the second case, their unanswerability points to the senselessness of philosophical questions. The task of philosophy would then be to work out this senselessness and to cure us therapeutically from philosophical questions. This view is often associated with Wittgenstein's dictum that the goal of philosophy is to show the fly the way out of the fly-bottle.³

Against the objection of the senselessness of open questions, Floridi argues that in life we are confronted with all sorts of such questions that we do not consider as senseless at all:

For it seems very hard to deny that many, if not most, of the significant and consequential questions we deal with in our life are open. Should Bob propose to Alice? Should they get [148] married? Is it a good idea for them to have children? How can they cope with the loss of their parents? What sense can they make of their life together? Is Alice's career worth Bob's sacrifice? And if Bob later on cheats on Alice, should she forgive him, if he repents? Or should they divorce, even if they have children? (LoI, S. 12)

One can doubt whether these questions are really philosophical. The fact that they are questions about the good life in the broadest sense, which is the subject of philosophical ethics, seems to speak in favor of this assumption. However, there are also other examples that are less plausible, such as the question of whether to host a party, which Floridi also counts among the open and thus philosophical questions, although not among the *ultimate questions*. The range of philosophical questions thus seems to be too broad.

³ Wittgenstein (1984), § 309.

2.2 Discussion of the second objection

The second objection aggravates the already mentioned point that there are many open questions about which there is rational dissent, but which are not philosophical, such as whether there will be a financial crisis next year. If there are questions that are open, but not philosophical, then openness can at most be a necessary, but not a sufficient condition for philosophical questions.

For Floridi, however, this example is not an open question in principle. By the end of next year we will know if there has been a financial crisis. However, this strategy can also be applied to many of the questions that Floridi considers to be open philosophical questions. Can we not say after the party that it was the right thing to do? And does Bob not know after a few years of marriage, say, at their golden wedding or at least on his deathbed, whether it was right to propose to Alice to marry her, to sacrifice his career for her and have children with her or not?

A further argument against openness as a distinguishing feature of philosophical questions arises when one turns to the possible reasons for openness. An obvious reason could be that theories in general are underdetermined by empirical evidence. Quine and Duhem, to whom this thesis goes back, originally did not think of philosophical theories but of theories in the natural sciences.⁴ If they are right about the underdetermination of scientific theory, the natural sciences would also include the fundamental possibility of perennial rational dissent. Consequently, openness would not be a suitable characteristic for distinguishing philosophical questions from those that arise in other scientific disciplines. Maybe the underdetermination is somewhat worse in philosophy than in science because philosophical theories are more remote from observation. But it would not be fundamentally different. And if the openness of philosophical questions is not due to the underdetermination of theory by empirical evidence, it would be important to know what is responsible for it.

Floridi could now point to another feature that he uses to mark philosophical questions. He thinks that even if philosophical questions themselves are open, the field of philosophical questions is closed in that philosophical questions always lead to further philosophical questions, but not to empirical or logico-mathematical [149]

⁴ See Quine (1975).

questions. Conversely, the area of empirical or logico-mathematical questions is not closed, because through continuous questioning we inevitably leave this area at some point and advance to open philosophical questions.

However, it is controversial whether philosophical questions can be separated from non-philosophical questions in a sufficiently clear-cut manner to determine whether or not we have just left the realm of philosophical questions. How about the following examples: What is perception? What is cognition? Wherein does linguistic understanding consist? Which conditions are constitutive for the speech act of promising? Is every effectively calculable problem Turing computable? What follows from the foundational crisis of mathematics? It is not clear to what extent these questions are philosophical questions or those of psychology, linguistics, computer science and mathematics. And even if we agree that at all science leads at some point to philosophical questions (although this point might not be clearly delineated) then the characteristic of philosophical questions would not be their openness but their fundamental nature.

2.3 Discussion of the third objection

The third objection that Floridi considers concludes from the openness of philosophical questions that they are in principle unanswerable. After all, what should an answer be based on if empirical and logico-mathematical evidence is fundamentally insufficient to answer it? Floridi counters this criticism by pointing out that empirical and logico-mathematical evidence constrains our philosophical answers, but does not sufficiently determine them. Instead, we must resort to completely different resources:

The resources to which I am referring do include Alice's beliefs, what Bob reads on the web, their cultural background, their language, religion and art, their social practices, their memories of what was, and their expectations about what will be, their social and emotional intelligence, their past experiences, and so forth. (LoI, 18)

Now Floridi is certainly right in admitting that we can find answers to philosophical questions with the help of these resources. But the problem is to what extent these answers are rational. And this is exactly what distinguishes philosophy as an academic discipline

from what is meant in everyday life when we speak of »philosophy of life«, »company philosophy« etc. These »philosophies« are characterized by the fact that one can live well with a dissent, because they do not claim to be rationally grounded. Genuine philosophy is different in that it makes a rationality claim and Floridi does not meet the challenge that permanent *rational* dissent among sincere and equally well informed people represents for philosophy.

