



# Module 12: Data control, privacy and data solidarity

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# This week

- An exam question
- Individual data control rights are not always the best way to deal with privacy
- Data solidarity as approach





# An exam question

- We asked Chat-GPT what makes an action ethically significant (you can find the answer under the questions). Based on its responses, answer the following questions:
  - What are the similarities and differences with the qualification of ethical significance discussed in the course, Data Ethics and Entrepreneurship? (4pts)
  - Do you agree with Chat-GPT's answer? Why? (3pts)
  - What are the elements of the three moral theories discussed in class, that are referred to in Chat-GPT's answer? Cite them, say what theory it refers to, and explain what it means. (8pts)

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What makes an action ethically significant? Answer in 250 words.



An action can be considered ethically significant when it has the potential to affect the well-being or interests of others, either positively or negatively. Ethical significance is determined by whether the action is in line with moral values, principles, and standards.  

One way to assess ethical significance is to consider the consequences of the action. For example, an action that harms others or violates their rights is considered ethically significant because it has negative consequences. On the other hand, an action that benefits others or promotes their interests is also considered ethically significant because it has positive consequences.

Another way to assess ethical significance is to consider the intentions and motives behind the action. An action that is motivated by a desire to do good and promote the well-being of others is considered ethically significant, even if it does not have immediate positive consequences. Conversely, an action that is motivated by selfish interests or a desire to harm others is considered ethically significant for negative reasons.

Furthermore, the context in which an action takes place can also be ethically significant. For instance, an action that is considered morally acceptable in one context might not be so in another context. For instance, taking someone's life is generally considered ethically significant in most contexts, but in certain circumstances, such as in self-defense or during wartime, it may be considered ethically justifiable.

In conclusion, an action can be considered ethically significant when it affects the well-being or interests of others, is in line with moral values and principles, has consequences that are positive or negative, is motivated by ethical intentions, and is assessed in the context in which it occurs.

