

# **Bioethics and AI-driven Panopticism in China**

Mantas Macikas, PhD Candidate  
*Vytautas Magnus University (Lithuania)*

## **Abstract**

The term bioethics has been used for more than three decades to address the ethical contradictions posed by technological progress and even the threat to human survival. Bioethics combines biological knowledge with the human value system. Hence the compound term, the bio part reflects the knowledge of life sciences, and ethics - the knowledge of the human value system. Bioethics deals with moral issues related to the development of life sciences and technology. The relevance of bioethics in today's world is evidenced not only by the public debate and media attention to the ethical issues of genetics and the use of life-saving technologies, but also by various Artificial intelligence (AI) systems that fall into the hands of authoritarian governments. China's Social credit system (SCS) is seen as a platform for monitoring citizens behavior to "reward for obedience" and "punish for disobedience". Does such authoritarian government interference in the personal life of every citizen through the use of technology means the irreversible destruction of natural law and free will? The aim of this topic is to determine the importance of bioethics for a tech-accelerated society. Will the normalization of the social credit system will become a dystopian and Orwellian totalitarian control mechanism denying bioethics and destroying the individuality itself in postmodern societies?

**KEYWORDS:** bioethics, panopticism, AI, social credit system, China

## **Introduction**

The latest technologies are bringing a number of changes that are driving everyday life. Technologies are being promoted and developed as faster more than ever, gaining some momentum that is changing human lives, creating situations so fast that it is difficult to predict and assess the consequences or ways in which technologies can be applied to society at large. The aim of technologies should probably be to facilitate human lives, to enrich their existence, to bring new opportunities for improvement, to contribute to the further development of ideas. However, technologies can be used in two ways, not only to improve human existence, but depending on who runs those resources, can harm.

The lack of painful historical examples and the many regulations that followed did not escape the fundamental, life-touching issues. Basically, all of today's bioethical issues can be simplified to conflict with the core principle: "Human is the greatest value and science must serve him." However, even after this seemingly universal truth is reached, there is still room for debate. How, in accordance with this principle, is the right to the well-being of every individual to be reconciled, without restricting research that can bring invaluable benefits to thousands of people? What to do when, due to limited financial, human and physical resources, it is not possible to ensure equal opportunities for all people?

Part of the problem of bioethics is determined by the discipline itself: this science is inseparable from the ever-advancing advances in biotechnologies. This means that it is not only important for bioethicists to examine the problems of the past and the present, but also that there is an absolute need to anticipate possible future bioethical conflicts and to take all possible measures to prevent them.

There is much debate in public about control and tracking mechanisms enhanced by modern technologies that provide mass surveillance capabilities and data collection that only artificial intelligence could later process. If the application of these technologies in the spheres of public governance could cause irreparable damage to Western societies. An example of this is the Social Credit System being developed by China.

The purpose of this article is to investigate whether the Social Credit System violates freedom of expression and basic principles of bioethics. It is hypothesized that the Social Credit System is more responsive. Given that the SCS is not yet fully operational, there is a need for research into the issue and the system itself, as providing progress for the individual, and at the same time for society and humanity.

In order to answer the hypothesis, certain challenges are posed. The aim of the work is to determine the reasons for the need to create such a system of public governance by analyzing the principles of bioethics. The system itself and its elements are analyzed, such as the system of penalties, which is the basis for deterring citizens from various acts and expressions. The necessity of freedom of expression for the society, for the individual and for the human being in a broad sense is further analyzed. Possible, legitimate cases where freedom of expression can be restricted will be discussed.

### **The Concept of Bioethics**

Bioethics is a discipline that combines life sciences with ethical, philosophical, legal, cultural and other issues arising from their application and progress. It is a science close to everyone but little known to the public, covering many aspects of everyday life: our expectation that the information entrusted to the doctor will remain confidential, contraception, the pharmaceutical industry, genetically modified foods on the shelves and many more.

