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Cultural Politics and the Born Digital

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Digital Immunity

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Digital Immunity

“Typing Drill”

I thought I'd begin this brief paper by quoting two of the so-called writing files from the Richard Rorty Born-Digital Archive. The first, called “Typing Drill,” reads: “Now is the time for all good men to come to the aid of the party” (1), ending *without* a period. And the second one, also called “Typing Drill,” reiterates: “Now is the time for all good men to come to the aid of the party” (1), but ending this time *with* a period. Although this phrase is not exactly born-digital, I learned from an internet website that it was nevertheless born from the manual technics of the typewriter: “This phrase came from a demonstration of the type-writer by Latham Sholes to Charles Weller, the superintendent of the local (i.e. Wisconsin) Union Telegraph Office in 1867. Stuck for a phrase to show the power of the machine, Weller's suggestion was randomly lifted from an article in that morning's local newspaper.”

143 years later, the launch of the Richard Rorty Born-Digital Papers rearticulates some of the questions surrounding the advent of the typewriter; i.e., questions concerning technical reproduction, copyright, publication, authorship, political action, and the significance of the banal and random. Like the phrase “Now is the time for all good men to come to the aid of the party,” many of the materials in the Rorty Born-Digital Papers are designated in the metadata as authored by others: there's the poem *Anecdote of the Jar* by Wallace Stevens, texts by Jurgen Habermas, and an extensive collection of Donald Davidson materials. If the supposedly born-digital archive is organized under the proper name “Richard Rorty,” what is the proper status of these materials: are they copies or are they citations? In what manner are they “signed” by Rorty, and by what logic do they adhere to the born-digital archive?

In addition, some of the materials in the born-digital archive are also quite banal, even for scholars who spend their days pouring over this kind of thing. In the Administrative and Professional files, we have items such as a “List of Things to Do;” in the Teaching files there is a totally blank appointment sheet; and again, in the Writing files we have two typing drills. The fact “that-there-is” a digital document or file overrides its significance, a principle that exhibits the empty form of the archive and the digital imperative.

Yet we shouldn't be too quick to dismiss the insignificance of unpublished born-digital archival materials; the question of their significance or insignificance touches upon something that pertains to the cryptic nature of all texts. We might remind ourselves of what Derrida says in a postscript at the end of *Spurs*, which makes note of a disagreement Derrida and Roger Laporte had with a “certain hermeneut who in passing had presumed to ridicule the publication of Nietzsche's unpublished manuscripts. ‘They will end up,’ he said, ‘publishing his laundry notes and scraps like ‘I have forgotten my umbrella’” (109). Derrida notes that there is no infallible way of establishing the significance of this scrap (which has quotation marks around it) or its relation to the corpus upon which it is grafted. He writes: “Given this lack of assurance, the note which the editors have appended to their classification of the unpublished pieces is a monument to hermeneutic somnambulism. In blithest complacency their every word obscures so well a veritable beehive of critical questions that only the minutest scrutiny could possibly recover there those questions which preoccupy us here. One day though, we

shall perhaps know the significant context of this umbrella. Perhaps the editors themselves already know. But if they do, they are not saying” (*Spurs* 97). Derrida goes on to suggest that despite any interpretive reattachment to its “proper” context, the detached fragment also remains structurally detached from a meaning or intention that “properly belongs” to the signature that appropriates it. And neither does a reading of the fragment itself resolve the question of the fragment as Derrida’s elaborate analysis of the “I have forgotten my umbrella” indicates. The fragment in itself is perhaps of no significance at all. Derrida warns the analyst of joining “the impulsive reader or hermeneut ontologist in their common belief that this unpublished piece is an aphorism of some significance. Assured that it must mean something, they look for it to come from the most intimate reaches of this author’s thought. But in order to be so assured, one must have forgotten that it is a text that is in question, the remains of a text, indeed a forgotten text. An umbrella perhaps. That one no longer has in hand” (103). Continuing with the suggestion that the umbrella fragment might have no decidable meaning, Derrida writes: “It is quite possible that that unpublished piece, precisely because it is readable as a piece of writing, should remain forever secret. But not because it withholds some secret. Its secret is rather the possibility that indeed it might have no secret, that it might only be pretending to be simulating some hidden truth within its fold” (103). Derrida does not here suggest that knowing what the fragment might mean must be abandoned, but that it is multiplied and divided, perhaps infinitely, and this extends to the totality of the corpus as well. In the case of the Rorty Born-Digital Papers, the limits of this totality are even more complex.

