



Not Individuals, Relations: What Transparency Is Really About. A Theory of Algorithmic Governmentality

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In this paper, I first define the nature of the relationship transparency maintains to the real through which transparency governs, and then in the second section I outline its specificities in terms of the highly symptomatic example of “algorithmic governmentality” (Rouvroy and Berns 2013). On this backdrop, and with the help of Gilbert Simondon, in the third section I will draw on the work of Gilbert Simondon to argue that the new objects of transparency are relations, but only to the degree that these relations, by being objectified, become individual, mechanically repeatable statuses. In other words, Derrida’s theory of performativity will help me to explain how these relations are citations without difference.

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Governing from the Real

I would like to start by establishing a preliminary, perhaps axiomatic series of paradigm shifts implied by the blurry idea of transparency, in contrast with the more well-defined principle of publicity:

1. Calls for transparency feed into the project of establishing a continuous visibility of the real, whereas the principle of publicity is essentially limited, applies to specific acts and always finds its counterpart in established spaces protected by privacy.
2. Transparency entails a rivalry with the legal norm, which determines what must be public and what must be protected as private.
3. Whereas publicity seeks to limit the forms of domination inherent to political space, transparency appeals directly to actors' goodwill and good sense, as is illustrated by the words of Eric Schmidt, Google's CEO, in an interview with CNBC on the subject of private data under the U.S. PATRIOT Act: "If you have something that you don't want anyone to know, maybe you shouldn't be doing it in the first place."
4. As opposed to publicity, petitions for transparency do not seek to broaden the polemical space of political decision-making, but rather to mitigate it or even to dilute the very idea of decision.
5. With transparency, government no longer seems to be about governing *the* real but governing *from* the real.

To understand this shift in terms of the particular relation a governmental practice entertains with the real, and how this relation ensures government's effectiveness, I would like to lay out three fundamental maneuvers within contemporary normative apparatuses and their adherence to the real, their desire to be expressions of the real:

Firstly, it may appear as if contemporary normative apparatuses were simply intent on naming things and could, as such, be considered technical specifications used to certify things based on their conformity to an ideal definition of an element of our reality. The ISO standard is a

patent example of this dynamic, but another one can be found in attempts to standardize therapeutic practices, of which the DSM is an eloquent case. In these instances, the norm is nothing more than a “technical specification [...] the observation of which is not mandatory,” but which is approved by an “institution recognized” for its “normative activity”.¹ Ideally, norms should just be a matter of saying or recognizing things as they are and not as they should be, so much so that they should become devoid of any coercion.²

Secondly, contemporary normative apparatuses call upon their objects (individuals, companies, services, research centers, and so on) to give an account of their own activities. Normative action is most effective when carried out through this act of self-reporting.³

Thirdly, contemporary normative apparatuses fit into an actuarial rationality and are often fed, accompanied, justified, reinforced or shaped by statistical techniques. This is even more relevant in light of new statistical techniques resting upon practices of indiscriminate and massive data collection, which *mine* these *Big Data* in such a way the norms produced appear to be the very expressions of the reality they seek to represent. As I will show further on, these procedures seem to be freed of any reference to subjectivity.

Defining the real; inciting everyone to report on their activity; and statistically extracting norms from reality: these are the three fundamental, intertwined symptoms of new forms of normativity (evaluation, ranking, certification, classification, comparison, etc.) through which the norms produced can be conceived as immanent to the real. More broadly speaking, these gestures also give rise to a form of government that appears to be deeply affected by a kind of restraint or limited rationality.⁴

¹ Directive 98/34/CE of the European Parliament and Council.

² On this point, a comparison between legal acts of qualification and new practices of definition that seek to normalize the real needs to be urgently undertaken.

³ It would be worth investigating the practice of reporting as underlying a variety of contemporary normative practices in light of the question of avowal or confession. I suggested such an approach in two articles written with G. Jeanmart (Jeanmart and Berns 2009, 2010).

⁴ This restraint can be seen as a quest to govern without governing, an idea the origins of which I attempted to unearth in my book *Gouverner sans gouverner. Une archéologie politique de la statistique* (2009).

