

01/10/2024

Is data a commodity?

Is data oil? Is oil reusable? → No, but data can be reused

Grey market - data is bought and sold

Personal data, community data, weather data
↓
traffic data

IT Act 2000: commercial - no section regarding citizen privacy, protection

↳ opened up to intl markets, stealing data is a crime

↓
companies wanted to outsource but were worried about their data since India did not have law to safeguard

Non-excludable	Commons	Public
Excludable	Private	Clubs
	Rivalrous	Non-rivalrous

Commons - resources, non-private like air, forest

Clubs - movie theater, golf course, etc.

Public - light, Private - oil, potato

Data is non-rivalrous, (can be excludable, like password-protected docs)
↓
so, not oil

Water used to be commons, but now becoming private - companies keep it (Nestle, eg.)

Economic incentive to collect data - but harm in collecting this data

- Harm to person - privacy

- Harm to economy - concentration of wealth, power

Should data be with private or public?
↓ ↓
corporations govt.

This debate is problematic - citizens, original creator of data, is forgotten
→ Core-periphery debate (big-small country)
↓
should there be juggling of power b/w the core & the periphery
Power is not geographical
↓
Not India vs USA, Indian elite + US elite vs rest

→ Individual responsibility, use free software

→ DPI - Digital Public Infrastructure

If we have everyone's data, welfare can be done efficiently
eg. Aadhar card

But this can be at cost of human rights - court case on Aadhar
↓
how can you take data

Means testing - testing if someone deserves a welfare

↓
by checking data (eg. check bank account to see if someone should get free education)
does not work

↓
better to give unconditional welfare than conditional
↓
leads to errors, like what

if someone does not have bank account, documentation

Securitisation - spiraling use of data towards security

↳ more & more security to protect security - at the end, loss of rights
eg. cameras, security against hackers

Function creep - initially harmless software slowly changed to become harmful - eg. Singapore - gave data to police, which was against their initial promise

Puttaswamy Judgement 2019 - data is important, citizens' right to privacy
2023 - 1st data protection law in India - very surface level compared to Europe
Europe - politicised society on such issues, not yet in India

Multipolarity - not just 1 pole like USA - problem: multipoles will do the same
Trust: companies trust each other, do not compete, manipulate market so
common people suffer irrational prices - eg. insider trading
Antitrust: govt. forces them to fight against each other
But while competition is good, relationship b/w citizen and company
holding data does not change.

Unit of analysis should be labour, not border - Corporation is multinational
Brinksmanship - data localisation - company has to pay tariff to access
poor country's data
But local Indian companies may not be able to afford it
On the brink - threatening a policy that the country does not intend to
India, China carry out

4/10/24

Core-periphery is a concept of concentration of wealth and power, not
necessarily geographical

Data - commodity - but more than that

dignity - personal data, identity

cannot be bought/sold, so not a commodity

Surfdom - bonded to land

Europe - some parts grant it - right to be erased, forgotten digitally

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- ML makes anonymity more complex
 - People recognize that there is misinfo, demand that something be done
 - Bombay HC - it is unconstitutional for govt. to decide what news is fake

First mover's advantage

Proposal - antitrust - break up big companies.

- 2 problems - for a data/tech company, hard to legally prove it is a monopoly
- even if broken up, privacy not guaranteed

New enclosure act - data accumulated, only then govt. breaks monopolies
data - commonly created, privately owned

Organized robbery - Adam Smith - Land Enclosure Acts in UK

Data models

↗ market figures it out

- No model - not doing anything - can be violent - disadvantage
- EU - community data, through political means becomes status quo
- Trusts - experts manage data and then use for development
↓
make money

Open data on websites - Barack Obama

↓
technically democratizes data but not access

↓
only those with tech. can make use of it

GDPR

History - IBM provided Nazis with computers that used data to carry out genocide.
↑
scared, paranoid

Agenda after WWII: to prevent data from being used like that again

Gramm-Leach-Bliley Act : allowed banks to use people's money to put on market

- Toymart.com bankruptcy - but data of customer ~~data~~ is an asset

↓
Law made that data can be sold to similar company

Frame : pro-citizen, anti-business