INTERVIEWER Good Afternoon.

AUDIENCE: Good afternoon.

INTERVIEWER Thank you. There we go. There was a lot of energy before I started talking. So I'm going to keep the energy going.

I am so delighted to welcome you all this afternoon. And I have a number of thanks before I get started. I want to thank Leslie Kendrick, Naomi Khan, and Debbie Hellman for serving as faculty organizers for this book panel, and to everyone who has helped make it happen.

There are so many people who work on events like these from communications, to law IT, to building services, to especially our events team, and Rebecca Clark. And it's just wonderful to see the fruits of all that labor.

I also very much want to thank our panelists, Anita Allen, Dan Solove, and Ari Waldman for joining us today. It is hard to imagine a better group of scholars to be here in conversation with Danielle and this book. And we feel very fortunate to have you. So thank you for joining us.

It is an utter delight to be here to celebrate, the Fight for Privacy Protecting Dignity, Identity, and Love in the Digital Age by Danielle Citron. Writing can be a lonely enterprise, and it is really important to take moments like these to celebrate big achievements, to celebrate the publication of a book, and to come together for those celebrations as a community. And I'm thrilled to do both of those things today to be here all together, and in service, and celebration of this important book.

Danielle Citron is the inaugural Jefferson scholars foundation Schenck distinguished professor of law here at the law school. She is also the codell, and chatman professor of law, a chair I hold close to my heart as it was a chair I held once, and the inaugural director of our LawTech Center.

Danielle is an honors graduate of Duke University, and Fordham University School of Law. And she previously was a member of the law faculty at both the University of Maryland, and Boston University.

Danielle is, and I don't think this will come as a surprise to anyone in this room, but I will tell you anyway, Danielle is a leading national, and international voice on matters relating to privacy, free expression, and civil rights. She has testified before both Congress in the United States, and the House of Commons in the United Kingdom.

She serves as the vise president of the non-profit cyber civil rights initiative. She has chaired the board of the Electronic Privacy Information Center, or EPIC, and she serves or has served as an advisor to most of the social media platforms that you have heard of, including Facebook, Twitter, TikTok, Bumble, and Spotify.

And she is a member of the American Law Institute, where she currently serves as an advisor to two projects, the restatement third information privacy principles project, and the restatement third torts on defamation and privacy. It is no exaggeration to say that Danielle, alongside several of the members of our panel, has literally built this field of scholarship while flying the plane.

And she continues to break new ground in this field today and no doubt into the future. Danielle is the author of two books, and dozens of scholarly articles, essays, and book chapters, and she has garnered widespread, and very well-deserved acclaim for her work exploring the intersection of technology, privacy, and harassment.

In 2019, Danielle was named a fellow of the John D. And Catherine T MacArthur Foundation, more commonly known as a MacArthur Genius Award making Danielle, not making, naming her as what she always was a genius.

So we were so lucky to have Danielle join our faculty here at UVA shortly after that in December of 2020. In the short time since then, she has really become an indispensable fixture of our community's intellectual life, and more broadly in the lives of our students. She is so generous both intellectually, and personally. She is as generous in fact as she is accomplished.

She is always ready to read a colleague's work to include a student in her own work, to welcome literally everyone to her home, and to generally uplift all those around her. The book that we celebrate today, this book here, the Fight for Privacy has garnered widespread attention and reviews. And I know that Danielle has been busy discussing it across the nation in podcasts, and in talks, and more.

She was just on strict scrutiny that dropped today. The Fight for Privacy definitely weaves together the stories of activists, advocates, and victims as Danielle explores the countless ways that corporations and individuals exploit privacy loopholes in the digital age.

This book has been described as quote a crucial book for understanding the crisis of privacy invasion, and the unrelenting damage that comes from intimate, non-consensual surveillance. It is according to its starred, Kirkus review, quote, an formed bracing call to action in defense of our private selves.

I'm thrilled to be able to honor Danielle's work today. This book and her scholarship more broadly shows that she is a humanist in all that she does, a humanist in building this legal field, to facilitate, and support human flourishing, and a humanist in the way she joins, and builds communities, not only ours here at UVA Law, but all across the country.

So before I turn things over to Debbie Hellman, who is serving as today's moderator, I want to briefly introduce her as well. It won't be as long.

Debbie is the David Lawton Massey junior, professor of law, and the F. Palmer Webber research professor of civil liberties and human rights here at the law school, as well as the director of our center for law and philosophy. She is a graduate of Harvard Law School, and she also holds a master's degree from Columbia University, and a BA from Dartmouth.

We are so lucky that she joined our faculty in 2012 after serving on the faculty of the University of Maryland Francis Carey School of Law for almost two decades, much of that time with Danielle. Debbie scholarship focuses on equal protection law, and its philosophical justification on the relationship between money, and legal rights, and on the obligations of professional roles.

She is the author of numerous scholarly articles, and book chapters, as well as the co-editor of philosophical foundations of discrimination law, and the author of the seminal book When is Discrimination Wrong. There's so much more I could say about Debbie, and Daniel, and our terrific panelists. But want to hear from them.

And so I will turn it over to Debbie, and just say I know I will enjoy every minute of this panel, and I'm confident that you will as well. Thank you.

DEBBIE HELLMAN: Well, it's my pleasure to get to introduce our fabulous panelists. And it's a real tribute to Danielle that she has some real luminaries in the field, no surprise though. And I am really honored to be getting to moderate my dear friends panel about this really important work.

So let me start with Dan. I'm going to introduce the panelists in the order that they're going to speak, which we decided on the basis of what they have to say, and how it fits into a larger discussion. So I'm going to start with Dan Solove.

So Daniel Solove is the Eugene L. and Barbara A. Bernard professor of Intellectual Property and Technology Law at the George Washington University school of law. He's the author of several, or law school, sorry, I said that wrong, is the author of several influential books in the privacy field, including Breached! Why Data Security Law Fails, and How to Improve It by Oxford press.

Nothing to Hide the False Trade-off Between Privacy and Security from Yale University press, Understanding Privacy from Harvard, and the Future of Reputation Gossip and Rumor in the Information Age from Yale University press. He's also the author of several textbooks in the field, and over 90 law review articles. And my special favorite, a children's fiction book about privacy called *The Eye Monger,* which I am dying to get.

Solove is also a really engaged scholar. He serves as the co-reporter on the American Law Institute's *Principles of Law on Data Privacy.* In addition, he organizes several annual events, including the Privacy and Security Forum, and the Privacy Law Salon. He's also a founder of the privacy law scholars conference.