Paradoxically, this self-effacement somehow lends a powerful intensity and extensiveness to governmental acts in their ability to govern *evermore* and *without end*, in the double meaning of tracing the real without ever giving it a definite shape, but also of governing endlessly.

Before taking this analysis a step further by looking more closely at the third distinctive and fundamental gesture of new normativities, namely quantifying the real, I would like to point out a final, particularly paradoxical characteristic regarding calls for transparency and their difference with the principle of publicity:

6. The discretion of contemporary norms departs from the spirit of publicizing the norm. The apparent triviality of a government limited to perfectly adhering to the real by making it transparent, is accompanied by the ideal of its own invisibility: an efficient norm is one that does not even appear (and thus escapes debate). This is strikingly conveyed by European Commission texts: “The majority of goods and services around us have now been standardized, although this goes largely unnoticed in most cases. Standards are unseen forces that ensure that things work properly.”⁵ Normative action becomes invisible: it does not think of itself as the result of a decision, nor as the object of a conflict. Fundamentally, all that remains is its technical hold and footing on reality.

Algorithmic Governmentality

To understand this new form of normativity essentially dependent on quantifying the real, which Antoinette Rouvroy and I have called “algorithmic governmentality,” its logic can helpfully be broken down into three steps. Of course, this analytical disjunction is artificial: the three phases interact and are all the more efficient precisely because they are intertwined. We will see how, notwithstanding these statistical techniques’

⁵Communication of the Commission to the European Council, “Integration of Environmental Aspects into European Standardisation.”

extreme personalization, each of these steps seeks to avoid potential frictions with subjects or, rather, implies a rarefaction of subjectivation processes without ever turning into an exercise of violence. This avoidance of subjectivity requires only the most minimal form of reflexivity: a kind of tacit approval from subjects.

The first step revolves around “Big Data,” the phenomenon of mass data collection and storage, which gives way to a kind of fragmented doubling of the real perfectly respectful of its heterogeneity. To grasp this phenomenon, I will simply suggest that the data constituting Big Data are neither “given” nor “stolen,” two alternatives which presuppose the possibility of consent (in the second case by affirming that consent was disrespected or transgressed). Any reference to truly informed consent is inadequate because the use of the data or the ends that would justify its transmission are unknown, are fundamentally unavailable. Neither given, nor stolen, these data are instead abandoned or left behind. In contrast to a gift or a theft, it seems important to emphasize this idea of abandonment accompanied by an act which consists in *making unavailable* the implicit ends to anything we could call consent. To do so is not so much to bemoan the negation of consent as to reveal a form of tacit approval that appears to be neither consent nor extortion. In other words, we are not faced with the negation of any possible reflexivity, but only with its diminishment. This weakened reflexivity is driven, both in terms of its weakening *and* its residual reflexivity, by the trivial, “raw,” heterogeneous character of the data left behind. However, the impossibility of actual consent pushed to the point where even its actual negation is inconceivable is, in the same breath, presented as proof of the data’s apparent objectivity. The data’s transmission is so involuntary, so fragmented and devoid of meaning that it cannot lie. This is why, even in this first moment of algorithmic governmentality, the possibilities of reflexivity and subjectivation are rarefied and *not* canceled, and why such rarefaction is by the same token proof of the normative process’s strength and efficacy.

The second phase is the automated “mining” of these massive quantities of data. *Data mining* aims to statistically extract multiple correlations so as to establish fine-grained profiles. What is important to highlight here is the production of a certain type of knowledge seemingly composed

of simple, automatically established correlations.⁶ With this production of knowledge *it is as if* preliminary hypotheses were superfluous (and this appears to be even more so the case with *machine learning* practices). Again, we run up against the idea of knowledge that is objective *because* it is protected from subjective interventions (in this instance: formulating hypotheses). Norms (those correlations through which profiles are established) seem to emerge from the real itself, with the greatest *respect* for its variability.