“Who or What Signs the Born Digital?”

The “Anecdote of the Jar” pdf file in the Rorty archive is similar to the Nietzsche umbrella fragment (surrounded by quotation marks): although the so-called author is cited in the metadata framing the file, there is no infallible way of knowing the significance of the file or how it is connected to the Rorty archive as a whole.

The text’s structure of iteration constitutively orphans or cuts off the writer as well as the reader from any context. What Derrida calls, in “Signature Event Context,” writing’s “force of breaking with its context” (317) constitutes one of the conditions of inscription. The digital inscription—its immediate capacity to “be” anywhere and everywhere—illustrates this implosive/explosive force. Every file of the digital archive—not just the *Anecdote of the Jar* or the Davidson files—has quotation marks, so to speak, surrounding it, which breaks it from context. The structural iterability of inscription over-reaches any and every origin. So it goes with any internal or semiotic context—the iteration can inscribe itself into any new context. And a new context might lead to diametrically opposed interpretations as, for instance, with regard to the term “burn this!” in a November 1995 letter Rorty wrote concerning some accounting and tax matters. The letter ends, “I talked to my tax person, and he says that it’s OK for me, as a profit-making book-writing one-person quasi-corporation, to pay a consultant’s fee to Latour and to make out a 1099 saying I’ve done so. So if the Alumni want to give me \$2000, I’ll pay tax on that and then deduct the tax on a \$2000 consultant fee, resulting in a wash. Burn this!” (p. 40, Nov. 95). In the old days “burn this” might mean, “incinerate this piece of paper,” i.e., erase this inscription; now, “burn this” might mean “copy this file on a disc,” i.e., mechanically reproduce this inscription.

As part of the Born-Digital Archive, although “Anecdote of the Jar” names a poem written by Wallace Stevens, the born-digital Richard Rorty signs it. A born-digital signature appropriates the poem. For Gilles Deleuze, new concepts and new technics bring about new subjects, what he calls embryonic, larval subjects. What kind of larval subject does the born-digital archive bring about? Instead of an “I” we have what might be called avatars of unnatural perception. To what kind of emergent subjectivity, larval subjectivity, does the born-digital signature belong? What is being said or done under this signature? If there is digitality but no handwriting in the born-digital archive, in what sense is a born-digital signature a signature? About the Nietzsche fragment in quotation marks, Derrida asks: “What, after all, is handwriting? Is one obliged, merely because something is written in one’s hand, to assume, or thus to sign it? Does one assume even one’s own signature?” (99). Although the signature is supposed to be the mark of the having-been-there, Derrida famously put into question the singularity of the signature in “Signature Event Context,” where he writes: “In order to function, that is, in order to be legible, a signature must have a repeatable, iterable, imitable form; it must be able to detach itself from the present and singular intention of its production” (328). Despite the fact that the signature is typically taken as that which is singular, Derrida stresses its inherent reiterability. In *Limited Inc.*, he writes “. . . I imitate and reproduce my ‘own’ signature incessantly. This signature is imitable in essence” (34). If the singularity of a handwritten document and the singularity of the handwriting depend upon a mistaken ontology of the signature, the technics of the digitally produced document reminds us of the inherent reiterability of all writing. Digital inscription may very well be part of what Derrida calls “a more and more powerful historical unfolding of a general writing of which the system of speech, consciousness, meaning, presence, truth, etc., would only be an effect, to be analyzed as such” (*SEC* 329).

“The Born-Iterable Archive”

The born digital—because of its infinite reproducibility—is always infinitely distant from its own origin and its own original. The iterability that characterizes writing is exemplified by the born digital, which “literalizes” the reiterability of the written. The digital “entity” is born-iterable. There is a digital archive—perhaps even a born-digital archive—at the heart of every writing. When speaking of the born-digital archive we could very well just say born-iterable archive. In the Born-Iterable Archive, iterability structures even and especially the born-digital mark.