And Dan will be speaking first. Following Dan is Professor Anita Allen. Professor Allen is the Henry R. Silverman professor of law and professor of philosophy at the University of Pennsylvania. Allen has published over 120 articles and chapters, and her books include several. So you'll have to bear with me.

Unpopular Privacy-- What Must We Hide from Oxford Press. *Privacy Law and Society* from Thomson West. *The New Ethics-- A Guided Tour of the 21st Century Moral Landscape* from Miramax Hyperion. *Why Privacy Isn't Everything-- Feminist Reflections on Personal Accountability* from Roman and Littlefield, and *Uneasy Access-- Privacy of Women in a Free Society* also by Roman and Littlefield.

And I'll note that last night that her first book got lots of conversation at our dinner. So still influencing people a lot today.

Professor Allen is an elected member of the National Academy of Medicine, the American Law Institute, the American Philosophical Society, and a fellow of the American Academy of Arts and Sciences. She's received honorary degrees from Tilburg University in the Netherlands, and from Worcester College.

She was awarded in 2021, the Philip L. Quinn prize for service to philosophy, and philosophers by the American Philosophical Association. The 2022 Founders Award by the Hastings Center for service to bioethics, and the 2022 Privacy Award of the Berkeley Law and Technology Center for groundbreaking contributions to privacy and data protection law.

Our third speaker is Professor Ari Waldman. He's professor of law, and computer science at Northeastern University, where he's also the faculty director of the center for law, information, and creativity. I love that title.

His work focuses on how law and technology affect marginalized populations, with particular focus on privacy, misinformation, and the LGBT community. He's the author of two books, *Privacy as Trust-- Information Privacy for an Information Age* from Cambridge University Press, and *Industry Unbound-- The Inside Story of Privacy, Data, and Corporate Power* from Cambridge University Press, as well as more than 30 articles.

He also was elected to the American Law Institute, and serves on the board of the Electronic Privacy Information Center, and also, as chair of the privacy law scholars conference. He's, in addition, the founder of At Legally Queer, a social media project that educates the public about the history of present and future of LGBTQ freedom.

We're extremely lucky to have three such distinguished commentators on Danielle's book. And Dan, the podium is yours.

DANIEL SOLOVE: So I'm really thrilled to be here. And what I'd like to do is talk about really a history of Danielle's work. I think this book is the culmination of many themes in her work from the GetGo.

I got to know Danielle with her belief of your first privacy article, Reservoirs of Danger. It was a wonderful piece. She sent it to me, I read it, and I was amazed.

I was like this is a person I've got to meet. Very fortunately, got to meet her soon after reading the article. We started a series of just wonderful conversations about privacy.

And I can already see all the themes in her work just from talking to her. And it's amazing to see those themes in that early discussion all developed through this long line of amazing work. Truly amazing hits throughout the years.

And ultimately, what I think is so fantastic about this book is how she pulls them all together. And there are many different strands of her work. And I just like to highlight a few, because I can't even do justice to everything.

There are whole strands that I'm going to leave out. Not because they're not worth talking about, just because I only have so much time. I've got to leave some time to my co-panelist, because I could go on for hours about Danielle because I think her work is that important that interesting, and that worth talking about.

So one of the first themes that I think is really important, and some work that she's done in this book, as well as prior to this book, is discussing the harms of privacy. It's actually an article. We co-authored an article about harm.

But this is an issue that Danielle has been writing and thinking about really from the beginning. Reservoirs of danger is really addressing one of the problems that courts are struggling with conceptualizing what a privacy harm is. And her solution there was to try to circumvent that to create strict liability, because courts were just rejecting data breach suits on the basis of finding no harm.

And we started a dialogue about privacy harms, and we talked about writing a paper. And it took us a very long time to write that paper. We got very busy, but we constantly kept talking about it.

We actually wrote another paper in the interim about data breach harms. And then finally, last year, we published our piece on privacy harm. So finally, closed that chapter. Well, there's still more to talk about.

But the thing that Danielle has done on privacy harms, beyond the work that we've done together, this is work that she's done independently. And I think it's an amazing contribution is as follows. For a long time, people have said, one of the problems with privacy harms is that they're the very abstract, and they're very hard to see what's the harm if someone uses your data in this way. What's the harm if you put under surveillance.

Yeah. You feel a little creeped out. But so what? Is it really worth having the big muscle of the law behind a harm that might seem annoying, or trivial, or slightly uneasy, but is that enough? Is that is that enough to really justify that?

And a lot of folks have said, look, we need more dead bodies in privacy law. Do we have dead bodies then the law will finally wake up? Then something should be done?

But there's no urgency if there aren't dead bodies, if there isn't blood. And the problem with privacy is a lot of it doesn't have blood. A lot of it's fairly abstract. A lot of it's been defined as harms to dignity, harms to democracy.

And it's been very hard to link these harms to the more visceral things like blood, and death. But one thing Danielle has done is found a way to do that. Not through dead bodies, but actually through bodies.

What she's done is point out that privacy and through the concept of intimate privacy, involves bodies. It involves people's decisions about their health, it involves people's activities, private activities, their sex lives, their intimate lives, their personal relationships, and she's defined this very rich area of health, and bodies, and in a very another embodied vision of privacy that isn't abstract.

And reading her work, one thing that I find particularly impactful is, how she weaves in stories of real people's lives who are affected by privacy invasions? And these stories are visceral. They are memorable. They are horrible, frightening, terrifying.

You feel a wide range of emotions when reading Danielle's work. It hits you. Danielle's work will make you cry when you read some of these stories. They are that powerful.

And she really has translated privacy in a way that is concrete, visceral, impactful. And I think that's a really essential work to make this not abstract, to make privacy, something that we have to pay attention to, to make the case.

That privacy is more than just abstract protection of dignity, but that it actually plays a very important role in people's welfare. And so I think that work is really important conceptual work. And she's linked it to not just privacy invasions that individuals do upon other individuals.

So she has talked about how people are harassed online, how they're attacked online, how hate speech hurts people online, how invasions of privacy like doxing can hurt people. But she's also talked about more broadly that the responsibility goes beyond individuals. It goes to organizations, it goes to companies that are, in fact, encouraging the speech. It goes to industries that are engaging in massive surveillance, and gathering a lot of data, which can then be used to track people, and find out information about their private lives can then be used to make decisions about their intimate lives.