The third moment is linked to the effects these norms have on individual or collective behaviors (insofar as they are related to profiles). I will simply underline that the normativity at stake here consists in ever so subtly acting on the *possible* behaviors of individual or collective subjects by discretely modulating their surrounding *environment*. This modulation is ever less expressed in terms of directly imposed and publicly expressed constraints (as modeled on the legal-discursive norm which intrinsically expects to be disobeyed by foreseeing a punishment).

In the second and third moments of algorithmic governmentality (and I insist once again that the three steps described are intertwined), it is in fact the minimization of any subjective experience that is played out. This minimization ensures the normative process's legitimacy and objectivity as well as its absence of violence or even constraint typical of the law. In this sense, the strength of the normative process unfolding within algorithmic governmentality relies on the presupposition that the real's heterogeneity can be immediately and objectively grasped. The diversity of specific needs can be met and respected precisely because there is a tacit approval to circumvent subjectivity. If indeed there is a personalization of the normative process, a claim to define normativity at an individual level and to make each individual the norm's object (thereby reconciling the government of large numbers with the government of individuals), then the logic of this personalization implies, above all, a gentle avoidance of

⁶ While this is not tragic in and of itself—all beings, and not only human beings, have always benefited from the correlations that run through them—it is nonetheless important to underline how certain correlations, such as the one that links a certain rate of public debt to a decrease in growth (Reinhart and Rogoff), can be dangerous depending on the lessons that are drawn from them. In any case, and I will come back to this later, it is urgent to no longer be satisfied with this *sufficiency* of correlations.

subjectivization's frictions and resistances. It would seem as if norms, in the broad sense of the term, were able to emerge amidst the real itself, amidst the most mundane, variable and composite manifestations of the real, without requiring the prior expression of a project, a hypothesis or even of subjectivity that putatively feeds the information used to generate norms, which, in turn, discreetly govern the real by feeding back into it. This, of course is nothing but a fiction: norms do not spontaneously arise out of the real! As Alain Desrosières never tired of repeating, "data are not given" ("les données ne sont pas données"). Data have a cost, they are produced, they are conventional, there is always an upstream to their availability.⁷ Moreover, they are sorted so as to fit statistical hypotheses that generate correlations. And behind these hypotheses, there are engineers, and behind them there are economic interests, power relations, styles, and so on. Yet, with its fiction of a gentle and inoffensive hold on the world, this new utopia of normative objectivity is a source of strength and legitimacy for algorithmic governmentality. As we have already shown, while on the one hand this new normativity appears to govern *from* the real rather than govern *the* real, on the other hand the intensity of government has perhaps never been so strong in that the very impediment of its exercise has been lifted.

Algorithmic governmentality draws its strength from the normative intensity of extracting correlations from everyday patterns. This is the price to pay for such a pretense of objectivity: correlations suffice (and must be sufficient) in order to govern (without impediment) from the real. This price is all the more irresistible given the correlations' seemingly painless nature. They are nothing more than connected fragments of our daily lives: resisting them would be schizophrenic.

What is important to underline then is the indifference of algorithmic governmentality towards individuals. Its interest lies only in controlling our "statistical double," that is, the automatically generated correlations fed by massive quantities of data that are collected by default. The problem with this indifference and its avoidances of the subject is not that the individual is jeopardized by being extorted, but that processes and opportunities of subjectivation, namely the difficulty to become a subject of,

⁷Even though these conventions are never questioned or debated.

and within, this algorithmic normativity, are rarefied. Simply put, it is not a question of being dispossessed of what we consider to be our *own*, nor is it about being coerced into relinquishing information that would violate our privacy or freedom; more fundamentally still, the problem comes from the fact that our statistical double is too detached from us, that we have no “relationship” with it, even though contemporary normative actions need nothing more than this statistical double to be efficient, and actually find in this sufficiency the full weight of their power.

Transparency Is All About Relations

The question that must now be asked is: if the individual is not the object or target of algorithmic governmentality, then what is? Or better yet: what is it that is governed when all friction with subjects is avoided and when the possibility of subjectivization is complicated?

