

Speech Anita Allen | Imagine an unimaginable future

Science is indeed under pressure. Among the types of pressure science faces is ethical pressure, relating to the rise of technologies. In this regard, I want to share some thoughts about what I will term “unimagined and unimaginable” futures.

Let’s think about unimaginable futures. At the moment of my birth, in 1953, it would have been impossible to predict that I would be the recipient of such an honor as the one I have been given today here in the Netherlands. I did not come from an educated family. My parents were not university graduates. In fact, they were not even high school graduates. They left school at about age 15. My mother was pregnant by that time. Both she and my father had to find a way to earn a living. It was the period of strict racial segregation in their home town of Atlanta, Georgia. They lived in poverty, in crowded houses on unpaved streets, without indoor toilets. They had few options. My father took a job loading trucks and my mother worked in a restaurant kitchen. By age 19 my father had joined the US Army and there he made a good career. But who could have guessed in 1960, or even 1970, that one of their six children would grow up to be a philosopher and a lawyer, helping to leading a great university and nation?

Another unimaginable future: at the moment I became a philosopher and a lawyer in the 1980s, it would have been impossible to imagine that I would live, like you, in a deeply digital age. That there would be something called an internet and a world wide web available to the general public! That just about everyone would own personal computers, notebooks, or digital watches with software and hardware created by companies called “Apple” and “Microsoft”! That most everyone would carry small mobile telephones and live in homes with something called “Wi-Fi” linking an “Internet of Things”! That people would interact with friends, families and businesses through media with cute names like “Twitter,” “Instagram” and “What’s app”! That information would be at our fingertips and almost for free, using technologies conceptualized, metaphorically, as “search engines”! That our consumer and political behaviors would be surveilled, manipulated and predicted by algorithms.

Unimagined and unimaginable futures happen and collide: the black child of Georgia teenagers unimaginably became a philosopher and a lawyer whose principal interest for the past thirty-five years has been moral and ethical implications for personal privacy of once unimaginably pervasive technologies that are shaping basic science, medicine and everyday life.

Ethical novelty introduced by technological innovations leaves us uncertain about how best to live and govern. We are thus ethical trailblazers, bound to traverse perilous terrains of technology, some mapped, much unmapped. If we are to live ethically and with integrity, we need to do traditional good, like refraining from dishonesty and theft. But with skill, knowledge and resources we must strive to be both intentional about the scientific design and use of technologies; and creative in exploiting technology’s powers to advance human good-- basic welfare, dignity, equality and freedom for all peoples.

Lately I have focused on four things in my work. First, why it matters that certain privacies face extinction; second, whether privacy rights protected by our laws are fundamental or only optional; third, whether individuals still have meaningful ethical responsibilities of self-care relating to their personal information; and fourth, and most recently, whether artificial intelligence is more of a threat to a free world than a savior to such a world.

The once unimagined privacy and data protection needs associated with technology cry out for attention all over the planet. As you know the United States of America (US) is behind the EU and the Netherlands in addressing these needs through legal regulation. About this time last year, I spoke in Brussels on the occasion of the EU Data Protection Commissioner's annual meeting. I was not optimistic then about the US ever adopting adequate federal privacy and data protection regulations.

But today I am glad to offer a ray of hope that formerly unimaginable national regulation will be adopted in the US. There are signs that the unimaginable will happen. I will mention two. Sometimes dramatic state and local developments precede federal action. State and local governments are moving aggressively to regulate digital technology. California has a broad state data protection law now, and several years ago adopted data breach laws that caught fire and were adopted in states across the country. I did not expect the USA would turn its back on real-time facial recognition technology. But on the state and local levels, the unimaginable is happening. San Francisco, California has prohibited the use of facial recognition by police and city agencies. Oakland, CA, Berkeley, CA and Sommerville, MA have all adopted similar bans. Proposed ordinances in Portland, Oregon would ban the use of facial recognition by the private sector, as well as by government. The State of California has recently banned state and local law enforcement from using body cameras equipped with facial recognition technology. There is currently a bill pending in the Massachusetts state legislature that would place a moratorium on government usage of facial recognition systems until adequate privacy and security safeguards are in place.

The unimaginable is happening in our Congress. Just a few weeks ago, a bill was introduced into Congress by two Silicon Valley Congresswomen, Anna G. Eshoo (CA-18) and Zoe Lofgren (CA-19). This proposed comprehensive law, called the "Online Privacy Act of 2019," would bring the US quite close to the high EU standard set by the General Data Protection Regulation (GDPR); and at the same time it would create a brand new, well-funded and staffed federal agency to serve as the official central data protection authority of the United States. If this Act passes, no longer will the US be the only OECD country without an official central data protection authority. A Digital Privacy Agency was once unimaginable in my home country. Now however, we can begin to hope. And we must begin to hope, because the ethical demands of the digital age require that science, government, business and individuals each do their parts to protect us from the perils to freedom and privacy spawned by digital age technologies.

My personal history as an African American woman is one of previously unimagined success and is a ground for optimism. Recent legal developments in the USA, applauded by scholars and policy advocates, were once unimagined and unimaginable. But now seem almost inevitable. This is grounds for another kind of optimism. In conclusion: thank you Tilburg University for recognizing me with this honor, and through me also recognizing that science creates new forms of life that can both improve and threaten our freedoms. The pressures of contemporary science include ethical and political pressure to invent and innovate responsibly; and to support protective legal and moral regulation, for all of humanity.