The ordinary fact that there are no “signatures” in the born-digital archive points to something more fundamental concerning the signature, i.e. its impossibility. Aware of what technology brings to the fore, Rorty, in a fax letter to Derrida, apologizes: “P.S. Forgive my using machines to write. My handwriting has deteriorated over the years, and by now is pretty illegible” (Letters written in Bellagio). Even if the born-digital archive foregrounds writing’s constitutive separation from every and any origin and original, no archive can do without that which is signed by the proper name. The difference in names (or digits) is not incidental as a letter to an airline Rorty wrote indicates:

“Apparently I have two advantage numbers: K166506, as “Mr. Richard M. Rorty” and FVJ8956 as “Dr. Richard Rorty”. I should be grateful if you would coalesce the current mileage balances in these two accounts under a single number. At the moment, I

possess a card for FVJ8956, but none for K166506. So if you use the latter number, please send me a card bearing it” (p. 1 May 92 letter).

Derrida’s argument that iterability/reiterability is constitutive of, not only writing, but all language and experience as well—separation from presence characterizing the experience of being—might explain the anxiety around digital and open access archives: i.e., that the iterability which constitutes a certain identity disallows the possibility of self-identity. Iterability is divided against itself: the unity of a mark is constituted by its reiterability, its repetition. Writes Derrida, “. . . this unity of the signifying form is constituted only by its iterability, by the possibility of its being repeated in the absence not only of the referent, which goes without saying, but of a determined signified or current intention of signification, as of every present intention of communication” (“SEC” 318). Self-identity is at the heart of the concept of the individual and what is proper to the individual, its property. The open access digital archive disrupts the self-identity of the individual and the self-identity of property. Within every individual, within every property, there lurks a born-iterable archive.

[show PDF file] Despite all of Derrida’s efforts concerning iterability and the signature, Lame Duck Books, a book dealer in Cambridge Massachusetts, still wants \$16,000 USD for a copy of *The Postcard* that Derrida inscribed to Paul and Patricia de Man upon the title page of the *Envois* section (Lame Ducks sent me this pdf for free: [show image]: if that’s not phallogocentrism, I don’t know what is).

So to want to control this iterability, to prevent its potentially endless repetition by way of, for instance, an open-access dissemination must be the sign of an anxiety concerning writing and all language itself (and our own endless dissemination). The argument for an open access archive partly rests upon an engagement rather than avoidance of this anxiety. Extended and infinite citation is expressly what is forbidden by the Fair Use contract.

Although the above discussion might suggest that born-digital—or rather, born-iterable—materials might invite a rethinking of issues concerning access, copyright, and fair use, the Rorty Born-Digital Papers shows that this is easier said than done. On UCISpace, the website that hosts the archive, the copyright statement reads: "This material is provided for private study, scholarship, or research. Transmission or reproduction of any material protected by copyright beyond that allowed by fair use requires the written permission of the copyright owners. The author(s) of the material or their heirs retain copyright to this material."

Although the Library of Congress can’t figure out how to handle copyright and privacy issues so that, for instance, Hannah Arendt’s scholarly papers can be made available via an open access digital archive, news agencies can make available confidential emails sent by Goldman Sachs executives to strategically mislead private investors, and Twitter will be preserving and archiving until the end of time all those Tweets that have been digitally inscribed since 2000. For digital archives, the banality of the content is often proportionate to the extravagance of the epistemic infrastructure. Let’s now drop our questions concerning the content of the Rorty Born-Digital Papers and pick up the question of the technical apparatus that frames and institutes it.

“Immunitas”

I would say that the Richard Rorty Born-Digital Papers is, as it stands, a kind of prestidigitation, a sleight of hand or juggler’s trick, concerning the question of open access, scholarly communities, and the larger publics. By making the archive available online, but not open access, and enabling a copy/download function for the digital files, it protects itself from copyright infringement and *at the same time* opens up a path for endless technical reproductions.

In order to discuss the de facto consequences a born-digital archive might generate for scholarly community, I would like to turn to two books by Italian philosopher Roberto Esposito, *Communitas: the origin and destiny of community* and *Bios: biopolitics and philosophy*.

