

CONDEMNED TO EXIST: LEGAL, MILITARY, AND ETHICAL
CONSIDERATIONS OF MODERN IMMORTALITY

by

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HONORS THESIS

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DEDICATION

This work is dedicated to my parents for their love and support. Thank you for supporting my decision to add philosophy as a second major as well as my endeavor to write this thesis over the summer of 2022. A special thanks goes to my mom for the conversation we had in 2020 wherein I had the original idea for this theory. I hope that my academic pursuits over the past several years have fulfilled your original wish that I attend college to “learn how to think.”

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ABSTRACT

This thesis explores the concepts of existence and immortality in the digital age. The first chapter of this thesis provides a brief background on Jean-Paul Sartre and his contributions to Existentialism. The second chapter of this thesis is devoted to explaining the author's original philosophical theory of being "condemned to exist." Lastly, the third chapter of this thesis considers the legal and military consequences of the theory.

“The problem [of] how to master technology will therefore remain with us for decades and perhaps for centuries to come. It is existential in the true sense of the word, for the age of technology endangers the existence of the human person more than ever.”

– Frederick Henry Heinemann

Existentialism and the Modern Predicament, 1958

I. THE EXISTENTIAL SHIFT:

A Brief Background on Sartre

*Consider this: if you wanted to permanently do away with your existence, could you?*¹

This was the question I asked my readers in the opening line of my first published academic article, “Condemned to Exist: A Theory on Modernity & Our Inescapable Immortality,” that appeared in the tenth edition of Texas State University’s online philosophy journal, *Texas Philosophical*. The article stemmed from an idea that occurred to me as a freshman during the spring semester of 2020 at Texas State University. I originally conveyed my thoughts into a research poster format for the university’s annual Undergraduate Research Conference and then subsequently wrote the article that went on to be published. Truth be told, the article was typed in one sitting the morning that submissions were due for the journal. When it was selected for publication that summer amid a competitive selection year, I was honored that the panel of philosophy instructors that comprised the reviewer board deemed my article suitable for the journal. However, I knew then as I know now that my original article barely scratched the surface of the larger overarching theory at play. Throughout the next several semesters at Texas State, I continued to think about the original idea for the theory I had. It seemed as if every time I thought about it, I would come up with even more possibilities for how the theory could impact humanity or, at the very least, urge us to reconsider the path we are on in regard to modern technology. I originally intended to expand on these thoughts in the form of longer articles or even public presentations, but between work, school, and a worldwide

1. Elektra Jordan, “Condemned to Exist: A Theory on Modernity & Our Inescapable Immortality,” 10th ed., August 2020, <https://texasphilosophical.wordpress.com/2020/08/03/tenth-anniversary-edition/>.

pandemic, my ambitions failed to come to fruition. I gradually came to realize that the best avenue for presenting over two years' worth of theorizing on this idea was to distill it into this Honors Thesis project. Although this format does not allow the time and space to expand on every aspect of the idea, I endeavor to at least familiarize the reader with the major tenants of my thought as well as some of its possible ramifications. Further, I offer it to the academic philosophy community as well as the general public for debate, discussion, and refinement. I aim to present the theory in accessible terms that can serve to open the mind of the non-expert in a fashion that I believe the Existentialists would have supported. I feel it is only fitting to begin this work with a brief discussion of one of the major figures of the Existentialist movement given the influence his ideas had upon the creation of my own theory.

In the fall of 1945, philosopher Jean-Paul Sartre gave a speech titled "Existentialism is a Humanism,"² which subsequently served as the basis for a short book of the same name that was published a year later and expanded upon the thoughts originally presented in his speech. Within the speech, Sartre presents the notion of Existentialism in something akin to a cheat-sheet fashion: he breaks down its major concepts and beliefs, provides explanations for its common vocabulary (words like "anguish," and "despair,") and describes the different subsections under its umbrella (such as the Christian vs. Atheist divide). Perhaps most valuably, Sartre also provides the reader with plain-English definitions of some of the most recognizable mantras or concepts of Existentialism - especially his own, considering his role as one of the most

2. The speech "Existentialism is a Humanism," or "L'existentialisme est un humanism," has been translated and re-titled at various times. Sometimes the 1945 speech and 1946 book appear as "Existentialism and Humanism," or just simply "Existentialism."

recognizable names of the movement. The heart of the speech is his endeavor to clarify his “existence precedes essence” concept, illustrate it with the paper cutter³ example, and detail the meaning behind his (in)famous mantra, “man is condemned to be free.” It is also Sartre’s attempt to defend the oft-attacked Existentialist movement and to dispel the various criticisms and reproaches that were levied against it at the time. He commits to the claim that Existentialism is not a dark and pessimistic philosophy but rather a liberating and humanistic one, and he corrects the hyperbolic and colloquial public misuse of the term that was occurring at his time (that arguably still continues today). Those with philosophical training will take interest in how he traces the evolution of the notion of “human nature”⁴ or the conception of a human being from Descartes and Leibnitz to Diderot, Voltaire, and Kant, all of whom imply a kind of universality of definition and fundamental qualities of man, ultimately indicating that the pre-determined, pre-defined essence of man precedes our existence. Sartre, of course, went on to flip this centuries-long notion on its head. As a result, he effectively “[s]eized the imagination of a generation.”⁵

Sartre took the abstract and academic German phenomenological ideas of Husserl and Heidegger and created a philosophy that was accessible to anyone who had made a choice before, to anyone who had experienced life. His ideas were a blend of the intellectual with the pragmatic and the abstract with the practical. His philosophy was accessible, revolutionary, simple, frightening, and freeing. All of us – you, me, readers in

3. Sometimes referred to as a “paper knife” or a letter opener, depending on the translation.

4. Jean-Paul Sartre, *Existentialism and Humanism*, trans. Philip Mairet (London: Methuen, 1948), 27.

5. Thomas Baldwin, “Sartre, Jean-Paul,” ed. Ted Honderich, *The Oxford Companion to Philosophy*, 2nd ed. (Oxford: Oxford University Press, 2005).

Sartre's time and readers in the future – all face an enormous task: we are burdened by virtue of our very existence (through our birth / being-here) with the weight of constantly having to *choose*. We must choose ourselves, our lives, our priorities, our tasks, and our very destinies. We choose the good from the bad and make our own differentiation between the preferable and the undesirable. To choose what the Good Life is to us, what it looks like, and what it consists of. As if that task doesn't fill us with enough anxiety as is, it (unfortunately for us) gets even worse: we are also burdened with choosing for others, in fact, we choose for the entire world. Each decision we make implicates our feelings toward others and how they should live. We carry this weight with us day in and day out, and understandably many will try to shy away from this burden. The only escape from our decision-making responsibilities is through living an inauthentic and untruthful life of "Bad Faith." The irony of our situation permeates our ontological conception of ourselves as freedom-loving individuals (especially in the West). Although many of us aspire towards freedom, fight for freedom, defend freedom – when we realize our own radical freedom as Sartre prescribes it, we are faced with anxiety or nausea.

A simple way to understand the break that Sartre creates in the long tradition of philosophic thought that prescribed our being as pre-determined and pre-defined is to apply the concept to inanimate objects. "Use" objects such as tools, buildings, machines, etc. are items that have a specific, practical usage to fulfil some need we have. The example that Sartre uses is with the paper cutter as a "use" object that was created with a specific purpose in mind – to cut open paper letters – by the artisan that created it. The need, the want, and the idea for this paper cutter was imagined before someone actually created it. The idea for the paper cutter led to the production of the paper cutter. Thus, its

“essence” or its purpose was preconceived before it came into existence. Before Sartre (and other existentialists), many philosophers held that human beings were created in the same fashion as this paper cutter with an “essence” that preceded its existence. According to the theist and super-natural theorists, God (or other deity, depending on specific culture / religion) exists and God created everything. Comfortingly, God imagined the idea of everything (you, me, objects, etc.) and created us all (and everything in our world) for a specific purpose with a specific goal in life – the goal of realizing and fulfilling God’s plan for us on earth.⁶ Therefore, our “essence” was envisioned by our creator before we were put here on earth. Our reason for being is to fulfill this task that has been pre-determined for us. We have little agency or freedom for creating a different path in life because our “essence” and our goal have already been pre-defined for us. In the naturalist realm, we can identify a somewhat similar type of thought passed down by Aristotle: living things and thinking beings all have a comparable pre-determined purpose. We find this purpose through nature – in fact, nature is the source of our purpose. We should live a life of virtue and reason, for they are what set us apart from animals and non-rational beings. Parallel to the previously mentioned theistic framework, naturalists propose that our purpose (a virtuous and rational life) has been similarly pre-determined for us (by nature) and that our “essence” is what has been pre-given to us (through our nature). The ancient Greeks tended to argue that there is a “built-in order of nature (the *cosmos*) that determines what things should be like and how people ought to live.”⁷ In other words, there is a narrow set of right options that one must choose from in