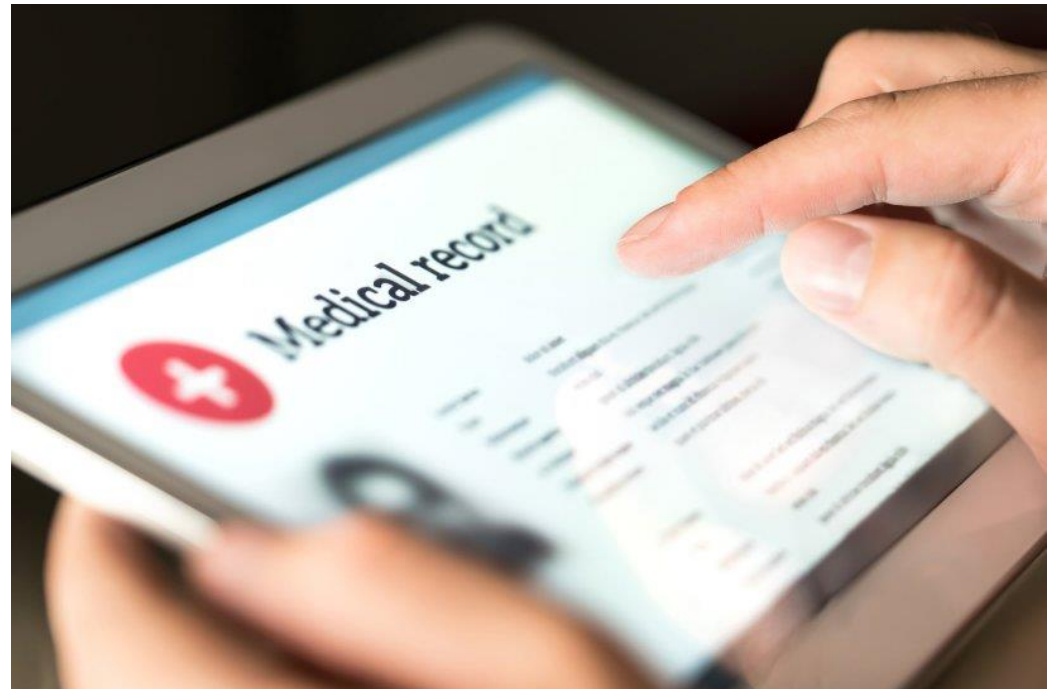
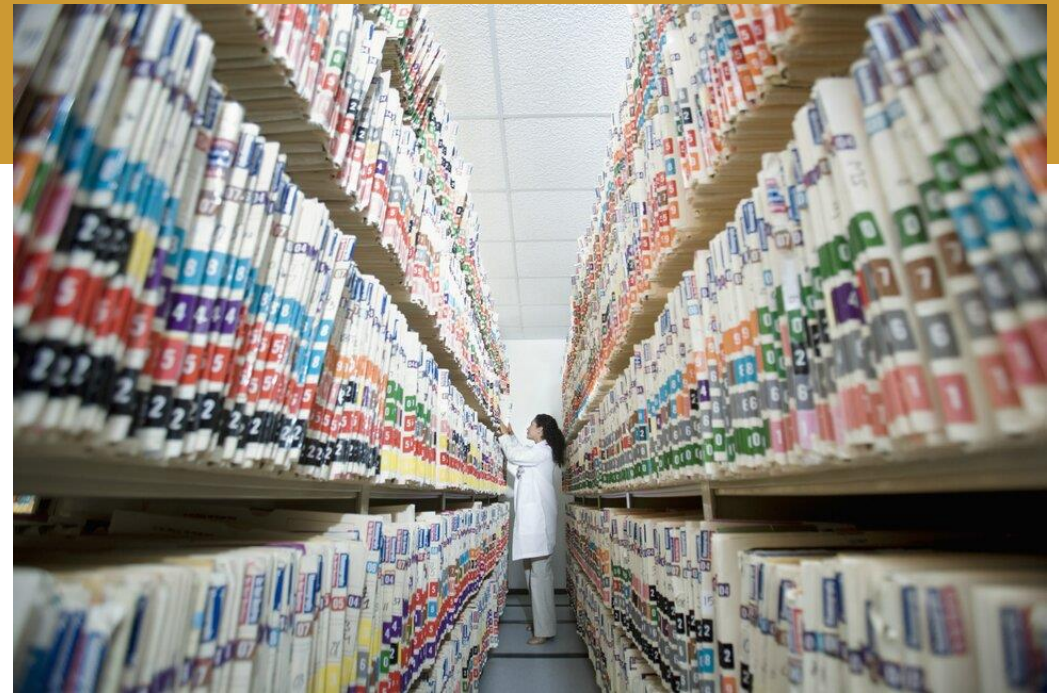


# Data control, privacy, and data solidarity



# Digital data multiplicity

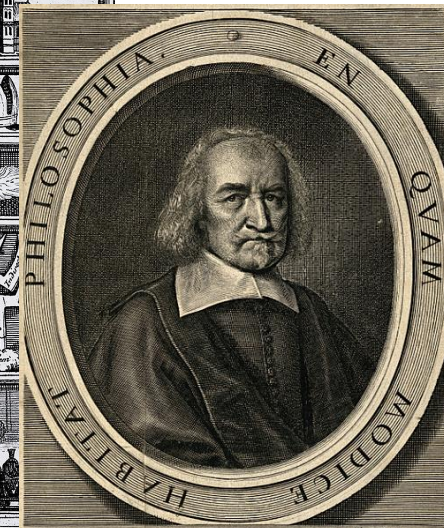
- ‘unlike letters, numbers or illustrations on a piece of paper, a digital datum does not necessarily correspond with only one specific material unit where it ‘sits’. The materiality of digital data is distributed in space and time. A patient’s health data may have a specific ‘place’ on the hard drive in the hospital database where it is stored, but it ‘moves’ to wherever it is accessed from computers in different clinics or departments of these hospital, or the patient’s own computer or mobile phone [...] In sum, digital data is multiple in that it can be in several places at the same time, and in that it can continue to exist in one place when it was removed from another.’