So all of this goes together, and pulls in private sector surveillance, data gathering, government surveillance, individual attacks on other individuals, all as a piece of a rich fabric that explains why this is going on, and what's wrong about it. And this is incredibly important work because courts and legislatures have struggled so hard to really wrap their minds around what the harm is in a way that the law can respond to.

And Danielle's theories have given that grounding incredibly effectively. So I really think that's just a remarkable contribution. Now, another contribution is to privacy and feminism.

And for a long time, some of the early feminist scholars, feminist legal scholars were skeptical of privacy. They said that privacy was often used as a pretext to avoid protecting women, women who were victims of domestic abuse.

The law turned a blind eye, and said, well privacy of the home. We can't get involved because of privacy. And so privacy was antithetical to women's welfare in the way it was used.

And an early pioneer to point out a different perspective on this was Anita Allen in her work on An Easy Access. And in other work, she pointed out that, no, there's a lot more to this. The story is a lot more complicated.

Yes, privacy has been used in this way, in a negative way. But it could also be used in a positive way. It could be used as an important thing to protect women.

And I think this is a very important move, a foundational move. And Danielle has built upon that idea and developed it in a fascinating, and really interesting way through the concept of intimate privacy. And she's carried this through I think in the way I've just discussed, to redefine harm in a way that the law can address it.

And this gets to the third point. And that goes to a point that Danielle raised very early on that I think is a very important point to understand. And that is that privacy doesn't affect everybody equally. Some people are more victimized than other people.

And she pointed out through a lot of evidence, in a very compelling case, that women, and marginalized people suffer disproportionately from privacy attacks online. Not just in terms of frequency, but also in terms of the extent to which they're harmed as well. And this has tremendously problematic effects on their welfare, but also general effects for society, and impacts on democracy and speech.

And she developed a theory of privacy as a civil right. And I think it's important to understand what I think is really important about this move, is for a long time, in the US, privacy really wasn't understood as much of a right.

Warren and Brandeis wrote about the right to privacy. But they're talking about a common law right. Because in the time they wrote, people spoke about rights in common law like tort actions as rights.

But ultimately, the US, the Constitution to the United States, doesn't have the word privacy in it. Now, we have privacy interpreted from Supreme Court decisions, interpreting a right to privacy starting with some early cases. And then *Griswold* finally calling it privacy. And that ultimately goes into*Roe versus Wade,* and eventually, now has, I guess, receded or been turned away through *Dobbs.*

But if we go to Europe, they see privacy as a fundamental right. And that's different than a civil right. Because in Europe, especially the EU, privacy is co-equal to speech. It's a co-equal right. It's in their charter, where it's not in our Constitution.

So and privacy there as a fundamental right is understood in a fairly abstract way. It's protection of dignity, and it's a basic right unto itself.

Now, I don't think Daniel would quarrel with that view. But the way she develops it as a civil right is different. A civil right is not looking at privacy as valuable in and of itself, but that privacy is essential for equality.

Privacy it's a key element if we're going to have equality, gender equality, race equality. If that people are going to be equal, we need to protect this. And that's why she invokes the tradition of civil rights law, which I think is a very important move, because I think it's the best way to really translate privacy to US law that can work.

Because we have a body of law that has some muscle to do this work. And so she situates it there. She makes a very compelling case for why privacy should be seen in this way. And that's different. It's very different than a fundamental right.

But I think very productive because we don't have privacy in the Constitution, and the Supreme Court in *Dobbs* is turning the other way. But we still have civil rights law. And I think it's very fruitful, the directions that Danielle is proposing in her book, to move in that direction, especially here in the United States.

Because I think understanding that relationship really situates again. It goes back to harm, and it really makes the compelling case for why we should protect privacy. Because I think for some, an argument that privacy is valuable in and of itself is powerful.

But for others, not so powerful. It's not enough to say we have to protect privacy to protect people's dignity. We need something more. We need an argument that looks at why we need to protect privacy to promote other values, to promote speech, to promote democracy.

And Danielle, through her work, demonstrates very well that although privacy is often pitted against free speech, and seen as something to silence people, who want to speak, and say certain things, but that privacy actually enhances speech, that people who are attacked, and whose privacy is invaded online don't feel safe to speak. Don't speak enough, and are silenced.

So privacy, in fact, under Danielle's theory is essential to speech. It is a key component of speech. It fosters free speech.

And so we really shouldn't see free speech and privacy as at odds with each other, but as unify, and as both helping to protect a nexus of values from equality, to speech, to democracy, to freedom. And I think her theory really pulls all these strands together incredibly well.

And so with that, I will hand the floor over to Anita.

ANITA ALLEN: Thank you, everybody. It's great to be here. And Dan, that was a wonderful overview of Danielle's accomplishments, and what this book represents. And I agree 100% with your assessment of why it's important.

I would like to use my time to raise some concerns, and some issues that relate directly to the content of the book. So I'm going to do-- so Dan gave this big overview. I'm going to open the book now, and just challenge you on certain assertions, and observations, and push you a little bit on some of the things that you say.

Danielle is one of the most optimistic, and cheerful, and brilliant people working in law education today. And I've enjoyed working with Danielle, not only in the Academy, but also in the context of public interest law advocacy, academic advocacy, and ALI as well.

So just delightful colleague that whom I'm very proud, and very honored to have had a chance to work with. Beautifully, melds theory and practice in her work beautifully brings us fresh insights with very rich examples. And thank you, Dan and Ari for being here today, and also Professor Hellman for being here helping us to be here. And Professor Kahn for also helping to organize this event.

Three sets of comments I want to make. One is a set of comments about the conceptual constructs of intimate privacy, and civil rights, and then a couple of commentaries about the Warren and Brandeis foundation of privacy law and what it means to us in terms of rethinking privacy as a civil right.

And then I want to talk about the absolute wreck of intimate privacy as a set of norms and practices today. We are in a very, very shocking and desperate situation when it comes to the respect for intimate privacy.

So the book defends the idea of what she terms intimate privacy. And she argues that intimate privacy should be considered a civil right, and should be aggressively, and strongly protected as such by our laws, and by our norms.

What's really striking about this book is that Professor Citron isn't just defending the idea of privacy as an important civil right, but rather the idea of intimate privacy as a civil right. And that I think narrower and more focused approach may actually be especially helpful in moving the needle on how in general we conceptualize privacy, and why it's important.