6. Charles Guignon and Derk Pereboom, eds., *Existentialism: Basic Writings*, 2nd ed. (Indianapolis: Hackett), xiv.

7. Guignon and Pereboom, xiv.

order to live a proper life according to nature. While one could potentially live outside of those bounds, it would not be a life well lived as one can only flourish under certain circumstances, per Aristotle. Although they explain it through a different manner, scientific determinists also describe a similar idea of “essence” as a pre-given concept as the other aforementioned theories do. Scientific determinists largely make the claim that science has demonstrated the truth of materialism, which outlines the position that “the world consists solely of material objects governed by the deterministic laws posited by the physical sciences.”⁸ According to this view, humans are also among the material objects in our world, meaning that human action is also governed by these deterministic physical laws.⁹ All of these various deterministic theories place some form of restraint upon the notion of human free will as well as propose some sort of pre-determined “essence” assigned to human beings. Consequently, our “essence” and therefore our reason for existing has been determined for us before we existed or were physically here to pursue that “essence.”

In his typical rebel fashion, Sartre entirely reversed this line of thinking and created a rousing atheistic idea of human conception by proclaiming that we are subject to the exact opposite form of creation than that of the paper cutter: our existence precedes our essence. We were not formed in any supernatural idea, nor were we created with any specific task or purpose in mind. We did not consist of any “essence” that was granted to us and that we were put here to specifically pursue. We arrive here on the scene and exist before we create any sort of “essence” or have any type of path laid out for us. The

8. Guignon and Pereboom, xxx.

9. Guignon and Pereboom, xxx.

existential anxiety thus flows from this realization. For if we have no pre-determined path, no pre-destined goal, then it is solely up to us to determine our pursuits, to imagine our “essence,” to decide what we shall do and when we shall do it. Our fear sets in when we realize the answer: it is us who must decide, it is us who must choose. It is only up to us to determine our “essence,” to define who we will become, what paths we will follow, and what our destiny will be. Unfortunately, we can never escape this task of choosing. Every minute of every day, we are burdened with constantly determining ourselves. We can think of ourselves as a sort of “unfolding event” or “happening,” in that we are not a static entity, but one in which constantly endures the “event of becoming.”¹⁰ We cannot depend on anything outside of ourselves for meaning because there is no meaning – we are tasked with creating this meaning for ourselves. In his powerful dissent from major philosophical precedent, Sartre proclaimed that “there is no determinism” because *man* is determinism – man is free, “man *is* freedom.”¹¹ Man “first of all exists, encounters himself, surges up in the world – and defines himself afterwards.”¹² It is the reality of surging-up-in-the-world, being thrown into world without our consent and then being required to constantly endure the burden to create ourselves endlessly every day, that leads Sartre to his mantra that we are “condemned to be free.” Condemned because we did not choose this way of creation nor the task of constant choice, yet we are nonetheless radically free and inescapably responsible for everything that we do. We cannot escape or deny our freedom, nor can we point fingers at fate, God, or anything else for any resulting consequence we endure in life because each action we engage in begins and

10. Guignon and Pereboom, xix.

11. Sartre, 34.

12. Sartre, 28.

ends with ourselves. If we did otherwise, we would be existing in “Bad Faith” by asserting we live a life that we do not control or one of which is unduly influenced or determined by someone else. We cannot rely on anyone but ourselves to assign meaning and purpose in this life (an overlooked but important aspect of his theory which challenged established ideas on universality and subjectivism). As frightening as our radical, unending freedom is, we must always depend on ourselves for our own decisions, for every hope lies within ourselves.¹³

Sartre faced many criticisms seemingly from every direction, including from other philosophers within the Existentialist movement. Critics asserted that his theory was pessimistic and nihilistic, that our so-called radical freedom is not actually that free because of our “Facticity”¹⁴ that limits us (characteristics such as nationality, our time era, our native language, our physical abilities, and so on), and that it was too subjective (which he defended by explaining that it allows room for an objective moral framework, comparing it to the subjective realization of Descartes’s *cogito* which led to a further universal realization). Critics also took issue with how the individualistic theory could be applied to the world populace at large. However, Sartre endeavored to explain this by analyzing the connections we have with other individuals in the world which underscores a darker aspect of our existence: we rely on others to truly know ourselves. We fundamentally must define others and they must define us, meaning that the only way we can truly know all aspects of ourselves is through the definitions and characteristics that

13. Sarah Bakewell, *At the Existentialist Café: Freedom, Being, and Apricot Cocktails* (New York: Other Press, 2016), 10. Full quote from interview with Sartre: “There is no traced out path to lead man to his ... salvation; he must constantly invent his own path. But, to invent it, he is free, responsible, without excuse, and every hope lies within him.”

14. Guignon and Pereboom, xxv.

others assign to us. Sartre explores this concept further in his successful play, *No Exit* (1944), which contains the famous line (although it is commonly misinterpreted) “L’enfer, c’est les autres” or “hell is others / hell is other people” referring to the torturous relationship we have with others as we rely on them to define us (and vice versa). Despite the various attacks levied against his ideas, they nonetheless served to define an era of post-war philosophy that continues to be an iconic example of Existentialism at its finest.¹⁵

15. Much of this background information on Sartre has been adapted from a previously written work composed for PHIL 3316: Existentialism and Phenomenology with Dr. Matt Bower in the fall of 2021. Elektra Jordan, “Every Hope Lies Within You: An Analysis of Sartre on Freedom and Morality,” November 5, 2021.

II. CONDEMNED TO EXIST:

The Theory and a Consideration of Further Implications

As the ideas that Sartre wrote about nearly 70 years ago percolated in my mind as a newly minted philosophy major in the spring of 2020, I was cognizant of the limitations his theory had despite the liberating and redeeming qualities it otherwise contained. Sitting at the kitchen table and shooting my mouth off one afternoon, I quipped about how Sartre thinks we're "condemned to be free, but actually we're all condemned to exist." After pausing to reflect on what I had just uttered, I recognized that I was actually on to something. I – like any worthy philosopher – instantly thought that I might have made a breakthrough in the intellectual history of mankind, that I had come up with such a revolutionary idea about the human condition that I could compose a book on it and perhaps maybe even become the popular public intellectual that Sartre himself turned into after he published his own philosophical works. Alas, I'm not sure if my own writing will ever reach the immortality and lasting influence that Sartre has enjoyed, but perhaps the ideas contained within this thesis are the first step on that path.

My goal was never to refute Sartre's overarching theory about existence preceding essence, but instead to add another limitation to his idea about radical freedom. In fact, Sartre's theory was the jumping-off point for my own thoughts of which rely upon the same atheist, humanist, and existential principles that he brought to the philosophical mainstream. Over time, I realized that this one idea actually had much more significant ramifications toward other aspects of our lives, such as legal and military implications that will be discussed in the next chapter. There are also different vehicles that enable the idea and its consequences to continue permeating our lives,

ranging from epistemological factors to societal reliance upon technology and beyond. These various considerations will be taken up at the conclusion of this chapter.

I hold that we are “condemned to exist.” In a similar groundbreaking fashion to Sartre’s realization of the fundamental natural principle that all human beings are eternally and immutably condemned to always be radically free, I argue that all humans (especially those within the recent modern era, as will be discussed later) are eternally and immutably condemned to exist. It is true that Sartre realized we are thrown into this world without our consent, that we exist and surge up in the world naturally, and to that I agree with him on all fronts. However, once we exist (through our birth / being-here), we are here, existing, forever. One cannot escape existing even through death because once your existence has occurred, it will always be a permanent fixture both epistemologically (you are contained within the memories of others) and metaphysically (the various actions you took while alive that influenced others and the world around you).

