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## Factuality and Testimony Denial: 11 Theses on Fakes and Verification

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The question of alternative facts or fakes and fiction in social media is mostly discussed on the grounds of true-false discrimination. Central issue is the search for criteria, for the possibility of technical solutions, for justification or general verification procedures, or for possibilities of digital forensics, to name but few. This article takes a different approach by bringing the concept of witnessing into play in a new way. For what is being hurt or destroyed by the massive dissemination of lies, false facts, etc. is not the differentiation between truth and falsity, but the social function of testimonies. The consequence is a loss of social trust, "social faith" (Kant) or what can be paraphrased with the ancient concept of koinonia. machine vision in the shaping media of verification in popular culture, artistic, as well as surveillance contexts.

**Keywords:** truth, falsity, fake, alternative facts, justification, verification, testimony, trust, koinonia

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1.

Scientific facts, as has been pointed out in countless debates on the theory and history of science, do not represent the world as it is; they are far away from depicting reality value-free; rather, they are ‘made’ by our schemata and categories, by mathematical models, by selection of data, by experimental procedures as well as the rhetoric of description, by technical and media means, by visualisation tools, by archiving and transmission structures, or historical prejudices and more. At the same time, they turn out to be guided by a plethora of different actors, directed by interests and power-structures, produced by procedures of measurement and information collection, just as the scientific institutions, the debates of the epoch, the preferred discursive trends are involved in their constructions, as the Social Constructivism and the Actor-Network-Theory has forcefully worked out. This does not mean, however, that they are entirely constructed, that they are solely a piece of poetry or literature that assimilate them to myth, or that we are dealing outright with social fictions that we can merely believe, for these find their limitations at least in the objects themselves, which, in addition to the designs, ideas, formula and methods of their study, cannot also be in total the result of human inventions. Rather, we are placed in a world which we did not make, which behaves differently than it is intended to, which is also different from what our ideas and concepts make us believe, which opposes and surprises us and stubbornly resists our attempts to explain, understand and to treat it technically. The question then is, in turn, how we can become aware of these refusals or differences, from where we derive our convictions that reality as we perceive it, behave like an autonomous being vis-à-vis to which we might enter into a dialogue, for there is apparently no criterion, as critical philosophy has pointed out since Immanuel Kant, for justifying the distinction between an authentic thing in itself and its appearance in an appropriate way.

Are we therefore necessarily lost solely in belief, in scepticism and at the mercy of madness, or paranoia? They have been opposed by reason, but since we seem to encounter just signs and interpretations everywhere, as semiotic philosophies claim, we are, at the same time, exposed to lie, misconception and overinterpretation, for signs only confront us with nothing but an infinite drift of signifiers, whose references, as Jacques Derrida has aptly put it, only refer to references.<sup>1</sup> Hence, they cannot be held and guaranteed by any “transcendental signifier”, rather only by a permanent circulation of markers (*marques*) or characters (*ta grammata*) and their incessant transcriptions, which are carried on and perpetuated by cultural time and its traditions. Nonetheless, this view assumes a semiotic constructivism that must presuppose at least the universality of signs themselves, which has always already substituted for the present and its

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<sup>1</sup> Jacques Derrida, *Of Grammatology*, trans. Gayatri Chakravorty Spivak (Baltimore: Johns Hopkins University Press, 2016).

experience, so that we are dealing, as it were, with an *a priori* secondary whose 'origin' is absent and which, as secondary itself, remains only hypothetical. Even more, signs have to be perceivable and readable; they assert their own materiality as trace or texture, so that there is at their roots a non-sign or something that cannot be completely resolved in an endless series of signs-in-signs.

This likewise means that the radicality of constructivity remains pseudo-radical, for an epistemological constructivism that has misunderstood itself as often as it has been misused cannot be consistently claimed because it must still always refer to something that is different, i.e., anchored in a heterogeneity or negative counterpart. Conversely, this heterogeneity cannot be found or produced in the same constructivist scheme without, to the same extent, setting the constructivism groundlessly absolute, so that something about the constructedness of the facts remains unconstructed, even unconstructable, just as at the same time something about the semioticism of signs must turn out not to be sign-like or something about the 'mediumism' must reveal itself amedial in order to be predicated as universal.

## 2.

Is this hint sufficient to stop the increasing production of fakes and the fictionalization of facts in the era of post-truth? At best, we are referred to the immanent paradoxes of a strict constructivism and its relatives, however they can be avoided by mitigating its absoluteness. Certainly, that there are constructivist elements in science cannot be denied, nor that the truth-claim of scientific results has to put into perspective, which is one of the great achievements of Immanuel Kant's critique of enlightenment as well as of the philosophy of science of the 20th century. One thinks of Ernst von Glasersfeld or Heinz von Foerster, of Paul Feyerabend's methodological anarchism, but also of Hermeneutics and French poststructuralism including Derrida's philosophy of difference, to name but a few. They unpeeled the specifically human sense of the real in order to embedding it in a field of concepts, signs, models, discourses, 'machinations', technologies, and power-actions, that once and for all has done away with the illusions of representation and the simple 'truth' tied to the logic of correspondence. But this does not mean that there is nothing left to hold on, that facts are swept away by mere fictions and that their factuality disintegrates into a series of rhetorical figures that rob the 'knowable' of any foundation and place science into the same realm as narratives and poetry, because there are, as Umberto Eco has put it, serious "limits to interpretation", which consists ultimately in the 'veto power' of

the facts themselves.<sup>2</sup> The veto defends them against their appropriation by any possible and impossible interpretation, no matter how absurd.