The object—incapable of becoming a subject—of algorithmic governmentality is relations: the data transmitted are relations⁸ and they remain such only so long as they avoid contact with the terms of the relations. The knowledge generated is a set of relations of relations and, as a set of correlations, it adds no consistency to these relationships. Likewise, the normative actions resulting from these relationships are actions upon relationships referred to relations of relations. Therefore, algorithmic governmentality’s novelty, if it has one, is that it governs relations.

The incentive in approaching algorithmic governmentality by way of Gilbert Simondon’s philosophy comes from the fact that this mode of government, as I will show, no longer seems to take hold on, or take aim at, subjects, but rather *relations* considered as prior to the terms by which they are constituted. In other words, the relationships at stake are not merely the sum of the inter-subjective interactions supposed to comprise individuals, but are more fundamentally the relations *themselves*, without

⁸The word “relation” is meant in the rawest and least affected sense of the term, by which data is qualified. It is used only to indicate an operation linking *a* to *b* while ignoring what lies behind the two terms. As we will show, the whole strength of algorithmic governmentality lies in its ability to “monadologize” this relation, to the point that it can no longer grasp the becoming that *is* the relation.

reference or assignation to the individuals they relate to, as a form of “relationality” subsisting above and beyond the individualities involved. In order to grasp what we are dealing with, we need to follow Simondon’s lead and abandon a classical ontology or *metaphysics of substance*, centered on individuals and states (in which relations are attributed to an individual), for a *relational ontology* (in which relations have ontological precedence over the individuals they span) or better yet, an ontogenesis mindful of becoming and of understanding the very movement of individuation.

Simondon’s philosophy of individuation presents itself as the most accomplished attempt to envision the relation for its own sake as freed from its Aristotelian understanding in which it was always preceded by substance and thereby reduced to its strictly logical content. By refusing the primacy of the substance, that is, by moving from a metaphysics of states towards a metaphysics of their modifications and becoming, Simondon confers ontological content to the relationship so as to account for the process of individuation itself. For Simondon, this means that the relationship always exceeds or overflows what it relates; it can never be reduced to inter-individual sociality. When thinking of relations one must take their ontological primacy as far as possible: “the relation does not spring from two already individuated terms,” but it is always “the internal resonance of an individuation system” (Simondon 2005: 29, translation mine).⁹

For Simondon this also means that the “preindividual field”—in which individuation processes must always take place in order to be thought of as processes developing out of, and all the while conserving, this preindividual dimension prior to any differentiation movement—is potentially metastable: its equilibrium can be broken by even the most minimal internal modification of the system. This non-stability of the preindividual field is the inherent possibility of taking form through differentiation. As such, it is the very condition of a thinking that does not fall into the paralogism of presupposing and even individuating the principle for which it seeks the cause. In other words, if there is becoming it is only insofar as there is disparateness between orders of magnitude, between dissymmetrical realities.

⁹Muriel Combes, *Simondon. Individu et collectivité* (1999), was also of great help in our framing of Simondon.

Rather than the individual and its principle, Simondon enjoins us to envision the operations of individuation as from a preindividual being, which is also individuating itself, or must at least be seen through different individuation processes. From this perspective, the operations or processes emanating from individuals and milieus, from individuals associated with milieus (the individual is “the reality of a metastable relationship”), are perfectly real. The individual is real only because it is a relationship, because it is relative to a milieu. Or, put another way: what is relative is real. The relation therefore should in no way be considered from a subjectivist standpoint in which the relativity of the relationship is such that it dissolves its very reality. Rather, it is the reality of becoming. Likewise, the individual’s associated milieu is anything but reducible to a form of measure, to the probability it has of appearing.¹⁰

Paradoxically, by probabilizing the real (thus turning all of reality into the substrate of statistical action) and by desubjectivizing this probabilistic perspective (which no longer bothers with preliminary hypotheses), in short by giving itself the means to directly govern behaviors without direct concern for individuals, algorithmic government “derealizes” the individual to the extent that it is only related to a series of measures standing in for reality without ever manifesting their subjective nature. The relationships marshaled by algorithmic government are measures which, by their very capacity to appear as non-mediated and non-subjective expressions of reality, make what comes of them all the more relative and less real. In fact, what comes of them is only relative to a series of measures standing in for reality. In other words, through their ability to appear disconnected from any subjectivity, relations and their measurements turn the real as well as the individual itself into something relative.