So but she has two very hard tasks, that she has to perform in the book in order to make this work. She needs a very clear, and robust conception of intimate life as opposed to non-intimate life. And this is really hard to do.

One of the examples that Daniel gives is that a bank account privacy is different from privacy of intimate life. And yet I think of all the ways in which if you look at a person's banking records, you can track many, many details about their intimate life with whom they're sharing money, to whom they're giving money, when, and where. Also, what they eat, what movies they might have seen.

So the boundary between the kinds of privacies of the body that are so precious to us, and then the kinds of privacy, which might seem on the surface to be very different from that. And not so crucial to our identity.

It turns out that there's more I think mixing and melding. And it's hard to identify an area of privacy that is not also in some important ways intimate privacy. So I just wonder about whether we can ultimately draw a strong line between intimate privacy that needs to be protected by civil rights, and other types of privacy that need to be protected by civil rights.

And then, of course, Danielle needs to have a clear and robust conception of civil rights, as opposed to other sorts of rights. And in the book, Danielle clearly distinguishes between civil rights, and what she calls human rights, and moral rights, and legal rights more generally, and in civil liberties.

But what are all these concepts mean, and how do we define all these concepts? And I think it's not helpful actually to focus too much on precise definitions of abstract concepts that help us to advocate for what we think is important. It's much more important in my view to figure out what are people troubled about, complaining about, getting outraged about when they use words like my rights are being violated.

And so it's more important to focus on the concerns, and how we might address them than on precise definitions. And yet the philosopher in me is a little bit frustrated, right? By not being able to say very distinctly, what is the relationship between moral rights and legal rights? What's the relationship between civil rights and civil liberties? What's the relationship between human rights and civil rights?

And the discussion, and Professor Solove references this, the discussion in the book about the contrast between the human rights tradition that's available in Europe, and our traditions is very, very helpful. But ultimately, we're talking about rights that people consider to be really important, maybe fundamental, maybe overlapping.

And that's an important thing to point out. But the exact distinction between a human right and a civil right is a little bit vague. And also, the attempt to bring the privacy law discussion into the context of civil rights is an interesting move. But I think it could be potentially problematic.

Because how are protections of our intimate lives similar to indifferent from the protections of our access to public accommodations, being able to use the swimming pool, and the hotel as white people do, for example, if you're Black, are voting rights school integration, housing. Exactly how our privacy rights, and interests related to it on the same plane as the things which in the 1960s. So many people in my parents' generation fought so hard to have realized in American law.

And again, I'm not denying that privacy is it should be seen as the civil right. I'm not denying that we can't come up with a good theory of why, and how all kinds of privacy, including intimate privacy fit the Civil Rights mold. But I think there's a lot more conceptual work to be done there.

And Danielle is not alone in this because virtually all of the Civil Rights organizations you can think of, plus the liberal think tanks like the Brookings Institute, they're all on the project of trying to reconceptualize privacy as a civil right. That is the task of our times, define privacy as a civil right for the benefit of minorities, as well as for minority populations. And so we all have to work together on trying to make this idea really come to life.

OK. Another set of observations about Danielle's work and I want to go to this very interesting discussion she has in the book about how Warren and Brandeis, who wrote the article The Right to Privacy published it in the 1890s. How that right is, and that article, is what she calls quote a powerful opening Salvo in the fight for privacy.

And one of the things she points out is that the brother of Samuel Warren, the Boston lawyer and businessman from a wealthy family, who worked closely with Louis Brandeis, who was his law partner that the brother of Samuel Warren, Edward, or Ned Warren was a gay man. And she suggests that maybe the fact that Samuel Warren had a gay brother at a time when being LGBT was against the law in so many jurisdictions, might have been part of why he wanted so badly to work with Louis Brandeis to publish this article.

So that's a fascinating possibility that I think deserves some comment. Because as I have briefly looked at the life of Edward Warren, he wasn't exactly closeted. He lived fairly openly as a gay man in Europe. His partner John Marshall, he lived with John Marshall for a huge chunk of his life. He collected erotic, and gay-oriented artworks, a great artwork some of which are today hanging or sitting at some of our most prestigious museums in the UK.

And although under a pseudonym, he wrote several books advocating for certain homosexual lifestyle. So I mean, maybe Samuel Warren was trying to give his brother some protection, maybe he thought his brother didn't were protecting this brother thought he needed. But it was not as if his brother was living as a completely closeted, or especially closeted gay man.

As evidence that maybe Warren and Brandeis were thinking about gay rights, Danielle points out that Warren and Brandeis say what's whispered in the closet could be shouted from the rooftops, which is a warning that we might lose our privacy. But if you look at the source of that phrase, whispered in the closet, shout it from the rooftops, it actually comes from the Bible. It comes from Luke 12:30 in which Jesus says his disciples, what is spoken in the ear in the closet shall be shouted from housetop. To what is said in the dark will be heard in the light.

And what he's talking about is the hypocrisy of the religious establishment. He's not talking about privacy, anybody's privacy, but rather the deception that people of faith may experience if they just listen to the religious establishment.

So I mean, maybe Warren and Brandeis misused that, or reinvented that to sound like it has something to do with things that were cared about in the Gilded Age of 1890. But actually, Jesus was talking about something very different when he used that expression.

But in any event, so one of the reasons why I was so interested in the possibility that the article could have this progressive base is because I think the article is incredibly not progressive. And I've spent time in my own scholarship trying to argue that the Warren and Brandeis article is horrible

For what it says, and doesn't say, for example. OK. So the article disdains the poor? It's classist, it disdains people who read gossipy newspapers.

It's a complete lack of acknowledgment for the ways in which people who don't have private homes can nonetheless need privacy. It completely ignores the problem that Dan's reference and Danielle has written about herself about women being trapped in the domestic sphere, or gay, and lesbian people being unable to be themselves, especially at home maybe, in some cases, among their intimate family.

A complete lack of acknowledgment in the article about the ways in which privacy is used was used in American law to justify the subordination of Black people, slavery, violence, against Black people, and women. Nothing about the ways in which the privacy of the body was disrespected, when enslaved women were used in medical experiments by doctors and scientists, when enslaved people were photographed for bogus quasi scientific purposes in the 19th century.

So photography, this big threat that they talked about, they didn't connect that to the abuses of photography that was used in their own era to create, and circulate, and perpetuate stereotypical images of African-Americans as childlike buffoons, ignoramuses, and barely human people.