Esposito wants to distance his discussion of community from any idea of *proprium*, property, possession, or the holding of what is properly one’s own in common. His point of departure is rather “the etymology of the Latin term *communitas*” (*Communitas* 3). I’m hoping that we can follow him here in thinking about digital *communitas* or at least the way digital archives affect scholarly communities. Beginning his etymological analysis, Esposito writes, “the first meaning of the noun *communitas* and of its corresponding adjective, *communis*, is what becomes meaningful from the opposition to what is proper. In all neo-Latin languages (though not only), ‘common’ (*comun*, *comun*, *kommun*) is what is *not* proper [*proprio*], that begins where what is proper ends It is what belongs to more than one, to many or to everyone, and therefore is that which is ‘public’ in opposition to ‘private’ or ‘general’ (though also ‘collective’) in contrast to ‘individual’” (*Communitas* 3).

This first meaning of *communitas* as that which concerns the common is not, however, the one of most interest; rather, it is the term from which common comes, i.e. *munus*, that becomes central for Esposito. *Munus* has three senses—*onus*, *officium*, and *donum*; burden, service, and gift—that together articulate a concept of obligation. *Onus* and *officium* realign the *donum* with the meaning of duty. The *munus* is a type of gift distinguished by its obligatory character, but not in the sense of remuneration or equal return. The *munus* is “the gift that one *must* give the *munus* indicates only the gift that one gives, not what one receives” (5). The *munus* concerns the obligation of giving with respect to others, which sets up a sense of mutuality. Yet Esposito stresses here that *communitas* is not the same as *res publica*, the public thing, since the *munus* is not a substantive thing to be held in common: “. . . the *munus* that the *communitas* shares isn’t a property or a possession The subjects of community are united by an ‘obligation,’ in the sense that we say ‘I owe *you* something,’ but not ‘you owe *me* something.’” (6). *Munus* is obligation to give without remuneration. *Communitas* is not a *res publica* (public thing, the positivity of the thing), but a shared obligatory giving (not a mode of being, but an absence). *Res publica* as positive entity would be the entification of the *munus*. Community, rather, is founded on a lack or negativity. Esposito continues: “the common is not characterized by what is proper but by what is improper, or even more drastically, by the other; by a voiding, be it partial or whole, of property into its negative” (7). *Communitas* is “the totality of persons united not by a ‘property’ but precisely by an obligation or a debt unlike for him who is ‘exempt’ or ‘exempted’” (6).

This is where Esposito introduces the concept of *immunitas*, the counter-concept to *communitas*: “If *communis* is he who is required to carry out the function of an office—or to the donation of a grace—on the contrary, he is called immune who has to perform no office, and for that reason he remains ungrateful. He can completely preserve his own position through a *vacatio muneris*” (6). There is an opposition between *communitas* and *immunitas* whereby *communitas* designates the relation of obligatory gift constituted by the *munus*, and *immunitas* designates the individual’s exemption from this obligation (one’s own, the privative of the proper). The common/the with (*cum*) is negated by the immunitarian drive of the individual.

Esposito pairs the term immunity with community to understand the biopolitical-juridical logic of immunity. Immunity is a certain antonym of community: it is the not-being and not-having anything in common: “*immunitas* is the negative or lacking [*privativa*] form of *communitas*. If *communitas* is that relation, which in binding its members to an obligation of reciprocal donation, jeopardizes individual identity, *immunitas* is the condition of dispensation from such obligations and therefore the defense against the expropriating features of *communitas*. *Dispensatio* is precisely that which relieves the *pensum* of a weighty obligation, just as it frees the exemption [*l’esonero*] of that onus, which from its origin is traceable to the semantics of a reciprocal *munus*” (*Bios* 50). Immunity is a defense against the contagion of community, yet the other is not the pathogen, it is the *munus*, the obligatory public service or gift that is. Immunity is exemption from the obligations of the *munus* and community. Yet this exemption, this immunity, is for the purpose of the preservation of one’s own, one’s own life, the proper.