Yet, from the standpoint of Simondon’s thinking, the above paradox is the result of an inversion. While for a metaphysics of substance it was impossible to know the individual through measures of its milieu because they were necessarily too subjective, this insufficiency (along with the ontological difference it revealed between the individual and its milieu)

¹⁰ Simondon dedicates several pages to the dangers of a loss of reality implied by the subjectivist and probabilistic nature of contemporary physics.

would now be resolved by making the individual entirely relative to measures free of any subjectivity. Working one step further through this confrontation between a practice of government and Simondonian thinking, one could even say that, by concentrating on relations, this practice succeeds in “monadologizing” them, in transforming them into states, or even statuses, as if the relations were themselves individuals. In this way, they lose what Simondon’s thinking brought about: the becoming of a metastable reality.

“Big Data,” the *data* of which subsists only as a series of relations, actually turns relations into individuals or statuses. Both the knowledge generated from the data—consisting in relations linked together—and the normative actions implied in terms of governing relations—insofar as they refer to relations of relations—excludes the very possibility of a becoming within a metastable reality. Simondon enjoined us to stop thinking becoming from the position of an already given individual because, in doing so, we would overlook the very experience of individuation in its making. We could no longer afford to neglect the fact that “the possible does not already contain the actual,” and that “the emergent individual differs from the possible that catalyzed its individuation” (Debaise 2004: 15–23, translation mine). In this light, it would seem that a true relation continues to be thinkable only on the basis of failure and deviation—the very existence of which is threatened by a reality augmented to the point of including even the possible. A relation involving dissymmetric and partially incompatible realities out of which new realities and meanings are eventuated would be a true relation, one that would remain unassignable to that which it relates.

Thinking the “Becoming-Status” of the Relation in Order to Escape Pure Repetition

To give an idea of what is entailed by this “becoming-status” of relations captured by algorithmic governmentality—which distances us from a relational ontology by excluding the relation’s disparities and thereby

foreclosing the possibility of any subjectivization process—it seems that a second detour is necessary, this time by way of the theory of performativity.

For J. L. Austin (1962), far from being evaluated simply as true or false, that is, in terms of their constative value describing the world, utterances can also be considered as “happy” or “unhappy” insofar as they do something and actively take part in the construction of the world. Analyzing utterances as “doing” something distances us from the descriptive illusion, be it when faced with a specifically performative utterance or when confronted with the performative dimension of any utterance. On this very general basis, upon which *saying* can be understood as *doing*, the question then is to determine what enforces these utterances. The point here is not to evoke all of the distinctions such a question implies—namely the vigorous debate which pitted Searle against Derrida (Derrida 1972)¹¹ as well as the political and juridical consequences Butler drew from it (Butler 1997)¹²—but rather to underscore that Derrida’s sometimes unjust critique of Austin’s theory of the performative was a denunciation of the contextual structure from which a performative utterance derived its force, as well as the intentional presence such a structure presupposes. Likewise, through her mobilization of the Derridean theory and by taking aim, rightly so, at certain legal and militant uses of the Austinian theory, Butler pointed out the dangers inherent to the perspective according to which performativity’s source essentially lies in the conventional structure of the performative (limited as such to its illocutionary dimension) and through which the act is incorporated as a discourse only because certain conventions pertaining to certain contexts have been respected. Significantly, what Derrida’s and Butler’s critiques reveal is that the Austinian approach to the performative continued to think language in a logocentric, and thus metaphysical fashion (Derrida), by presupposing the sovereignty of an intentional subject with regards to its utterances (Derrida and Butler) and thereby authorizing a potential political sovereign hold on discourses, in which case the performative force of an

¹¹ For a nuanced commentary of the Austin/Derrida/Searle debate see R. Moati, *Derrida/Searle. Déconstruction et langage ordinaire* (2009).

