Conference on the Internet of Things, York St. John University, 3rd – 5th July

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Abstract:
Three central themes of this project are:
- when does technology (automated systems) replace our humanity?
- can we detect when this happens? how will we?
- what makes us human (vs machine)?

This essay is the first in a series that investigates these themes. This essay focuses on reorienting the Turing test and developing a series of human-focused tests that better allow us to identify and consequently evaluate contexts within which humans are or become indistinguishable from machines. A separate essay explores a series of thought experiments in which constructed environments construct and shape human beings; the thought experiments allow us to explore plausible applications of the tests. The thought experiments also begin to identify and explore some of the difficult definitional questions that the Turing test seeks to avoid (e.g., what do the words "human," "machine" and "think" mean). A third essay will explore normative issues that the other essays sideline: basic values questions, happiness vs. capabilities concerns, "thingification of people," subtle distributive justice questions concerning the ways in which construct*ive* environments convey considerable power. A fourth essay applies the human-focused tests in the context of the Internet of Things and related technologically (re)constructed environments.

I begin with the Turing test. The conventional Turing test focuses on a machine and asks whether the subject is (in)distinguishable from a human being. Different variations of the Turing test may switch the "observer," which can be a human or a machine. In a sense, the Turing test establishes an elusive endpoint to which AI experts and others may strive; it is a *finish line*. But racing to make intelligent machines is only half of the relevant picture. Another race is occurring, but we don't pay much attention to it, except in science fiction. It occurs on the other side of what I call the Turing line, the human side.

I reorient the Turing test, by making a human being the relevant subject and asking whether the human being is (in)distinguishable from a machine. The context within which the test applies is important, and a significant feature of this human-focused test is the relevance of the environment or context within which the test is applied. For the most important questions to consider might be whether, when, and how human beings can be constructed (via technology, social context, and the environment within which we live and through which our preferences and beliefs are formed) to be indistinguishable from machines.

OUTLINE:

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Introduction

1. The human side of the Turing line

2. Turing Test: Brief overview and literature review

3. Human-focused Test #1: Intelligence / thinking and not-thinking
a. (ir)rationality test
b. common sense test

4. Technologically Extended Minds

5. Human-focused Test #2: Autonomy / choice
a. Difficulties in measuring degrees of freedom and identifying exercise of choice
b. Prediction / predictability of agents' behavior: A proxy test

6. Human-focused Test #3: The environment game

7. Generalizing the inquiry: What are we testing on the human side of the Turing line?

Conclusion

Mini-biography:

Brett Frischmann (www.brettfrischmann.com) is Professor and Director of the Intellectual Property and Information Law program at Cardozo Law School in New York City, an Affiliate Scholar of the Center for Internet and Society at Stanford Law School, an Affiliated Faculty Member of The Vincent and Elinor Ostrom Workshop in Political Theory and Policy Analysis, Indiana University, and a Trustee for the Nexa Center for Internet & Society in Torino, Italy. Professor Frischmann holds a B.A. in Astrophysics from Columbia University, an M.S. in Earth Resources Engineering from Columbia University, and a J.D. from the Georgetown University Law Center.