What do American privacy law scholars see as the desirable future for information privacy?

Let’s take a "sneak peek" into the techno-legal imaginaries that are currently driving privacy law scholarship in the United States.

“[A] more nimble, layered, and inclusive approach that protects personal data but also looks beyond it to account for things that data protection often fails to consider: power, relationships, abusive practices, and data externalities.” (Woodrow Hartzog & Neil Richards, Privacy’s Constitutional Moment and the Limits of Data Protection, 61 B.C.L. Rev. 1687, 1694 (2020))

“[P]rivacy scholars and policymakers should look beyond the narrow confines of what passes for privacy regulation in the U.S. and consider new legal paradigms that can rein in data extraction and its attendant power asymmetries and injustices.” (Ari Waldman, The New Privacy Law, 55 UC Davis L. Rev. Online 19, 41 (2021))

Information privacy as a tool for social justice.

“Contemporary privacy paradigms too often engage in a farce that power doesn’t matter, devaluing the privacy interests of the less powerful. By contrast, Jewish law offers a framework that can both strengthen privacy protection, and serve an important expressive function, signaling to all members of society a commitment to robust and universal privacy protection: that their privacy matters.” (Kenneth A. Bamberger & Ariel Evan Mayse, 36 J.L. & Relig. 495, 531 (2021))

“The new generation of laws would ideally include provisions specifically geared toward combatting privacy- and data-protection-related racial inequalities enabled by online platforms.” (Anita L. Allen, Dismantling the “Black Opticon”: Privacy, Race Equity, and Online Data-Protection Reform, Yale L. J. Forum 907, 910 (2022))