Within the past century and the rapid development of modern technology, our existence has become infinitely more complicated. We live in an age in which we now have our literal and digital fingerprints on everything. Every interaction we have online is recorded, our actions in public are surveilled, and the reality of our physical existence has now transpired into a new form of digital existence that, presumably, will far outlast our mortal, physical existence. One of the chief goals of humanity thus far was to “make history” and to be remembered after death for our various actions or achievements, and for the first time in human history this ambition is no longer a struggle to achieve. Every one of us now and in the future will be remembered by a DNA sample or a line of code that will exist beyond our control long after we physically cease to exist. The fight for

achieving immortality is no more because it is now forced upon us against our will simply as a factor of the reality of living in this era. Even in a futile attempt to escape a record of existence, one needs only to look up at the satellites above or the cameras down the street to realize that a record of them being present someplace, somewhere, exists. Alas, now we are all condemned to an inescapable immortality that relegates part of our ontological conception of ourselves not only to “les autres” (others) to define us as Sartre originally proposed, but now also to those in the future who come after us and impersonally evaluate us based upon the various remnants of our prior (mortal) existence. This is not to say that all aspects of modern existence are negative, however, it does suggest that we must take a deeper look and evaluate the tangled web we have woven that now constricts us. While I will endeavor to further explain my theory and the ideas related to it in the pages that follow, I maintain that this idea not only represents an additional matter of facticity that inhibits Sartre’s claims of radical freedom but that it also poses novel questions about our modern conceptions of “essence” and free will.

Before I continue further with the explanation of the theory, it seems fitting that I should offer a brief definition of terms. What do I mean when I am discussing the concept of “existence” as it relates to everyday people? Many philosophers have concocted various definitions of this illusive term. I am limiting the scope of this concept throughout this work to refer only to the existence of human beings. Veering off on a discussion of existence as it relates to non-rational animals, inanimate objects, etc. does not serve a purpose in the overarching aim of this work (although those are indeed interesting discussions to have). At its core, I believe that human “existence” simply refers to a being in a rational and conscious state, and that state ends when we die. I

recognize there are numerous gray areas regarding consciousness and rationality in difficult instances such as medical tragedies, however, I do not have the space here to elaborate on those scenarios and would prefer to leave that discussion to those who specialize in that area of philosophy and neuroscience. In my endeavor to discuss this multifaceted concept, I also recognize that there are many more nuanced paths to journey down when discussing the various types or forms of human “existence.” One could exist through a legacy or memory, through one’s children, through a statue immortalizing them, through the narrative of a book they wrote, or merely through a tombstone marking their resting place. Perhaps there is some colloquial misapplication of the term “existence” when in reality one is talking about the “memory” of someone instead, or perhaps the two concepts are not that different after all. My investigation of the various forms of human “existence” as well as the term’s application in different scenarios continues throughout this work. Overall, I have purposely constructed my theory about “existence” to include a description of the term that is broad enough to encompass a variety of perspectives as well as whatever definition that you, the reader, personally determine is best or most fitting. I agree that there are many different forms of “existence” to explore, but in this work I am most interested in discussing the records of personal “existence” that we have increasingly little control over while alive and that we cease to have control of after death.

The first project I created related to this theory was in the form of a research poster. I expected to present the ideas laid out on the poster at the Texas State Undergraduate Research Conference in the spring of 2020, but my plans were upended when a worldwide pandemic occurred and forced the conference to move online.

Unfortunately, this change of plan allowed me no opportunity to talk with random passersby in-person to assess their thoughts and input about my ideas. The poster ended up not winning any accolades that year. In the one comment of unhelpful feedback I received from a random online faculty reviewer, it was suggested that I had included too much text and not enough pictures – the bane of every liberal arts research poster.


Condemned to Exist

A Theory on Modernity & Our Inescapable Immortality

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<h3 style="text-align: center; margin: 0;">Background</h3> <ul style="list-style-type: none"> German author Frederick Henry Heineemann writes vastly ahead of his time in his 1953 book <i>Existentialism and the Modern Predicament</i> where he <ul style="list-style-type: none"> • Proposes theory of technological alienation, described as "that stage where technology dominates us instead of our dominating it."¹ • Realizes that "the problem [of] how to master technology will therefore remain with us for decades and perhaps for centuries to come. It is existential in the true sense of the word, for the age of technology endangers the existence of the human person more than ever."² • Declares that the "truly existential question therefore remains: How can we free ourselves from the bondage of technology from which East and West suffer? We must be clear that we cannot go beyond technology in the sense of getting rid of it."³ In general, existentialists "concern themselves with individual, concrete human existence." Further, existentialists advance the notion that "as a human, I am whatever I choose to make of myself at every moment. I am free [and] therefore I'm responsible for everything I do ... On the other hand, I am only free within situations, which can include factors in my own biology and psychology as well as physical, historical and social variables of the world into which I have been thrown. ... Human existence is thus ambiguous: at once boxed in by borders and yet transcendent and exhilarating."⁴ Major existentialist thinker Jean-Paul Sartre proposes idea of radical human freedom, culminated in his "condemned to be free" theory: "there is no determinism- man is free, man is freedom. ... (man is) condemned, because he did not create himself, yet is nevertheless at liberty, and from the moment that he is thrown into this world he is responsible for everything he does."⁵ 	<h3 style="text-align: center; margin: 0;">Summary</h3> <p>Consider this: if you wanted to permanently do away with your existence, could you?</p> <p>Americans are frequently advised to be mindful of what they post online because it never truly disappears – an electronic record of the post will always exist somewhere. However, our online interactions are not the only records being stored indefinitely; Americans themselves are now entangled in a similar type of unique identification system that guarantees permanent existence.</p> <p>As Sartre points out, we did not create ourselves and have been "thrown into this world" without choice. However, the hallmark of his existential thought lies in the foundation of absolute freedom being at the core of the human condition – we are condemned to be free, for better or worse, and will ultimately be subject to the anxiety of our own freedom as well as the total responsibility for our actions for the remainder of our lives. The irony of being 'condemned' lies in the realization that although we are free and are constantly able to reinvent ourselves, we can never escape that act of choosing- and thus face the dizzying reality that we are "nothing else but the sum of [our] actions, nothing else but what [our] life is."⁶</p> <p>Today, however, Sartre's idea is faced with a major limitation. There is one thing that we are now fundamentally <u>not</u> free to do: erase our existence.</p> <p>Through the rise of modernity and secure technological documentation, both in cyberspace and in classified government records, there is nothing you can do to fully and completely destroy your 'paper trail' of existence.</p> <p>Given these developments, I have evaluated Sartre's idea and proposed a new, timely theory that involves nearly every single American and will continue to into the foreseeable future.</p>	<h3 style="text-align: center; margin: 0;">Methods</h3> <p>In order to identify the true starting point of unique and unerasable personal identification, I began my research by looking at current day practices and worked chronologically backwards.</p> <ul style="list-style-type: none"> Social Media / Internet: <p>The advent of widely accessible internet for the general public has unarguably complicated and added to most American's digital 'paper trails.' However, not every single citizen is online, nor does every citizen have some form of social media/email/account traceable to their specific individual identity. Furthermore, there are plenty of false identities and fake accounts online. In short, using the internet to uniquely identify and account for every citizen would be unreliable at best.</p> The United States Census: <p>The U.S. Census that occurs every 10 years certainly seems to make more logistical sense as the starting point for counting and identifying every single American. In reality, the U.S. Census surveys give the government a relatively inaccurate count of citizens / persons living within the U.S.</p> The Social Security Administration: <p>The rise of FDR's Social Security Administration (SSA) program in 1936 marks the beginning of American modernity for my research purposes. Originally developed as a financial program, the SSA distributed Social Security Numbers (SSN) to each worker that applied. Surprisingly, the usage of the SSN as a unique personal identifier became extremely popular as more and more Americans acquired their own personal SSN.</p> <p>Each and every SSN that has ever been distributed is kept in a "numerically-ordered master file" called "the Numident" that is highly secure and classified by the U.S. government.⁸</p> <p>As recent as the late 1980's, the SSA implemented a new program called "Enumeration at Birth" (EAB) which enables children born in the U.S. to automatically receive a SSN. This number will follow them for the rest of their lives, as it will never be destroyed and will always be permanently recorded in the Numident system.⁹</p> <p>As German author Frederick Heineemann was theorizing in the early 1950's about the future existential implications of technological advancement, the fundamental shift in modern 'existence' triggered by the Social Security Administration was ironically beginning to take place in America.</p> <p>Since the rise of the SSA, nearly every American has acquired a SSN that will follow them permanently and cannot be destroyed. The SSN's "expanded life" as a unique personal identifier "appears to be an enduring trend."¹⁰</p> 	<h3 style="text-align: center; margin: 0;">Problems & Considerations</h3> <p>Due to time constraints & the format of this presentation, the focus has been narrowed to permanent identification practices occurring in the United States only. However, the principle of being "Condemned to Exist" is and will continue to increasingly be a universal issue that must be considered further and addressed globally.</p>
<h3 style="text-align: center; margin: 0;">References</h3> <ul style="list-style-type: none"> Heineemann, Frederick Henry. <i>Existentialism and the Modern Predicament</i>. London, Adam and Charles Black LTD, 1953. (Accessed Digitally) https://archive.org/details/heinemann_dj12033_187792/page/n3/mode/2up 1.pg 27 2.pg 29 3.pg 26 Bakewell, Sarah. <i>At the Existentialist Café</i>. Other Press, 2016. <i>Note:</i> Due to the nature of this poster format, I elected to utilize Bakewell's description as she masterfully summarizes the main tenets of the existentialist school of thought into an easily understandable quick summary for the general reader. 4.pg 34 Sartre, Jean-Paul. <i>Existentialism and Humanism</i>. London, Methuen & Co. LTD, 1948. <i>Note:</i> English translation by Philip Mairet. (Accessed Digitally) 5.pg 34 6.pg 41 Dennison, Lyle. "Does the Census Actually Count Everyone and Should It?" <i>Constitution Daily</i>. constitutiondaily.org/blog/does-the-census-actually-count-everyone-and-should-it/ 7. Puchner, Carolyn. "The Story of the Social Security Number." <i>Social Security Bulletin</i>, vol. 69, No. 2, 2009. www.ssa.gov/policy/docs/bulb/v69n2/v69n2p055.html. <i>Note:</i> This official journal article is served as an excellent and factual resource during the research process. It is highly recommended that interested persons view this entry if wanting to learn more about the SSA & the SSN process. B., 9., 30. 			
<h3 style="text-align: center; margin: 0;">Theory</h3> <p>Through the rise of modernity, each and every American has become accounted for. We have no control over our being "thrown into this world" and now, we cannot alter the permanent record of our existence. Thus, we are "Condemned to Exist."</p> <p>The aim here is not to dispute Sartre's idea of fundamental human freedom, but to instead highlight a frighteningly real limitation to his theory that we are now experiencing.</p>		<h3 style="text-align: center; margin: 0;">Conclusion & Future Works</h3> <p>The rise of the unique, personal identifier ultimately has both pros and cons. While extremely useful for accountability, data collection, and various governmental and social functions, it also comes with many further considerations, such as:</p> <ul style="list-style-type: none"> The lack of free will: children are automatically assigned a SSN The requirement of a SSN in order to conduct most official business in the U.S. The inability to escape / disassociate with our assigned SSNs The absence of ability to erase 'paper trail' existence once personally identified with a unique SSN 	