¹² The reader may also refer to the consequences I draw from this debate in “Insulte et droit post-souverain” (2015: 120–125).

utterance is necessarily enforced by such sovereignty (more specifically, Butler questions *fighting words*). Derrida, followed by Butler, shows us how Austin essentially remains an idealist given his incapacity to consider a performance's failure as other than an accident (an inappropriate context or the disrespect of conventions) and not as an inherent possibility of the performative. This limitation forces Austin to re-establish a distinction between serious (typified by the law) and non-serious (theater, contrived utterances, etc.) languages. To these critiques, I would like to add that a conventionalist approach of performativity such as Austin's leads to explaining the law (legal utterances understood as the epitome of performatives) with the law (its performativity is explained by its very own conventions).

Derrida and Butler replace the contextual and/or conventional structure of the performative with a citational one: signs should be considered only by distancing them from the idea of communication. In other words, a sign must apprehend in terms of its split with any (therefore always differed) presence, in terms of its "its power to break away from its context," including any form of meaning that stands for an intention (Derrida 1972: 377, translation mine). The distancing of intentionality that denotes writing as independent of any communicational function, the absence of a speaker or an addressee, is what signifies its very constitution: its iterability.

Regardless of whether one accepts this approach of ordinary language (or even of all "experience"), it is impossible to deny that we are irremediably and tragically confronted with iterability's primacy whenever we try to think experience under the auspices of algorithmic governmentality. Any sign—any data—is first and foremost considered in terms of its severance with an intentional context, in terms of its possibility of being read independently of its "moment of production," that is "abandoned to its essential drifting." Equally though, a sign can function while being "drawn out" of "the sequence within which it fits" so as to be "transplanted into other sequences" (Derrida 1972: 377, translation mine). Yet, while it may look as if data were infinitely correlated to one another within algorithmic governmentality, these combinations leave no remainders. They are repetitions without alterations.

Indeed, for Derrida or Butler, the sign's essential drifting is not, or should not be, synonymous with the vanishing of any reference, which subsists but only as differed. One could even say that what is signified becomes an element of the text. The value of Butler's reading is, on the one hand, to show the inherent danger of accepting a proposition, or data in our case, as a purely mechanical and remainderless repetition by pointing out the conventionalist dynamic (reducing the performative to the illocutionary) underlying such an understanding.¹³ On the other hand, Butler conversely emphasizes the possibilities of empowerment eventuated by the citational structure of the performative. As soon as iteration is not merely repetition (and sovereign hailing), but also difference, then novel appropriations of propositions, along with their afferent processes of subjectivation, must be taken into account.

It would seem that the mechanical repetition of data, and its equally mechanical transplantation into systems of correlations, must be seen as follows: if the relation of algorithmic governmentality's object or rather, algorithmic governmentality, has the power to reduce relations to objects, it is because relations are reduced to statuses that cannot be refuted precisely, in that there is nothing added to them (as this is how the three phases of algorithmic governmentality avoid subjectivity). Through this becoming-status of the relation and its absence of friction with a subject, a regime can be designated in which the problem is not so much the correlations it produces but rather their self-sufficiency, their remainderless repetition: nothing needs to be added to the correlation for it to govern or act. The idea that they are "nothing *but* correlations" ensures algorithmic governmentality's boundless strength.¹⁴

Translated from French by Tyler Reigeluth

¹³This conventionalization of the performative—which completely incorporates the saying (illocutionary) into the doing instead of seeing the action as unfolding the saying with the perlocutionary latitude it allows—is certainly a specific theoretical understanding of the performative, but it is also the encounter of several sovereign dynamics: the hailing of the subject, of the subject subjected to the hailing (and whose sovereignty is denied), the State which controls language and confirms the hailing by giving in to the fear of the unknown future of words. It is nothing else than a certain face of the law, thought in terms of sovereignty, that is defined in this manner.

¹⁴There is nothing tragic about this realization. It intends rather to open up new potentialities for becoming a subject within algorithmic governmentality, potentialities which necessarily rely on the ability to alter the repetitions that ensure government's performativity.

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