Thus, one cannot simply assert everything, in particular not that which is badly contained in things; rather, the real, which testifies its negative power of limitation, contradicts the uninhibitedness of our fantasies, so that it is still possible to distinguish between madness and truth, in spite of all the constructiveness to be assumed as well as all deconstructions of the truth-false-distinction. Nevertheless, the dimension and measure of this difference cannot be positively reconstructed in terms of deriving an objective level of justification that is able to separate absurd misinterpretations from proper or 'correct' once – an ultimate criterion or authority, so to speak, that the tradition has always reserved for theology or the mystical assumption of an absolute reason, which is tantamount to the wish of an infallible judgement in the world. At best we are dealing with a weak and negative criterion that is not suitable as a rationalization principle for verification, but as a function of testimony. Testimony means both being bound to truth and being socially bound. It is able to set a social benchmark in the sense of an unstable limit, which is less ontological or epistemological than ethical, because it demands to place the phantasmagoria of imagination under the normativity of a continuous reflection in order to put fetters on it, instead of letting it unfold freely. For freedom and the unbound play of differences have as little the last word in philosophy as the laws of rationality or the formal indicator of a non-negatable facticity.

### 3.

In fact, the debates about constructivism and the deconstruction of truth in the age of post-truth, as well as about the relationship between facticity and 'alternative facts', which have sometimes been seen as the sinister shadow side of the anarchistic *laissez faire* of critical theory and deconstructivism, possess their unfruitfulness in the fact that they are conducted primarily by a hidden sociological discourse of power-actions. Its essential impulse is based on countering essentialisms, allegedly lurking everywhere, with the ubiquitous changeability and fluidity of the world, its permanent 'becoming' – as if the opposition consisted solely in either holding on to unambiguously determined substances and thus postulating an ironclad, unchanging order of truth, or in celebrating infinite human creativity, which puts the performative transformability of the real, its chronic non-determinability, at the centre. Apart from installing another dualism by this, both sides complement each other: on the one hand, the critique of metaphysics, which means at the same time a critique of

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<sup>2</sup> Umberto Eco, *Interpretation and Overinterpretation*, ed. Stefan Collini (Cambridge University Press, 1992), <https://doi.org/10.1017/CBO9780511627408>.

identity and, with it, of temporal duration and continuity, conserving the validity of the past; on the other hand, the assumption of its fundamental historical contingency, which allows at any time for a mutability of world-conditions in the name of their emancipation.

And yet the postulate of boundless changeability forgets that this changeability cannot take place in every respect and beyond all dimension, that rather reality *as an entirety* imposes barriers on it, even if we cannot say in detail what these are, and even if every concrete barrier appears to be shiftable. To put forward an innocent example: The human body can be improved by technical means, but it cannot be expanded in all respects, for instance, not to that threshold which overcomes its mortality. Facts can be bent, even facts may be invented as facts, but this invention itself still requires factualities which are withdrawn from its invention, otherwise there would be nothing left with which we can invent. It is rather the *totality of the world and its inner conditions* that resists our free manipulations, so that we have to deal with the indispensability of a return of judgment and of the critique of validity, which must always flank the critique of power, because whatever the notions and concepts may say or which discourses and models we bring into play in order to explain or to 'read' the real, they still have to prove themselves *against the background of these limitations* and *testify to their validity*.

#### 4.

However, validity and truth as well as judgment and determination are entangled with each other. Thus, the evocation of the necessity of validity reflection seems to return to the question of truth and to confront us anew with the dilemma of having to differentiate between truth and falsity or fact and fiction. It requires again a discussion of truth-concepts. In history of philosophy not only different truth-concepts have been established and thus different criteria of validity formulated, but truth and validity have solely been debated in the context of proof and justification, especially rational proof, with mathematics as their background model. Judgment and validity are consequently dependent on systems of justification, which in turn are linked to discourses of truth. The connection between reason, judgment, validity, and truth thus proves to be as 'dense' as it is circular, so that the question of truth remains unanswered, and facts can never be conclusively and doubtlessly separated from fiction.

Obviously, the question of truth cannot be solved within the realm of epistemology, which is why radical deconstructive theories have seen in it an empty signifier. Some scholars therefore argued that its notion can be removed without any loss. What removal thereby means and causes becomes clear in the 'post-factual' age of digitalization, in which everyone can easily stylize regional 'views' and 'opinions' and turn them into 'truths', presenting them to entire

mankind as audience. What was once confined to the narrow circles of the private sphere thus becomes public, even a matter of global relevance. Nevertheless, a complete renunciation of 'truth' again proves to be not only aporetic in itself, but also socially ruinous. For the radical asceticism of truth-conceptions on the one hand necessarily runs towards an indefinite scepticism or even cynical nihilism which, however, is no longer able to unmask deception or lies *as* lies, even in private situations – for every statement is indifferent –, just as on the other hand in communal interaction and communication the non-addressability of systematic deception and untruth or the impossibility of revealing lies *as* lies can lead to a complete destruction of trust.