Complete lack of regard for how newspapers were not just publishing lurid accounts of the private lives of upper middle class white people, but these newspapers were advocating the extermination of Native Americans. The famous author F. Baum who wrote the Wizard of Oz, he owned a newspaper out in, I think it was North of South Dakota. And his newspaper, and I quote this in my upcoming paper on race and privacy, he actually explicitly calls for the extermination of Native Americans as the best option to deal with the Indian problem.

So the newspapers as a technology, were not just being used to talk about sex, and people's sex lives, they were being used in horrible ways to promote the Jim Crow agenda, and the agenda of destroying a Native American culture. So by virtue of its omissions and blind spots, there's no wonder that the right to privacy spawned by Warren and Brandeis provided, and still provides a basis for very little help for the LGBT community even if Danielle is right that the concerns about Warren for his gay brother might have spurred him to write the article. Interesting stuff.

Last set of comments that I want to make are going to be about what I call the absolute wreck of intimate privacy as a norm, and a practice today. Because from where I stand, folks, from what I've been observing, intimate privacy in the United States is a complete disaster zone. The norms and practices that have emerged are shockingly self-destructive, harmful to friends and family, and harmful to society.

The educational interventions, the sensible educational interventions that Professor Citron outlines in her book, I think they're wonderful. But I just fear that they might be too little, or too little too late, or in some way, not really going to help us to deal with the deep dysfunction that the world presents to us today.

I'm observing in my own family, as well as in the courts, this dysfunction about intimate privacy. I mean, one example that I could tell you about, which I'll just mention from my own family has to do with a situation in which a college aged child was sent by his own father as an act of revenge, a photograph of the penis of his mother's online date who also happen to be the child's cousin.

I mean, what? Right? But it's so common to take those pictures. Can I say bad words, Dean Goluboff? Dick pics, it's so common to take those pics. Young people, you know what I'm talking about.

But when they get enmeshed in family conflict, and family drama, it can harm not just the person whose genitals are represented, but it can harm other family members as well when used for purposes of revenge. And I think that as we talk about the dangers of intimate privacy talking about what big tech does to us, which is really, really bad, what the government does to us also really, really bad.

But what are we doing to ourselves, and to one another, to our own families as we live out this new set of cultural norms and practices around photography and the circulation of intimate, and nude images of people's bodies? But I'm not talking about my family today. I'm talking about a case that I think will illustrate this point quite well.

This is a 2017 case of Shantel Jackson versus Floyd Mayweather. So Floyd Mayweather is a really famous boxer. He's a super almost a billionaire. He was, at one point, named the richest athlete in America, but he's a really questionable figure.

So in 2006, he met this young hostess at a party in Atlanta named Shantel Jackson. He invited her to move to Las Vegas to live with him, which she did. Soon after she arrived, well, maybe six years after she arrives, he has to go to jail because he's for a domestic violence charge against another woman from years before that.

And so she finds herself living with a man who's very violent against women in his home, and it's gone to jail for domestic violence. As soon as he gets out of jail, they start to argue, he twisted her arm, and at one point, he choked her, took her cell phone, went through her phone. All these intimate privacy invasions happening in the context of intimate life not because the government is doing something to you, or big tech, but because you and your community are doing it to yourselves.

Jackson ends the relationship, she moves to LA, she goes back and forth, and back and forth. In the meantime, in one occasion, he threatens to shoot her. He holds a gun to her foot, and says, which toe do you want me to shoot off?

But he keeps her as a virtual prisoner, at one point, won't let her leave the Las Vegas home, has his henchmen follow her around wherever she goes. She can't leave the house without them. He steals her property, her jewelry, her stuff. She puts in a secret place in a storage compartment.

He somehow finds out, he takes it all, and holds it hostage. He's a horrible person to her. She finally in 2013, decides to leave him.

But she discovers she's pregnant. And she tells him. There's an ultrasound of the twin fetuses. It turns out December 13, 2013, she gives him a copy of the ultrasound.

But by January 2014, she's no longer pregnant. Pregnancies ended, and she's now dating Nelly the rapper. Cool. OK.

So now, she posted a picture of Nelly, and her at an event. Mayweather sees a picture, and he commits more threats, and more acts of violence against her. She does not go back to him, but she does decide to bring a lawsuit.

And the lawsuit she brings-- by the way, I didn't mention that he, at one point, posted on his social media her address, so that people would go to her home, and continue the harassment, and surveillance of her. Any event, so she brings a lawsuit a tort action for invasion of privacy, public disclosure, and false light.

Defamation, conversion, replevin, battery, assault, false imprisonment, intentional infliction of emotional distress, negligent sexual emotional distress, and civil harassment. And Mayweather brings cross claims for invasion of privacy because she taped some of their phone calls, and because he alleges she stole some money from him.

Just a couple of things I want to say about this case. Because I think they are really to me they go to the heart of where we are as a culture around intimate privacy, and also, how race, and gender may be affecting efforts to vindicate privacy rights in a not so positive way.

So in this 2017, a Court of Appeals of California case that's deciding whether or not some of the actions she brings should be able to go forward or not. In this case, the California court displays how hard it is to think through rights around concerning intimate privacy. So the court ends up saying that Mayweather's status as a world champion boxer in five different weight divisions, and him being one of the highest paid athletes in the world, frequently on television and radio.

And Shantel Jackson's participation in the publication of information about her own life, and her desire to be a model, and an entertainer, all these things together means that, guess what? She has no actionable invasion of privacy that she can bring forward.

Except for one thing. The publication of the fetal ultrasound. So Mayweather posted the image, the fetal ultrasound image on social media, on his Instagram, and Facebook. He also went on the radio saying, she had an abortion, and that she had had cosmetic surgery.

The court says forget the cosmetic surgery, forget the abortion. None of that is the basis of a legitimate privacy claim because she's a public figure. But in California, surviving family members have a common law privacy right to the death images of the decedent.

And they cite a case concerning Nikki Soares an adult woman whose parents want a $2 million privacy lawsuit when state troopers publish images of her gory, horrid death scene, and she was in a car accident driving her father's Porsche. She was decapitated it was horrible.

In that case, the court thought that her parents should have a right of privacy, they could claim because they're the surviving family members. But I ask you. Is a fetal ultrasound a comparable to a death image of someone someone's child? Is a woman who obtains an abortion a surviving family member?

The fetal ultrasound, it's an image not of persons, or family members, the fetal ultrasound shows a living fetus, not a gruesome death image in any event. So why does the court think it can somehow validate the privacy loss when a fetal ultrasound is posted on Instagram?

