

I and my digital replica

Abstract

The possibility of circumventing one's mortality has always occupied mankind. Religions offered ideas of immortality and now the development of artificial intelligence (AI) is sparking the idea that it might one day be possible to use data collected about someone's life to construct their digital replica that could continue to go on existing after they die. Artists, roboticists, novelists, and filmmakers have begun exploring this idea more deeply (for example, in a recent episode of *Black Mirror* and the art project *Laokoon*).

Focusing on the idea of such a replica, we explore the relation between the origin (that is, a person) and its digital replica, and discuss whether there are reasons, in accordance with Derek Parfit's work on personal identity, to claim that there is a relation of an important interest between the two. According to Parfit, personal identity is defined by the psychological connection that holds between us here-and-now and our future and past selves. Building on this work, we analyze how the relation of a person to its digital replica can be described. Put differently, we investigate whether there is a special kind of relation that exists between us and the digital trace that we leave behind (or purposefully create) about our personality, our likes and dislikes, our worldviews, and our character traits.

In the second step, we investigate whether this relation between us and replicas could serve as a sufficient reason for us to claim a privileged right not only with respect to replicas but also on the personal data, out of which digital replicas of us could be created. When do we have strong grounds to claim ownership of our replicas and anything that they might produce or do? At which point would these creations cease to be extensions of ourselves and start to live lives of their own?

Having identified these limits, we explore what they imply concerning data ownership and data privacy that is becoming such a contested matter in today's policy debates. For example, AI-powered software has recently been used to compose "new" songs by Nirvana and other bands that are long gone. Can we, if we assume an identity relation, speculate whether Kurt Cobain, Amy Winehouse, and Jimi Hendrix would have approved of the "new" songs created in their name? Were these musicians alive today, would they have good grounds to claim ownership of these AI-enabled creations? Or should these songs instead be treated as merely having been "inspired" by the dead artists' oeuvre with no further legal implications?

References

Derek Parfit (1986) *Reasons and Persons*. Oxford University Press.

Dark Mirror Season 2, Episode 1, *Be Right Back*.

https://www.imdb.com/title/tt2290780/?ref=ext_shr_lnk.

Laokoon. <https://www.madetomeasure.online/en/Laokoon>.