The term bioethics was first used in 1970's by U.S. oncologist Van Rensselaer Potter. In adapting this term, the author stressed out that bioethics must become a new discipline that combines biological knowledge with the human value system. Hence the compound term, the bio part of which reflects the knowledge of life sciences, and ethics - the knowledge of the human value system. Potter considered the coexistence of these two sciences a precondition for the survival of humanity and life on Earth in general. That is why he called bioethics the science of survival. Bioethics, according to Potter, cannot focus only on the human, but must encompass the entire biosphere, namely the scientific intervention of human in life as such. As a result, bioethics is a broader concept than traditional medical ethics. It examines not only moral issues in patient care, but also moral issues related to the development of life sciences and technologies.

In a narrow sense, bioethics can be defined as the examination of ethical issues arising from modification of micro-organisms, plants and animals in agriculture, the pharmaceutical industry or food production with the help of biotechnology. Biotechnology is understood here as a technology that uses living organisms to produce or modify products, to improve the properties of plants and animals, to adapt microorganisms to specific knowledge needs. Biotechnologies are used in the production of medicines and vaccines, in the food industry, they adapt microorganisms for the destruction of toxic waste, and improve productivity in agriculture. Thus, bioethics can be understood in the narrow sense as the ethics of biotechnology, but in the broadest sense as the ethics of the life sciences, incorporating medical ethics.

To address the challenges posed by the rapid development of biotechnology and the current difficulties in health care and legal tensions, we must first answer the question of what human dignity and worth are, what human goals are, in order to avoid human exploitation. The starting point of bioethics must be the truths about the incomparable value of human life, about the transcendental nature of the individual, about the physical, psychological and spiritual integrity of the person, about the right relationship between the person and society. These values must become a guide for those who want to solve the problems that come with the uncontrolled and careless use of technologies and the exploitation of the ecosystem.

It is clear that science and various technologies are the greatest human milestones that serves for societies, but they are not supreme goodness, so in the name of science and technology human itself must not be put in danger. If research is about man, absolute autonomy of science would be absurd. Therefore, science cannot be separated from morality, otherwise it becomes dangerous.

The search for suitable bioethics as a scientific method based on the above-mentioned principle of personalism reveals that the bioethical method cannot be inductive (when behavioral norms are formulated based only on biological and sociological facts) or deductive method (when behavioral norms are derived directly from the principles). Therefore, Elio Sgreccia and Victor Tambone proposed a method called "triangle" which is an analysis of three interrelated coordinates.

Triangle Point A is the scientific presentation of biomedical facts (biology). Point B is of a philosophical nature and covers the anthropological significance of the phenomenon under analysis, namely the impact it will have on human life, its integrity and dignity (anthropology). From this analysis, it will be possible to determine what values need to be protected and defended, what norms will underpin action and how this will affect individuals acting as individuals and in a social sense. The principles and norms of behavior must emanate from the center, which is the person himself as a value and the good of that person (life, health, personal responsibility). The third point C deals with the justification of decisions in the light of various theories and currents (ethics). Anthropology becomes a criterion for what is technically and scientifically possible and what is ethically permissible.

Bioethical activities aimed at potential future problems could be considered as restrictions on scientific and medical experiments. The concept of "informed consent" without which no legal and respectable study is conceivable today, was introduced into practice only in the middle of the last century. The international

agreement that medical interventions and scientific studies require the informed and considered consent of each participant was a first step in establishing the principle of scientific service to man. Over time, the requirements for experiments have been met and a system for verifying their implementation has been established. However, even the introduction of these restrictions, which is clearly necessary and considered one of the major achievements of bioethics and the subject of continuous improvement, cannot be seen unequivocally: in what ways can one be sure that one is giving one's consent? Do restrictions not hinder scientific progress?

Summarizing the chapter, bioethics faces new questions not only because of the progress of science, but also because of the progress of society, and at the same time the interaction of these two factors. Many of the dilemmas under discussion today have a long history, but as problems they are only now being identified.