# From Leviathan to iLeviathan (1)

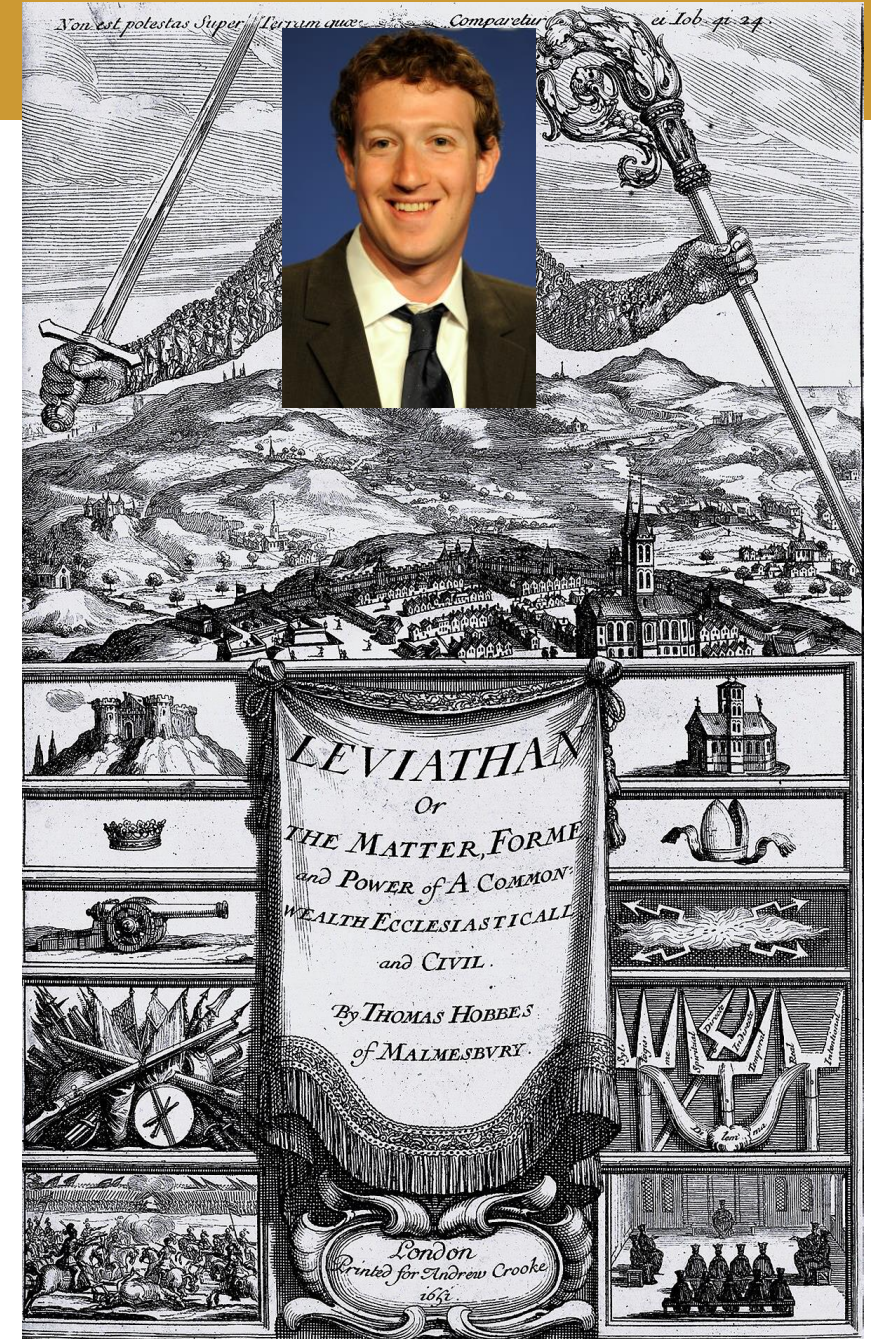
- Thomas hobbes (1588-1679)
- 1651
- Social contract theory
- What is the origin of legitimate government?
- State of nature
  - War of all against all
  - 'nasty, brutish short'
- Social contract
  - State/government protects life and property