Therefore, the distinction between truth and falsehood seems to be indispensable not only at the level of *theoria* and thus of ontology or epistemology (otherwise science would be impossible), but above all in the social and in specific in the ethical realm of social relationships especially with reference to the moral difference between truth and lie. We rely on the truthfulness of other people's statements, otherwise we ruin the foundation of our social being because mistrust becomes ubiquitous, and we get lost in complete paranoia. The ability to distinguish between truth and lies therefore turns out to be one of the basic prerequisites of social life, which is being permanently damaged by the unchecked spread of disinformation and deep fakes. Hence, prior to metaphysical concepts of truth comes the ethics of truth, which is indeed older than the epistemological one, and the epistemological one a derivation of it, so that conversely its erosion by fallacy, 'fake news', absurdity, and that, what Harry G. Frankfurt called 'bullshit',<sup>3</sup> sooner or later leads to the self-dissolution of the social *koinōnia* and its possibility to gather.

In specific, the Greek word *koinōnia* hints at the force to assemble, at that, what holds society tight. It is not only bound to language, and communication, although both as practices play an important role for the constitution of the social, but also to justice, and above all, to trust and confidence. However, the *koinonistic* effects of language and communication primarily spring from their semiotic formation that allow for the production of significance and narratives which in turn imply both: truth and falsity. While linguistics does not merge into semiotics, conversely linguistics and semiotics – think especially of French structuralism – mutually refer to each other. Since all signs allow for deception – which makes language and communication, as was already clear in ancient Greek rhetoric, genuinely ambiguous, because both are at the same time means of creation and elucidation of lies. For a sign, according to Umberto Eco's unorthodox definition, is everything that can be used to pretend or swindle.<sup>4</sup> Therefore, the same schema can be used to communicate truth as to produce pseudo-truths, fakes or to

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<sup>3</sup> Harry G. Frankfurt, *On Bullshit* (Princeton, NJ: Princeton Univ. Press, 2005).

<sup>4</sup> Umberto Eco, *A Theory of Semiotics* (Bloomington: Indiana University Press, 1976).

proliferate aberration and falsity. Where, moreover, as in ancient rhetoric, argument is made from language alone, conviction is produced by persuasion, that is, the sham argument rules and obscuring of better reasons by the worse ones, just as anything can be asserted arbitrarily if the word alone reigns and verification by eye-witnessing or other principles of justification is excluded. Hence, the possibility of falsehood, betrayal or dissimulation and infidelity belongs from the very beginning to the ambivalence of the *koinonistic* principle of human societies and correlates above all with the performativity of the symbolic.

## 5.

For this reason, as long as we rely solely on signs and statements – or digital information spread by social media and the internet – truth at the same time need accreditation, i.e. testimony and authentication in order to become valid. In other words, a statement is true if its determination holds and we simultaneously believe in the validity of its determination, that is the existence of facts and their guarantee by witnesses – for in most cases we rely on secondary sources that have their place in cultural traditions, archives, encyclopedias and other institutions of preservation that provide them. This also holds for sciences and scientifically established truths. The process of generating credibility, second-hand testimony or authentication, however, is thereby always duplicitous, for it involves, on the one hand, faith in the existence of the asserted thing, in methods and validity, and, on the other, social acknowledgement and confidence in the general procedures of justification and validity-production. However, faith as well as trust are genuine social categories; for them there is neither a criterion of verification nor a further authentication, because in trust only confidence can be placed.

The problem has massively intensified in the context of digital media and especially the hegemony of the alleged ‘social media’. It is not about the global distribution and mass use of digital media, nor about the fact that now one medium – which Friedrich Kittler rightly called ‘Universal Discrete Machine’ (UDM)<sup>5</sup> – is able to integrate and emulate many different medial forms, from text production to the *imaginarium* of cinema to the management and control of worldwide communication flows; rather, the aggravation of the problem of lies, fake, falsehood and disinformation – and besides the sheer overflowing circulation of hate messages – has systematic reasons, because digitization, as a mathematical tool, firstly allows the mediation of any content without understanding, because mathematics work syntactically, not semantically – the goal of Claude Shannon’s *A Mathematical Theory of Communication*<sup>6</sup> was to describe the process of

<sup>5</sup> Friedrich A. Kittler, *Gramophone, Film, Typewriter*, trans. Geoffrey Winthrop-Young, Writing Science (Stanford, Calif: Stanford University Press, 1999).

<sup>6</sup> C. E. Shannon, “A Mathematical Theory of Communication,” *Bell System Technical Journal* 27, no. 3 (July 1948): 379–423, <https://doi.org/10.1002/j.1538-7305.1948.tb01338.x>.

transmission regardless any meaning -, secondly, it enables identical repetition, imitation and replication of data on the basis of formal equations and hence seemingly perfect simulations. Its *telos* is downright the establishment of extensive regimes of ‘as if’. The computer’s mode of operation literally predestines it for productions of *hypermimesis*.

