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# Privacy Perspectives on Contact Tracing as Pandemic Response

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## Flattening the curve helps protect privacy, too.

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People are responding to a variety of ethical issues raised by current efforts to collect and share personal data for contact tracing among individuals, in the hope of helping to curb the spread of corona virus. Some of those issues are related to privacy--but also to effectiveness, fairness, and more. And there is no consensus on this topic, even among privacy advocates.

That is not surprising, given that they, too, are reacting to different realities: living under different governments; assessing different laws and norms; reacting to different levels of pandemic spread, amid different degrees of health care crises.

Broadly, in the U.S., the responses seem to fall in four categories:

1. Privacy advocates who see this as an exceptional time and challenge that requires a rebalancing of the trade-offs, and who argue that contact tracing is necessary and useful (not instead of but in addition to social distancing and other measures), and that it has to be done, even if that would require enabling legislation: For an example of this, see [“We Need A Massive Surveillance Program.”](#)
2. Privacy advocates who believe that technology should play a role but who are working on technical protocols that would keep governments or other actors from identifying individuals, using data for other purposes, or keeping the data indefinitely. In other words, this group is not arguing for a re-writing of laws, and not relying on legal protections. For a discussion of proposals from several consortia of academics, technologists, etc., see [“Behind the Global Efforts to Make a Privacy-First Corona Tracking App.”](#) Apple and Google have also [recently announced a joint effort](#) that could make various apps interoperable, “so contact tracing would continue to work as people travelled overseas and came into contact with people using a different tool.”
3. Privacy advocates who argue that the potential harms of contact tracing are too great and will likely accrue unfairly to the most vulnerable populations; that the data collected will always be partial and unbalanced; and that the potential benefits don’t justify the potential long-term destruction of privacy. For a discussion of fairness and privacy (written in 2019, before the pandemic, but relevant to the contact-tracing debate), see [“Privacy’s Not an Abstraction.”](#)
4. Privacy advocates who argue that we don’t yet have enough evidence to know whether the contact tracing will work as suggested, and that, in the absence of such evidence, the known harms outweigh the unproven benefits (and inaccurate tracing may in fact lead to incorrect analyses and ineffective interventions). For an example of this perspective, see [“Location Tracking to Fight Coronavirus Is Dangerous and Possibly Pointless.”](#) In this context, note the example of Singapore, which has been generally touted for the effectiveness of its contact tracing but has had to return to lockdown: An article in *The Straits Times*, updated on April 8, quotes the Prime Minister of Singapore as noting, “despite our good contact tracing, for nearly half of [the new] cases, we do not know where or from whom the person caught the virus.”

The articles cited above were written at different points in the trajectory of the pandemic. Although three of them were written within weeks or days of each other, days make a big difference in this debate: realities change; new data emerges. The ethical analysis shifts, too.

Flattening the curve saves lives, but also allows us more time to gather evidence about the effectiveness of various contact tracing efforts, and to develop a consensus around which privacy protective protocols will be most effective. It will also allow time for revisions to laws—which, depending on the revisions, may be either a good or a bad thing.

The complex debate around contact tracing implicates rights, fairness, common good, and utilitarian considerations. It is also a debate that highlights virtues like compassion, prudence, and honesty. And different communities may well reach different decisions about the right thing to do in this context.

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