# From Leviathan to iLeviathan (2)

- “Unlike with Hobbes’ Leviathan, the freedom people trade is no longer their ‘natural freedom’ to do to others as they please, but it is the freedom to control what aspects of their bodies and lives are captured by digital data, how to use this data, and for what purposes and benefits.”  
(Prainsack 2019)



*The Cambridge Analytica Whistleblower's  
Inside Story of How Big Data, Trump, and Facebook  
Broke Democracy and How It Can Happen Again*

# *Targeted*



BRITTANY KAISER





# From Leviathan to iLeviathan (3)

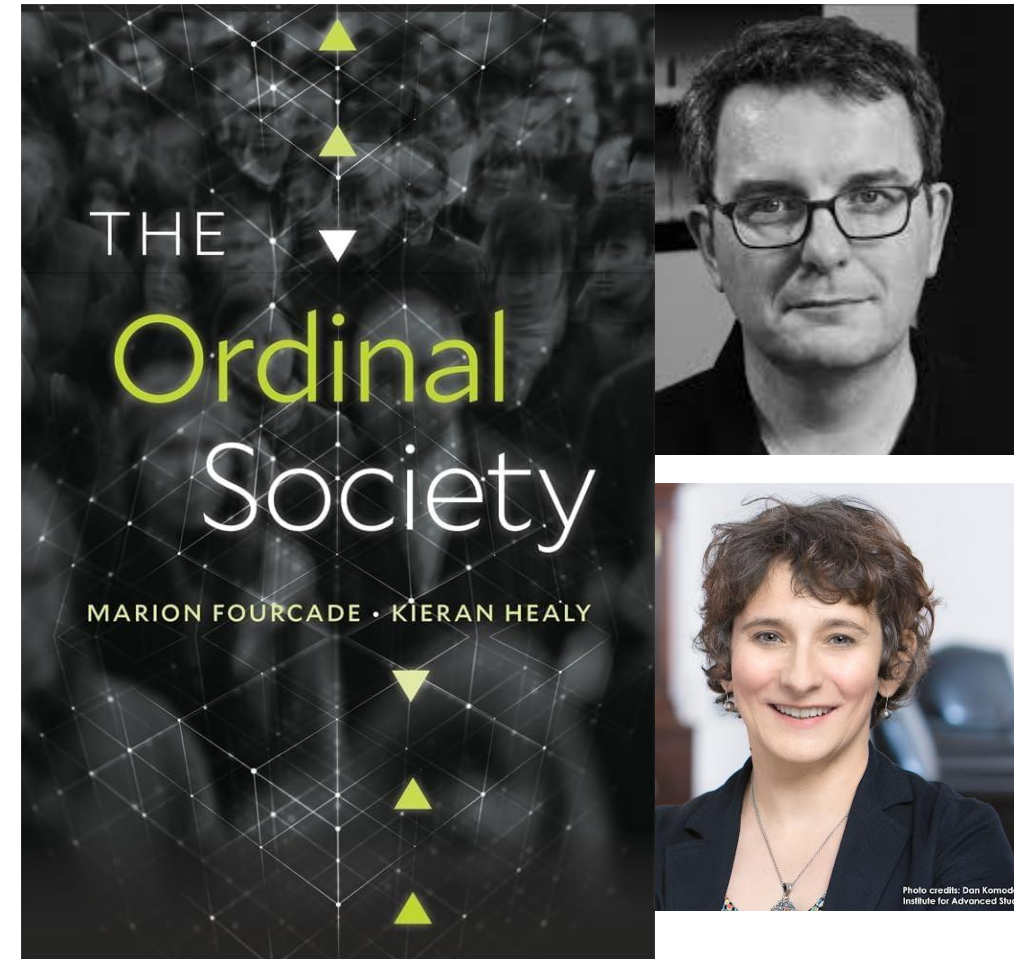
- Power asymmetries between citizens and data processors
- Cf. decision fatigue/privacy fatigue
- ‘Increasingly, the iLeviathan also demands that people trade privacy and freedom from surveillance for access to services provided by public authorities (Prainsack, 2019). The latter happens, for instance, when people are required to use services by Google, Facebook, or their likes in order to book a doctor’s appointment or communicate with a school (see also Foer, 2017). For many of us, it also happens when access to a public service requires email.’ (Prainsack 2019)





# From Leviathan to iLeviathan (4)

- ‘For most, though, the ability to opt out of surveillance is constrained by the desire to participate, to be where social life is happening, even if their desire to be monitored is not that strong. The absence of privacy is expected, disliked, and tolerated – all the more since corporations, too, carefully design interfaces to cultivate a sense of ignorance or helplessness.’