Above: The first project created about this theory.

Despite the underwhelming reception of the poster, I carried on thinking about the ideas that I had presented. Readers might notice that the majority of the theorizing on this poster is related to technology (for an enlarged image of the poster, see the appendix on page 40). In the summary portion of the poster, I proclaimed that “Americans are frequently advised to be mindful of what they post online because it never truly disappears – an electronic record of the post will always exist somewhere. However, our online interactions are not the only records being stored indefinitely. Americans themselves are now entangled in a similar type of unique identification system that guarantees permanent existence.”¹⁶ The heart of the concept was there: I argued that “Sartre’s idea [of freedom] is faced with a major limitation. There is one thing that we are now fundamentally not free to do: erase our existence.”¹⁷ However, I was entrenched in explaining this concept through the most obvious path – the role that technology plays in our lives. From there, I narrowed the scope of the poster to focus more on the idea of a “paper trail” of existence and the fact that we could no longer alter the permanent record of our existence as a being-here in the present.

Figuring out where our “paper trail” started was more difficult than I originally presumed it would be. My first inclination (probably like most other students my age) was to point fingers at the advent of the internet or social media within the past few decades. However, our “paper trail” goes much further back in history than that. I considered other obvious factors such as the United States census, birth and death records (whether official government documents or those kept in family bibles, for instance),

16. Elektra Jordan, “Condemned to Exist: A Theory on Modernity & Our Inescapable Immortality,” research poster, April 2020.

17. Jordan, “Condemned to Exist” research poster.

military enlistment records, and even cemetery records. All of these factors offer some sort of trace of one's existence, but each also presented its own issues. The census that occurs every ten years seems to make logistical sense as the culprit for counting and identifying every American individual, but the reality is that it provides a relatively inaccurate count of citizens and persons living within the U.S.¹⁸ The debate regarding what counts as "actual enumeration" and the recent issue of adding a question about citizenship status to the 2020 census ultimately shines a light on the inadequacies of the census procedure as a whole.¹⁹ From its troubled history of counting slaves as 3/5ths of a person to the modern day issue of what to do about the 10 to 11 million²⁰ resident non-citizen undocumented immigrants living in the U.S., the census served as too faulty an example to rest my theory upon.

Similarly, any argument to be made using birth and death records or military records was faulty. The possibility always exists for lost or damaged records, false or incorrect information listed on the records, and so on. Even the idea about tombstones marking an individual's grave was flawed, as the stone markers can erode, become damaged and unreadable, get moved via natural disaster or accidentally through manmade construction, and the list goes on. Although the availability of the internet to the majority of the public makes it an attractive candidate, it also came with too many faults to effectively serve my purposes in trying to explain the theory. I had to consider those without internet access, those who simply are not online or manage to use

18. Lyle Denniston, "Does the Census Actually Count Everyone and Should It?," *Constitution Daily*, constitutioncenter.org/blog/does-the-census-actually-count-everyone-and-should-it.

19. Denniston, "Does the Census Actually Count Everyone and Should It?"

20. Denniston, "Does the Census Actually Count Everyone and Should It?"

untraceable social media/email accounts, etc., those who use fake identities/accounts online, and so on. For most of us who regularly use the internet and have a legitimate online presence with real accounts connected to us, the internet has unarguably complicated and added to our digital “paper trail” of existence. It is true that a record of our online interactions is recorded somewhere out there, and we rightly advise others to be mindful of what they post and search for because it can be traced back to you (via IP address, etc.) by whoever might be monitoring your activity (law enforcement agencies and so on) for whatever reason. It is a tangible argument to make, and I believe it does serve to illustrate and support my theory, but I determined that I needed something just a bit more air-tight to truly persuade readers on my idea.

I finally settled on a “paper trail” that has existed for almost 100 years: the Social Security number. FDR’s Social Security Administration (SSA) program, created in 1936, served as the beginning point of American modernity as well as the American “paper trail” for my ideas featured on both the research poster and the academic article that followed. I argued that the fundamental shift in modern American existence can be traced back to the creation of the SSA because of the role it played in creating unique identifying numbers for every individual. It was originally developed as a financial program and its overall goal of providing workers’ benefit entitlements remains largely the same today. The SSA began distributing a Social Security number (SSN) to each worker that applied for the program merely as a way to track earnings and eventually distribute benefits. However, the program unexpectedly grew extremely popular and quickly expanded past the initial estimates that “22 million SSNs would be issued immediately, with 50 million ultimately to be issued,” and in reality, “35 million SSNs

were issued in the first 8 months of the registration effort.”²¹ As of 2008, the SSA had issued “over 450 million original SSNs, and nearly every legal resident of the United States had one.”²² Despite its original purpose of tracking earnings, the convenience of using the SSN as a unique personal identifier became evident. As more and more Americans acquired an SSN, the universality of using it as an identifying number led to its “adoption throughout government and the private sector as a chief means of identifying and gathering information about an individual.”²³ It became something of a required document in order to live and work in the United States – applying for a driver license, getting a mortgage, signing for a loan, filing taxes, starting a new job, and registering for college all requires one to now list their SSN. Seeing the vitality that this number had in relation to the individual’s ability to complete important actions in life such as those just mentioned, the decision was made to begin a new Enumeration at Birth (EAB) program which enables children born in the U.S. to automatically receive an SSN.²⁴ This unique number is assigned only to them, and it will follow them for the rest of their lives – and therein lies the unescapable problem.

