

Technology or freedom of thought?

With her experience as a human rights barrister and legal pioneer in digital human rights, Susie Allegre, author of *Freedom to Think, the Long Struggle to Liberate our Minds*, brings a thought-provoking legal dimension to the areas of digital privacy, influence, and mental freedom. **Emily Hough** reports

The *Crisis Response Journal* has covered many of these issues before, mainly in terms of PsyOps, propaganda, radicalisation and online security, and this book is a welcome but sobering addition to the relentless accumulation of research and material that show just how far down the digital rabbit hole humanity has fallen, how unthinkingly we have embraced online services with little thought to what we are consuming, and how hard it will be to extricate ourselves and ensure a more secure, steady future that is less polarised and not geared towards negativity and hatred.

This book begins by exploring the concept of freedom of thought: “Human rights are not new. Over the centuries, human rights and fundamental freedoms were developed primarily to rein in state powers... In recent years, as the line between the public and private spheres of life has blurred, the importance of human rights to restrain corporate reach into our lives has become increasingly important.”

The author explains how human rights law guarantees freedom of thought, conscience, belief, and opinion in three ways: We must be able to keep our thoughts and opinions private; we must be able to form our thoughts and opinions free from manipulation; and we must never be penalised for our thoughts or opinions.

However, ways to get around these basic rights are evolving: “Today, these techniques are increasingly being adapted and used by artificial intelligence (AI) to try to understand when people are thinking dangerous thoughts and to neutralise them before they can act.” Alegre describes the sliding scale between lawful persuasion and unlawful manipulation and, echoing previous book reviews and interviews in the *CRJ*, notes that: “The modern-day threat to our freedom of thought comes from global business as much as it comes from totalitarian states.” She warns of the pernicious effects of propaganda and surveillance capitalism in detail and describes how technologists and ethicists have: “Begun to sound alarm bells about the potency of distraction in the digital world.” (See *CRJ* 17:2, *Stolen Focus* review).





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Alegre turns to the dangers of AI inferences being drawn from online behaviour: in other words, automated profiling of personal attributes on a massive scale. It is virtually impossible to avoid leaving traces that can be used to profile and even punish you: “The way these inferences are made and used is beyond our personal control. It needs serious laws and effective regulation to draw the lines around what is acceptable...”

She discusses the dangers of surveillance advertising, particularly for teenagers and young adults: “Who are particularly vulnerable to the hurt of social exclusion.” She highlights a 2021 *Reset Australia* report that showed how it was able to purchase advertising slots on Facebook to target teenagers with adverts based on their identified vulnerability to extreme weight loss, gambling, and online dating with wealthy older men. “The scale of the problem is utterly unimaginable,” she comments.

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Neuropolitics is examined, along with behavioural microtargeting. The developments are ominous, and legal and democratic counter-enforcement measures lag behind or are even being embedded by legislatures in some countries. “Law provides the guardrails around the kind of societies we want to live in,” Alegre comments: “But the law has so far been slow to respond to the existential threats posed to our democratic systems by the rise of neuropolitics, behavioural psychographics, and microtargeting in political campaigning.”

Another disturbing area that the author explores involves online dating sites. “As we increasingly love, connect and express ourselves digitally, inferences are being made on a constant basis about our inner lives.

“And the potential consequences of those inferences being shared in a world where people are still attacked, imprisoned or sentenced to death for who and how they love should never be underestimated... once inferences are made about our inner lives, it is extremely hard to know what will be done with them.” She raises the case of Clearview AI as an example, warning that: “If you’ve ever posted a photo of your face online looking for love, there’s a fair chance your photo was used to train a machine to identify people’s political opinions without their knowledge.” Even worse, Alegre cites a 2017 study that claimed AI could predict sexual orientation based on a photo of a person’s face.

‘Social credit’ is another area and the book refers to the Chinese State Council’s 2014 announcement of plans for national scores on trustworthiness for individuals based on: “A complex set of data extracted from a wide range of sources, including information about wider family and social connections, as well as your own behaviour.” A national score would dictate access to services, jobs, and opportunities and: “Give priority to those people who most chimed with the official Chinese system.” It is unclear how far this has been implemented – though the scale of surveillance on certain religious groups or political dissenters can be guessed at through the numbers of people interned in political-

education camps. However, Alegre warns that it is not only in China that a person’s social credit score could affect their travel plans if the: “Algorithm doesn’t like you, or your friends and family.” Digital ‘strip searches’ of devices, associations with people under investigation by the authorities, social media histories, and more, can already affect border control officials’ views of whether you are undesirable.

Facial recognition technology has chilling implications for human rights; loyalty cards, credit scores, and the role of big data and algorithms are unpicked in this book, examples of social welfare problems whereby algorithms mistakenly made determinations of fraud: “People’s lives were destroyed because the data suggested they were dodgy, and nobody thought to check why.”

Unsurprisingly for a book written by a legal expert, crime and policing bias are heavily scrutinised. “The slide into ‘pre-crime’ and predictive policing that uses data and artificial intelligence to identify risk as the basis for arrest and prosecution is gathering momentum, propelled by technologists’ claims that they can see inside our souls to understand who will commit crimes before they even happen. And the result is not less bias, but automated bias served cold at scale,” Alegre says.

She is unequivocal: “Predictive policing and morally invasive techniques that claim to be able to get inside our heads are a basic threat to our dignity. There is a very real and pressing need to draw red lines around the kind of tactics and techniques that must never be allowed. We need to consign facecrime and thoughtcrime to the realms of dystopian fiction for good.”

Practical steps

Among all of the issues outlined above, along with the need to protect the digital rights of children to play and grow in safety, and the ‘monstering’ of human rights in the face of terrorism, radicalisation and polarisation, what is the way forward?

“We might not know where the limits of absolute protection in human rights law should be, but a good rule of thumb is that if it feels wrong, it probably is. Reading our metadata to understand where we are most vulnerable to a sale; using insights about our anxieties and our potential for addiction or criminality to manipulate or judge us; looking into our brains to know how we might vote or how guilty we feel; judging our political or sexual preferences based on our faces – all of these developments feel very, very wrong.”

Among the legal and ethical aspects, the first step must be on an individual level. The author admits that: “Addictions are hard to admit to and harder to beat... But it is our dependence on our devices that feeds the beast of surveillance capitalism.” She lists practical steps to assess and then manage relationships with technology, along with organisations that are committed to exposing and helping to tackle these problems. The bottom line, she says, is that everyone has a part to play, however large or small.

“The freedom to think for ourselves is what makes us human. Once we lose it, we may never get it back.” 

■ *Freedom to Think, The Long Struggle to Liberate Our Minds* by Susie Alegre, is published by Atlantic Books, ISBN: 978 1 83895 152 8.

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