# The individual control vs collective control

**Table 1.** Main strands of arguments about how to address the asymmetry of power between data subjects and corporate data users.

Strategy	Authors in this group conceive personal data and information as:
Strengthening individual-level control ( <i>Individual Control group</i> )	(a) individual property protected by property rights OR (b) inalienable individual possessions protected by individual civil rights
Strengthening collective public control, increasing public value ( <i>Collective Control group</i> )	inalienable <i>personal</i> possessions that have an individual <i>and</i> a social component; protected by individual civil rights and by collective public ways of control and responsibility  AND/OR  public value of personal data and information should be enhanced (e.g., data philanthropy, data commons; see also Taylor, 2016)

Source: Author.



# Data solidarity

- Framework for solidarity-based data governance
- Alternative to individual control frameworks



WHITE PAPER

## DATA SOLIDARITY

December 2022

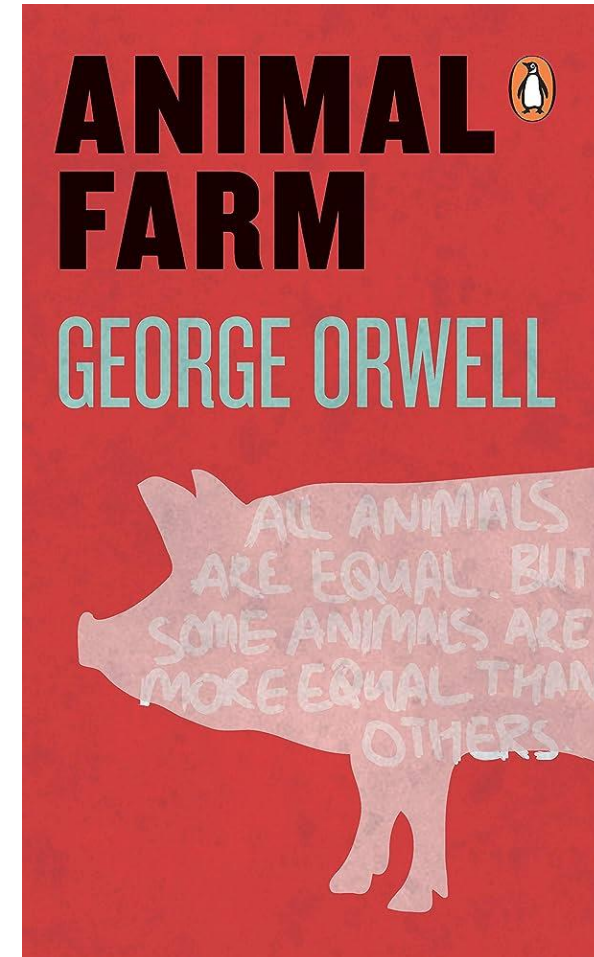


# Solidarity

- ‘Solidarity is an enacted commitment to carry ‘costs’ (financial, social, emotional or otherwise) to assist others with whom a person or persons recognise **similarity in a relevant respect.**’ (Prainsack & Buyx 2017; 52)
- Different from other concepts
  - Altruism
  - Justice
  - Fairness
- Examples?

# From data types to data use

- All data are protected, but some data types are more protected than others
- BUT:
  - Data use, not type, shapes harm and risk
  - 'Even data that does not come from humans at all can cause harm to people'





- ‘Data use should be actively supported when it creates significant public value, meaning that it can be plausibly assumed that it will have clear benefits either for many people, for society as a whole or for future generations, and that no person or group is likely to experience significant and undue harm.’ (Prainsack et al. 2022)
- Broad attention for underprivileged groups

- What type of argument is this?