### **Panopticism in Foucault Theories**

The vision of a disciplined society is to manage people, control their relationships, and break down potentially dangerous gatherings of individuals through hierarchy, tracking, and documentation. Utopias about happy, cohesive societies are being replaced by a scheme of perfect governance. Foucault describes Jeremy Bentham's imagined perfect prison called panopticon. It is here that all the aspirations of the isolation, surveillance, open space and anonymity of power are realized. Panopticon becomes a kind of architectural expression of these aspirations. It is a ring-shaped building with a tower in the center; its windows face the inside of the ring; the ring building itself is divided into units with two windows: one facing the windows of the inner tower, the other looking outwards; thus the unit becomes transparent throughout. A caretaker is on duty in the central tower, and a madman, a sick person, a criminal, a worker or a student can be accommodated in units.

Such openness becomes a trap, and there is no mass of people, all isolated and visible. Every individual is visible, but he does not see himself and does not communicate with anyone. Foucault says the crowd is being replaced by counted and controlled numbers. The person in solitude knows that he is constantly being monitored, and the government begins to function automatically. Everything is perfectly balanced, the architectural mechanism creates and maintains government relations, even if at some point the observation ceases. The author points out that prisoners themselves become a source of power and says: everything is determined by the perception of prisoners that they are being followed; they do not have to know what time they are watching, but must be assured that this can happen at any moment. This mechanism automates and deindividualizes power.

Power is based on the distribution of bodies, space, glances (connected to a certain purpose). Ceremonies, rituals, and signs by which the ancient rulers showed an excess of power are no longer needed to establish and demonstrate power. It no longer matters who owns it, as any individual can put the machine to work. You no longer have to resort to coercion to make a prisoner behave well, a madman to calm down, or a student to study. Foucault says that “the coming into the field of vision and knowing this, the individual himself assumes coercive functions of power; he spontaneously allows themselves to be controlled; it embodies a relationship of power in which it plays two roles simultaneously; it becomes the principle of its own enslavement”. This is where the greatest danger lies - in giving oneself voluntarily into the hands of the authorities, in conquering the rest of one's remaining sovereignty and handing it over to destruction. Because in exchange a different recipe for happiness will be offered, and a body subjugated to perfect discipline will simply not be able to disobey, a trained mind will not be able to doubt. Power can throw off a heavy physical shell; it seeks to become inhuman, Foucault says, and the closer to that goal, the more constant its effects.

The panopticon model can be applied not only to prison, it is clear immediately. It is a kind of expression of the highest, purest powers of disciplinary authority. It is also a laboratory, because panopticon can be used as a mechanism for gaining experience, modeling behavior, and beating individuals. Various punishments can be applied and the most effective one discovered; the thinker names: training workers differently and finding the best method; to enter into pedagogical experiments and educate children in different ways. Panopticon is not only the most effective place to experiment with humans, it can also be adapted to observe its own mechanism. From the central tower it is possible to follow all the subordinates, constantly evaluate them, modify their behavior. Panopticon functions as a laboratory of power, concludes Foucault; the mechanisms of observation penetrate into human behavior, followed by knowledge, increasing with each step, discovering ever new objects of cognition where power is exercised. It is an idealized mechanism of government; there are no obstacles, resistance, obstacles. It is the framework of political technology.

Panoptic mechanism can be used for various activities: re-educating prisoners, caring for the sick, protecting the insane, training students, and supervising workers. It is a way to place bodies in space, to separate individuals, to create a hierarchical organization, to arrange the centers and channels of power, to define the methods of intervention, writes the philosopher. Governance is improved because such a scheme reduces the number of people in power and increases the number of people under control. In addition, it allows to intervene at any time, not to mention that constant pressure sometimes works as long as the offense is committed.