However, this is not necessarily in the nature of computer-programs themselves, for the foundations of the so called ‘digitization’ (an insufficient expression) are mathematical operations and algorithms: Computers are nothing but programmed mathematics-machines which, in accordance with the old hypertrophic principle of metaphysics that the universe is written in mathematical letters, tend to turn the real into abstract discrete orders and pure formula. They are applicable to all sorts of things, if they can be modelled into distinct formal units processed without contradiction. The mathematical concept of ‘existence’, thus, equals non-contradictory possible worlds, therefore any consistent construction exists, even the most weird and bizarre ones if they are constructed within the limits of logical rules. By them it is in turn possible to create completely synthetic spaces and figures, as well as composites composed of set-pieces from the real existing world, without revealing their synthetic character. Their criterion is clearly not similarity; but where the regimes of similarity prevail, an indistinguishability arises that can no longer be resolved analytically, which even, where it infiltrates and subverts perception, becomes a pretence of non-existent facts. There is then no procedure for distinguishing between real and dissimulated facts, between good and bad imitations or correct and incorrect representations, because the basis of computation are solely calculations, while the question of difference requires the power of judgment that argues semantically. The problem of fakes, fiction or radical forgeries of facts hence cannot be mastered by digital methods such as filtering or forensic procedures alone.

## 6.

Although mathematical constructions contain no prejudice to similarity, similarization and imitation, as an echo of the era of constructivism and simulation, dominate digital practices today. The hegemonic use of computers, at least socially, is primarily claimed for duplicating the human sphere, i.e., mimicking cognition, actions, seeing, feeling, or hearing, as well as replacing language and communication by a high-speed exchange of data, or the universalization of information-concepts. This ranges from the creation of virtual worlds via motion capture systems to the expression of faces to the latest models of artificial intelligences, to name but a few. The recent tip of the iceberg of artificial intelligence-programs are large language models (LLM) such as *ChatGPT*, which try to implement statistical intelligibility into linguistic models by searching for the most probable sentence continuations to simulate meaningful



human-machine interactions. Their principles are everywhere modes of disguise and substitution: to delude and mislead humans by operational schemata which appear *as if* they are human-made by substituting perception by data detection, reducing thinking to symbolic operations, turning reflection into recursive functions, and by training semantics through the syntactical use of probabilities or to imitate communicative reciprocity through information exchange.

In short, digital media, as they are largely applied in social contexts, are inherently media of deception, simulation, hoax, and *hypermimesis*. The proliferation of post-truth is not due to postmodern critique or deconstruction of theoretical representation but rather to the digital disrupture and its transgression of 'as if' and its ability to cheat, to pretend, to deceive and dissimulate without measuring their mimetic excesses against criteria of the real. This is primarily true because digitality is based on algorithmic processing of discrete signs, which, as signs in Eco's sense, are susceptible to being hijacked for deceit. We are thus confronted with a totalization of semiotics and semiotic manoeuvres of fraud beyond any other parameter of world experience, be it the sensual, materiality, bodily presence, or social *koinonia*.

This is indeed anticipated in the Turing machine and the so-called 'Turing test' flanking it. The Turing machine provides a model of computability and thus forms a mathematical theory for solving the so-called decision problem. Early on, however, Alan Turing dealt with the question whether machines can think or not;<sup>7</sup> and, instead of an epistemological discussion starting from definitions of human capabilities and intelligence, especially of the human sense for sense, proposed an analogous application of the 'decision problem' and its logic in order to arrive at a 'machine-adequate' answer pertaining to the question of thinking. According to this, what thinking, or intelligence means cannot be decided by itself, but by indirect strategies such as a combat between human and machines, competing against each other in a delimited setting. The experimental set-up is simple and takes as a model a parlour game popular in the 1930s and 40s, which was designed as a question-answer game. By means of a terminal, assertoric questions formulated in writing, which can be answered with yes or no, are sent to a black box in which a human or a computer is hidden, so that a neutral situation of competition arises, which transforms the basic question about machine-thinking into the question, if we can, by receiving a yes or no answer, properly decide if it comes from a human or a machine. If answer seems implausible or oblique or remain unanswered and the decision problem proves to be unsolvable, then, according to Turing, intelligence must be also attributed to the machine with the same right as to the human.

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<sup>7</sup> A. M. Turing, "Computing Machinery and Intelligence," *Mind* 59, no. 236 (1950): 433–60, <https://www.jstor.org/stable/2251299>.

Apart from the fact that undecidability must not be confused with indistinguishability,<sup>8</sup> the test serves to systematically hoodwink us, i.e. to create a situation of pretence that makes us believe that we are confronted with an equivalent form of intelligence. It generates undecidability in order to assert indistinguishability. The Turing test has found popular successors today especially in the context of art and art productions by artificial intelligences. The question is regularly posed *cora publico* as to whether it is possible to decide which ‘work of art’ originates from a human artist and which one from a machine. However, the indifference that often appears in this context does not matter; art is rather a way of thinking, a work of cognition that is always historically situated.<sup>9</sup> The Turing test makes of it a question of appearance, that is, of the mere surface of phenomena. Hence, the dispute between man and machine does not take place; its setting is a marginal side battle that misses the real point just as the Turing test misses the differences between intelligence or non-intelligence.