But a woman who's been abused, beaten, choked, threatened with a gun has no privacy interest in her cosmetic procedures, or in her abortion? What is going on there? I think this case shows that a couple of things. I think it shows that--

Yeah. I'm sorry. I'm going on. I think that the case shows that we don't quite know yet how to vindicate the entirety of women's interest in intimate privacy, and that women's intimate privacy possibilities are tied up also in their vulnerability to violence, right? And that it may be as I believe that the greatest threat to intimate privacy is not big tech, or the government, but it's you and I. Thanks.

ARI WALDMAN: Thank you, Anita and thank you, Dan. I'm really tickled to be able to be a part of this panel because these people who sit here were the people I looked up to, and read, and learned how to do privacy scholarship for so many years.

So I want to start with a few thanks. Thank you to Danielle for writing this book, and a years of incredible groundbreaking scholarship. Thank you to, Dan, and Anita, and Danielle for being my mentors, and my mentors who have become my friends. And thank you to Lou Citroen for the tie.

So in the few minutes that we have left before questions, I want to do a couple of things. I want to ask a question that, is there something else that we can learn from Danielle's book that may not be in the text? And I want to suggest that maybe Danielle is doing more than calling simply for a civil right to privacy, and really trying to solve a whole range of social problems.

So let's start with a question. The question I want to ask is, can a civil right to privacy help us navigate what I'll call data dilemmas? And what I mean by data dilemmas are not those things that we see every day, where we decide to exchange our data for access to a platform.

I mean, the data dilemma is that we navigate, particularly marginalized and minoritized populations navigate. When they try to figure out, or when we try to figure out how much information about us, do we want out there? Because there are benefits, as well as harms to legibility.

There are certain types of people that face these questions more than others. The Valley Barrows that Daniel talks about on page 67, they don't face these barriers. The information that's out there mostly for the dudes that build these technologies, that invade our privacy, if their information is out there, there aren't significant harms that are going to come back.

But for people, particularly those who are trans, non-binary, gender nonconforming, data dilemmas are a fact of life. So for example, if we have better if the state, or if companies or other people have better, and more accurate information about who is trans, or who is non-binary, or who is gender nonconforming, that might improve things like anti-discrimination law enforcement, right?

If you don't collect good information about who we are, you can't identify examples of discrimination in a workplace, right? So that's why you might want more accurate, or more detailed information about sexual demographic disclosure at an office, right? So you can identify discrimination.

If we had better, more accurate, more detailed disclosure about gender nonconforming, or queer people, you could provide better health care, particularly for a population who is underserved in the US health care system. Because we lack information about what is needed for trans health care.

We could provide if you have more or accurate information about who you are, and your intimate selves, you can have a more engaged, more proud, more out there social, and love, and professional, and love life, right? But at the same time, legibility comes with harms, right? The more the state knows about, the more the state can identify who you are just by a couple of data points. The easier it is for them to whip you off the street during a protest after George Floyd's murder, right?

Because the more data, the more accurate data that they have out there, the easier it is for them to identify you simply by passing a CCTV camera on the corner in the city of New York. With legibility comes with harms as well.

Now, this dilemma, these problems that we have to navigate every day, especially for queer people, and for other minoritized groups, would these be less significant problems if we had a robust civil right to intimate privacy in the United States? So what is Danielle mean by a right to intimate privacy?

So Anita suggested that there is some vagueness here. I agree, but I also don't think specificity is necessary. Not just to answer this particular question that I'm asking, but also for the purposes that Danielle is offering it here.

So on page 108, if I want to go down into the book, specifically on page 108, Danielle talks about what a civil right would be. A civil right to intimate privacy would combat privacy invasions amounting to invidious discrimination. It would limit or ban, for example, practices that imperil the opportunities of women marginalized communities because of their membership in those groups.

And it would also paragraph, right? After that says, it would also be a right to a baseline protection for intimate privacy for everyone. Civil rights deserve recognition, for protection because they secure preconditions for the good life.

So imagine having to navigate whether you want to provide information that is necessary to provide you with the kind of health care that you desperately need, but knowing that if the state has too much of it, they can arrest you easier, and they can incarcerate you faster, and they can incarcerate your brothers, and your sisters, and your members of your community easier and more frequently.

But if we had a robust structure in place, that recognized intimate privacy as a civil right, then maybe those data dilemmas, maybe that decision making process isn't as burdensome, isn't as always over your shoulder as it is today. Anita is absolutely right that our structures of intimate privacy are completely a mess, partly because we don't have this robust structure underlying the decisions that we make about what kind of information about ourselves that we are willing to disclose in order to improve our lives.

So in other words, what I think Danielle is actually doing in this book is not simply calling for a right to intimate privacy, Danielle is calling for social change that would allow us to be who we are, that would allow us to own our sexuality. Not hide it, because other people stigmatize it.

So for example, or just to follow up on that, there's a sociologist, or sociologist of sex named Gayle Rubin, who wrote several years ago about the two sides, or the opposite sides of the sexual hierarchy. If you're on one side, that's the good side.

What is the good side of the sexual hierarchy? That's if you're heterosexual, if you're monogamous, if you only engage in a certain type of sexual activity. Those are the good side because that's what the power structures that we live in say are good sexual behaviors.

The bad side of the sexual hierarchy of those people who are non-monogamous, those people who are queer, those people who have different views, or different approach relationships, and sex in very different ways, include drag queens, for example, on the wrong side of the sexual hierarchy. And right now, we live in a world, where conservative elements in our society are attacking people like drag queens, are attacking transgender, nonbinary, and gender nonconforming people because they are trying to enforce the same hierarchy.

If however, we had these robust structures of thinking about our right to dress in clothes that reflect a gender opposite to the gender we had assigned at birth. If we had robust structures in place that allow us to decide that I'm going to be proud that I'm in a throuple, or that I am engaging in these kinds of sexual experiences. If we allowed particularly queer people, and women online to own their sexuality, because they knew that their sexuality is protected.

And their disclosures about their sexuality, and their disclosures about their identity is protected by the law. But not just by the law, by the norms in society that are influenced and informed by the law. Then imagine how much better our society would be.

And I think that's ultimately what Danielle wants to do in this book, right? It may be convenient, politically convenient when we meet with legislatures to say, I'm simply talking about a civil right, right? And you what civil rights language is.