Every unique SSN that has ever been distributed is kept in a “numerically-ordered master file” called “the Numident” that is highly secure and classified by the U.S. government.²⁵ The Numident system was created in 1972 as an electronic file to compile all of the assigned SSNs, including those that were distributed before the electronic era (all previous records were completely electronically converted in 1979) all the way up to

21. Jordan, “Condemned to Exist.”

22. Jordan, “Condemned to Exist.”

23. Jordan, “Condemned to Exist.”

24. Jordan, “Condemned to Exist.”

25. Jordan, “Condemned to Exist.”

the numbers that are still being assigned to this very day.²⁶ The unique numbering, ordering, and filing of millions of Americans' names and nine-digit numbers is a rather complicated process, but the SSA has had a remarkable success rate keeping all the numbers accounted for and correctly filed, especially in recent decades as the process has become more streamlined. One can never delete or change their SSN once it has been assigned to them. Every change to the personal file attached to an SSN (such as name changes, etc.) is also recorded in the Numident.²⁷ A person's unique identification number is a permanent government record, meaning that their very existence is now permanent, too. With some SSNs now pushing 90 years old that date back to the very beginning of the program, they serve as tangible proof of those individuals existing at some point in time. While civilians do not have public access to the Numident system or any sort of catalog of SSNs, the records still remain there in the system and could one day theoretically be retrieved if certain files (ex: the numbers and names of deceased persons) were ever eventually declassified or released to the public.

At once, the idea of such permanence is both enlightening and frightening. While these permanent identifying numbers have unequivocally become a crucial aspect of our personal and professional lives, they also represent a fundamental lack of choice and free will. Perhaps best illustrated by those who received their SSN at birth (of which the author is included), these children were stripped of the choice of having this identifying number become perpetually attached to them for the rest of their lives. The child's existence becomes entangled with the permanent set of unique numbers that are tied to

26. Jordan, "Condemned to Exist."

27. Jordan, "Condemned to Exist."

their name and even their location of birth (SSNs issued since the 1970s use the first three digits to assign a geographical “area code” where they were distributed). Unless there is an unlikely instance of complete government or technological collapse, the choice and ability to change or erase your file of existence has been taken out of your hands. For this reason, you are quite literally “condemned to exist.”

This realization represents a fundamental shift in how we understand determinism, freedom, choice, and free will. Being condemned to exist in the modern era means that we have a lack of choice and control over our own existence and how we endeavor to define it. This exposes a lack of freedom that we now encounter in our lives. Many of Sartre’s critics pointed to Facticity²⁸ as a limiting factor of his theory about freedom. Some may evaluate this idea as merely another factor to be included within the broad conversation of Facticity levied against Sartre. It is true that this forced and inescapable existence does seem to just be a fact of one’s life now, similar to any other matter of Facticity that we do not have control over and cannot change (our nationality, time era, native language, etc.). However, I believe that this theory also has further-reaching implications than simply offering an additional critique of Sartre’s idea.

As a result of being condemned to exist, we are now fundamentally limited in our freedom to choose what actions we take, the control we have over our various forms of existence, and our ability to live a life of “becoming” that Sartre and the other Existentialists originally envisioned. This is not to dispute the ambitions of the Existentialists writ large, but to provide a modern take on the ideas they originally presented over half-a-century ago. Being permanently remembered now places shackles

28. As defined in chapter 1 on page 9.

on one's essence. Yes, our existence still precedes our essence. Yes, it is still up to us to endure the burden of freedom and to withstand the act of constantly having to choose. However, the options we have available to choose from are increasingly limited. One cannot choose to erase their SSN, nor can one choose to avoid the permanent government file now created for them at birth. This inability to choose to alter our record of existence means that it is a course of action that we are not free to pursue. This calls into question the power of our free will to determine what specific actions we wish to take in life. In turn, this challenges the notion of self-determinism as Sartre defined it. Ultimately, this question must be asked: are we truly capable of fully determining our lives if we cannot make the choice to assert control over one of the most fundamental aspects of our very being – the tangible record of our existence? I believe that this theory necessitates a re-evaluation of the modern conception of some of the most crucial ideas that defined Sartre's notion of radical freedom as well as the other founding principles of the Existentialist movement itself.

There is a frustrating paradox that distinctively permeates Sartre's theory as well as my own. In Sartre's case, there is a bitter irony in being 'condemned to be free' as we idolize freedom as a virtuous ideal that should be pursued by individuals and nations alike, yet we nonetheless experience a sense of nausea or anxiety when we realize our true natural state of radical freedom in a world without determinism. Similarly, the same sort of irony afflicts my own idea. Although we strive to become independent and memorable individuals who will be remembered after our death, we also face a comparable sort of existential anxiety when we realize that the modern era has assigned us a permanent existence that we no longer can escape. No matter how we try to change

our identity, delete our Numident record, alter a previous essence, or cover our digital footprints, we will always exist in some form or fashion. There is a striking similarity between the anxiety we feel when faced with the daunting weight of Sartrean freedom and the intimidating reality of permanent existence that we must now endure. An aspect of nausea also lies in the fact that we are held responsible for each choice that we make. Not only do we have to actually choose everything in life, but then we are also held accountable for each action that we choose. With the continual expansion of permanent existence in the digital age, this aspect of nausea will only grow stronger in those who are condemned to exist. They were tasked with the burden of making choices and bearing the responsibility from the outcomes of those choices in life, and now that responsibility continues its attachment to their existence even after death. A permanent record of your existence also indicates a permanent record of who you were, what you did, what actions you took, and what choices you made while you were alive. To further intensify our nausea, we are not only judged by “les autres” (others) in our own time, but we will face judgment from those who will come after us and subjectively review our actions and choices out of context after our death.

No longer can one choose to fully shed the identity of yesterday and become someone new, at least not to the extent that one could in the past. There are other forms of existence that go beyond the nine digits of an SSN or the record of our name and birthplace stored in a government file. I filled my original poster as well as this chapter with a discussion of our existence as it relates to the technological realm, but there is also a discussion that must be had regarding the theory and its application to other forms of existence as well. It is true that modern technology has undoubtedly complicated

existence for the majority of humankind by transforming our digital existence into a permanent entity that will continue to exist beyond our own mortal life. It is also true that the idea of permanent existence does not begin and end with the digital age. There have been certain individuals all throughout time that have continued to permanently exist in various forms well after their death. Whether we discuss Plato's written legacy of Socrates, the hieroglyphs describing an ancient pharaoh's life upon the walls of his tomb, the statue of a Confederate general, or simply the memory of someone that is contained in the minds of others, there are many other ways to achieve a permanent existence. Given the limited scope of this work, I have focused my discussion of this concept more on the technological realm versus delving into the factors related to other areas of philosophy such as epistemology and metaphysics. In a future work, I hope to include those other realms of philosophy in my further consideration of the concept of permanent existence. Nevertheless, I maintain that it was much more difficult for one to achieve a permanent existence prior to the advent of modern technology as well as that it only affected certain individuals. The difference today in the digital age is that the concept increasingly impacts all of humankind despite whether they would like to permanently exist or not.

Lastly, although I utilized the concept of the SSN to illustrate the major idea of my theory, I have come to realize since the creation of that original poster that the idea goes further than the SSN or any other modern technological or governmental program. Even while creating the poster, I was cognizant of the obvious limitations that came with focusing on the SSA and the allocation of SSNs to every American citizen while explaining this theory. Like the U.S. Census, the internet, and the other forms of identifying records that were discussed previously, focusing on the distribution of SSNs

also faces a number of issues that limit its applicability to fully illustrate this theory in its entirety. From the few Americans that have somehow evaded being assigned an SSN to the fact that it only applies to U.S. citizens at this time, I realize it is an example that pertains to a relatively limited population. However, I believe that it is also a familiar entity that readers of this work will be knowledgeable of and will be able to see how it exemplifies the main idea of my theory. While not every industrialized nation has unique identifying numbers nor do underdeveloped countries have the same reliance upon technology that we do in the U.S., I believe that the trend of rapid modernization and technological dependance will continue until it has largely reached all corners of the world. As we continue down the path we are on, the more this issue of forced existence will emerge and become a prevalent component in the lives of all human beings worldwide.