For genuine rational dissent presupposes that the reasons for a particular philosophical thesis are as good as the reasons for its negation. But in this case, a refuting reason with a neutralizing effect emerges.⁵ Suppose I give a certain answer to a philosophical question and someone else gives the opposite answer. If both answers [150] are really equally well-justified and the parties also come to the conclusion that the opposite answer is as well-justified as their own answer, then the justification of their own answer is thereby called into question. This happens even if one does not understand the reasons of the other from one's own perspective, but believes that the other person is in an as good epistemic position as oneself.

Let us take as an example a group of friends dining in a restaurant. At the end of the meal, they receive an invoice for the entire table. They decide to simply divide the invoice by the total number so that finally everyone pays the same amount. Paul and Paula, the two best calculators in the group, are equally good at mental calculation. They try to calculate the amount each one has to pay, but come to different results (say Paula calculates 31 Euros and Paul 33 Euros per capita). Even though it is not yet clear who actually made a mistake, this difference is a reason for each of them not to stick to their own results.⁶

The justificatory force of one's own reasons is thus neutralized by rational dissent. If the possibility of genuine rational dissent is constitutive for philosophical questions and we know this, then it would no longer be rational to hold on to the respective answers to a philosophical question in the face of such dissent. It is a debatable point whether it would be still rational to even look for an answer to philosophical questions in the light of the permanent and genuine rational dissent that is constitutive for them. One may of course arrive at answers to philosophical questions with the help of what

⁵ See Grundmann (2019).

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Floridi calls »noetic resources«, but these answers are not rationally grounded, at least not in the epistemic sense.

This consequence also concerns the self-application of Floridi's conception of philosophy. It cannot be a position that claims to be epistemically justified. Here lies the transition from philosophical theory to philosophical design. Theoretical justification, which is oriented towards truth, is replaced by practical rationality, which is directed towards purposes. We design a philosophical view analogously to how we construct a refrigerator.⁷ The different philosophical approaches can then be explained by different purposes.

Floridi combines this pragmatist view with an anti-realist conception of truth, in which the truthmaker is not independent of the truthbearer, but is constituted by it. He follows a popular ontological interpretation of Kant, according to which the world is ontologically dependent on the epistemic subject:⁸ »To put it in Kantian terms, perceptual information about the world is the world, and the world-information by default has the probability 1 for those who perceive it.« (LoI, 91) Under these conditions, it is clear that, for example, external-world skepticism is epistemically irrelevant to Floridi, as he explains in the second part of the book with relatively high technical effort. For only if such a form of idealism applies, skeptical and non-skeptical worlds are informationally equivalent. If I were deceived by a Cartesian demon the answer to the question whether there is a glass of water in front of me [151] would be »No«, whereas it would be »Yes« in a non-sceptical, realistically conceived world.

Floridi calls the corresponding form of knowledge »maker's knowledge«. It consists in making a certain proposition come true through one's actions. Alice, for example, has »maker's knowledge« that Bob's coffee is sweet when she has put sugar in it by herself. For the design of a refrigerator, this would probably work in such a way that the designer of the refrigerator, for example, has »maker's knowledge« of the fact that the alarm signal goes off when the temperature in the refrigerator rises above 12 degree Celsius because she designed it that way.

Floridi speaks of »ab anteriori« knowledge and sees in it a new form of knowledge beyond the classical distinction between a priori

⁷ Floridi (2017), 511.

⁸ See Guyer (1987), 334–5. Unlike Kant, though, Floridi does not assume transcendental conditions for the constitution of the world by the epistemic subject.

and a posteriori knowledge. This analysis is plausible, but the question is whether Floridi sees in it a new form of knowledge that adds to the traditional ones, or whether he ultimately believes that all kinds of knowledge can be analyzed as »maker's knowledge«.

Floridi's somewhat uncharitable discussion of Plato in the first part of the book, to which he attributes the distinction between *maker's knowledge* and *user's knowledge*, suggests this. He accuses Plato of having set the course of philosophical development in favor of a preference for user's knowledge over maker's knowledge, with devastating consequences. This is an unusual interpretation of Plato. For Plato himself, for example in *Timaios*, assumes the existence of a divine demiurge who creates the sensual world according to the rational intuition of the ideas. For Plato, this demiurge also possesses deeper knowledge of the world than we do, whom, as its inhabitants, would have to be understood as »users« of the world of appearances. If one strips Plato's explanations of the mythological form chosen for didactic reasons, one must imagine this process as a kind of self-emanation, to borrow a Neo-Platonic term, of the ideas and principles assumed by his theory of ideas. Overall, Plato's work focuses on theoretical knowledge rather than on the contrast between manufacturing and practical knowledge. Instead, the distinction between »maker's knowledge« and »user's knowledge«, induces a reference to the discussion about the relationship between »knowing that« and »knowing how«, which Floridi unfortunately does not address.