Although the *munus* might have been a feature of Roman law and religion, Esposito states that it is, “The modern individual, who assigns to every service its specific price, can no longer bear the gratitude that the gift demands” (12). Esposito tells us that it is Hobbes who first saw in *communitas* the gift of death, from which the individual (desiring self-preservation) attempts to be immunized. It is the privative and privatizing figure of the *contract* (i.e. not the gift, not the *munus*) that performs this. As an anti-*communitas*, “the Leviathan-State coincides with the breaking of every communitarian bond, with the squelching of every social relation that is foreign to the vertical exchange of protection-obedience” (14). A specific immunitarian logic in relation to community begins with the Hobbesian self-preservation of life. Immunization guarantees *individual* survival (*Communitas* 124). Esposito identifies three forms of immunity: immunity against death, immunity to one’s fellows (i.e. exemption of responsibility to one’s fellows and their demands), and the absolute immunity of the sovereign who is not part of the community in the sense that he is not bound by any obligation). The (Hobbesian) natural right of individual self-preservation informs the immunitarian logic, yet at the same time, because of the inexhaustible conflict among individuals, it is only community and not the impulse of self-preservation that can protect life. Lateral relations between individuals are dissolved (for the purpose of preserving one’s own life) in the vertical relation with the sovereign. The individual subject is the beneficiary of the property and liberty that results from the immunitarian program.

The property *dispositif* of the immunity paradigm is central to immunity as a privative or negative form of community. The logic of preserving life leads to Locke’s

possessive individualism, the logic of the proper and what is one's own (i.e. one's life). Lockean self-preservation entails an increasing extension of life and the body, which must have the prosthesis of property to thrive. Life is liberty in property in oneself. Locke's possessive individualism protects against expropriation. According to immunitarian logic, property held in common, communal property, would be somewhat of a contradiction: what is proper designates what is one's own, that which belongs to the individual, and that which is exempt from the relation to others. Can one speak of what is proper to the community?

Esposito argues that community does not concern a property that is collectively owned (*Communitas* 138). For him, community members share—through the *munus*, through the obligation of donation, through the gift that is given and not received—in an expropriation of their own essence. Community does not concern the making one's own, the proper, but is linked to the improper (the other). For Esposito, community would designate an absence of subjectivity, identity, and property, and would merely be marked by a no-thing-in-common and the relation of the “with.” The *res publica* could only be nothing, no substantive thing. Does this mean that community is paradigmatically virtual?

“Digital Immunity”

If we quickly shift our discussion to the question of digital community, the Rorty Born-Digital Papers offers itself as an interesting test-site.

The deed of gift of scholarly papers to a public archive might be called a *munus* that opens up and binds a public to itself and constitutes a scholarly *communitas*. Does the born-digital archive institute an immunitary logic in relation to this community? Does it tend to generate anti-*munus*, or immunity, which exempts the individual from the obligation of the *munus* and *communitas*? This assertion might be at odds with discourses on digital archives that claim the digital archive heralds a new age of public access; inadvertently, it might also institute an immunitarian logic that subtracts the deed of gift and obligation of public service—the *munus*—from the scholarly community, adding instead a potentially endless stockpile of private digital property to an aggregate of exempted individuals.

Backtracking a second, we will recall the copyright statement on UCISpace, the website that hosts the Rorty Born-Digital Papers: “This material is provided for private study, scholarship, or research. Transmission or reproduction of any material protected by copyright beyond that allowed by fair use requires the written permission of the copyright owners. The author(s) of the material or their heirs retain copyright to this material.”

The point to emphasize here is that the material is for *private* study, *private* scholarship, and *private* research. In theory, there could be an infinite number of individuals engaged in private study, scholarship, and research, and yet no *public* study, *public* scholarship, or *public* research at all. Also, the material in question is a matter of property.