More to the point, it is striking that digital media, though mathematical machines, obey less mathematical purposes in the social realm than that they are primarily designed to generate undecidabilities and similitudes. Their principles serve for producing aesthetic similarity without dissimilarity. In contrast, classical media of *mimēsis*, be it the perspective representation of painting or the theater, does not aim at simulation at any point, but at fictionalization of scenes and conflicts that possess an exemplary meaning for human existence and that only function if at the same time the context of appearance and its appearances is ruptured through framing in order to make the feign play explicit.<sup>10</sup> The dissimilar hence preceded the similar; it first and foremost constitutes the possibility of *mimesis*. Moreover, the classical techniques of *pseudos* never prove to be complete; rather, they always contain a moment of reflexivity by limitation, whether through explicit dissimilarities or through the drawing of fissures or splits into the practices of illusion.

## 7.

If the linguistic processes of semiosis prove to be responsible for the production of significance, whether it is true or false, and which is accompanied by comprehensive hermeneutics of interpretation and is carried out both discursively and communicatively, it, at the same time and in the same medium, allows for

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<sup>8</sup> Dieter Mersch, “Turing-Test Oder Das ‚Fleisch‘ Der Maschine,” in *Körper Des Denkens: Neue Positionen Der Medienphilosophie* (München: W. Fink, 2013), 9–28.

<sup>9</sup> Dieter Mersch, “Kreativität Und Künstliche Intelligenz: Einige Bemerkungen Zu Einer Kritik Algorithmischer Rationalität,” *Zeitschrift Für Medienwissenschaft* 11, no. 2 (March 1, 2019): 65–74, <https://doi.org/10.14361/zfmw-2019-210109>.

<sup>10</sup> Dieter Mersch, *Epistemologies of Aesthetics*, trans. Laura Radosh (Zurich, Berlin: diaphanes, 2015).

debates about what is considered real or unreal, what is just appearance or ‘true’ and authentic, or what trust, mistrust, reliability, unreliability of relationships mean to us. In the context of digital disruption, however, the manifold and social functions of language and communication are replaced by algorithmic programs that turn the process of social understanding into a technology of mocking and artifact production. If fake, lie or falsehood are intrinsic possibilities of language and semiosis, which have always endangered the social *koinōnia* and have therefore been normatively sanctioned to the same extent that institutions of verification have been formed and handed down – whether through discussion, perception and testimony or the collections of archives and the like –, *simulacra* in the digital, as in the Turing test, is a different mode and a more serious problem, because of its synthetic structure, its ludic nature, its continuous participation in an ongoing game that multiplies ‘pseudologies’ of the visual, the cognitive and the social at will. Not only does technology take the place of language in the age of digitalization, but also the instances of verification – which always invoked a language-other, a heteronomy, in order to subject what is said to a permanent validity analysis on the basis of distancing and difference –; hence, they themselves become part of technology by creation of complete virtual worlds that recursively carry their own validity and verification with them. It is just not only the question of the distinguishability of truth and falsity, but the false and fictitious facts undermine the distinguishability and its verifiability themselves, because they dement ‘as facts’ their own falsity. They imitate, as it were, the facticity of the fact itself and thus the basis of any true-false-decidability. Accordingly, a deepfake insists not only on the staging of deceptively ‘true’ and ‘proper’ false facts in terms of a similarity without the dissimilar, but also on false authentication as facticity, that is its simultaneous contextualization in the realm of its own verification machinery, which makes it appear ‘sound’ or ‘certain’.

The price, however, is a systematic opacity, a confusion without any reason to be confused, even without any chance to demask confusion as confusion, where also all traditional methods of reflection fail. Certainly, one is familiar with similar procedures from fictional genres that seek to hide the character of their fictionality through frame narratives; but these metafictionalities, too, as in the case of theatrical performances, remained for their part bound to wider frameworks and ritualizations that at the same time destabilize of their illusory character. Traditional forms of *mimēsis* break, as it were, at their ‘edges’ to converse its feigned truth and make ‘full’ deception impossible – only then its enjoyment fulfils itself, because joy and reflection coincides. However, the unrestrained digital ludification rest on acting out all possibilities of play without any sense of reflection, and, hence, cognition. By moving below figurations of the *technē rhetorikē* and by transgressing the threshold of perception through digital

*mechanē*,<sup>11</sup> i.e., through media strategies of mocking and subterfuge, the ludic thwart even the possibility of their own unmasking and thus of awareness of its permanent delusion. While reflexivity was constitutive of classical aesthetic practices, the ludic now dominates, in that the deception of the deception, the simulation without the dissimilar, becomes hegemonic in order to erase any kind of verifiability.

We ask, then, what happens in relation to our experience of reality and our social reality when technology takes over the role once held by language, in that it not only made debatable statements about the world that could be true or false, but also constituted social significance, criticism, and transformation. Where technology, which do not proceed hermeneutically and in relation to meaning, but exclusively syntactically and constructively, takes its place, truth withdraws from discussability, and the true-false-distinction becomes an arbitrary masquerade. If, on the other hand, what is said can be questioned at any time through justification, perception and debate, enriched with and provoked by alteritarian understandings, so that diverse media of verification are always in play in order to produce a fragile space of mutual questioning, digital media on the basis of the Universal Discrete Machine, which in principle unites all media of illusion production in itself, form a 'dense simulated world' that constantly affirm and mask itself. Relating to it means, instead of keeping distance, to be engulfed by its immersive power, losing any chance of detachment. Their *hypermimetic* appearance, hence, tends to mix with the sensual experience of a seemingly real to cover it like a skin as a secondary real body. Then, instead of separating truth and falsity by procedures of analysis, verification, and reflection, only similarities reigns without their corresponding antonym. Insofar similarity always stands out against the background of a dissimilarity, consequently the difference collapses, so that also the distinction between primary and secondary reality falls. Appearance, illusion, and deception then no longer possess any actual place, because they cannot be separated from anything, which 'disappoints' the deception and 'disillusions' the illusion. One is reminded of Stanislaw Lem's *The Futurological Congress*,<sup>12</sup> in which the ever more bizarre appearances proliferate abysmally 'behind' the appearances.