III. AN INESCAPABLE IMMORTALITY

Legal and Military Consequences of the Theory

In his 1958 book *Existentialism and the Modern Predicament*, Frederick Henry Heinemann discusses the issues facing Existentialist philosophers in light of the growth of modern technology. He claims that the Existentialists have “seen the problem,” but “so far have failed to solve it.”²⁹ Offering his own view of the issue, Heinemann asserts that the “truly existential question therefore remains: How can we free ourselves from the bondage of technology from which East and West suffer?”³⁰ Escaping the complex ecosystem of technological systems that we have built and now rely upon in our everyday lives is no simple feat. Heinemann addresses this by arguing that “[w]e must be clear that we cannot go beyond technology in the sense of getting rid of it. We cannot smash the machines, motor-cars, aeroplanes and radio stations, and go back to a pre-technological age. To disregard techniques would not only be impossible, but foolish and harmful.”³¹ On this front, I agree with Heinemann’s diagnosis of the issues with our relationship with technology. His analysis has remained remarkably accurate given the decades since its publication. The major differences between the technology available in 1958 during Heinemann’s time and that which is available today in 2022 is its pervasiveness in our lives, its relative affordability, and its widespread accessibility. It seems as though every child to senior citizen nowadays has a smartphone in hand, perhaps not fully cognizant of the ramifications their technological usage has in relation to their existence and essence.

29. Frederick Henry Heinemann, *Existentialism and the Modern Predicament* (London: Adam and Charles Black, 1958), 26.

30. Heinemann, 26.

31. Heinemann, 26-27.

Many philosophers (especially the Existentialists) use the term “alienation” in their writings to describe their own ideas on the detached state-of-being that we encounter throughout our lives for various reasons or at various times. Heinemann similarly uses this term in the concept he calls “technological alienation,” which refers to the “stage where technology dominates us instead of our dominating it.”³² He fails to mention when he believes this stage will start, if we are already in the midst of it, or how we may be able to end it. Heinemann concedes that “there is no general solution” to this issue of technological alienation but instead suggests that every “artist, musician, painter, writer, philosopher, and the man in the street [has] to find his own solution” to the problem.³³ He further asserts that man must have a “stern determination to defend his liberty and to subordinate the so-called progress of science and technology... [c]ourage, faith and heroic defiance may be the only means for mastering a dangerous development which we are unable to stop.”³⁴ Heinemann certainly appears to have mastered the dramatic writing prowess like the other Existentialists of his era. Despite his rousing call for humankind to subordinate technology, defend our liberty, and assert our dominance and mastery over something that we ourselves have created, he ignores the fact that we have also taken away our own ability to affirm our dominance over our creations.

Although he seems to recognize the complexity of this issue by admitting there is no general solution to it, he fails to grasp the fact that we do not actually have the luxury of establishing dominance or defiance because of how we have built our societies and institutions in such a way that we have become utterly reliant upon the technology that is

32. Heinemann, 27.

33. Heinemann, 27.

34. Heinemann, 29.

all around us. Like in the instance of the U.S. development of the SSA and the distribution of SSNs, the utility of assigning each individual their own personal and unique identifying number became so great that it seemed more sensible to exchange a part of our freedom, our free will, and our dominance over our own existence in order to have that SSN so that we could partake in the practicalities of everyday life (such as signing for a loan, filing taxes, etc. as was discussed in chapter 2).

Even if one tried to assert dominance over technology as Heinemann advocates for, it is nearly impossible to do so in modern times within industrialized nations. Whether we discuss the SSN given to someone at birth, the cameras on the traffic lights down the street, their IP address, or the satellites circling above, the technology that we rely upon permeates our lives in all shapes and forms. There is perhaps some degree of defiance that one could attempt to assert against this plight by living “off the grid” and using the least amount of technology possible. This may have some merit in regard to the technology that one has a choice about using, such as the internet or social media. However, this attempt at defiance fails when one considers all the forms of technology that they cannot choose to escape from, like their SSN and Numident record established at birth or the traffic light cameras installed by local government. It must be fairly acknowledged that Heinemann was writing over half-a-century ago and, understandably, his ideas do not fully anticipate the degree to which society and technology have become entangled. Nevertheless, if someone today tried to show the courage that Heinemann calls for and attempted to assert dominance over technology by defying it, they would be unable to do so because of the inescapable nature of the permanent existence that modern technology guarantees for each and every one of us.

Just as the issue of consent impacts Social Contract theory,³⁵ the discussion surrounding consent and our usage of technology is a rapidly evolving conversation. For starters, there is a similar “silent consent” issue³⁶ with technological advances like the automatic enumeration-at-birth of an SSN and Numident record for children born in the U.S. Just as these permanent numbers are assigned to children without their consent, there are also a host of other technological factors that are recording our personal data, and therefore our existence, without our explicit consent. From security camera footage of ourselves shopping in public to software tracking our online activity or GPS location, we seldom explicitly grant our consent to these various technological factors in society that record us.

There is a clear issue here regarding the consent we do or do not give to government and law enforcement agencies, private companies, and other entities that utilize this data to record our movements, activities, locations, and choices. All of these factors make up our essences – the culmination of our being as a result of our freedom to determine which actions we undertake throughout our lives. Yet by monitoring and recording our actions and therefore the paths that we create in life, these entities make it harder to change our essences because our past actions are always being recorded somewhere in some capacity. If one wanted to change their past essence, alter its record, or delete its existence entirely, that choice is impossible because one does not own all the various data recorded of themselves. In this sense, our freedom and free will over

35. Referring to the fact that not every individual consents to the “contract” of living in a civil society versus the State of Nature, yet they are born into the society established by their ancestors and are therefore expected to follow the laws of the society. This is also known as the “future generations” criticism, silent consent, or implied consent. This information is excerpted from notes taken in Dr. Vincent Luizzi’s PHIL 3332 Social and Political Philosophy class on September 28th, 2021.

36. See above footnote for the definition of this term.

choosing what to do with our own essence contained within that data is significantly hindered. As a result, we are limited in our life of “becoming” that the Existentialists envisioned. We are unable to “become” someone new by choosing to shed a previous identity because that past identity is remembered and recorded somewhere. The collection of this data ensures our own permanent existence that we have little to no control over. Even though we did not consent to exist in these various digital forms, we are nonetheless condemned to endure this inescapable existence purely as a result of living in a modern society that relies so heavily upon technology.

If our essence is up to us to determine and if we are the ones tasked with choosing which actions and paths that we pursue throughout our lives, then it must follow that the actions we take online and the information we reveal about ourselves digitally (such as through personal social media posts) are factors that contribute to our essence. We are the ones who must determine who we are and who we want to become, including what projects we will take up in life and what ambitions we will pursue. As we increasingly share these various aspects of our essences with others through digital means, important questions arise concerning our dominance over our own essences. How much control do we really have over those digital aspects of our essence given that that they may be monitored or collected by private or governmental agencies? What privacy and ownership rights do we have over those digital aspects of our essences? Lastly, in what ways is our freedom to “become” hindered by the loss of privacy we are experiencing over the records of our previous digital actions and choices? While the legal answers to these questions must be determined in the future by the courts, it is increasingly important to consider the philosophical ramifications of permanent existence regarding

the way in which our online presence and thus a part of our essence is being recorded, monitored, and stored by private companies and government agencies alike.

There are numerous considerations to be weighed in relation to the permanence of our digital forms of existence. Perhaps one of the most notable instances of this concept that will be familiar to readers of this work is the advent of the USA Patriot Act created shortly after the terror attacks in 2001. Although it passed nearly unanimously and initially garnered strong support, it has come under mass scrutiny over the past two decades since its creation. It originally aimed to fight terrorism by expanding government authority to conduct secret searches, surveil telephone and internet communications, and acquire an individual's private records for matters of intelligence-gathering.³⁷ There have been several near-expirations and consequent extensions on the legislation over the past several years. Critics took issue with the extended range of leeway that allowed the government to collect data and surveil citizens as a result of the Patriot Act. Major public backlash also followed after leaked information exposed alleged wrongdoing and ethical infractions by various government agencies who used the privileges granted under the Patriot Act to infringe upon the rights of citizens.³⁸ The act was finally allowed to expire in 2015 when Congress passed its successor, the USA Freedom Act, a day later. The Freedom Act prohibited bulk collection of customer data by government intelligence agencies and bolstered transparency efforts by allowing large tech companies to inform the public when they release data to an intelligence agency.³⁹ Besides those changes, the

37. Dale Mineshima-Lowe, "USA Patriot Act of 2001," *The First Amendment Encyclopedia*, updated July 2019 by Deborah Fisher, <https://mtsu.edu/first-amendment/article/1096/usa-patriot-act-of-2001>.