The idiom of philosophy as conceptual design suggests that Floridi considers the concept of »maker's knowledge« transferable to philosophy itself. He does not, however, elaborate on this thesis by means of an example. How could something like this look like? I would like to try to play through this idea using the example of the free will debate. Let us imagine that we develop a concept of free will for criminal law in the context of legal philosophy (I suppose that Floridi would call this a model), and design criminal law accordingly (this would in Floridi's terminology arguably be the blueprint).

If we take the idea of »maker's knowledge« seriously, the assumption of freedom of will would have to be true and at least the developers of this conception would have *ab anteriori* knowledge that we have free will. The rest of us would, of course, only have *ab anteriori* knowledge in a derived sense, by referring to the experts. Let us also take seriously the thesis of the openness of philosophical questions. Could we then not also develop a philosophical approach

inspired by neu[152]rosience that argues against the existence of free will, but would just as well make this hypothesis true in the sense of »maker's knowledge«? Given Floridi's anti-realist conception of truth a philosophical thesis and its opposite could be true in different contexts. This leads us to the final objection to the openness thesis.

2.4 Discussion of the fourth objection

The fourth objection is that open questions are undefined. The thrust of the objection itself is not quite clear to me. Floridi's answer to it nevertheless sheds more light on his conception of philosophy. It consists in the assumption that open questions that are absolute, i.e. not formulated with reference to a certain level of abstraction, are bad questions.

With regard to rational dissent, one could draw the conclusion that such dissent obtains only relative to different levels of abstraction. At first glance, this makes sense. Thus, our answer to the question of how many objects exist in a room certainly depends on whether we look at objects in an everyday sense or at elementary particles. A rational dissent, which can be traced back to the assumption of different levels of abstraction, would of course simply disappear.

However, the concept of a level of abstraction (LoA), which is quite clear in this case, becomes increasingly blurred on closer examination. Floridi explains it in the course of the book using the example of Alice, Carol and Bob who are talking about a car at a party. Alice notes that the car has theft protection, was parked in the garage and had only one owner. Bob notes that the engine is no longer the original part, that the car body has recently been repainted, and that the leather trim is worn. Carol says that the old engine consumes too much gasoline, that the car has a stable market value, but that spare parts are expensive. For Floridi, the three participants of the discussion look at the car at different levels of abstraction: »The participants view the ›it‹ according to their own interests, which teleologically orient the choice of their conceptual interfaces, or more precisely, of their own levels of abstraction [...].« (LoI, 42)

According to Floridi, Alice acts on the abstraction level of the owner, Bob on that of a car mechanic, and Carol takes the abstraction level of an insurer. But to speak of different levels of abstraction here

does not really make sense. One can certainly view cars on different levels of abstraction, for example, following Daniel Dennett, from a functional and a physical stance.⁹ The individuation conditions for levels of abstraction in Floridi's sense, however, remain insufficiently determined. It seems as if levels of abstraction can ultimately be individuated arbitrarily without using a specific set of criteria or granularity for distinguishing levels of abstraction from each other. For Floridi, they are not necessarily hierarchically arranged either. Philosophical dissent could then be resolved too easily, since there is always some difference in the level of abstraction.

The impression that recourse to levels of abstraction could trivialize philosophical dissent is reinforced by another example. Floridi cites it for the thesis that philosophical questions must not be considered absolute. Thus he attributes to Turing the merit of having replaced the poorly formulated open question »Can machines think?« by a well-formulated question related to a level of abstraction: »May one conclude that a machine is thinking at the Level of Abstraction represented by the imitation game?« (LoI, 22) The dissent between Turing and his opponent is hence due to the fact that they take different levels of abstraction. But this would be wrong. It is a substantial question whether the passing of the imitation game is sufficient to ascribe to a machine the capacity to think.¹⁰ The question whether a machine can think if one accepts the Turing test as criterion is pointless.

On closer inspection, the same applies to the earlier mentioned question how many objects there are in this room. As philosophers, we are not satisfied with the fact that different answers can be given depending on whether we refer to everyday objects or elementary particles. We want to understand how the manifest and the scientific image of the world are related, to express it in Sellars' terms.¹¹ This understanding cannot be relativized to a level of abstraction.