## 8.

The development of technology is still far away from this state, as it seems to be questionable whether it will ever be able to reach it, unless the finiteness of technical recursivity and repeatability could itself be 'infinitesimalized' and

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<sup>11</sup> Mark B. N. Hansen, *New Philosophy for New Media* (Cambridge, Mass. London: MIT, 2006).

<sup>12</sup> Stanisław Lem, *The Futurological Congress (from the Memoirs of Ijon Tichy)*, 1st Harvest/HBJ ed (San Diego: Harcourt Brace Jovanovich, 1985).

‘singularized’. The ‘infinitesimalization’ of discrete units is necessary for designing perfect simulation, however it fails at a never-ending approximation-process, which cannot go ‘far enough’ in order to converge with identity between map and territory. However, the map never covers the territory, therefore we are confronted with the same paradox already mentioned, that the infinitesimalization of the discrete requires media that cannot be infinitesimalized in itself. Rather, the means and structures of production always shine through the media of construction, so that at least the differences between reality and artifact and authenticity and artificiality remain.

And yet, in this impossibility of a successful *perfectio*, an ideal is formulated in which the actual goal of technology guided by the registers of a similarity without the dissimilar emerges. It aims at the production of identity, at the abolition of differences, which itself still follows a metaphysical impetus, which, despite all technical deconstruction and over-forming, cannot be exorcised. For the doubling of reality, the indistinguishability of original and copy, tends to turn the “apparent world”, as Friedrich Nietzsche would have put it, into the “true reality”, melting the material world like snow in the sun, which necessarily remains (at least as ‘melted water’). Accordingly, making the secondary world identical with the primary one constitutes the ultimate fulfilment of the technological project of ‘digital appearance’. It leads in turn to the complete opacity of both the technical and the material, which strives to veil itself *as technology* and to make its constructivity and mediality (and its undestroyable materiality) disappear.

The analysis through language can do little or nothing against it: The richness of its capacity for differentiation is hardly sufficient to adequately decipher and criticize the intended technical confusions. Obviously, the linguistic category apparatus and the technical levelling behave as contradictory to each other. The unwieldy discursive terms are able to develop a certain resistance – at the price, however, of a permanent relapse into systems of difference that threaten to lose their validity in the digital and become anachronistic. This is also true for the theses at hand, which constantly have to entangle themselves in aporetic formulations in order to give adequate expression to the shattering power of a virtualization aiming at a hypermimetic similarity without dissimilarity.

## 9.

What remains under these circumstances of the always also linguistically and communicatively mediated *humanitas* can only be gauged from this aporetic situation. It can be extracted paradigmatically in particular from the state of artificial intelligence-research. For in addition to the generation of *simulacra* and the duplication of the real, it is heading, among other things, toward the corresponding point of formalizing the ability of differentiation as produced by

linguistic judgment through an automatic evaluation. To the real deception is added the judgment deception. Artificial intelligence programs are indeed devised for a wide variety of purposes, but a not insignificant part of their use in social media serves to produce fakes and simultaneously authenticate them as ‘real’, ‘authentic’ or ‘true’. If the distinction between truth and lie or being and appearance requires reflexive judgment, which is an essential domain of human thought, its formalization again allows the play of its ‘indifference-emergence’ by exchanging the two as egalitarian marks (*marques*). Whatever can be understood by ‘thinking’, its human provenance always includes the possibility of a thinking of thinking, which is not to be understood recursively in terms of a formal gradation of object- and meta-levels, but oscillatorily as the uninterrupted entanglement between *genitivus subiectivus* and *obiectivus*. However, in digital media it is solely modelled as recursive iterability and thus misses the point because its recursivity turns it into an abysmal authentication that stages its mutual versification and thus becomes impenetrable as constant play between object- and meta-level.

Even more: If, for its part, language advances to become the model of artificial intelligences, as in *ChatGPT* and other LLMs (Large Language Models), which imitate semantical comprehensivity and the grammar of judgment, and with it the capacity for formal reflection through probabilistic parameters of the continuation of sentences, the thinking of thinking is also mimicked in such a way that meaningless auto-recursive structures emerge that at best sound or look like statements about statements. They launch precisely what classical rhetoric operated as the depravation of conviction into persuasion, for LLMs do not seek to convict through argumentation, but rather employ the ‘art’ of persuasion through strategies of statistical plausibility. In this way they reduce the thinking of thinking and its genuine reflexivity to seemingly plausible proposition contexts, which merely seem to rely on proved data and information, even if they sometimes ‘invent’ these more brazenly than it would be possible for human liars. For ‘plausible sentence contexts’ have at best syntactically formulated illusory semantics; they do not ‘form’ meaning in the sense of overarching understandings of the world as correlates of *koinonistic* social realities, which is why there remain always ruptures and strange leaps in their discursive settings and narratives. And yet they imitate meaning that we believe in, and capture us.