The property, in the case of the Rorty Born-Digital Papers, concerns, first, pdfs available for viewing and download: one can “have” a pdf copy of one's own (subject to fair use). In effect, one can have property for oneself, yet this property cannot be held in common: here a certain immunitarian logic is at work. Conceivably, an infinite or endless number of *individuals* could own copies, yet none of it would be commonly held,

none of it would have the character of *munus*. If immunity exempts one from the *munus*, from the obligations of community, although it might serve the private interests of potentially infinite individuals, the digital archive might never serve the public or foster a *res publica*. This is the immunitarian logic of the distribution of digital property, which dissolves any potential communitarian bond. Even if each individual could have a copy, community is foreclosed by a certain lack of relation between individuals. As Rousseau might say, “. . . they form, if you will, an aggregation, but not an association, for they have neither public property nor a body politic” (*Social Contract* 162). This is what is at stake with the immunitarian tendency of the digital archive: unlike the traditional public archive, which constitutes a quasi-*public* property in the sense that it theoretically offers universal public access to materials, and in the sense that it retains a certain singularity that would be *proper* to this public property, the digital archive only infinitely multiplies a type of quasi-*private* property for all *individuals* but not for a body politic. As the digital archive negates a certain mode of public by preserving a certain mode of property ownership by the individual, it in effect immunizes the individual against community.

The born-digital archive is an apparatus that enables a mechanism for reproducing and distributing a form of quasi-private digital property for the purpose of individual use, in effect disabling the digital *communitas*. An infinity of permitted digital copies constitutes an intersubjective aggregate, but never a community. Does the immunitarian logic of the digital archive erase a potential being-with of digital community? If the hand is the privileged vehicle of the *munus* that joins us, can the “digital” also give? How do our digitalized digits join us? Certainly an interweaving of the hand and the digital is already the norm (Ipad is latest example).

The scholarly papers in Special Collections understood as *munus*, as gift/obligation, constitute a community. Does the digital have its own *munus*? Does the born-digital archive constitute its own type of gift/obligation? Is it possible that the digital archive is a defensive apparatus that protects the paper archive? And does the born-digital archive take this further? Does immunity actually constitute its gift/obligation, its *munus*?

Exemption from communal obligations is the immunity of the individual; this immunity protects the individual from the expropriation of the community. The immunitary protects the *res propria* from a *res communis*. Yet the community can also immunize itself when it institutes a mode of sovereign power, for instance, by disabling the expropriation of one individual’s property by another individual. The Special Collections and Archives is this quasi-sovereign power, which regulates the use of copyrighted archival property. If “diplomatic immunity” is a logic of exemption, users of the born-digital archive enjoy a certain kind of diplomatic immunity—as attachés of the archive, they can use and make copies of materials as long as they keep them for private use, private study, and private scholarship alone and do not *communicate* them to the public. The violator of the born-digital access contract would become a scholarly *persona non grata*. In this scenario, a rogue digital community might emerge by way of a *communicative* act that breaks the bounds of the individual and its immunizing contract with the sovereign archon: quite simply, when one presses the save pdf button and shares the document with others or posts it publically on the internet. Perhaps this is the inadvertent consequence of the born-digital archive: it shifts liability from the archon to individuals. Although it would be a violation of the archival contract and fair use to

share a fragment of the born-digital archive with those far removed and remote from us, it will surely happen, and has happened. What is the tipping point at which these stellar exchanges mutate the “private” into a new kind of public? Does an exponential digital infection overstep the immunitary logic of individual self-preservation and in fact preserve the community as well?

On the one hand, the immunitarian logic of the digital archive makes each individual user, in a sense, a sovereign archon by subtracting from them the *munus* that binds them to community; hence, the default privilege that the individual only use the material for private use, private study, and private scholarship. Access to the born-digital archive and possessing one’s own private pdf copies sever the lateral relations to other scholars instituting in their place a lone lateral relation to the archon. Scholarship is in effect made private in a double sense: privatized and deprived of a relation to a public scholarly community. Can we go further and even say: individual users turn into antibodies that ward-off community? Yet, the individual user who has his or her own personal pdf copy is not identical with the archon of the born-digital archive: the archon is similar by quasi-transcendentally taking the place of all other equal users, but different because this “place” is out of their reach. [One former head of Special Collections and Archives wasn’t exactly joking when she said in an email, “The Critical Theory Archive is mine].