You've written many laws policy maker about a civil right to this, or a civil right to that. You know what that looks like in the workplace. You what that looks like here.

But in fact, this is an entry point, and almost a subversive entry point to building a far better society, a society that I think most of us in this room, and certainly, any minoritized, and marginalized population, particularly sexual marginalized populations dream about. So I'll end with another thank you for Danielle for engaging in that project that is absolutely necessary. Thank you.

DANIELLE CITRON: This is wonderfully fun. So I want to start to with some thanks, and then some responses of what I'm trying to do here. And of course, your wonderful comments.

So just first, my thank you is that what's so great after golly, I've been in the Academy for 17 years is to feel like I'm home, that I have the sense of belonging in this community for by our faculty members. So thank you Dean Goluboff.

And thank you to my colleagues here who allowed me, in some sense, to come home. Of course, to be with Debbie, which was always the master plan. But to be with all of my colleagues who have been so wonderfully embracing, and are amazing students. I love you all. You know that.

And so it's been a really meaningful thing. And of course, my real actual family, I have snookered them somehow to come here to be with us. And I even have my mother-in-law living in Charlottesville too. And thank you.

And so anyone who knows me knows that I love my cat Patsy. You also know that I love my sister, who is an OB-GYN. So I feel like so blessed in life to have her. So she happens to be sitting in the audience. I have to say thank you, and to my wonderful nephew James for coming.

And as you think about your sense of chosen communities, the ones that you're born into, and the ones that you choose just like coming, and joining this amazing faculty, and students is by sheer. What do they say the forces of the universe coming together in the most magical ways. I have the most awesome colleagues in my privacy community.

And what has been so special is to have my mentors become, all three of them, become my dearest of friends, my colleagues in arms in the privacy, advocacy community. So Anita and I have been in the trenches together at the Electronic Privacy Information Center. And now, of course, Ari is in the band as well.

And so it has been a joy to their work is at the core of what I'm doing. So Anita Allen in 1988, when Mark Zuckerberg was 4, OK, wrote the most brilliant book called Uneasy Access, making the feminist case for why Kitty MacKinnon wasn't right that privacy was a one-way ratchet to inequality.

Anita argued that privacy doesn't have to be that way. And she laid out for all of us, what is a feminist understanding of privacy? So when I sheepishly introduced myself to Anita many, many now years ago, I basically got a human hug, like a spiritual and intellectual hug. And I said, I love you, Anita. Your work is so important to me.

And it has been a joy to be in your universe, but also to be pulled in and warmly embraced. And I love your criticism as always. I value so much that. A deep engagement with the ideas from someone who's been my mentor all along.

And you'll see also in my book. So Uneasy Access is at what do they say the foundation. So is Dan's understanding privacy, and the digital person. So Dan has helped me, what I thought I'd do is just explain how their work, all three of them, is at the heart of how I think about privacy.

So Dan is a pragmatist. He has us think about privacy on the ground, in its most earthy ways. That is we look to the sets of problems that we face, and we view all of these problems as a series of family resemblances.

And so I have always taken cues from my mentor, Dan, who God bless you for answering that email in 2006. I was scared out of my mind to reach out to you, and thought you might think my article is insane suggesting that we should think about databases of sensitive information as reservoirs of danger Rylands versus Fletcher.

Hey, all you first years and towards teachers. It was probably a very kooky idea. But Dan took me under his wing, and helped nurture my scholarship, and work all of these years.

So his thinking about privacy is a series of problems that we had to tackle. Has always informed how I think about privacy.

And this is the love part, Ari, right? Ari's first book called*Privacy as Trust.* And it is a story about privacy, and intimacy, and love, about the importance of trust in any relationship.

And so how I've thought about privacy, too, and inspiring me is the concept of trust. It's indispensability to our relationships, whether those relationships are with companies, are with each other, and crucially with governments.

So you see I brought my three friends here. And they have inspired me. So my students in the audience have all read their work.

Everyone's like, oh, my gosh. I'm reading. Like I'm seeing now in the flesh my casebook author, and the author of Understanding Privacy and Unpopular Privacy, and Industry on Balance. They've written a lot of books. So I just named three different books that they've written, and that my students have all read for my classes.

So I thought today was running around with you three is like, oh, I can't wait to introduce you. I felt like the cool kid at school. This is what happens when you're a dorky privacy law professor.

So my thanks are a debt of intellectual gratitude, that I can't ever really repay so much as to keep us in conversation with each other co-authoring, blazing a trail, going ahead, and doing our advocacy work together, and saying, thank you for your work.

So in response to the wonderful comments, I thought what I would do is, and I'm going to integrate, I think I'm hoping to, in part, integrate some responses to the three of you, by saying that, in so many respects, that law is storytelling, right? It's the stories that we include, and the stories we don't include.

That help us understand who we are, understand why and what matters to us, what's wrong, what's on and off the table, and it's through those stories that I have been wrestling with of course as Anita says the messiness of our interpersonal, that is individuals invade each other's intimate privacy in ways that are gobsmacking. And that is absolutely true, right?

But law can help teach us. And so many victims say that when courts recognize the wrongs done to them, the harms that they've experienced, when an ex post their nude photos online, or a stranger secretly takes tapes them in a hotel, takes that video, emails it to all of their loved ones and friends through by getting all of their contacts on LinkedIn, threatens to post more, unless they then send more nude photos.

That when those kinds of cases, when they make their way to the courts, if we indeed ever get there, and sometimes, we do with the help of pro bono counsel, that when courts, and often you get a default judgment, that really is the perpetrators have no money, and they don't show up. But victims say, I feel seen.

My story was in this default judgment that the court went out of its way to write a decision. And so these behaviors are the most wrongful, vile behaviors that judges have ever seen. That the harms that they are seeing experience, a whole of life experience, right? That their bodies are no longer their own, right?

Victims totally change their appearance. They lose a massive amount of wake, or gain a massive amount of weight, because they don't want to be recognizable, right? They can't get jobs. They can't keep jobs. It's a whole life that is an incurable disease as one victim told me.

So when judges see them, when they feel seen, it is changing in the way that is it communicates to all of us, is that we should see their harms, and the fullness of themselves that their demand is one that we recognize. And sometimes, judges don't get this stuff as Anita was telling us, they don't. But litigants do.

And so the earliest privacy plaintiffs were all women. And they sued for either watching their childbirth without permission, and under fake circumstances. Use of their photos in ways of taking the Broadway star, whose picture in 1890 was taken, and then splashed across the newspapers in ways that she felt was inappropriate.