38. Chris Hauk, "The USA Freedom Act: What Is It And How Does It Affect Your Online Activities," *Pixel Privacy*, February 14, 2022, <https://pixelprivacy.com/resources/freedom-act/>.

39. Hauk, "The USA Freedom Act."

majority of the Freedom Act reinstated much of the same legislative content and government provisions afforded under the previous Patriot Act.⁴⁰ Although they were honorably created in order to protect Americans from terrorism, the concerns about government overreach, data collection, privacy issues, and infringement upon the rights of citizens has cast an unfavorable shadow over these legislative acts.

Many of the actions and choices that we make in life are recorded digitally and contained in data sets like those that can be collected by the government due to the abilities granted through legislation like the Patriot and Freedom acts. There have been many legal challenges by groups such as the American Civil Liberties Union (ACLU) in the past two decades against the constitutionality of these government actions upon private citizens, yet most if not all of the cases deal with issues related to data collection and alleged violation of the Fourth Amendment's prohibition of unlawful searches and seizures without a warrant.⁴¹ As a greater portion of our lives become increasingly intertwined with our digital activities, the greater that privacy concerns will become an issue in our national discourse.

There is also a related privacy issue that does not deal solely with our digital data but instead involves a more tangible aspect of our existence. In recent years there has been an influx of companies such as 23andMe and Ancestry that market DNA collection kits to the public. These collection kits allow the consumer to submit a saliva sample and in turn receive detailed information about their geographic origins, potential relatives,

40. Hauk, "The USA Freedom Act."

41. David L. Hudson Jr., "Patriot Act," *Freedom Forum Institute*, September 2012, <https://www.freedomforuminstitute.org/first-amendment-center/topics/freedom-of-speech-2/libraries-first-amendment-overview/patriot-act/>.

and family history⁴² or obtain a report via DNA genotyping that reveals genetic health risks and the carrier status of certain genetic variants linked to various health conditions, traits, and ancestry groups.⁴³ These companies market the collection kits as beneficial for the consumer on the basis of finding out about one's family tree or learning about genetic health risks, yet the seemingly harmless kits actually impact the control that the consumer has over their own privacy and their own existence.

The two companies mentioned above do provide information for consumers about privacy concerns on their respective websites.^{44,45} While both companies affirm that they do not release DNA data or genetic reports with third party entities such as employers, insurance companies, and public databases without explicit consent from the consumer, they do acknowledge that they must release personal identifying information of consumers if they are required to do so by court order, subpoena, or other legally valid search warrants or requests. Therefore, the possibility exists that these companies could release something as personal and crucial to your existence as your DNA to another entity if they were legally required to do so. It may seem as if the likelihood of a subpoena for one's DNA records is slim, however, legislation like the Patriot and Freedom acts discussed earlier show that the privacy rights we have over our own data can vanish as a result of government policy.

As the widespread collection of DNA from the public becomes increasingly popular and the science behind genotyping continues to advance, concerns over the

42. "Top Questions about AncestryDNA," *Ancestry*, <https://www.ancestry.com/dna/>.

43. "Genetic Science," *23andMe*, <https://www.23andme.com/genetic-science/>.

44. "Privacy," *23andMe*, <https://www.23andme.com/privacy/>.

45. "Top Questions about AncestryDNA," *Ancestry*, <https://www.ancestry.com/dna/>.

legalities surrounding DNA ownership will persist. When a consumer submits their DNA sample to a private company it is unclear what ownership rights they continue to have over that specimen. Both of the companies mentioned above claim on their websites that the consumer has some control over what happens to their saliva sample after it is tested. For example, one company asserts that the consumer has control over deciding “whether the lab biobanks” their sample or if it is “safely discarded” instead.⁴⁶ Concerningly, these reassurances for consumers only seem to address immediate measures offered by the companies at this time.

The privacy issues with something as crucial to an individual’s existence as their own DNA hints to a larger ontological question. It is uncertain what may happen to these samples in the event of a company buyout or merger, a change of policy, or an occurrence of unethical misuse. Utilizing stored specimens for research purposes to improve genotyping capabilities is one thing, but what happens if those samples are one day used for questionable purposes such as DNA altering or DNA cloning? There are obvious ethical issues that arise in these hypothetical cases, however, there are also new considerations to be had about the impacts such events would have on the privacy and ownership rights of the consumer/donor as well as the ramifications it would have on their own existence. If that DNA sample is a part of their tangible existence, then the idea of having limited control over what happens to the sample means that they would also have limited control over an aspect of their own existence. How long does one maintain ownership rights to their DNA sample before ownership is transferred to the private company and thus allows them to do as they please with the DNA sample? In simpler

46. “Privacy,” *23andMe*, <https://www.23andme.com/privacy/>.

terms, who will own that portion of the donor's existence? Although it is impossible to predict the future of where these DNA kit companies are going, these burgeoning questions regarding the legalities and rights to DNA ownership will continue to afflict this industry.

These kits have grown in popularity among civilians over the past several years, however, their usage is not recommended for all members of the population. In 2019, the Pentagon issued a warning to military personnel against the usage of at-home testing kits that utilize mail-in DNA samples. The government advised that the nature of these kits create security risks, that they can be unreliable, and that they could potentially affect service members' careers.⁴⁷ Although civilians are protected by the Genetic Information Nondiscrimination Act (GINA) which prohibits discrimination from health insurers on the basis of genetic information about people, it does not apply to members of the military.⁴⁸ As a result, the discovery of a certain carrier status or genetic trait could limit advancement in some military specialties.⁴⁹ Moreover, there are concerns about these tests potentially exposing personal and genetic information that could lead to security issues and increased risks to military objectives.⁵⁰ Despite the issues the government has identified with genetic testing and its advisement for personnel to avoid DNA kits, the military has also experimented with the beneficial aspects of using this technology to advance their own operational objectives.

47. Heather Murphy and Mihir Zaveri, "Pentagon Warns Military Personnel Against At-Home DNA Tests," *New York Times*, December 24, 2019, <https://www.nytimes.com/2019/12/24/us/military-dna-tests.html>.

48. Murphy and Zaveri, "Pentagon Warns Military Personnel."

49. Murphy and Zaveri, "Pentagon Warns Military Personnel."

50. Murphy and Zaveri, "Pentagon Warns Military Personnel."

The many years of U.S. military struggles in Afghanistan pushed the Defense Department to find alternative solutions to the operational issues being encountered overseas. The Department believed that it found a technology-based solution to the problem of insurgency by using biometric data.⁵¹ U.S. military forces captured biometric data such as electronic fingerprints, iris scans, facial images, and cell swabs of DNA from local Afghans.⁵² This effort was called “Identity Dominance” and the Pentagon hoped that the mass biometric collection efforts would create the biometrics-enabled intelligence that was needed to usher in the rule of law to the area and stifle the reign of the insurgents.⁵³ Many times this data-driven task fell to combat infantry soldiers in the field who would use a biometric collection device such as the Army’s Secure Electronic Enrollment Kit (SEEK) to capture the data “from civilian villagers and suspected insurgents alike, all across Afghanistan.”⁵⁴ After the biometric data was inputted into the SEEK, the machine would then match the new data against classified data in the Defense Department’s biometrics-enabled watchlist (BEWL).⁵⁵ If a match was made between the new data and the preexisting biometric identities stored on the watchlist, an alert would be triggered signifying that a sought-after individual had been encountered during the identification operation.⁵⁶ This process of biometric data collection, identification, and the mass cataloging of people’s identities proved to be a useful tool for the U.S. military efforts abroad. In the *Commander’s Guide to Biometrics in Afghanistan*, Vice Admiral Robert Harward wrote about how terrorists “hide behind their anonymity.”⁵⁷ As a result,

51. Annie Jacobsen, *First Platoon* (New York: Dutton, 2021), 5.

52. Jacobsen, 5.

53. Jacobsen, 5.

54. Jacobsen, 6-7.

55. Jacobsen, 8.

56. Jacobsen, 8.

57. Jacobsen, 202.

the Defense Department did not trust names – instead, they placed their trust in the “Manhattan Project-style, billion-dollar biometrics program”⁵⁸ that eliminated any chance for anonymity by assigning every individual a permanent existence based on their biometric data.