Just as an immunitarian logic severs the lateral relations of individuals and unites them vertically with the sovereign, so too is property or “one’s own” [*proprio*] exempted from the common, constituting a *res propria*. The Lockean right to property is part and parcel of self-preservation. We are all familiar with Locke’s formula that all is originally held in common, yet “every Man has a Property in his own Person . . . The Labour of his Body and the Work of his Hands, we say, are properly his” (qtd. on 56). Here we see that property originates as a prosthesis of the manual, one could even say, of the *digital*. If property is a prosthetic extension of the individual person, and this extension is paradigmatically digital—is it any surprise that quasi-digital property immunitarily tends toward the individual and falls away from the community? Since the individual not only appropriates property, but property appropriates the individual, this appropriation is not public but private in nature, i.e., not shared and open to the community.

Initially, the immunitary effect of the digital archive operates on the individual by subtracting the *munus*—the deed of gift of the public archive—from the community and issuing a form of quasi-private property to the individual (possessed digitally in hand, if not entitled). The digital archive in effect operates by way of a certain homeopathic principle: it retains privacy by allowing individuals to reproduce this privacy. Private property is retained by reproducing private property. Thus the digital archive is both the infectious agent and the protective antibody that exempts the individual from the community and subtracts the *munus* from the *res publica* in the form of private property.

The lead archivist on another born-digital project, the Salman Rushdie Born-Digital Archive, states that in terms of copyright and privacy, a closed archive with no reproduction capacities works best: in the case of Rushdie’s archive, the content is protected by a strict copyright. “There will be a whole software system put into place where people can access his archive, but they can’t then download it and ship it off to

twenty of their closest friends,” she says. “We’re trying to make the content accessible for scholarly purposes without making it too open.”

The Rushdie project seems to ward-off an understanding of the born-digital archive as something that is fundamentally born-iterable, and that, at its genesis, the digital entity is constituted by a reproducibility that immediately divides itself from itself. Esposito argues that although the paradigm of immunity works in favor of the self-preservation of the individual, there is “a modality of *bios* that cannot be inscribed within the borders of the conscious subject, and therefore is not attributable to the form of the individual or of the person” (*Bios* 192). Esposito develops his point by turning to an infamous text by Deleuze—“Immanence: A Life . . .”—in which the concept of the singularity of a life, in its absolute singularity, writes Esposito, “moves beyond the sphere of the individual to be rooted in an impersonal datum” (192). Deleuze illustrates this transindividual or impersonal datum by quoting a passage from Dickens’s *Our Mutual Friend*. In this novel, a scoundrel, abjected by the community, is found on the point of death, and suddenly everyone is deeply interested in the least sign of life issuing from the man: “No one had the least regard for the man: with them all, he has been an object of avoidance, suspicion, and aversion: but the spark of life within him is curiously separable from himself now, and they have a deep interest in it, probably because it *is* life” (443). The point here is that even for the life of the individual there is something that moves beyond this individuality toward an impersonal yet singular life. Writes Esposito: “A singular life, the singularity of *a* life, Deleuze continues, is not distinguishable, that is, is not ascribable to an individual, because it is in itself generic, relating to a genre, but also unmistakably because it is unique in its genre—as that of a newborn, who is similar to all the others, but different from each of them” (193). I wonder here about the born digital, the *newborn* digital. Is its digital life destined to be like that of an individual or something separable from the individual? As iterable, reproducible, and reiterable from its birth, isn’t the born-digital already something that is preindividual and transindividual? Doesn’t the born digital entity constitute an impersonal singularity that can never be proper to the individual and never be property of the individual?

Maybe there are some mistaken assumptions about the uptake of the digital archive or the entity to which it makes itself accessible. Is the subject or user of the digital archive really an individual? Certainly the entity that puts forth the digital archive is not an individual but an institution (i.e., the UCI Libraries). And if the user is a so-called individual, is there an assumption that in relation to the born-digital archive contract, the individual is a biological category or is the individual an abstraction that is produced? Is the individual user a legal concept, governed by the proper name? Is the individual an anthropomorphism, a prosopopeia? To riff on the Deleuzian term “larval subject,” which designates the emergent conceptual persona associated with a new concepts and new technologies, should we think of the digital user more properly as digital larva or digital spawn? Now that life is completely traversed by techne and technology, what kind of biopolitical specter haunts the born digital? What is the nature of digital natality? Given that there are computer programs that can perform data-mining, perhaps the born-digital archive user is just another technological entity.

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