In contrast, the maintenance of the difference between truth and lie, although not universally justifiable, occupies an important place in the organization of social relations, because, like the other differences such as between right or wrong, justice or injustice, or trust and mistrust, it involves a central ordering function. That is why we speak of indispensability; that is also why its violation is sanctioned. The fragile structures of trust break down where the lie becomes notorious or even cynical, i.e., when, indifferent to its devastating social consequences, it serves solely for one’s own narcissistic advantage or for the

autoreferential affirmation of appearances. The taboo of the lie is, thus, not subject to any inexorable moral law, as demanded by Kant's "Categorical Imperative", but in the long run its unhesitating use makes any relationship impossible, so that it attacks and erodes the very foundations of the social. Therefore, in the political reality of archaic societies, fidelity, as constitutive of social trust, was among the first and most important commandments, because only where trust prevails can stable relationships be established, just as, conversely, deception, infidelity or betrayal negate the social itself. But where appearance, virtuality or pretence becomes ubiquitous, where the distinction between truth and falsity or integrity and truthfulness in relation to forgery becomes impossible, not only trust and reliability disintegrate, but also the architectures of the social itself. The danger of rampant fakes and falsehoods lies not in the bending of the truth, but in social vandalism and self-destruction.

## 10.

Instead of an ontological or epistemological concept of truth, which is exclusively bound to discourses and arguments, another concept of truth and truthfulness, oriented to sociality, would therefore have to be used,<sup>13</sup> because the distinguishability of truth, falsity or lie does not refer solely to facts, to the perceptive presence or participation in understandings of the world that cannot be questioned, but in most cases to statements of others, the communicated content of information or reports of 'third parties' (*terstis*), which, as it were, secondarily vouch for the knowledge of the world. Their truth status is fundamentally different from the ontological or epistemological one, because its verification is not primarily bound to facts as criterion, but always already socially and morally terminated. The procedure of social communication as statements authenticated by others and accepted as 'true' is thereby the 'testimony', as also C.A.J. Coady has worked out,<sup>14</sup> who first introduced the concept of its "social epistemology".<sup>15</sup> In it, social philosophy, epistemology, ethics, and alterity intertwine.

The thesis is then, that testimony has a far more fundamental status than mere analytic or propositional truth gained by proof, even if the philosophical tradition in its orientation towards the ideal of mathematics has postulated it just the other way around. For testimony, not only with reference towards a socially accepted knowledge, but also as a means of verification and moral instance,

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<sup>13</sup> Emmanuel Lévinas and Philippe Nemo, *Ethics and Infinity* (Pittsburgh: Duquesne University Press, 1985).

<sup>14</sup> Michael Welbourne and C. A. J. Coady, "Testimony: A Philosophical Study," *The Philosophical Quarterly* 44, no. 174 (January 1994): 120, <https://doi.org/10.2307/2220156>.

<sup>15</sup> Sybille Krämer, Sibylle Schmidt, and Johannes-Georg Schüle, eds., *Philosophie der Zeugenschaft: eine Anthologie* (Münster: mentis, 2017).

belongs, along with trust, reliability, care, and justice, to the basic constituents of social existence. Of course, the situation of interdependence arises here, for testimony cannot be examined in its veracity independently of an epistemological concept of truth, just as the latter, conversely, must invoke the various social forms of testimony, for what we know and accept as arguments appear to us neither valid from proof nor given solely by our senses or experiences, but rather by the knowledge of others, which we invoke as testimony. Thus, the notion of ‘testimony’ denotes a bond. It only exists ‘in relationships.’

However, one has to distinguish between different concepts of testimony. Not only does the testimonial, which already in its concept addresses the ‘third party’ as the ‘other of the other’ and thus as a genuine social instance, mean something different from the martyrs’ testimony of faith, and not only does eyewitness testimony in court have a different impact as the historical testimony taken from the archives as a source, but testimony is also linked to an entire field of practices, such as ‘manifesting’, ‘showing’, ‘confessing’, ‘professing’, or ‘attesting’, which each reveal new and different nuances and connotations in its understanding, all of which demonstrate different social functions of witnessing. Aleida Assmann has distinguished four categories, namely ‘historical’, ‘juridical’, ‘religious’, and ‘moral’ testimony, whereby both, historical and juridical testimony have epistemological significance and are part of a complex body of evidence that is valid solely when its testimony has been pluralized and accredited by a panel or auditorium.<sup>16</sup> In doing so, the auditorium – or public community – may err, but the error is initially irrelevant to the status of the testimony as a social reality. The historical source as well as the archaeological testimony are material in nature: as text or trace, they function as arguments that show themselves, while the false testimony is punished in court like perjury, which at the same time underlines the high social reputation and responsibility of testimony. Unlike lying, which has consequences primarily for individual social relations that are tangentially affected by it, feigned or imputed testimony is punishable because its abuse does not primarily hurt the truth-false-distinction but undermines the juridical system itself. Framed by laws and regulations, testimony thus acquires the character of a social institution. In contrast, religious testimony is always individual, to show oneself responsible solely before the belief in the ‘very other’ of a divine authority. It thus resembles a higher confession, from which at the same time an existential meaning speaks, which in turn Michel Foucault, with the reconstruction of *parrhesia*, has, as it were, placed at the side of the secular form of an ‘authentic truth-speaking’.<sup>17</sup> It embodies the emphasis of a ‘Here I stand, I can do no other’

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<sup>16</sup> Aleida Assmann, “Vier Grundtypen von Zeugenschaft,” in *Zeugenschaft Des Holocaust: Zwischen Trauma, Tradierung Und Ermittlung* (Frankfurt a.M.: Campus Verlag, 2007), 33–51.