Shoshana Zuboff applies the theory of panopticism in a technological context. Continuing the ideas of Foucault and Bentham, in the book Zuboff very clearly describes the information panopticon as a device of observation and discipline, and sometimes even as a punishment in the realm of work. The information panopticon uses Bentham's idea in a completely different way. It does not depend on physical aspects, such as the particular structure of buildings or direct observation by a person. Instead, there is a computer that monitors each employee's movement by assigning him or her certain tasks that will need to be performed during the shift. The employee is given some time to complete the task depending on its complexity - all this is monitored by a computer. Based on the data received, the supervisor can see how well the employee is working and take action if necessary.

Information panopticon can be described as a form of centralized power that uses information and communication technologies as monitoring tools and control mechanisms. Unlike the panopticon described by Bentham and Foucault, whose subjects have no choice, Zuboff argues in the book that information panopticon is easier to adapt because of the benefits it provides to subjects.

Zuboff talks about the dual nature of information panopticon - its participants can be monitored, but they can also use the system to track other subjects. This is particularly evident in many information and communication technologies with a panopticon feature - mobile phone users can be tracked (and unaware) using the phone's GPS technology, but they can use this device to track another themselves. Thus, compared to the Bentham Panopticon, the information panopticon is something where everyone is potentially both a prisoner and a caregiver.

### **Social Credit System as an Orwellian Control Mechanism**

In 2014, China started to develop a SCS that helps to monitor citizens behavior and rate them with social credits. Its size will be able to determine such things as the quality of children's education or the ability to ever fly an airplane.

There are similarities with George Orwell's famous novel 1984. As former U.S. Vice President Mike Pence stated, "Chinese rulers are seeking to implement Orwell's system, which is a prerequisite for controlling almost every aspect of human life." Indeed, this system raises many questions. Can a state monitor its citizens and divide them into trustworthy and unreliable or good and bad? After seeing how much time you spend playing video games, can the state ban you from studying at the best universities? Can it be forbidden to fly by plane when it turns out that you are spending money on the little ones? The social credit

system was first announced in 2014. According to the Chinese government, this system will help maintain trust between the individual and the state.

Currently, the system is divided into parts, some managed by city councils, others evaluated by private technology platforms with personal data. Indeed, giant companies like Alibaba have a particularly significant share of Chinese people's behavioral data. Alibaba operates one of the largest online payment systems in the country and has its own credit rating system called Sesame Credit. Chinese government is working specifically with companies like Alibaba to build people's social credit scores. Recording and analyzing people's behavior, like a private credit score, can also raise or fall a person's social score, depending on the person's behavior. The exact methodology remains a mystery, but examples of violations recorded in the system include violations of driving rules, smoking in non-smoking areas, or excessive propensity to play video games.

China has already begun to punish the people. One way is to limit their travel. 9 million Chinese with low social scores have already been banned from buying tickets for flights within the country. This system can also limit luxury choices to 3 million people are already banned from buying business class train tickets. An example of a potential wrongdoing is trying to run a train without a ticket. The information was made public by British writer Rachel Botsman, who last year published a book "Who can you trust?". However, the exact mechanical side of the social credit system is not yet clear. According to the Foreign policy magazine, this system monitors whether people pay their bills on time, much like financial credit monitors, only in this case the moral aspect is included.

Within this system, other controversial crimes could include wasting money on small purchases and certain information published on social media. Reports of fake news, especially terrorist attacks or airport security, will also be penalized. 17 people who in 2017 refused to perform military service, was barred from entering secondary and higher education or from continuing his studies. The same year saw a case in which a Chinese university did not admit a student because his father had a low social credit score. In addition, persons "unfavorable to the state trust" may be prohibited from performing management work in state-owned enterprises and large banks. Some crimes, such as fraud and imprisonment, would also have a significant impact on a person's social credit score, Botsman said.

People who refused to perform military service were also barred from traveling in certain directions or traveling to some hotels - so vacation plans could also be curbed based on a person's social credit score. However, this system not only punishes but also rewards. People with high scores can speed up their

applications to go to Europe. In 2015 one Chinese BBC said she could have booked a hotel without paying any down payment because she had a high social credit rating.