And judges, they protected those plaintiffs by saying like we're protecting their delicate sensibilities. But did the plaintiffs describe their circumstances that way? Not at all.

In testimony, so this is drawn from Jessica Lake's wonderful the faces that launched 1,000 lawsuits. In going through the testimony, this is really hard to get testimonies. You have to be a real historian like our dean, and go through as Jessica Lake did.

And you find the testimony of the plaintiffs. They said of themselves, I'm not shy. I don't mind people seeing my body. I don't want to be exploited in ways that make me feel alienated from myself.

And in so many ways, their own testimony of their own trials, they give bear witness to their own suffering, right? So maybe judges don't get it.

So troubling social attitudes are behind what they explicitly say in opinions. But we can as plaintiffs, we can as the bar, we can have storytellers about the law change how we see law, right?

And I wanted to in the book, not only talk about law storytelling from the perspective of plaintiffs whose privacy was invaded by other individuals, but as a but also of what I call spying, and corporate surveillance of intimate life, which is structural messiness at a scale I can't capture, right? That is all of that data that you share with your dating app, all of your location data that your cell phone collects, that your Amazon Echo is then tracking, that all of the browsing that you're doing, whether it's WebMD, you're on a porn site.

All that data is then being bought by advertisers, marketers, and sold to data brokers. And it leads to the story of Grindr. Most of these companies just basically tell us in their privacy policies, too bad, so sad, we're selling your data.

We never read those. Except for my students, read those privacy policies, right? And it's really it is, in some sense, notice and too bad, so sad for all of us choice so to speak.

So what happens with that structural messiness is that, so there was a Monsignor Jeffrey Burrell who was administrator for the Catholic Church. And he used Grindr when he would go on vacation as well as when he was at home. So going to meeting dates, going to gay bars.

Because Grindr was selling all of its location data and all of its data in profiles to a location data broker which you didn't existed. But there are 40 of them, and they have details of all of everywhere we've ever gone along with our mobile ID device identifier, easily then reconfigured back to us in two seconds. A reporter then bought the data from a location data broker, then figured out that he was going to gay bars, called his bosses at the administrators for the catholic church, and he lost his job, right?

So the ease with which we peer someone's livelihood by the very choices they make about their own intimate life is messy. But we have to tell those stories if we're going to get any attempt at law changing the set of ground rules that we need to change. And lastly, the story of law to the Civil Rights intimate privacy and what it can do for us is, as we tell our stories, is that we know that in state for state, state Medicaid laws--

So Janine, forgive me. I'm riffing a little bit on what OB-GYNs do. But state for state, due to meta state Medicaid laws, that, in many states, social workers are required poor pregnant women, they require them to ask a series of questions, including when they come in for their first visit, whether they've ever terminated a pregnancy, have they ever been raped, do they ever do drugs. That is required data that the state mandates be collected.

And in a post jobs world, here we are, where the state is requiring that intimate information to be collected, that you went to your first visit, but you didn't come back for your second. So I did a panel with our colleague, Mimi Riley, who explains that there are some doctors who misunderstand the reporting requirement, that they would then, if the let's say patient doesn't come back.

She comes for her first visit, but she doesn't come back for the second. And then the presumption is you've had an abortion before. Do I need to report you to law enforcement in a state in which it's a crime both for you and your health provider, right?

Health providers then at cross purposes with patient. That I want us to tell the stories of the patients who have to tell their doctors, in states where the state Medicaid rules require you, to answer a series of questions about yourself. That then law enforcement can get tales told by doctors who think they have to so report this information.

And then of course, law enforcement just has to go to a data broker. They're actually they're already the costs the biggest customers of data brokers are who law enforcement. And they already have access to your period tracking app information, your geolocation, your web browsing activities, your searches, did you search for abortion, and state, right?

And so it's those stories, I think we have to tell. So Dan, yeah, I hope that we can see right through our stories, that law as stories that we tell. And the stories that we don't tell, let's tell them together.

Because I want us to lay the groundwork for a social movement. Last night, we were talking about, I can be dreary to talk to, because it seems depressing. You're like really? That's what humanity is all about?

And I say, but wait a minute. I want to explain why I'm hopeful, why I'm a little bit of a Pollyanna. Is because it's the grounds for social movements to grow from both inspired by law and then to inspire law, right?

Laws our teacher. But then of course, social movements demanding that law change on the books. That South Korea, I think is a perfect way to end my remarks.

In 2018, women in South Korea couldn't go to the bathroom without worrying that there would be hidden cameras in public restrooms. They had to bring kits with them with masks prepandemic, and silicone, where they would, and also screwdrivers where they break any hole that looked like it could have a hidden camera.

Now, women in South Korea took to the streets. There were five marches. So the beginning of 2018, 25,000 women took to the streets of Seoul's with signs that said in both English and Korean.

They were truly speaking to an international, and their own national audience. And those signs said, my life is not your porn. And three months later, 45,000 women took an allies, took to the streets with the same signs. My life is not your porn.

And three months later after that, 65,000 women. After that, 90,000. The last March, December 2018, 120,000 women, and allies took to the streets, because my life is not your porn.

And the government responded. So I've been working with the digital sex Crime Information Commission that has now a whole government approach.

These are the platform responsibility. So there's no immunity, there's no legal shield, they face responsibility. Perpetrators there are now stiff criminal penalties that are being enforced.

Victims have resources. And this is a huge important intervention. So of the 5,000 victims last year, who reported what they call digital sex crime information using the term that their advocates wanted them to adopt and use in ways that made clear to victims.

We see you. It's not just a joke. It's not a hidden camera-- ha, ha. They called it Molka. It's a digital sex crime use of information.

So there are 5,000 victims, and nearly 70% of them use these services. So government, they felt comfortable going to government to get resources, to help them when they were off their feet, and didn't have jobs, had lost housing, et cetera.

So I do argue. Got me, right? I guess my friends me well. The I want, a conception of a civil right to intimate privacy to change, of course, our attitudes.

And we do it soft. We do it quietly. We do it step-by-step. We do it with industry.

We do it with each other as advocates. We do it with courts. We do it with lawmakers.

And it's never going to happen unless we all of course go to the streets. So in some sense, I want us to bring moral suasion to the story. In many ways, those stories, as Dan was underscoring, I'm hoping can help us do that.

So thank you so much for letting me respond.

[APPLAUSE]