

MIREILLE HILDEBRANDT

What?

Research Chair 'Interfacing Law and Technology'

- Vrije Universiteit Brussel
- Faculty of Law and Criminology

Chair of 'Smart Environments, Data Protection and the Rule of Law'

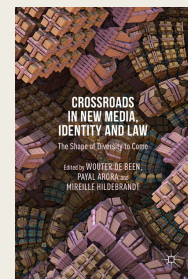
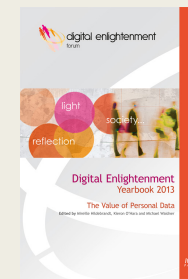
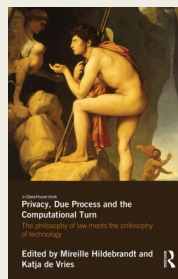
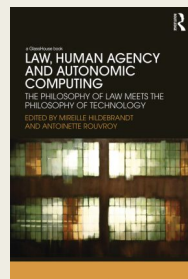
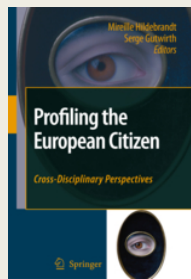
- Radboud University, Nijmegen
- Faculty of Science

Who?

- Live in Leiden (stay in Brussels), work in Brussels and Nijmegen
- First stint at anthropology [prolonged stay in India with in-laws, formative years]
- Law, philosophy [LLM, PhD]

Done and doing

- Co-edited:
- **Profiling the European Citizen** (Springer 2008)
- **Law, Human Agency and Autonomic Computing** (Routledge 2011),
- **Privacy and Due Process after the Computational Turn** (Routledge 2013),
- **Information, Freedom and Property** (Routledge forthcoming)
- **Human Law and Computer Law** (Springer 2013)
- **The Value of Personal Data. Digital Enlightenment Yearbook 2013** (IOS 2013)
- **Cross-roads in New Media, Identity and the Law** (Palgrave 2015)



Done and doing

■ EU funded projects:

- *Future of Identity in the Information Society (FIDIS)*
- *Security Impact Assessment Measures (SIAM)*
- *Epistemic Networks (EPINET)*
- *User Empowerment in Online Social Media (USEMP)*

■ Belgium Science Foundation:

- *Responsibility of the sciences and scientists in a democratic constitutional state*
- *Law and Autonomic Computing: Mutual Transformations*
- *Contextual Integrity and the Proliferation of Location Data*

Done and doing

- USEMP, see <http://www.usemp-project.eu>
- Building the **DataBait** tool:
 - *A plug-in to collect browser behaviours*
 - *A plug-in between Fb and the user to collect behavioural data and postings*
 - *A plug-in **that informs** the users what privacy dimensions can be inferred from their behaviours and postings (profile transparency)*
- A **DLA (data licensing agreement)** that engages the user as a participant
- **Algorithms to infer privacy risks** are trained on the collected data + various publicly available databases with user data + interviews and focus groups

Done and doing

- Expert advice on Legal Protection by Design in Smart Grids
http://works.bepress.com/mireille_hildebrandt/42/
- Numerous publications in e.g. Computer Law & Technology Review; The Modern Law Review; University of Toronto Law Journal; Critical Analysis of Law; Legisprudence; Criminal Law and Philosophy; New Criminal Law Review; Science, Technology and Human Values, TECHNE, Philosophy and Technology, and so on

Done and doing

- Founding Member of the Digital Enlightenment Forum
 - <https://digitalenlightenment.org>
- Onlife Initiative European Commission, Digital Futures
 - <https://ec.europa.eu/digital-agenda/en/onlife-original-outcome>
- Netherlands Journal of Legal Philosophy
 - *Editor-in-Chief (2012-2015)*
- Criminal Law and Philosophy
 - *Associate Editor*
- Critical Analysis of Law
 - *Editorial Board*

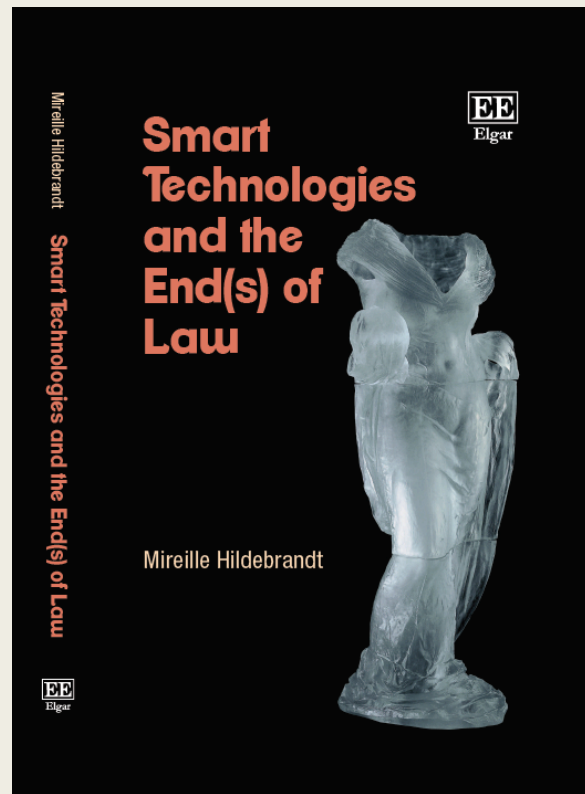
focused on?

- Nexus of philosophy of law and of technology
- Phenomenology, hermeneutics, pragmatism
- Focus on smart technologies
- **Shifting focus from profiling to nonhuman agency**
- AI, ML (DL), CI, behavioural robotics, soft robotics
- Neuroscience, Philosophy of Mind, Semiotics, Memory studies

Smart Technologies and the End(s) of Law

Novel Entanglements of Law and Technology

Edward Elgar 2015



<http://www.e-elgar.com/shop/smart-technologies-and-the-end-s-of-law>

**NOTHING IS
AS PRACTICAL AS
GOOD THEORY**

Therefor Wary Of:

- Game theory (homo economicus)
 - *though sometimes important to provide an X-ray of rational choice and its dilemma's*
- Behavioural economics (homo behaviouralis)
 - *better read Gigerenzer better; check Wolpert's theorems; bias is inevitable, contestability is what matters!*
- Theory-less quantitative social science
 - *what is the point of the research, what theory does it falsify?*
- Postmodernist media studies gone awry
 - *relativism is good, but only if it makes sense ;-)*
- Deterministic neo-marxist views on the course that technology will take
 - *though we must avoid being naive and check the economic incentive structure, if these are bad we must change them (yes we can)!*

we need legal protection by design:

- Ethics is excellent, but has no teeth
- Economics is everywhere, but its constraints are determined by law and politics
- Politics is fine but requires law to ensure sustainability & protection
- Law is fine but needs to re-orient in a data-driven society:
 - Legal norms must be articulated *in* the new digital, cyberphysical infrastructure

thank you for reading this

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- <http://www.vub.ac.be/LSTS/members/hildebrandt/>
- <http://www.ru.nl/english/research/radboud/themes/informatics-digital/vm/professor-mireille/>