

**CONVERGING HUMAN AND
DIGITAL BODIES
POSTHUMANISM, PROPERTY, LAW**



Doctoral thesis

Friday 16 June 2017, 10.00 at
SKF room, School of Business, Economics, and Law,
Vasagatan 1, Gothenburg, Sweden.

by

**Jannice Käll, Licentiate Civil Law,
L.L.M., M.Sc.**

Abstract

Käll, Jannice (2017). *Converging Human and Digital Bodies: Posthumanism, Property, Law*. Published by Juridiska institutionens skriftserie, University of Gothenburg. Printed by Ineko AV, Gothenburg, Sweden, 2017. ISBN: 978-91-87869-07-5

This thesis elaborates a theory for understanding how advanced capitalism commoditizes knowledge to an intensified degree simultaneously as it undoes the divide between *human* and *nonhuman* beings. In the text, such theory visibilizes how human and digital bodies are being produced as increasingly connected in innovation theory and recent business practices. Such increased connectivity between human and digital bodies is here specifically related to an obfuscation of the legal conceptual divides between “the human” and *property*. It is further suggested that a clouding of the property limit may be understood to challenge the generally assumed exclusivity of “the human” in relation to “things”.

The thesis engages in making the convergences between human and digital bodies visible through developing a posthumanist theoretical perspective in law. This development is specifically connected to the recent years’ developments in the field of new materialism(s) and its affiliations to the so-called French readings of the philosopher Baruch Spinoza. The theoretical interest is particularly configured into three tools: *body*, *entanglement*, and *ethics*. These three tools are utilized to visibilize how legal concepts of property are significantly affiliated with two theoretical binaries that are put into question through advanced capitalist practices and digital technologies. The binaries specifically identified and interrogated are: mind/body and person/thing.

The concept of the *body* is here utilized to question the stability of boundaries between human and digital bodies. The porousness of this boundary is particularly visibilized in relation to the production of digital bodies as separate from human bodies. The concept of *entanglement* further shows how processes of separation are never fully enacted. This is made visible through processes of turning both human and digital bodies into “hybrids” or entangled bodies. The concept of *ethics* furthermore stresses the importance to continuously move the understanding of matter in a direction where bodies, in a more posthumanist sense, may remain in their being. This implies a focus on radical sustainability that avoids yet cherishes technological encounters. As argued throughout the thesis, this type of ethics may be carried out through a radical opening of property, as well as law in general, in relation to their always-already apparent, yet hidden, materialities. This opening up to matter also further makes possible a rethinking of human subjectivity when human and digital bodies converge.

Keywords: digitalization, information, innovation, intellectual property, knowledge, law, new materialism, personhood, posthumanism, property, subjectivity.

Jannice Käll, University of Gothenburg, School of Business, Economics and Law,
Box 650, SE 405 30 GÖTEBORG. www.law.gu.se