## Three pillars of solidarity based data governance



*Illustration 1. Three pillars for a solidarity-based data governance framework*



# No data types, but types of data use

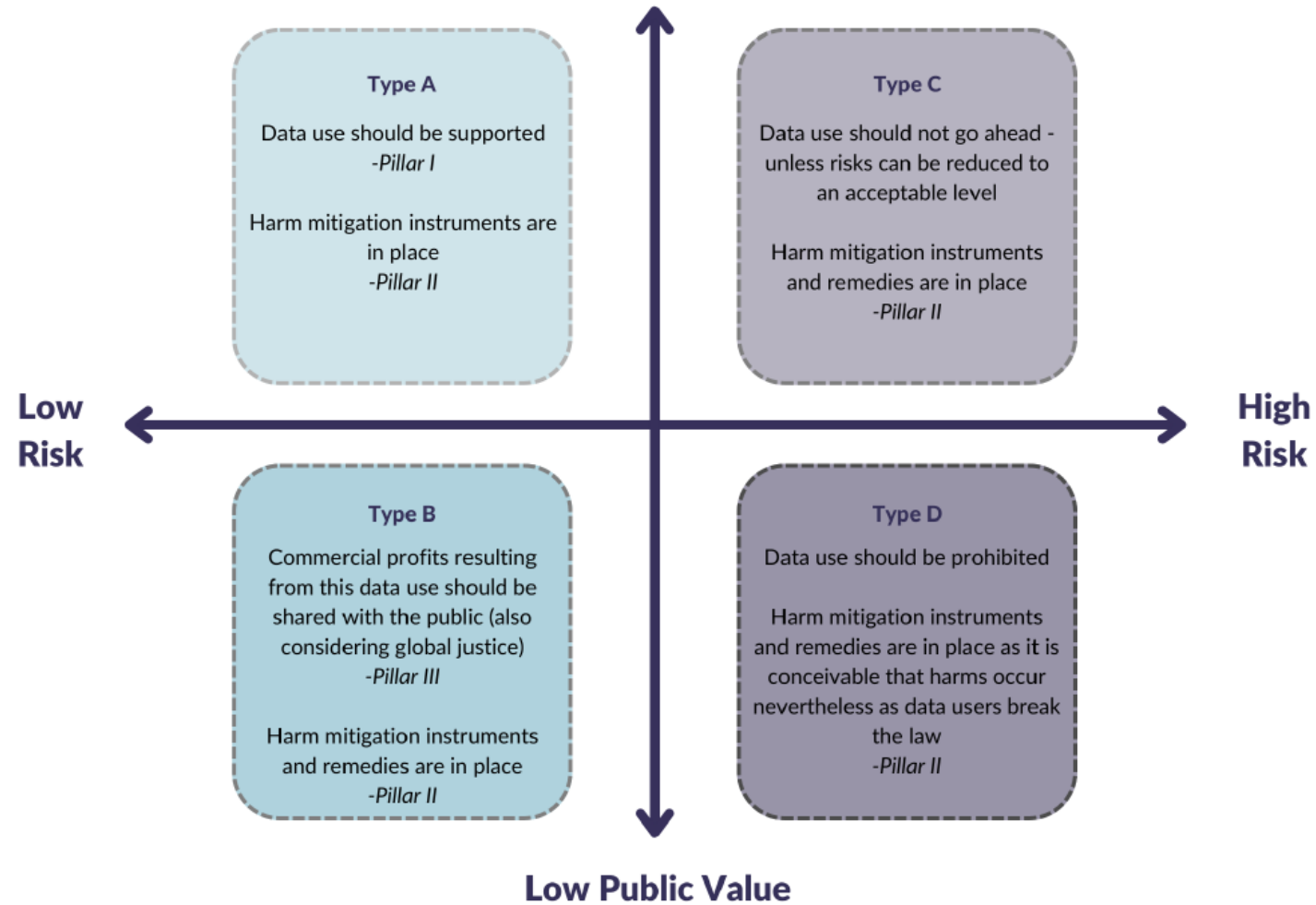


Table 1: Overview of different types of data use

# Next week:

- General Q&A





# Questions on Module 12?

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