

More than 2,000 years ago Plato wrote:

"The differences of men and actions, and the endless irregular movements of human beings, do not admit of any universal and simple rules. And no art whatsoever can lay down a rule which lasts for all time."

It is our greatest fear that modern computer technology will attempt to do just that—to establish on the basis of compiled data on man's past actions axiomatic principles for predicting what he will do in the future—and that these principles will become accepted by society as nearly infallible. The final result would be the restriction of a man's future based upon the statistical pattern of his actions in his youth.

I believe that our Government and our legal structure must act now to retain their flexibility, if they are to remain useful and beneficial to society. Both must continue to recognize and respect the infinity of choices which a single man may make during the course of a single life-span. This is why we voice so strongly our opposition to the present proposal to establish a national data bank which would store for all time private and confidential information on all citizens which might later be used to restrict their free choice of action in the future.

Therefore, it is essential that we begin to determine now the potential of today's technology and how our traditional liberties and beliefs can be protected from a technological onslaught in the future. Most specifically, we must chart today the course we want that will allow computer science to follow in contemporary society, and in our society of tomorrow.

We must call upon the scientific community, which is responsible for the development of this technology, to bear an equal responsibility for its control, in order to guarantee adequate protection of the freedoms we now enjoy. For this reason, it is of vital importance that representatives from all of the disciplines involved in the development and implementation of the computer join in creating a symposium independent of any Federal agency to examine the potential of computer science and its effects on the rights of the individual.

The need for such a symposium was well indicated during the course of our hearings last month. Spokesmen for the Bureau of the Budget came to the subcommittee to discuss the establishment of a Statistical Data Center. Yet, under extensive interrogation, the witnesses proved to be at a distressing loss of words when pressed for a detailed explanation of the system and for specific safeguards that could be built into the center to provide for the protection of the individual's right to privacy.

They seemed unable to comprehend the ease with which a statistical data bank could be converted into a personal dossier center, and they failed to realize the potential power of such a center. This is, we believe, the crux of the problem with which we are faced. There appears to be a basic lack of communication among the computer scientists, the behavioral scientists and experts in constitutional law and civil liberties.

It is unfortunate that while the American Orthopsychiatric Association was discussing data banks and invasion of privacy at its annual convention in San Francisco in April, the American Statistical Association was planning its convention for later this month in Los Angeles with a panel discussion on the "design and use of statistical data banks." The New York City Bar Association's Committee on Science and Law was studying the "impact of science and technology on privacy," and the American Bar Association was planning a special section of the association to deal with legal problems concerning individual rights and particularly the relationship of these rights to modern science. Yet, apparently no effort has been made on the part of these individual associations to combine their interests in a joint symposium.

We can no longer afford isolated contemplation in this area. Certainly social scientists, computer technologists and experts in constitutional law are all equally concerned with the problem of achieving a balance between advancing technology and the preservation of individual liberties. The computer has made all of us partners in the development of modern technology and we must continually educate each other, if we are to achieve this crucial balance. A symposium conducted by experts from each of these fields could serve as an arena for discussion of all major aspects of the problem.

It is of utmost importance that the symposium consider, independently of the Federal Government, the technical, legal, and sociological aspects of the proposal which the Government seems intent upon rationalizing.

The symposium might be conducted through a series of seminars organized by professional associations such as the American Economic Association, the