Shaming is another tactic of the Chinese state apparatus. In 2016 CCP report encouraged companies to take a blacklist before hiring people or signing any contracts with them. Those with a low social credit score are blacklisted. However, the courts inform people that they have the right to appeal against the court's decision before they are included in such a list and within ten days of receiving the notification.

### **Conclusions**

The starting point of bioethics must be the truth about the incomparable value of human life, about the transcendence of the person, about the physical, psychological and spiritual integrity of the person, about the right relationship between the person and society, about marital love. These values must become a guide for those who want to solve the problems that come with the careless use of technology and the exploitation of the ecosystem.

It is clear that science and various technologies are the greatest human milestones that serves for societies, but they are not supreme goodness, so in the name of science and technology human itself must not be put in danger. If research is about man, absolute autonomy of science would be absurd. Therefore, science cannot be separated from morality, otherwise it becomes a threat.

An unprecedented surveillance and disciplining of the population has been or is being introduced by the Chinese government, with a striking similarity to Foucault's description of a perfect disciplining machine. Technology, which has given people freedom, now restricts it. This development is of great relevance for the forms of government in particular. A totalitarianism, which aims at the necessity of a compulsory registration of the population, finds its perfidious realization here.

Finally, it can be said that the dark side of digital progress is particularly evident in the social credit system. The realization of a perfect disciplinary machinery based on the model of Foucault seems to have been realized, even surpassed by digitalization. The relationship of the social credit system to Michel Foucault's "discipline and punishment" is clearly evident. The government is trying to create a new society with the system. The scope of this development cannot yet be grasped, but if one plays through various scenarios, it is very far-reaching and frightening.

### **Bibliography**

- Bentham, J., 2011. *The Panopticon Writings*, ed. M. Božovič. London: Verso.
- Creemers, Rogier. *China's Social Credit System: An Evolving Practice of Control* (Leiden University - Van Vollenhoven Institute, 2018).
- Emmons, Shauna. *Freedom of Speech in China: A Possibility or a Prohibition?*, 23 Loy. L.A. Int'l & Comp. L. Rev. 2001.
- Have, Hans., Meulen Robert and Leeuwen Eric. *Medicinos etika*. Vilnius: Charibdė. 2003. 55.
- Foucault, M. *Discipline and Punish: the Birth of the Prison*. London: Penguin Books. 1991. 78–94.
- Hermeren, Goran. *Why do we need bioethics?* Copenhagen: Nordic Council of Ministers. 2002. 28.
- King, Gary., Pan, Jennifer and Roberts, Margaret. *How Censorship in China Allows Government Criticism but Silences Collective Expression*, 107 AM. POL. Sc. REV. 2013.
- Martinonytė, Aurelija. *Bioetika: kas tai ir kodėl turėtų rūpėti kiekvienam?* 2018. <https://www.bernardinai.lt/2018-03-23-bioetika-kas-tai-ir-kodel-turetu-rupeti-kiekvienam/>.
- Moon, Richard. *The Scope of Freedom of Expression*, 23 Osgoode Hall L. J. (1985).
- Pence, Mike. *Remarks on the Administration's Policy Towards China*. Hudson Institute, 2018. <https://www.hudson.org/events/1610-vice-president-mike-pence-s-remarks-on-the-administration-s-policy-towards-china102018>.
- Potter, Van Rensselaer *Bioethics: Bridge to the Future*. 1971.
- Rachel, Botsman. *Who Can You Trust?: How Technology Brought Us Together and Why It Might Drive Us Apart*. 2017. 24–27.
- Sgreccia, Elio. *Bioetika*. Moscow. 2001. 61–62.
- Von Blomberg, Marianne. *The Social Credit System And China's Rule Of Law*. Mapping China Journal 2018. 2.
- Zuboff, Shoshana. *In the age of the smart machine: the future of work and power*. New York: Basic Books. 1988. 315–361.