Our world and the people within it are increasingly interpreted and classified by automated systems. At the same time, automated classifications influence what happens in the physical world. These entanglements change what it means to interact with governance, and shift what elements of our identity are knowable and meaningful. In this cyber-physical world, or ‘world state’, what is the role for law? Specifically, how should law address the claim that computational systems know us better than we know ourselves? Monitoring Laws traces the history of government profiling from the invention of photography through to emerging applications of computer vision for personality and behavioral analysis. It asks what dimensions of profiling have provoked legal intervention in the past, and what is different about contemporary profiling that requires updating our legal tools. This work should be read by anyone interested in how computation is changing society and governance, and what it is about people that law should protect in a computational world.

Jake Goldenfein is a Postdoctoral researcher at the Digital Life Initiative at Cornell University and a lecturer at Swinburne Law School. A law and technology scholar exploring governance in computational society, Goldenfein has published across disciplines, with work appearing in Law and Critique, the Columbia Journal of Law and Arts, the Internet Policy Review, and the University of New South Wales Law Journal.
Monitoring Laws

PROFILING AND IDENTITY IN THE WORLD STATE

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