

**Remarks from CDT President & CEO Nuala O'Connor
Delivered at “Celebrating Our Digital Rights”
January 19, 2017**

Welcome to so many friends, old and new. When I was looking over the list of RSVPs for today’s gathering, I remarked on what an eclectic group of partners we have.

It’s an important time in our country, and I know that some of you are here to celebrate; some of you are observing the peaceful transfer of power; and others are preparing to protest tomorrow and march on Saturday. The truly great thing about this country is that we have the freedom to do any and all of these things, and still be in this room together. I’m proud that CDT is once again bringing diverse viewpoints together.

Almost a quarter-century ago, the Center for Democracy & Technology was founded on the principle that individual citizens are entitled to a boundary, a zone of privacy around the most personal details of their private lives: their relationships, their communications, their habits. This boundary, particularly the boundary between self and state, animates my personal advocacy and is at the core of my belief system about the role of government, and frankly, technology, in our lives. This belief - that individuals are entitled to a private space, away from prying eyes, especially those of government actors – remains one of the fundamental underpinnings of who and what CDT is today.

And let me say a little about the CDT of today. We are, and have always been, a deeply wonky, think-tank advocacy organization. We have always been willing and able to partner with industry and government and academics of all viewpoints and political persuasions, working towards practical solutions in technology policy. We are not given to hyperbole or name-calling or grandiose statements. We pride ourselves on technical accuracy and legal discipline. Our best work is done, frankly, out of the limelight, in conference rooms and libraries and technology labs, where the hard work of research and writing and testing and analysis – and, very importantly, compromise, happens. We strive for actionable policy that respects the primacy of the individual, but also that allows companies to flourish and government institutions to execute their appropriate roles. I believe these values – of trust, of deep thinking, of partnership – will continue to have currency. They are our brand; they are our offering to the policy ecosystem.

WHERE ARE WE

This is, quite simply, an emotional time, especially here in Washington. A sentiment I hear repeated frequently is “I just don’t know where I fit in now, in this new ecosystem, in this new world order.” All of us, of any political stripe, are wondering what the next four years will bring.

We may not agree on the outcome of this election, but at our core as Americans, I believe we agree on a number of things. Most essentially, I believe we have a shared vision of the American ideal,

and the necessity of participating fully, in civil society, in civil discourse, in civic duty.

As with any ending and new beginning, it is worth stepping back to reassess, to review, and to reestablish first principles. And much that we have seen in this country has caused us to question what is law, what is principle, and what is simply convention, and why these matter.

WHAT WE STAND FOR

So let me share a few of what, for CDT, are our first principles.

We believe that the internet and internet-enabled technologies are a force for good in people's lives. We herald the advances in so many disciplines – healthcare, education, the environment – that benefit from new and emerging technologies. We are encouraged that technology could create a more inclusive community - one that is more equal and equitable, regardless of race or gender or class or geography. These are promises of technology and its democratic – small D – ideal.

We believe that individuals are entitled to dignity, and that digital dignity means a zone of privacy around an individual's most private thoughts, communications, and digital daily lives. As the profound advances in the Internet of Things – enabling homes, cars, classrooms, so much of our lives – gather more and more information about us, we believe that companies must facilitate privacy – through design and through policy. As the boundaries around our traditional private spaces become more permeable, law and policy must reassert these boundaries in new ways.

We believe that freedom of speech – whether by private citizens or by the Fourth Estate, is an essential right, and also necessary for a free and open internet and a fully functioning democracy. The bar on censorship must remain extremely high – whether that is government action or government action facilitated – knowingly or otherwise – by corporate partners. And both the protections for – and the responsibilities of –journalists in the digital age must be re-affirmed.

We believe that internet-enabled lives should not be subject to ubiquitous government surveillance; that simply the advent of the ability to collect mundane and intimate information does not mean that the government should do so. We understand that the threats are real, but we do not cede control of our personal communications to an all-knowing government. The risks of such a relationship with the government far outweigh the perceived rewards, and the potential for abuse is simply too great.

WHY THIS MATTERS

These freedoms – freedom of speech, freedom of association, freedom of thought, of movement, of being - these are the freedoms I believe most of us hold dear. And why? Why do these matters?

I believe that a zone of privacy is not only essential to one's personal growth and development, I believe it is in the private spaces where great thought, and innovation, and collaboration occur. And I also believe there are tangible benefits for our country, our economy, in according individuals the dignity that is afforded by a respect for personal privacy. We will continue to attract the best and the brightest, and to encourage innovation and creativity and growth. Not by shutting down thought, but by supporting it.

And why free speech? Even when some of that speech is harmful? Because I truly believe in the marketplace of ideas. That we are richer as a society for hearing all viewpoints, being able to withstand criticism, not by shutting down, even those most difficult, because we are strong enough to withstand criticism. We are reminded just days ago that the example of Dr. King – that in his own time, his speech was viewed by some in power as radical and disruptive, but it profoundly changed the world for the good.

And why worry about surveillance? Because knowledge is power. And knowledge of an individual's daily life, even so seemingly mundane as how much energy or water is used by a particular household, can be used by the state to deprive of liberty or benefit. Just ask the defendants in the Kyllo case, or in the recent Echo/smart home case in the Midwest.

WHAT ARE WE GOING TO DO

We have a rich and varied agenda for 2017, and we will share with you the document that we have shared with the incoming Administration on tech policy priorities. So let me share with you just a few of the biggest themes:

1. Combating inequality. Through our work on algorithms, we are working to ensure that technology is employed and deployed in a way that reduces, rather than reinforces traditional points of disparity.
2. Surveillance. We will continue the fight to limit government intrusion into our daily lives, whether standing firm on end-to-end encryption, renewing the call for ECPA reform, or working to reform section 702 of the Foreign Intelligence Surveillance Act.
3. Freedom of expression. We will continue to work to protect the individual speaker around the world, and to limit government censorship in its many forms, regardless of how unsavory the fact patterns may be.
4. Community. We will work on the macro and the micro issues of community: Where technology has been an economic disruptor, what role should it play in bringing people to other forms of work, where it has played a role in facilitating hate speech or chilling other speakers, what responsibilities do we all have?

CLOSING



And so let me just close with the reflection that an essential tenant of democracy – one that is deeply embedded in American law, and recognized in some places around this globe - is that the boundary between self and state is a strong one, and is only pierced for the most essential reasons. That in our country, power flows from the people, to the government.

While at CDT we do recognize there are valid reasons for government intrusion – for example, limited law enforcement and national security missions, the smooth and swift carriage of justice - we believe the presumption of privacy always – always – weighs in favor of the individual.

This belief is unwavering and this mission is undaunted, no matter who occupies positions of power in Washington or other world capitals. The hallmarks of a true democracy include a recognition of the primacy of citizens over their elected leaders or even their institutions of government.

We all in some way signed up for this great experiment. Not to be ruled by power derived from deity or monarch, but from ourselves. To quote the pundit Terri Eckerbarger, it is quite possible that “We have the democracy we deserve.” I am certain, however, that one outgrowth of this recent election will be greater civic engagement from individual citizens of every viewpoint and vantage point.

We look forward to continuing our work, protecting and advancing digital liberties through practical and pragmatic solutions. We ask you to join us in this work and in this civic engagement.

But first I ask you to enjoy the rest of this warm gathering, and leave you with a line from the great masterpiece, Hamilton:

“Raise a glass to freedom.”