<sup>17</sup> Michel Foucault and Frédéric Gros, *Discourse and Truth and Parrhesia*, ed. Henri-Paul Fruchaud and Daniele Lorenzini, trans. Nancy Luxon (Chicago London: The University of Chicago Press, 2019).



that literally engages with one's own bodily existence. It would finally be contrasted with Avishai Margalit's "moral testimony",<sup>18</sup> as developed in the course of the Holocaust debates in the 20th century, which emphasizes responsibility not only for oneself and one's own beliefs, but above all for the victims, as it were to vicariously restore justice that has been suspended.

## 11.

Hence, testimonies have many facets and faces according to their social function as they remain indeterminate in their character of truth. No testimony is self-evident; rather, it is contestable and requires interpretation and recognition. No testimony is able to prove or to substantiate itself, but witnessing only becomes proof where it has passed through a continuous process of mutual acceptance, whereby every testimony proves at every moment to be again susceptible to dissimulation and pretence. And yet, the notion of testimony manifests the necessity of the sociality of truth to point, as a fragile substance, to the core of what, in a real sense, constitutes the social trust and gravity of *koinonia*.<sup>19</sup> In other words, in testimony truth becomes social, just as at the same time testimony denotes the social face of cultural truth-practices, which do not appear to be discursively verifiable alone, but are vouched for above all by the entirety of the human being, his existential embodiment, the specific interplay of his origin, perception, corporeality, language, education, moral, or social behaviour, in order to be ceaselessly questioned, negotiated and authenticated anew.

Postfacticity and the indifference of truth and untruth – this is the quintessence of the present considerations –, accordingly shakes our social existence because it violates not so much 'truth' and its epistemological distinction from falsity as witnessing and the character of second-hand testimony (*Zeugenschaft*). Sociality itself, then, is hurt and becomes impossible. We therefore contrast the social instance of testimony with the ravages of postfactual de-differentiation between fictionality and factuality. Hence, the danger of the postfactual consists not so much in the loss of a consistent understanding of truth or any criterion of true-false-distinctions, but in the denial of "social epistemology" associated with testimony, the destruction of which simultaneously destroys the foundations of a socially terminated knowledge and with it of social communication and collaboration as such. Accordingly, the acceleration of the fake – and in specific systematic confusions of deepfake – in the age of digital media would not be met by a forced rationalization or a new form of enlightenment, as it relies, for example, on digital forensics (which still rely on

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<sup>18</sup> Avishai Margalit, *The Ethics of Memory* (Cambridge, Mass., London: Harvard University Press, 2004).

<sup>19</sup> Dieter Mersch, *Humanismen und Antihumanismen: Kritische Studien zur Gegenwartsphilosophie* (Zürich: Diaphanes, 2023).

the belief in circumstantial evidence and by this reduplicates the problem); rather, it is a matter of re-sharpening the sense for social recognition as background of our convictions and thus averting the catastrophe of trust-destruction in a shared social reality. This means not so much launching automatic procedures and, consequently, technical solutions to a technological problem, but rather the creation of another space of publicity beyond its digital fabrication, with a specific sense for the necessity of restriction of free speech as a fetishism, possibly through ‘social’ media worthy of their name in the first place. Hence, digital media are not sufficient in forming a true public sphere, rather, practices of the public should explicitly not be based in the anonymous formal structures of the digital, but in the ethical presence of testimony as a condition for trust.

For this reason, the question is not what a number of contemporary philosophers, software-entrepreneurs, computer engineers and artists in a recent moratorium are urgently warning against, that artificial intelligences are capable of destroying humankind; but rather that we are destroying ourselves in our social abilities and self-understanding through them insofar as the true ‘meaning’ of *humanitas* is evaporating into a series of formally generated illusory understandings and, by robbing ourselves of the testimonial character, at the same time digging out our own social possibility of existence. In contrast, meaning is based on distinctive capacities such as those inherent in judgments, whereby the difference between truth and lie or right and wrong are embedded in a complete social system of other oppositions such as just and unjust, reliability and unreliability, as well as fidelity, trust or – as ultimate contrast – paranoia, which are among the cardinal, socially relevant distinctions that cannot be dispensed with. It is due to an equally ontological and epistemological prejudice of philosophy to derive these distinctions solely from reason and thus rationalizations and to counter the rampant paranoia with arguments instead of referring it to the pragmatics of the social, in which testimony and justice (even more such as reliability, fidelity, belief and so on) assume essential functions of a corrective. Accordingly, truth and falsity or being and appearance do not disintegrate dichotomously, rather their deconstructive destabilization concerns only the failure of a sufficient standard of their judgment (justification) – but this does not mean that their differentiation is not necessary, that it is practically impossible, or that, in the state of the post-factual, so to speak, they cannot even be kept apart casuistically.

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