Finally, philosophical questions have an inherent tendency to spill over to other levels of abstraction. Following Floridi, one might perhaps think that, to come back to our earlier example, one would have to assume freedom of will at the level of abstraction of criminal law, whereas one would have to reject it at the level of abstraction

⁹ Dennett (1987).

¹⁰ Block (1981).

¹¹ Sellars (1963).

of neuroscience. But the doubts about freedom of will at the neuroscientific level infect other contexts as well. The neuroscientist Gerhard Roth, for example, who is skeptical about freedom of will, consequently calls for a reformation of criminal law, because the legal attribution of responsibility is not possible without freedom of will.¹²

Against Floridi it seems that philosophical questions cannot simply be restricted to one level of abstraction. They are characterized precisely by their propensity towards absoluteness. This leads to the traditional view that characterizes philosophical questions by their general and fundamental nature. Despite these criticisms, *The Logic of Information*, like Floridi's other works, is a stimulating and readable book. As I see it, rational dissent is the motor of philosophical progress, inasmuch as it forces us to make our concepts more precise, to bring positions more to the point and to refine arguments.

3. From Metaphysics to Politics

So do we need to *reboot* philosophy? The rhetoric of revolution has a long tradition in philosophy and is currently in a worldwide social boom. It should have become clear that there are good reasons for dealing cautiously with the achievements of the philosophical tradition. Are the new possibilities of communication and information technologies perhaps forcing us to make such a radical change? [154] That too seems doubtful. The traditional approaches to philosophy rather provide a much needed corrective to the trend towards technological solutionism, a view that treats social problems primarily as technical problems.¹³

This trend is based on the disruptive ideology of the Silicon Valley. It gets expressed plainly in Mark Zuckerberg's notorious maxim »Move fast and break things.« Unfortunately, some of the things that get broken by his company are laws and democratic principles. The real challenges of the information society are the accumulation of economic power, technical know-how and political influence by the Tech Giants Google, Amazon, Facebook, Apple and Microsoft whose business models threaten the foundations of liberal democracy.

¹² Roth (2001).

¹³ The term was coined by Morozov (2014).

One of the main problems is that they are about to undermine the political autonomy of free and equal moral persons that are at the normative core of liberal democratic societies. Public political discourse is dominated and distorted by what Shoshana Zuboff called surveillance capitalism.¹⁴ It is based on predicting and manipulating the behavior of individuals and fosters hugely emotive and radical contents as well as fake news instead of respectful and reasonable political debate.

Floridi's new political ontology tends to obscure these dangers. The replacement of the individual as the normative foundation of society by a relational view that reduces it to a node in a functional system lends itself readily to technological solutionism which goes against the spirit of liberal democracy. Discarding the idea of the free and equal moral person as the normative basis of political theory is tantamount to affirming the practices of the Tech Giants even if Floridi wants to give them a positive spin with infraethics.

We should not fatalistically adapt our political ontology to the interests of business. Besides, there are good reasons for not founding political theory in a metaphysical view at all as Rawls argued.¹⁵ His concept of a free and equal moral person referred to here is a political and not a metaphysical notion.¹⁶ The point is to work on legal and political solutions that make business respect the laws and political values of liberal democracy. There are well-founded and elaborate ethical and political theories that provide the normative resources to understand and counter the challenges of information society. The Kantian notions of autonomy and human dignity, Habermas' analysis of the public sphere, or Rawls' elaborate conception of political justice under the conditions of reasonable pluralism are more topical than ever. The task is to bring to bear these resources to the defense of liberal democracy against the perils that it faces in the information society.¹⁷

¹⁴ Zuboff (2019).

¹⁵ Rawls (1993).

¹⁶ This is one of the reasons why Rawls is a better reference than Aristotle when it comes to the theoretical foundations of liberal democracy.

¹⁷ Nemitz/Pfeffer (2020) provide a pervasive analysis along these lines and suggest a number of detailed measures to counter the threats that arise for liberal democracy in the age of information and communication technologies on a national and European level.

The ethical ideas that Luciano Floridi is sketching in his initiative essay for this volume show his noble mind but they are not apt to cope with the massive ethical, [155] legal and political challenges of information societies. The moral issues that information and communication technologies raise are not that our ethical theories are inadequate; the problem is how to implement them legally and politically.

Maybe this was what Floridi ultimately wanted to say. But then do away with the revolutionary rhetoric about the need for a new political ontology. The Tech Giants love academic ethical discussions like these because they play into their hands when it comes to preventing effective legal and political regulations. This is not the time to turn to an alternative view that is »untested, counter-intuitive, unfamiliar [...] and does not really seem to be forced upon us by the nature of the problems with which we are dealing«. ¹⁸ The biblical naïveté that Floridi cherishes runs the risk of making us victims of the smart but bad guys.

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¹⁸ Floridi (2020), 314.

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