The state-of-the-art technology that allows us to purchase kits from private companies to analyze our DNA to determine genetic variants and family trees represents the same threat to our existence that the U.S. Defense Department’s billion-dollar biometrics program does. Our existence is more multi-faceted, complex, and vulnerable than ever before in the course of human history. The concept of determining one’s own essence that the Existentialists idyllically theorized about over a half-a-century ago now seems under threat. Our essence, and therefore our existence, is contained in our physical factors just as it is in our digital footprints. There have been other ways of achieving a lasting existence through analyzing our relatively unchangeable physical factors such as rudimentary fingerprinting methods used throughout time. However, the sophistication of the technology employed today to analyze factors such as DNA samples and iris scans is more accurate – and more permanent – than ever before. While civilians at this time continue to maintain their ability to choose whether they are interested in purchasing a DNA collection kit to have their saliva sample be analyzed by a private company, this choice is not available to members of the armed forces. Incoming military service members have had a mandatory DNA sample collected during the enlistment process since the 1990s.⁵⁹ Being a member of the military automatically allows you far fewer

58. Jacobsen, 202.

59. Thomas Gnau, “Naming the Unknown Soldier: How Agency Helped Identify Local Men Killed in Action,” *Dayton Daily News, Ohio*, May 30, 2022, <https://currently.att.yahoo.com/att/naming-unknown-soldier-agency-helped-035900751.html>.

rights and privileges than the typical civilian, however, in light of the advancement of biometrics technology it seems that the requirement to have a permanent DNA sample on file makes the existences of military members even more stark and permanent than those of their civilian counterparts.

As was mentioned earlier, there are a multitude of forms of existence that any individual can have. In this work I unfortunately do not have the space necessary to touch upon every possible kind of existence that one can generate. Despite this limiting factor, I explained a brief background on Sartre, I described the major idea of my theory, and I have investigated legal and military implications that are connected with the concept of permanent existence. There are fundamental truths that span this discussion of existence whether it is in the form of a nine-digit SSN, recorded digitally online, or contained within a DNA sample. All of these factors ultimately limit our ability to create our own essence because they permanently establish our existence.

No matter how much one does not want to exist, they can never escape the Numident record of their name and birthplace or their unchangeable physical biometric factors. The collection and recording of these uniquely identifying personal factors guarantee our permanent existence. The age of shedding a past identity, fleeing to another location, and creating a new essence is over. The security benefits that come with this development also come with new truths that society must grapple with. Additionally, the way in which we understand the many facets to our existence is changing rapidly in the modern technological era. Never before have we dealt with the risk of a stolen existence nor have we needed measures to prevent identity theft. Ultimately, the task we must endure of defining our own essence through determining our commitments and projects

in life is increasingly hindered by the lack of power we have over choosing what aspects of our existence continue to survive in various forms (digitally or otherwise). The permanent existence we now confront only increases our responsibility for our actions and, therefore, our Sartrean nausea. It places shackles on our essence and limits our ability to “become” someone new as the Existentialists envisioned. The human ambition to achieve a lasting legacy is now fundamentally changed. The permanence of our existence has created our own inescapable immortality. Our records of existence will now live on in obscurity rather than anonymity. Despite our radical freedom and self-determinism, the choice to completely erase all remnants of one’s existence is no longer an option for us. The choice to cover our tracks of a previous life or to decide which aspects of our existence that we want to alter, change, or delete altogether has been taken out of our control. Fundamentally, this signifies a major limitation to our freedom, our free will, and our ability to choose for ourselves how we wish to define our own existence.

APPENDIX

Condemned to Exist

A Theory on Modernity & Our Inescapable Immortality

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Background

- German author Friedrich Henry Himmelman writes wistfully about the time in the 1913 book *Existentialism and the Modern Predicament* where he
- Proposes theory of technological alienation, described as "that stage where technology dominates us instead of our dominating it."²
- Realizes that "the problem [of] how to master technology will therefore remain with us for decades and perhaps for centuries to come; it is existential in the true sense of the word, for the age of technology enlarges the existence of the human person more than ever."²

Summary

Consider this: if you wanted to permanently do away with your existence, could you?

Americans are frequently advised to be mindful of what they post online because it never truly disappears – an electronic record of the post will always exist somewhere. However, our online interactions are not the only records being stored indefinitely. Americans themselves are now entangled in a similar type of unique identification system that guarantees permanent existence.

that guarantees permanent existence.

As Sartre points out, we did not create ourselves and have been "thrown into this world" without choice. However, this bleak "thrownness" into the world is the foundation of the hallmark of his existential thought: in the foundation of absolute freedom being at the core of the human condition – we are condemned to be free, for better or worse, and will ultimately be subject to the anxiety of our own freedom as well as the total responsibility for our actions.

for the maintenance of our lives. The irony of being "condemned" lies in the realization that although we are free and are constantly able to reinvent ourselves, we can never escape that act of choosing, and thus face the dizzying reality that we are "nothing else but the sum of [our] actions, nothing else but what [our] life is." 6

Today, however, Sarrett's idea is faced with a major limitation. There is one thing that we are now fundamentally not free to do: erase our existence.

fundamentally not free to do: erase our existence

Through the rise of modernity and secure technological documentation, both in cyberspace and in classified government records, there is nothing you can do to fully and completely destroy your "paper trail" of existence. Given these developments, I have evaluated Sarre's idea and proposed a new, timely theory that involves nearly every single American and will continue to into the foreseeable future.

Theory

Through the rise of modernity, each and every American has become accounted for. We have no control over our being "thrown into this world"

control over our being "thrown into this world"

The aim here is not to dispute Sartre's idea of fundamental human freedom, but to instead highlight a frighteningly real limitation to his theory that we are now experiencing.



Methods

* Social Media / internet:

- Social Media / Internet

The advent of widely accessible internet for the general public has unarguably complicated and added to most Americans' digital paper trails.¹ However, not every single citizen is online, nor does every citizen have some form of social media/email/account traceable to their specific individual identity. Furthermore, there are plenty of false identities and false accounts online. In short, using the internet to uniquely identify and account for every citizen would be unreliable at best.

- The United States Census

The U.S. Census that occurs every 10 years certainly seems to make more logistical sense as the starting point for counting and identifying every single American. In reality, the U.S. Census surveys give the government a relatively inaccurate count of citizens/persons living within the U.S.²

- The Social Security Administration

The rise of the Social Security Administration (SSA) program in 1935 marks the beginning of American modernity for my research purposes. Originally developed as a financial program, the SSA distributed Social Security Numbers (SSN) to each worker that applied. Surprisingly, the usage of the SSN as a unique personal identifier became extremely popular as more and more Americans acquired their own personal SSN.

Americans acquired their own personal SSN.

Each and every SSN that has ever been distributed is kept in a "numerically-ordered master file" called "The Numerator," that is highly secure and classified by the U.S. government.⁸

As recent as the late 1980's, the SSA implemented a new program called "Numeration at Birth" (EAB) which enables children born in the U.S. to automatically receive a SSN. The number will follow them for the rest of their lives, as it will never be destroyed and will always be associated to the individual's name.⁹

allow them for the rest of their lives, so it will not harm them the second all in this. As would not a person 9

At German author Friedrich Hölderlin's theorizing in the early 1950's about the future existential implications of technological advancement, the fundamental shift in modern 'existence' triggered by the Social Security Administration was ironically beginning to take place in America.

_____ in America.

Since the rise of the SSA, nearly every American has acquired a SSN that will follow them permanently and cannot be destroyed. The SSA's "expanded use" as a unique personal identifier "appears to be an enduring trend."¹⁰

Conclusion & Future Works

The rise of the unique, personal identifier ultimately has both pros and cons. While extremely useful for accountability, data collection, and various governmental and social functions, it also comes with many further considerations, such as:

functions, it also comes with many further considerations, such as

- The lack of free will: children are automatically assigned a SSN
- The requirement of a SSN in order to conduct most official business in the U.S.
- The inability to escape / dissociate with our assigned SSNs
- The absence of ability to erase "paper trail" existence once personally identified with a unique SSN

Problems & Considerations

Due to some constraints in the format of this presentation, the focus has been narrowed to permanent identification practices occurring in the United States only. However, the principle of being "Condemned to Exist" is and will continue to increasingly be a universal issue that must be considered further and addressed globally.

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